



## DIRECTIVE

### Proactive Disclosure (Open Information)

---

#### 1. Purpose

This Directive is to identify categories of information and provide authority to the Open Government Steering Committee to issue guidance to Government of the Northwest Territories (GNWT) departments and agencies on how to proactively disclose Open Information in their organizations to maximize the release of information that will:

1. Fulfill the GNWT's commitment under the *Open Government Policy 11.54* to increase government transparency and accountability by proactively making government information available to the public (subject to identified restrictions), while maintaining the government's responsibility towards privacy, security and legal obligations.
2. Ensure the GNWT is meeting the requirements of Section 72 of *the Access to Information and Protection of Privacy Act*, which states:  
*72. (1) The head of a public body shall*
  - a) establish categories of records that are in the custody or under the control of the public body, and that do not contain personal information, to be made available to the public without a request for access under this Act; and*
  - b) publish any categories of records established under paragraph(a).*

#### 2. Application

1. This Directive applies to all departments, agencies, and employees of the GNWT, as stated in section 3 of the *Open Government Policy*.
2. This Directive sets out the accountabilities for proactively disclosing Open Information for Deputy Heads and the Open Government Steering Committee.
3. This Directive applies to all records that are in the custody or under the control of a public body, and that do not contain personal information, that can be made available to the public without a formal request for access under the *Access to Information and Protection of Privacy Act*.

4. This directive requires public bodies to establish and publish categories of records that must be proactively disclosed (Appendix A).
5. In limited circumstances, at the discretion of the Deputy Head, documents may be withheld within these categories of records due to privacy, security or legal obligations.

### **3. Context**

As stated in the *Open Government Policy*, “the Government of the Northwest Territories is committed to transparency and accountability through public access to government data (Open Data) and information (Open Information), and public engagement on government decision-making (Open Dialogue) in a way that is responsive to the needs and expectations of the residents of the Northwest Territories.”

This Directive supports the *Open Government Policy* by:

1. Identifying categories of documents that should be proactively released;
2. Providing guidance on the identification, assessment, prioritization, and release of Open Information; and
3. Establishing responsibilities for the ongoing management of Open Information.

The expectations of residents of the Northwest Territories for increased access to and the proactive release of GNWT information will require GNWT departments and agencies to make their Open Information easily accessible and user-friendly.

### **4. Definitions**

**Open Information:** government-held information, including but not limited to, information regarding government programs, activities, publications and spending, which is released proactively and made available to the public through a variety of means and in formats that are accessible and user-friendly, with minimal or no restrictions on use or reuse, excluding that which is considered sensitive or subject to privacy, security or legal restrictions.

**Proactive Disclosure (Open Information) Directive:** Directive for GNWT Departments and agencies respecting the requirements for release of Open Information in accordance with section 72 of the *Access to Information and Protection of Privacy Act*.

## 5. Requirements

1. Deputy Heads are responsible for:
  - a) Implementing this Directive in their respective departments and agencies.
  - b) Ensuring Open Information is free of any restrictions related to sensitivity, privacy, security, and legal considerations as appropriate before publishing.
  - c) Ensuring that all Open Information released by their department or agency is accessible and user-friendly in accordance with any proactive disclosure operational guidelines that are developed.
2. The Open Government Steering Committee is responsible for:
  - a) Overall governance of this Directive.
  - b) Managing changes to this Directive, including proposing amendments for the Premier's approval to the list of types of information that departments and agencies are required to release in Appendix A.
  - c) Engaging with internal and external stakeholders on the development of proactive disclosure operational guidelines.

## 6. Authority

1. The authority for this directive is established under the Premier, as per the *Open Government Policy*.

## 7. Reference

1. *Access to Information and Protection of Privacy Act*
2. *Open Government Policy 11.54*
3. *Protection of Privacy Policy 82.10*
4. Recorded Information Management Policy

Name	Signature	Date
Caroline Cochrane, Premier		2023-07-26

## **Appendix A**

### **Information and Documents to be Proactively Disclosed**

#### **Ministerial Activities**

1. Ministerial Policies, Directives and Guidelines
2. Ministerial Mandate Letters
3. Ministerial Travel Expenses
4. Ministerial Meetings with Outside Parties

#### **Publications & Appointments**

1. Annual Reports
2. Business Plans and Annual Updates
3. Strategies and Action Plans
4. Standards, Guidelines, Frameworks and Manuals
5. 'What We Heard' Reports and Results of Public Surveys
6. Audits and Evaluation Reports (internal and external)
7. Appointments to Public Boards and Committees

#### **Contracting & Human Resources**

1. List of Contracts with values over \$10,000
2. List of Negotiated Contracts
3. Position and Salary Information, including:
  - a. Organizational Charts,
  - b. Job Descriptions and
  - c. Salary Ranges