

# LONG-TERM INSIGHTS BRIEFINGS

## High-level overview



**The Long-term Insights Briefings require the public service to look over the horizon, for the common good.**

– Brook Barrington, Head of the Policy Profession

The New Zealand public service has a duty of stewardship, to look ahead and provide advice on future challenges and opportunities. Achieving this requires organisational commitment to develop the capacity and capability to not only respond to the issues of the day, but also take a longer-term stewardship role.

The public service isn't immune to having immediate and urgent matters crowd out the future. Maintaining a focus on the long term requires appropriate investment and an intentional approach. It requires a public service that values foresight – to think, anticipate and act with the future interests of people in New Zealand front and centre.

The requirement in the *Public Service Act 2020* (Schedule 6, clauses 8 and 9) for departmental chief executives to publish a Long-term Insights Briefing (a Briefing) is an intentional approach to increase our focus on the long term.

### Statutory purpose of the Briefings

To make available into the public domain:

- information about medium and long-term trends, risks and opportunities that affect or may affect New Zealand and New Zealand society
- information and impartial analysis, including policy options for responding to these matters.

### Scope of the Guidance

The Guidance has been issued by Brook Barrington in his role as Head of the Policy Profession. It sets out the legislative requirements on departmental chief executives to develop a Long-term Insights Briefing – required at least once every three years – and recommendations for how these Briefings should best be developed. Agencies in the broader state services may find the Guidance useful if contributing to a Briefing relevant to their agency's operations.

This Guidance has been written to support chief executives with their first Briefing.<sup>1</sup> The Briefings are a new and untested instrument and process. There will be lessons learned from the first round of Briefings that inform and improve the next, including helping refine the contents of the Guidance.

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<sup>1</sup> The Guidance has been informed by workshops with departments and other stakeholders, and research into relevant practices and models in other jurisdictions.

## Key aspects of the Long-term Insights Briefings

The Briefings are think pieces on the future, not government policy. They differ from the advice that the public service provides ministers,<sup>2</sup> or the accountability and planning documents prepared for Parliament.<sup>3</sup> The Briefings are an opportunity to enhance public debate on long-term issues and usefully contribute to future decision making – not only by government but also by Māori, business, academia, not-for-profit organisations, and the wider public. This means as well as developing high-quality Briefings, consideration needs to be given to communicating and promoting their findings.

### Independent of ministers

The requirement to publish a Briefing is a statutory duty on departmental chief executives, independent of ministers. Chief executives are responsible for maintaining this independence. This means not seeking their minister's input into, or approval of, the subject matter for the Briefing or the content of the Briefing. Even if there are indications that the current government does not wish to focus its attention on a long-term issue, that should not influence the department's decision about what subject matter to include in the Briefing.

When developing the Briefing, the 'no surprises' principle still applies.<sup>4</sup> When chief executives first inform their minister of the proposed subject matter for the Briefing, it's recommended they inform both the department's 'ownership minister' and 'appropriate minister'. The appropriate minister is the minister responsible for the relevant function of the department that relates to the Briefing.<sup>5</sup> In circumstances where there is more than one appropriate minister, each minister should be informed.

There are likely to be other key points throughout the Briefing process where chief executives will need to inform the appropriate minister/s. This includes when consulting the public on aspects of the Briefing, or significant matters that arise in the Select Committee examination of the Briefing. Any engagement with ministers prior to the Briefing being presented to the House of Representatives must be informative in nature only.

### Selecting the subject matter and working with others

Chief executives are required to select the subject matter for the Briefing. They must do this by taking into account the purpose of the Briefings (outlined in the box on page 1) and those future trends, risks and opportunities that are particularly relevant to their department's functions. Which subject matter to select will be a judgement call, as there's likely to be a range of subject matter that may be appropriate. The criteria in Annex A can assist chief executives in making judgements on the subject matter.

Chief executives may:

- develop their own Briefing on subject matter relevant to their department's functions (departmental Briefing), or
- join with other chief executives to develop a single Briefing on subject matter that's relevant to multiple departments' functions (joint Briefing).

