



13 June 2019

Ref: DOIA 1819-1426

Jake Preston

fyi-request-10239-272aeff@requests.fyi.org.nz

Dear Jake Preston

Thank you for your email of 3 May 2019 to the Ministry of Business, Innovation and Employment (MBIE) requesting, under the Official Information Act 1982 (OIA), the following information:

I would like to request copies of all training materials, policies and procedures used within MBIE relating to the way in which Official Information Requests, are dealt with when received by MBIE. To be clear this includes all processes and recollections whether documented or not.

On 13 May 2019, we contacted you regarding the scope of your request and suggested that you refine your request to training material about the OIA that is used Ministry-wide. We also suggested that you narrow your request to only cover documents. On 14 May 2019, you clarified the scope of your request to the following:

I am happy to receive any ministry wide OIA training materials, but I am also interested in what was the Department of Building and Housing and any specific way of handling requests they employ, for example I am interested to see how an official information request is handled, say from a member of cabinet, a member of the opposition, and a member of the public. Similarly I am keen to understand the internal processes involved when a request is received, through to when a response is issued.

MBIE's Official Information Act Requests Policy document affirms MBIE's commitment to the intent and purpose of the OIA, with the policy applying to all MBIE employees and contractors for any official information held by MBIE. Please find the Policy document attached.

MBIE's OIA Requests Policy requires employees to use and comply with Standard Operating Procedures when handling OIA requests. Information about these procedures are contained in MBIE's Official Information Act Procedures document, which supports and underpins the Policy document. The Procedures document provides detailed information about the internal and external processes involved from when an OIA request is received through to when a response is released. Please find the Procedures document attached, as well as the following Standard Operating Procedures documents that are also used by employees:

- OIA Request Step-by-step Daily Guides
- MBIE Departmental OIA Process Map
- Scoping OIA Meeting Checklist
- OIA Process – Timeline and Accountabilities document
- OIA Process – Escalation Points Timeline document

Please also find attached the Ministerial Services Business Partnering Agreement, which is in place between Ministerial Services and MBIE's Business Groups. The Ministerial Services team leads, facilitates and supports the management of the OIA process, and the Business Partnering Agreement is in place to set out the core services that the team provides to the wider Ministry with regard to the processing of OIA requests.

Employees who are new to MBIE are encouraged to sign up for the Ministry-wide Official Information Act and Privacy training workshop. The purpose of this workshop is to give employees a basic understanding of the OIA and the Privacy Act, outline their obligations as public servants regarding requests made under the Acts, and introduce them to MBIE's OIA process. This workshop is conducted by MBIE's Legal Services branch. Please find attached the following training material that is used for the workshop:

- OIA Training Presentation
- OIA Training – Release of official information under the OIA
- OIA Training Examples
- OIA Training Examples – Handout for Presenter

You have asked for any specific way of handling requests for information that would have been part of the Department of Building and Housing. The functions of the old Department of Building and Housing are now across both MBIE and the Ministry of Housing and Urban Development. As such, we transferred your request in part to the Ministry of Housing and Urban Development on 15 May 2019 for their response. With the exception of Weathertight Services, the process for handling OIA requests for information held by MBIE business units that were part of the Department of Building and Housing does not differ from the way that requests for information from other parts of MBIE are handled.

The Weathertight Services team receives a considerable number of OIA requests, which tend to relate to the buying and selling of properties with claims, financial assistance given, and information on the operation of the service. As such, many of the OIA requests received in this area are urgent, as requesters usually want information on a property before purchasing or selling. The Weathertight team has created process and training documents that are used by Weathertight and the Ministerial Services team as a guide when handling OIA requests for Weathertight information, in order to meet Weathertight's operational needs.

Please find attached the following Weathertight process documents:

- Weathertight and the OIA (current) – December 2018
- Weathertight OIAs – General information on our approach (draft) – January 2018
- Weathertight OIAs and Ministerial Servicing – guidance (draft) – September 2016

Please note the document titled '*Weathertight and the OIA (current) – December 2018*' incorrectly states the Financial Assistance Package (FAP) closed on 25 July 2017. The FAP closed for new applications on 25 July 2016.

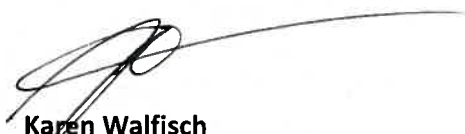
Please note that some information has been withheld from these documents under section 9(2)(a) of the OIA, to protect the privacy of natural persons. Please note that some information has also been withheld under section 9(2)(h) of the OIA, to maintain legal professional privilege. I do not consider that the withholding of this information under section 9(2) is outweighed by public interest considerations in making the information available.

You have requested undocumented processes and recollections. MBIE does not have undocumented processes relating to the OIA. Therefore, this part of your request is refused under section 18(g) of the OIA, as the information requested is not held by MBIE.

MBIE administers a diverse range of policy, regulatory and service delivery functions across multiple portfolios, and different areas of MBIE are involved in the OIA process. To provide you with undocumented recollections relating to the handling of OIA requests at MBIE would require significant resources. Undertaking this exercise would also have a significant impact on MBIE, as interviewing employees would take them away from their other duties. Therefore, this part of your request is refused under section 18(f) of the OIA, as the information requested cannot be made available without substantial collation and research.

I trust you find this information helpful. You have the right to seek an investigation and review by the Ombudsman of this response. Information about how to make a complaint is available at www.ombudsman.parliament.nz or freephone 0800 802 602.

Yours sincerely

A handwritten signature in black ink, appearing to read 'Karen Walfisch', with a long horizontal line extending to the right.

Karen Walfisch
Manager
Ministerial Services