

**COMMISSIONER FOR PUBLIC SECTOR  
EMPLOYMENT GUIDELINE:  
REQUESTS BY MEMBERS OF PARLIAMENT  
FOR BRIEFINGS**

Public Sector Act 2009  
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## COMMISSIONER FOR PUBLIC SECTOR EMPLOYMENT GUIDELINE: REQUESTS BY MEMBERS OF PARLIAMENT FOR BRIEFINGS

This guideline replaces an earlier Commissioner's Standard issued on 29 April 2005. Its purpose is to provide guidance on the handling of requests by Members of Parliament to public employees for briefings on existing or proposed policies and legislation.

While aiming to ensure as much access to information as possible, the guideline preserves the traditional principles of political impartiality of public employees and the need to maintain the confidentiality of government business matters where necessary.

All such requests must be submitted to the appropriate Minister who, if in agreement with the request, will initiate the necessary arrangements. If an employee is approached directly by a Member of Parliament for briefings, the Member is to be referred to the Minister responsible and the Minister informed through the chief executive of the agency that the request has been made.

Each request will be treated by the Minister on its merits. Requests may be refused on the grounds that they may require an excessive use of resources, that the information concerned must remain confidential to the Government, or that it would be more appropriate for the briefing to be given by a Minister or the Minister's Office rather than a public employee.

When authorised by their Minister, of the Minister's Office, employees may provide factual briefings. Employees will not be expected or authorised to express opinions on government policies, policy options or matters of a party political nature.

The guideline relates to requests for briefings on matters of major policy or legislation. It does not include day to day contact between Members of Parliament and public employees on the ordinary business of government which should continue to be facilitated in a timely and professional way.



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## ATTACHMENT:

### Clarification of Commissioner's Guideline - Request by Members of Parliament for Briefings

The advice in Commissioner's Guideline on Request by Members of Parliament for Briefings provides guidance for situations where Members of Parliament request information that is not publicly available from public servants, officers of statutory authorities and other public employees. While aiming to ensure as much access to information as possible, the Guideline preserves the traditional principle of political impartiality of public servants and the need to maintain the confidentiality of government business matters. All such requests must be submitted to the appropriate Minister who, if in agreement with the request, will initiate the necessary arrangements.

I have been approached by the Parliamentary Librarian expressing concerns that standard requests for information that would be available to the public are being refused by some departments and agencies who cite Commissioner's Guideline as the reason for the refusal. The kind of information falling into these standard requests might be advice on where to find data on a particular issue or the identification of a relevant and publicly available government report.

The document was never meant to prevent the provision of such information. The Parliamentary Library provides an important service to the Parliament and departments and agencies are encouraged to respond positively to requests for assistance wherever possible. Some judgement will be needed on what constitutes publicly available information and departments and agencies continue to be entitled to refuse a request on the grounds that it would require an excessive use of resources.

Requests for information or briefings on matters that would not normally be available to the public – eg proposed policies, legislation or programs – should continue to be submitted to the relevant Minister for approval.

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