

20 April 2020

Our Reference: IR-01-19-25383

Andrew Ecclestone  
[fyi-request-11064-eb6264cf@requests.fyi.org.nz](mailto:fyi-request-11064-eb6264cf@requests.fyi.org.nz)

Dear Andrew

I am writing in response to your Official Information Act 1982 (the Act) request of 27 August 2019. Specifically you requested:

- “(1) A copy of the document, email, or other form of information in which the Commissioner authorises the National Manager: Response and Operations to make these decisions under the OIA;*
- (2) Details of all training on the OIA and Privacy Act that the National Manager: Response and Operations has participated in;*
- (3) A copy of all the training materials used in the training on the OIA and Privacy Act that the National Manager: Response and Operations has participated in;*
- (4) Information on who else within the Police the National Manager: Response and Operations may contact if seeking advice on how to respond to an OIA or Privacy Act request; and*
- (5) The number of (a) OIA and (b) Privacy Act requests the National Manager: Response and Operations has signed out in each of the last 3 years (whether calendar or financial years).”*

I have considered your request and my response is as follows:

- (1) A copy of the document, email, or other form of information in which the Commissioner authorises the National Manager: Response and Operations to make these decisions under the OIA.*

The National Manager, Response and Operations (or the approved delegate) sign-off each Official Information Act 1982 response that the Response and Operations business group compile.

This aligns with other internal policies, whereby the data or information on Police cannot be externally released without the permission of the National Manager, Response and Operations (as the business owner of the Policy). This is to ensure oversight of the information for release and to ensure consistency and accuracy of information.

I note that other areas of Police and government agencies also have this approach, with Senior Managers being responsible for a particular business group and the release of information relating to that business group, in accordance with the Act.

There is no Commissioner's delegation of authority in respect of Official Information Act requests. I am therefore refusing this part your request pursuant to section 18(e) of the Act

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## Police National Headquarters

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as the document alleged to contain the information requested does not exist or, despite reasonable attempts to locate it, cannot be found.

*(2) Details of all training on the OIA and Privacy Act that the National Manager: Response and Operations has participated in.*

All Police staff are expected to understand the legislative requirements of the Act and familiarise themselves with the attached Police Chapter 'Disclosure under the Official Information Act 1982 (OIA)' that details Police procedures and requirements under the Act for responding to requests for information.

Staff are guided through the response process by internal policies and guidelines, and the expertise of various workgroups across the organisation. These groups include, but are not limited to Legal, Media and Communications, the Chief Privacy Officer, the Chief Information Security Officer and Ministerial Services.

It is the responsibility of the National Manager, Response and Operations to be familiar with both the content of the Official Information Act 1982 and the Privacy Act 1993 which governs the release of information.

*(3) A copy of all the training materials used in the training on the OIA and Privacy Act that the National Manager, Response and Operations has participated in.*

I have attached copies of the following relevant chapters from the Police Manual:

- Introduction to Disclosure of Information
- Disclosure under the Official Information Act 1982 (OIA)
- Disclosure under the Privacy Act 1993
- PNHQ Guide to IRT for OIA Requests
- PNHQ Guide to IRT for Privacy Requests.

Please note that some information in the PNHQ Guide to IRT for OIA Requests and the PNHQ Guide to IRT for Privacy Requests has been withheld pursuant to section 9(2)(a) of the Official Information Act 1982 to protect the privacy of natural persons, including that of deceased natural persons.

Both the Official Information Act and the Privacy Act are available publicly here:

- Official Information Act 1982  
[www.legislation.govt.nz/act/public/1982/0156/latest/DLM64785.html](http://www.legislation.govt.nz/act/public/1982/0156/latest/DLM64785.html)
- Privacy Act 1993  
[www.legislation.govt.nz/act/public/1993/0028/latest/DLM296639.html](http://www.legislation.govt.nz/act/public/1993/0028/latest/DLM296639.html)

*(4) Information on who else within the Police the National Manager: Response and Operations may contact if seeking advice on how to respond to an OIA or Privacy Act request.*

As with many other government organisations, due to our organisation's size Police have a decentralised OIA model. The Ministerial Services team assign OIAs across the organisation and business groups draft the responses with support from legal and ministerial services when required, for approval and sign-out by the relevant Senior Manager.

The National Manager, Response and Operations may seek the advice of any other person within Police on how to respond to an OIA or Privacy Act request, including but not limited to specialist workgroups such as Ministerial Services, Legal and Public Affairs teams.

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*(5) The number of (a) OIA and (b) Privacy Act requests the National Manager: Response and Operations has signed out in each of the last 3 years (whether calendar or financial years)."*

In August 2018, NZ Police introduced a real-time 'Information Request Tool' for logging, managing and reporting on OIA, Privacy and Ministerial OIA requests. Prior to this date only a small number of OIAs were logged in the tool.

It is of note that OIA requests are assigned to 'claim teams' within NZ Police. The Response and Operations claim team is currently assigned OIAs for three different National Managers – Response and Operations, Firearms Project and Firearms Licensing. National Managers may also sign-out OIA responses on behalf of other business groups.

A search was created in the OIA tool for this request, identify the number of OIA responses that were 'closed' and assigned to the 'Response and Operations claim team'.

	1 Jan. 2018 – 31 Dec. 2018	1 Jan. 2019 – 31 Dec.2019	Total
Official Information Act	163	365	528
Privacy Act		12	12

To provide more detailed information that includes information prior to April 2018, we would be required to search through all OIA responses and identify which OIAs were signed-out by the National Manager, Response and Operations therefore this part of your request is declined pursuant to section 18(f), that the information cannot be made available without substantial collation or research.

If you are not satisfied with my response to your request, you have a right under section 28(3) of the Official Information Act 1982 to ask the Office of the Ombudsman to seek an investigation and review of my decision.

Yours sincerely



Superintendent Andrew Sissons

**National Manager: Response and Operations**

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