



## **Comments from Taituarā – Local Government Professionals The DIA Long-Term Insights Briefing**

### ***What is Taituarā?***

Taituarā — Local Government Professionals Aotearoa thanks the Department of Internal Affairs (DIA) in regards its draft long-term insights briefing (the briefing).

Taituarā — Local Government Professionals Aotearoa (formerly the NZ Society of Local Government Managers) is an incorporated society of 934 members<sup>1</sup> drawn from local government Chief Executives, senior managers, and council staff with significant policy or operational responsibilities. We are an apolitical organisation. Our contribution lies in our wealth of knowledge of the local government sector and of the technical, practical, and managerial implications of legislation.

Our vision is:

*Professional local government management, leading staff and enabling communities to shape their future.*

Our primary role is to help local authorities perform their roles and responsibilities as effectively and efficiently as possible. We have an interest in all aspects of the management of local authorities from the provision of advice to elected members, to the planning and delivery of services, to the less glamorous but equally important supporting activities such as election management and the collection of rates.

Local government is a partner in the governance of New Zealand. Democratic values are woven through the sector's statement of purpose, specifically

“The purpose of local government is—

- (a) *to enable democratic local decision-making and action by, and on behalf of, communities; and*

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<sup>1</sup> As of 31 October 2021

- (b) to promote the social, economic, environmental, and cultural well-being of communities in the present and for the future (emphasis supplied)."<sup>2</sup>

Local government was given a broad purpose in 2002 and a great deal of freedom in how it might exercise them (this degree of empowerment is sometimes, loosely, referred as the power of general competence). The counter is that it would act in accordance with democratic values and engaging the community. Local government is therefore critically interested in developments in technology and how they might support an engaged community.

***There are significant elements of the so-called 'negative outlook' in both the present situation and likely future***

We looked closely at the megatrends summarised on page 22 and apparently grouped into an optimistic outlook, the current trajectory and a negative outlook. We think this categorisation is overly simplistic as aspects of the negative outlook are already present and appear likely for the future. For example:

- *a sequence of pandemics leads to the breakdown of trust and greater inequality* – while there have not been a sequence of pandemics, there have been three variants of covid-19 with others appearing likely. As we write this there are new concerns about the so-called 'monkey pox'. The emergence of the virus, and the regulatory requirements and social pressures, coupled with the echo chamber effects of social media have led to some loss of trust
- *climate change leads to some communities becoming unviable and further exacerbates divisions* – New Zealand is still in the discovery phase when it comes to identifying the impacts of climate change. But we are now seeing future impacts in some large communities such as South Dunedin and some parts of Auckland, and engagement around future options along the Hauraki Gulf coastline
- *the marginalised and isolated create online communities where hate speech flourish and society becomes further divided* – some of those in the recent protests at Parliament (and elsewhere) on a smaller scale, and the emergence of the so-called 'common law sheriffs' (and the militant action some of this group are prepared to take) show the effects of the polarisation that can occur online. Having said that we do recognise that Aotearoa is currently distance from some of the more egregiously toxic online behaviours (though a Kiwi could readily access those if they wished)
- *there is no trust in decision-making and less participation and engagement in the democratic process* – while 'no trust' is an exaggeration, the briefing itself acknowledges there is evidence of a loss of trust in institutions generally.<sup>3</sup> In local

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<sup>2</sup> See section 10, Local Government Act

<sup>3</sup> To the evidence cited in the briefing we add that Auckland Council regularly monitors resident perceptions through its Citizen Insight Monitor. The most recent survey noted 25 percent of those surveyed agreed

government, turnout in local elections has remained no more than steady in the low 40 percentiles, though participation in long-term planning processes has increased.

***Digital solutions will be only partly successful in the absence of the inculcation of civic values***

Participation in the community is a function of:

- situational awareness (that the citizen is aware there's some issue, concern, opportunity to participate in)
- civic motivation (that is to say that the citizen has a reason to participate that is personally relevant to them) and
- civic knowledge (i.e. the citizen is aware of the means they have to participate and that they have some degree of confidence that their participation will be worthwhile).

Technology can influence all three of the above. For example, social media is a cost-effective tool for quickly reaching out to a large number of people. But it is most effective at stimulating awareness. But more is needed.

One of the most disappointing aspects of post-election research is that there are those in the non-voting population who do not consider local government relevant to them, or do not consider voting would make a difference in the way their local authority is run. Likewise those evaluations of community engagement processes also often find a degree of scepticism that the council 'would listen to my feedback'.

Technology is an enabler, but the community not only needs enabling to participate, it also needs the willingness to participate.

Taituarā has long considered that there is a need to better inculcate an understanding of civic values at an early age, including local government and its role in New Zealand's constitutional arrangements. The obvious place to do this is through the civics education curriculum.

New Zealand does not formally have a subject called 'civics' in the curriculum – though the Ministry of Education has previously told us that civics is ingrained in the social studies, English and health curricula. That approach is not uncommon, and indeed historically our level of civic literacy has been above average in international studies (though the last such measurement NZ took part in was in 2009).

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with the statement that they had trust in Auckland Council to make the right decisions for the community (up from around one in six five years ago).

We are aware that secondary schools participate in the Kids Voting programme – essentially a ‘mock vote’ in advance of Parliamentary elections, and a smaller number of schools participate in the local government equivalent.