The subject matter doesn't need to cover a department's entire portfolio. It may focus on a deeper exploration of a specific issue. If they wish, chief executives may choose to contribute to more than one

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<sup>2</sup> For example, differing from Briefings to Incoming Ministers.

<sup>3</sup> For example, differing from Statements of Intent or Annual Reports.

<sup>4</sup> The 'no surprises' principle is a convention by which chief executives keep their ministers informed of significant or controversial matters, especially those that may arise in public, in the minister's portfolio areas of responsibility. Refer to Crown Law's [Chief Executives and the 'no surprises' principle](#) for more information.

<sup>5</sup> 'Appropriate minister' is defined in [section 5](#) of the *Public Service Act 2020*.

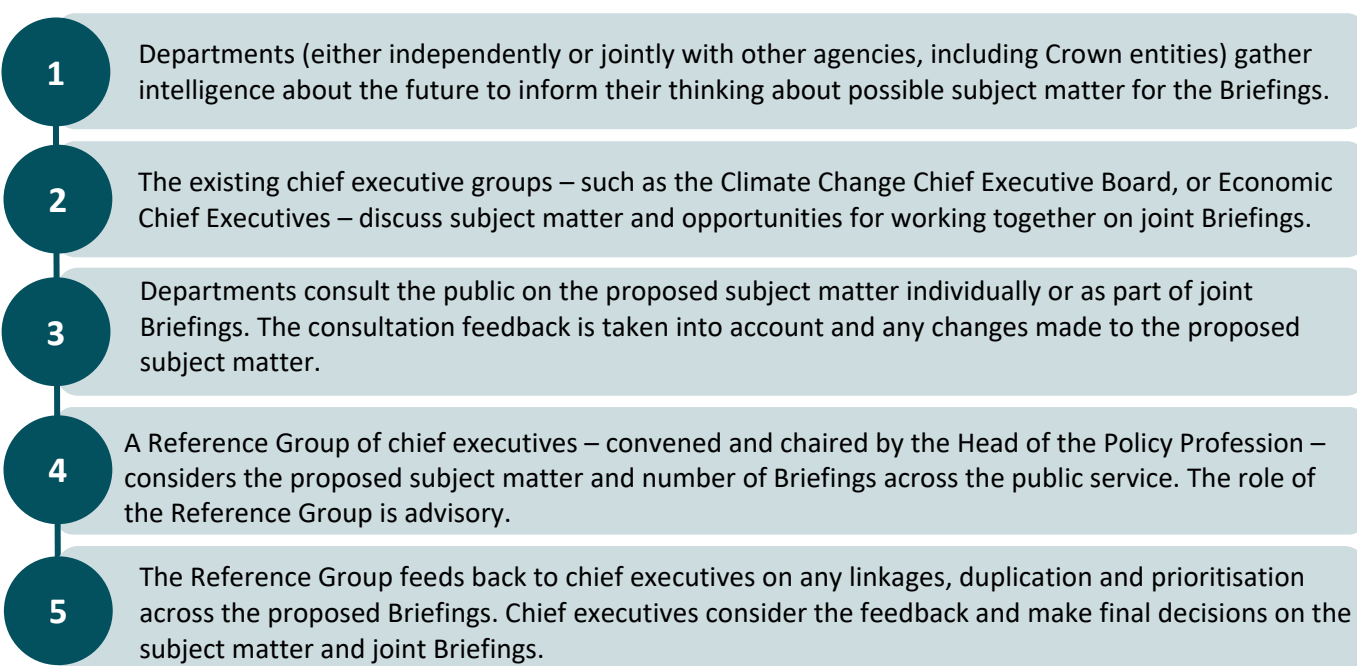
joint Briefing, or develop more than one departmental Briefing. For departments that have multiple ministers, there's no requirement to develop a Briefing for each minister.

## Public sector-wide process for forming joint Briefings

If each chief executive developed a departmental Briefing, 32 Briefings would be produced. A smaller number of largely joint Briefings on key issues would make more effective use of existing resources through departments working together. It will also enable the Briefings to best contribute to public value by:

- having a greater impact on public debate by focusing on a smaller number of issues and reducing the consultation burden on the public
- making connections between future trends that cross departmental functions, to identify new opportunities or risks.

