

Proactive release of information policy

Introduction

This policy describes how Te Hīringa Mahara - Mental Health and Wellbeing Commission (the Commission) will ensure that it participates in government initiatives to increase the availability of official information that is not expressly prepared for publication.

Many of the documents produced by the Commission will be intended for publication, for instance, consultation documents, consultation reports, media releases and position statements. These form part of the Commission's communications and engagement approach rather than the proactive release of information.

Proactive release of information promotes good government, openness and transparency and fosters public trust and confidence in the Commission. By making a broader range of information on the Commission's work readily accessible, it also helps to reduce administrative burden – both on individuals who no longer need to make requests for information, and on the Commission in responding to requests

The policy applies to all Commission staff and to Board members. The [Proactive release of information procedures](#) set out the process to be followed.

Definitions

The following definitions are used for the purposes of this policy:

Board:	The Board of the Mental Health and Wellbeing Commission.
Staff:	Permanent and fixed-term employees, contractors, and consultants.

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Policy

Proactive release of information

All information that is proactively released will comply with the Commission's [communications standards](#) and [visual identity guidelines](#) to ensure that it is easy to understand and accessible; see the [Communications policy](#).

The Commission will proactively publish information that informs the public about how it undertakes its functions and / or could be of interest to the wider public.

Before information is proactively released our relevant considerations will include:

- the Te Kawa Mataaho Public Service Commission [agency guidance for proactive release of official information](#).
- the requirements of the [Privacy Act 2020](#)
- the requirements of the [Health Information Privacy Code 2020](#)
- any legal risk to the Commission.

Proactive release of OIA request responses

The Commission will publish responses to the Official Information Act 1982 (OIA) requests that are appropriate for wider publication. We will exercise due diligence before proactively making the responses available and assess the potential effect of publishing them including considerations relevant to the preservation of personal privacy.

Relevant considerations may include:

- whether there has been more than one request for the information, or on the topic the information covers
- whether the information would be of general interest to the public
- whether release of the information to an audience wider than the requester would create any legal risk to the Commission
- the requirements of the [Privacy Act 2020](#)
- the requirements of the [Health Information Privacy Code 2020](#).

The Commission will advise OIA requesters that the information we provide them in our response may be published on our website. Before publication, we will remove personal details that would reveal the identity of the requester.

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Redactions

The Commission may choose to make redactions to proactively published information. Where appropriate, these redactions will be identified with the relevant sections of the OIA.

If redactions have been made to documents which have been proactively released and it is determined later that more information can be made available, the Commission may revise and update its published responses.

No surprises

Releases of information are made on a “no surprises” basis, which means, where appropriate, the responsible Minister should be informed of the release in advance. Where a decision is made in advance to proactively release a paper written to the Board or the Minister, the paper will have a noting recommendation that says this.

The Commission will make every effort to advise all other parties involved in the creation of the information, or any stakeholders potentially impacted by the information being released, in advance of the release.

Responsibilities

All Commission staff and Board members must comply with this policy. They should consult with the Chief Executive if they are unable to ascertain the level of individual responsibility for non-compliance with this policy.

The Director Corporate Services is responsible for updating this policy in accordance with review timelines.

Non-compliance with policy

Failure to comply with this policy may result in the Commission taking disciplinary action in accordance with the [Code of conduct](#).

Failure by a Board member to fully comply with this policy may breach the Board member’s duties under the Crown Entities Act 2004 and could result in their removal from the Board.

Related documents

[Agency guidance for proactive release of official information](#)

[Code of conduct](#)

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[Communications policy](#)

[Communication Standards](#)

[Health Information Privacy Code 2020](#)

[Official Information Act 1982](#)

[Official Information Act policy](#)

[Privacy Act 2020](#)

[Proactive release of information procedures](#)

[Visual Identity guidelines](#)

Policy details

Owner: Director Corporate Services

Approver: FAR Committee to recommend approval by the Mental Health and Wellbeing Commission Board.

Next review: October 2028

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