We are aware that the Scandinavian countries make experiential learning a key component of their civic programmes. It’s also the rationale for the Kids Voting programme that the Electoral Commission oversees at parliamentary level (and some local authorities also support at local level). The American Centre for Civic Education runs a programme called ‘We, The People’ where high-school age children debate issues of relevance and discuss constitutional related issues. Its common to European jurisdictions.

LGNZ and some local authorities devoted time and energy to producing resources to enable incorporation of a local government component into civics education. It is reliant on the willingness of the teachers to adopt these for use in a topic that doesn’t form a mandatory part of the civic-related aspects of the curriculum

We can find no evidence that augmentation of the civics curriculum was even considered in the most recent review (2020) of the curriculum. This appears to have been something of a missed opportunity. New Zealand isn’t even measuring the state of civics education as it chose not to participate in the 2016 International Civics and Citizenship Education Study (in fairness we note that none of the other English-speaking jurisdictions did so).

The briefing quite correctly notes that importance of civic literacy, but this goes wider than information and data literacy. Civic literacy needs to expand to the institutions of government and how when citizens can participate, both nationally and locally.

We also consider that the civic literacy section is somewhat lacking in ambition. The briefing quite correctly points to a need to support what programmes already exist. But these have, bluntly, not done the job and tend to equate participation with voting. The brief should be calling for more starting with an evaluation of what works.

### ***The legislation governing the sector is very much written for an analogue world***

We are experts in the legislation and regulations governing the sector – in this context, the Local Government Act 2002, the Local Electoral Act 2001 and various pieces of functional legislation that come with obligations to engage (e.g. the Resource Management Act 1991 etc).

Even the casual reader would note that the dates much of this legislation predate the true digital era particularly the development of social media, off the shelf on-line applications and the like. Some of the older functional legislation not only predates the internet, it predates electronic mail.

As a result the processes for engagement and the electoral process are very much paper-based. And we're not just talking about the lack of an option to vote online – although that at is empowered (in part) in the Local Electoral Act.<sup>4</sup> Matters such as whether a nomination form that has been digitally scanned and emailed, or even sent by facsimile (where these still exist) can be lawfully accepted.

Elsewhere, it took a pandemic for legislation to recognise two-way audiovisual conduct of a council meeting as something open to the public, or to fully allow for elected members to attend and count for the purposes of a quorum. In that time there were examples of some truly exceptional levels of attendance e  
Its not clear that these will outlast the current epidemic notice, or even that a combination of online and face to face council meetings is complies with the legislation.

The briefing correctly identifies legislation as a barrier. We concur and suggest that future proofing of the regulatory framework is one of the first steps.

***Any technological future will be critically dependent on the degree of security and resilience behind it***

Two of the bigger barriers to the technological future championed in the document are the ability to keep digital technologies and the information they hold secure, and the ongoing resilience of the resources that these technologies need to run.

The briefing highlights the frequency of cyber-attacks as one of the aspects of the so-called 'negative' outlook scenario. As we've seen, there's enough evidence to suggest that this is actually a feature of the current technology.

Security, or accurately building a sufficiently positive public perception of security, and hence confidence to adopt the technology will be critical to the future the briefing envisages. To give an example, the last attempt to get a trial of online voting 'off the ground' was abandoned following the intervention of the security agencies. Attempts overseas have met resistance, and in some cases outright sabotage by parts of the academic community opposed to online voting. Security breaches (e.g. Waikato DHB, NZX etc) and other lapses (e.g. various privacy breaches) also go some way to undermining trust and confidence in government and its agencies.

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2. The Act says online voting is a permissible method, if regulations are in place to govern how it operates. At the time of writing there has been no such regulations have been made.

Without a reliable power supply computers, tablets and cell phones become little more than ornamental. Similarly, without a reliable internet connection most online systems and applications are redundant.

The Secretary for Internal Affairs is also the Government's Chief Information Officer (and the Secretary for Local Government too by the way). We were interested to note how much of the briefing was devoted to the right regulation (which is important) and how little resilience and security (especially) have featured.

### ***Investments in skill development are a must***

Taituarā concurs that the development of skills in data science, data ethics and data sovereignty are an enabler of the future painted in the briefing. Increasingly communities participation in the more formal engagement and decision-making processes will make use of less structured media such as social media. Turning a morass of unstructured data into meaningful information/intelligence is 'core business' for a data scientist.

Data science is still an emerging skill in this country, especially in the public sector, and there are difficulties retaining what skill base there is (at least in the public sector).

We suggest that Government may have more of a role than just 'providing support'. There is a case for central and local government to jointly assess the level of data science skills required across the public sector *in toto* and develop the necessary strategy to recruit and retain these skills.

In the interim, Taituarā and ALGIM (2015) have previously suggested that there may be value in the sector jointly hiring a small number of these experts for a medium term period (say five years). These people could be employed to:

- conduct analyses on trends and issues that provide a practical demonstration of big data
- develop sector specific tools for mining big data (or more likely customising other tools for use)
- train others.<sup>5</sup>

We observe that the use of technology doesn't guarantee quality engagement in and of itself. Issues or questions that are poorly framed, missing or inadequate supporting or explanatory materials may be no more effective than a paper-based

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<sup>5</sup> Taituarā and ALGIM (2015), Fit for the Digital Future, page 91, available online at <https://taituara.org.nz/fit-for-the-digital-future>

engagement. Indeed, by alienating those without digital access or who struggle in a digital environment it may generate inferior outcomes. Engagement skills are, and remain at a premium even in the future the briefing envisages.