A public sector-wide process has been established to support departments to identify opportunities to form joint Briefings. Chief executives can engage with this process as follows.



This process doesn't mean that each chief executive group must or should develop a joint Briefing. It also doesn't mean that chief executives who are on multiple groups must contribute to a Briefing from each group. The only requirement is that each departmental chief executive contributes to the development of at least one Briefing (whether departmental or joint). Individual chief executives retain the decision rights to select the subject matter for their Briefing and decide whether or not to join with others to develop a joint Briefing.

## Selecting the time horizon

The value of the Briefings is the opportunity to adopt a longer timeframe than may normally be used in the department's work. While the Act references the medium and long term, the exact time horizon is not defined in years.

It's recommended that:

- all Briefings look out at least 10 years into the future – to ensure their focus is beyond the short term (that is, ten years should be the beginning of the medium to long-term period)

- for each Briefing, the department or departments responsible select an end to the medium to long-term period that's most appropriate for the topic under consideration
- departments select the end to the medium to long-term period for their Briefing after undertaking the initial intelligence gathering and decision making on subject matter.

## Developing the Briefing content

The Act doesn't set out requirements for the content of the Briefings. Based on the statutory purpose of the Briefings, it's recommended they include:

- information about medium and long-term trends, risks and opportunities related to the subject matter under consideration
- information and impartial analysis, including policy options for responding to these matters.

The Briefings may also include the strengths and weaknesses of policy options but without indicating a preference for a particular policy option.

Chief executives should take care that a Briefing upholds the impartiality that's fundamental to a politically neutral public service. Ensuring that the Briefings don't indicate a preference for any policy option and are based on unbiased information and analysis will help achieve this.

In certain situations, the chief executive may consider it appropriate to produce one document that meets the requirements of the Briefings, and at the same time meets the requirements of another instrument they are required to produce. When considering the suitability of this approach, chief executives must be satisfied that all the requirements of the *Public Service Act* (and any other applicable legislative requirements) are met, including in relation to public consultation and that the Briefing is developed independently of ministers.

## Public consultation

Meaningful and inclusive engagement with the public will help ensure that the Briefings are relevant and focused on what matters for New Zealand. At a minimum, the Act requires chief executives to consult the public on two matters – the subject matter or topic of the Briefing, and the draft Briefing on that subject matter once developed.

It's recommended that chief executives consider:

- for subject matter, whether to consult on only one proposed or a number of possible topics
- to what extent to specifically engage with iwi Māori and other Māori interests<sup>6</sup>
- whether there are specific population groups and other stakeholder groups that should be a particular focus of consultation, given the subject matter<sup>7</sup>
- whether engagement with any groups or the wider public should extend beyond the minimum consultation requirements of the Act, and occur on more than proposed subject matter and draft Briefings (for example, when undertaking initial intelligence gathering)
- which approaches to consulting or engaging will avoid burdening parts of the public.

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<sup>6</sup> Refer the principle 'Respect Māori and Te Tiriti o Waitangi / Treaty of Waitangi interests' outlined in the guiding principles section on page 7.

<sup>7</sup> Some of the groups making up the New Zealand population include Māori, Pacific peoples, other ethnically diverse groups, disabled people, women, rainbow communities, religious communities, children and youth, and seniors. This is not meant to be an exhaustive list. Those and other groups with a stake in the subject matter most relevant to consult with will vary from Briefing to Briefing.

Chief executives must take into account the consultation or wider engagement feedback when finalising the subject matter for the Briefing (before the Briefing is drafted), and when finalising the content of the Briefing. Taking into account means genuinely considering matters raised during consultation.<sup>8</sup> However, the responsibility for the final decisions on subject matter and the final briefing content rests with chief executives and there may be good reasons not to adopt an approach suggested during consultation.

Chief executives may need to conduct other consultation and engagement activities with key groups, or the wider public on government policy, while the Briefing process is live. To avoid confusion, any engagement processes on the Briefings should be kept separate from engagement processes on government policy.

## **Parliamentary scrutiny**

The Act requires chief executives to provide a copy of the final Briefing to the appropriate minister – to enable the minister to present the Briefing to the House of Representatives. In circumstances where there's more than one appropriate minister, the Briefing must be provided to each of the appropriate ministers. If multiple ministers receive the Briefing, they will each have a shared obligation to present the Briefing to Parliament. Chief executives should draw this shared obligation to the attention of each minister, to prompt them to decide who should present the Briefing.

Select Committees relevant to the subject matter of a Briefing may conduct an examination into that Briefing.<sup>9</sup> This may include hearing evidence from departments, asking ministers to appear, receiving public input and seeking independent advice. If called to attend as witnesses at public hearings to give evidence on a Briefing, chief executives should be clear that their attendance is in the exercise of a statutory duty independent of the minister. That is, they aren't acting on behalf of their minister. If the Select Committee asks the minister to appear, however, departments should brief the minister in preparation.

When officials are giving evidence in Select Committees, particular care should be taken not to indicate a preference for different policy options – either current or future policy. This doesn't preclude chief executives from providing information and impartial analysis on the technical, operational, societal, or other wider implications of the policy options identified in the Briefing and providing advice on their strengths and weaknesses.

## **Timing of the Briefings**

The Briefings are required to be presented to Parliament by the appropriate minister – as soon as reasonably practicable after receiving it. The Act is silent on the exact timing for when the Briefings are to be prepared by a chief executive and presented to Parliament.

It's recommended that where possible, chief executives should produce the first round Briefings in time for them all to be presented to Parliament by 30 June 2022, as the Standing Orders Select Committee has requested. If this isn't possible, chief executives should aim for as soon as practicable after this date. This timing will ensure the Briefings aren't presented during the pre- or post-election months. It will also maximise the opportunity for the Briefings to be used to inform public debate prior to the next General Election. This timing will be reviewed after the first round of Briefings.

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<sup>8</sup> To genuinely consider matters raised, weigh up the factors being considered, effect a balance between these factors that is appropriate for the circumstances, and be able to show that this proper consideration of the feedback has taken place.

<sup>9</sup> Briefings that span multiple sectors may be examined in joint Select Committee meetings.

## Guiding Principles

Some guiding principles have been developed to support chief executives in making decisions that fully realise the potential benefits of the Briefings. The guiding principles are:

### Promote public debate

The Briefings are a mechanism for the public to contribute meaningfully on what matters the most for the future of New Zealand. The communication and engagement aspects of the Briefings are just as important as the research and analysis itself. Consideration should be given to drawing out the voices of young people, particularly when discussing issues that have intergenerational implications for wellbeing.

### Contribute to public value

The ultimate outcome of the Briefings is to contribute to public value – that is, to focus on matters important to the future wellbeing of the people in New Zealand. Contributing to public value will be achieved when the long-term thinking in the Briefings usefully contributes to decision making – not only by government but also by iwi and other Māori interests, business, academia, not-for-profit organisations, and the wider public.

### Open and transparent

Making all information related to the Briefings publicly available – such as consultation feedback, significant data used to develop the Briefings and the methodologies applied – will help build trust and confidence in the public service. It will increase the chances that the Briefings contribute to future decision making and will reduce the likelihood of receiving a number of Official Information Act requests in relation to the Briefings.

### Independent and impartial

The Briefings need to be both independent and impartial. Developing the Briefings independently of ministers enables the public service to take a longer-term stewardship role. It doesn't mean the public service can dictate what the priorities for the future will be or what action should be taken to pursue those priorities.

### Respect Māori and Te Tiriti o Waitangi / Treaty of Waitangi interests

The Briefings need to appropriately consider Māori and Treaty interests. The same considerations in relation to the Treaty of Waitangi that normally apply to the work of government departments also apply to the Briefings. Engagement with Māori is likely to be necessary in developing the Briefings to better understand:

- the impact of future changes on iwi, hapū, whānau, Māori organisations, and other Māori interests (including as people of New Zealand)
- what matters to Māori about the future, including the impact on outcomes that affect them, Treaty settlements and customary rights and interests, and aspirations and needs
- Māori tikanga or mātauranga Māori at play.

The extent to which engagement occurs will depend on the department's functions and the level of Māori interest in the subject matter of the Briefing. The Briefings can build closer relationships with Māori by appropriately recognising the interests and roles Māori may have and by signalling which policy options are more likely to improve outcomes for Māori over time, and consequently Treaty relationships.

## **Achievable and sustainable**

The Briefings need to be achievable and sustainable. Considerations of resourcing, capability and existing stakeholder relationships will influence decisions on the scope and substance of the Briefings. It's better to deliver a more narrowly focused Briefing of high quality, than set unrealistic expectations.

# Annex A:

## Criteria for selecting the subject matter for a Briefing



Which subject matter to select for a Briefing will be a judgement call, as there's likely to be a range of subject matter that may be appropriate. The criteria below can assist chief executives in making judgements on the subject matter the Briefing will focus on.

### **1. The subject matter has not yet received adequate consideration**

The Briefings provide an opportunity to explore issues that are known but haven't received adequate consideration to date, as well as new and emerging issues that haven't yet been recognised. This may include a topic that has been identified previously, but not sufficiently analysed. It may also include creeping problems that develop gradually over time which means they attract little attention.

### **2. The subject matter is likely to have significant implications for the long-term wellbeing of people in New Zealand**

The Briefings provide an opportunity to explore the issues that matter for the long-term wellbeing of people in New Zealand. This includes issues that impact the long-term distribution of wellbeing across people, places and generations.<sup>10</sup> To be long term, the issues should have the potential to endure over time or have implications that are likely to arise in the future. As a guide, when selecting the subject matter ask whether it's likely to affect wellbeing significantly at least 10 years into the future.

### **3. The subject matter can ordinarily be sufficiently distanced from current government policy when consulting the public**

There is a risk of public confusion if, during the same time period, the department is consulting on a government policy topic, and similar subject matter in a Briefing. It's likely to be difficult or impossible for the public to distinguish between government policy development and the public service developing its independent advice on that topic. Briefings are also intended to promote public debate and later decision making on future issues not being sufficiently addressed by current policy work programmes. So if the subject matter is already being focused on by government policy development, it will generally be appropriate to propose other subject matter for the Briefing.

### **4. The scope of the subject matter is manageable**

The scope of the subject matter is manageable given existing resourcing, capability and stakeholder relationships to develop the Briefings. Most long-term issues overlap and require clear boundaries to be put in place. Also, check that security classifications don't impose unmanageable restrictions to exploring the subject matter in public.

### **5. The subject matter is "particularly relevant" to the department's functions**

The subject matter is closely connected to the department's functions and not incidental to them.

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<sup>10</sup> Departments may wish to refer to the Treasury's [Living Standards Framework](#), for guidance on applying a wellbeing approach. The publication [An Indigenous Approach to the Living Standards Framework](#) provides additional insights on its application.



## Publication details

This product is the first in a suite of four Long-term Insights Briefings guidance resources:

### 1. **High-level overview**

This sets out the requirements on departmental chief executives to develop a Long-term Insights Briefing and recommendations for how these Briefings should best be developed. It includes guiding principles to support departments in making decisions that fully realise the potential benefits of the Briefings. It also includes criteria to assist departments in selecting the subject matter for a Briefing.

### 2. **The high-level development process (in A3 format)**

This sets out the high-level process and indicative timeframe for departments to follow in developing a Long-term Insights Briefing. There are eight high-level steps in the development process and each step consists of a number of activities.

### 3. **Detailed steps of the development process**

This provides guidance to support agencies in undertaking the necessary activities that form each of the eight steps in the development process for a Long-term Insights Briefing. It also provides their indicative timeframes.

### 4. **Checklist**

This provides a list of questions based on good practice for departments to consider during each step of the development process for a Long-term Insights Briefing. The checklist sets out practical actions that can be taken to develop and deliver a high-quality Briefing, and how to promote the long-term insights.

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