

# OFFICIAL INFORMATION ACT 1982 WORKBOOK



Ministerial and Executive Services  
2016

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## Spirit of the Act

The Official Information Act 1982 (OIA) reflects the democratic principles of New Zealand government. It replaced the Official Secrets Act 1951. The passing of this Act in 1982 set New Zealand ahead of other democracies such as Canada, Australia, the United States and Britain.

The Act promotes four key principles:

### Participation

### Accountability

### Transparency

### Good Governance



The long title of the Act states that it is:

*"an Act to make official information more freely available, to provide for proper access by each person to official information relating to that person, to protect official information to the extent consistent with the public interest and the preservation of personal privacy, to establish procedures for the achievement of those purposes, and to repeal the Official Secrets Act 1951"*

The Act is based on the Principle of Availability. That is, it was designed to progressively increase the availability of official information to the people of New Zealand over time, and to:

- encourage citizens to participate in the making of laws and policies – through increasing their interest and understanding
- promote the accountability of Ministers of the Crown and government officials, and thereby enhance the respect for the law and good government in New Zealand
- protect official information to the extent consistent with both the public interest and personal privacy e.g. an individual client's income details often would not be disclosed because the public interest does not outweigh the privacy issue.

In keeping with the spirit of the Act, the information requested shall be made available unless there is good reason for it to be withheld

## What is “Information” Under the OIA?

Official information is any information that is held by a government department or a Minister of the Crown in his or her official capacity, on any subject. It applies to all organisations that are subject to either the OIA or the Local Government Official Information and Meetings Act 1987.

For the Ministry, official information means:



- emails
- electronic documents
- reports
- documents from other organisations
- handwritten and Post-it notes
- internal memos
- financial information
- information stored in your head
- draft documents
- security camera footage
- recordings of phone calls

The definition of official information also extends to the knowledge of a fact or a state of affairs held by government officials in their official capacity.

Even if such information has not been written down, it does not mean it does not exist or that it is not “held” for the purposes of the Act.

What does this mean for you as a Ministry official?

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## Privacy Act 1993

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The Privacy Act was passed in 1993 and deals with the requests for personal information of natural people.

Often these requests involve a client asking for a copy of their personal file or some information held about them by a ministry or department. If they are not provided with the information that they have requested, they may complain to the Privacy Commissioner.

However provisions about requests from body corporates for their own information remain in the OIA, in sections 24 to 27. The body corporate must be incorporated in New Zealand or incorporated outside of New Zealand but has a place of business in New Zealand. This includes registered companies and incorporated trusts.

For each of the following state which legislation will apply and why?

1) Our Call Centre receives a telephone call from Miss Law Student who asks for "... everything you've got about student loans."

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2) The Chief Executive is at a conference and is asked by Mr Smith for "everything you hold about me"

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3) Families Against Violence Trust has taken part in a tender process with the Ministry. They have written and asked for copies of the tender selection panel scoring sheets and comments relating to their application.

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4) William Gray has requested the benefit history records for his ex-partner Mavis White for the period 30 April 2005 to August 2005 when her benefit was cancelled. He wants them for a court matter.

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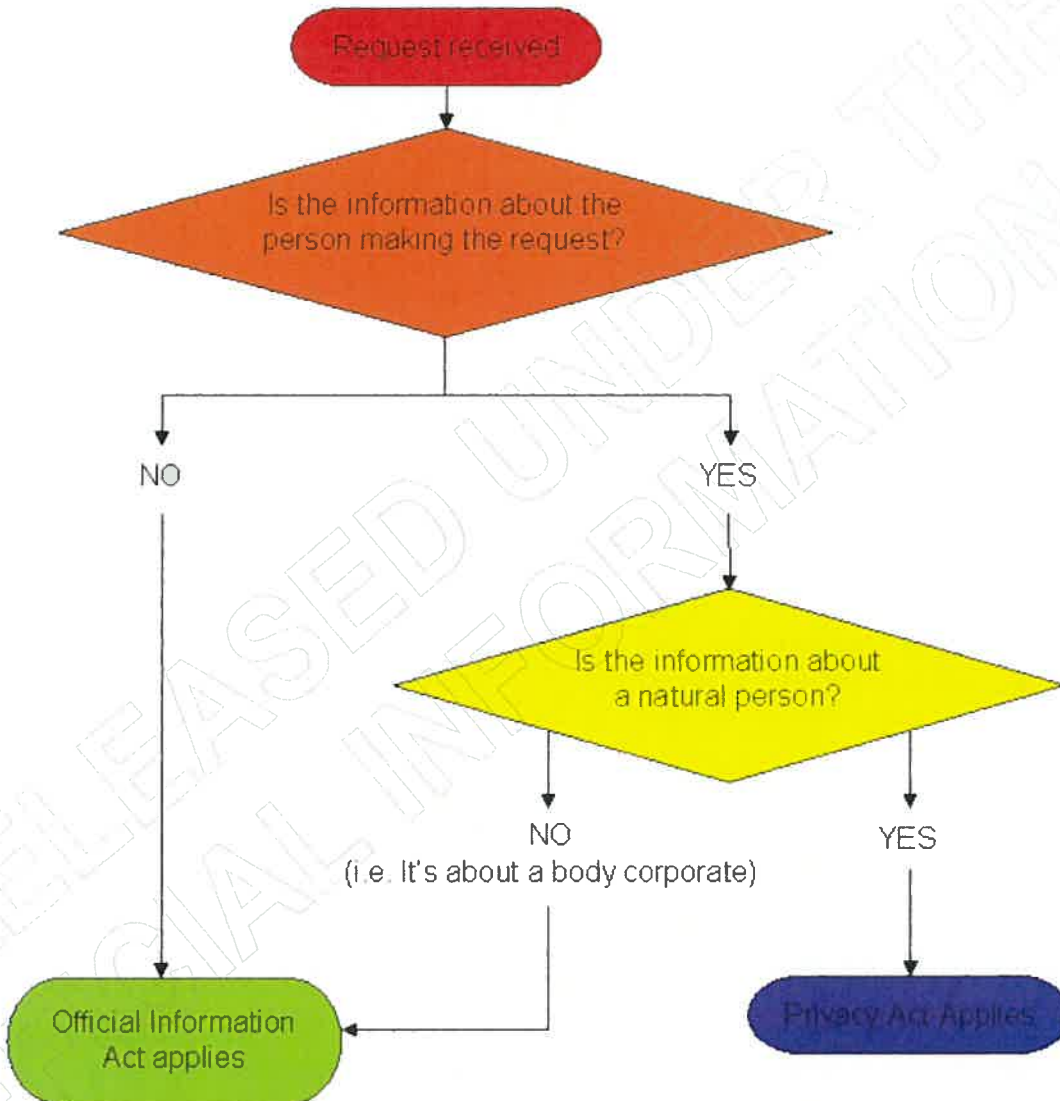
## Who makes requests and what do they look like?

Anyone can make a request for information, providing they are a New Zealand citizen, New Zealand Resident or they are simply living in New Zealand. A request may be made verbally or in writing and does not need to make specific reference to the OIA.

However, to ensure that requests are clear and specific, Ministerial and Executive Services (MaES) asks for a request to be in writing. This helps to clarify what is being asked for.

<p>Any person in New Zealand can make a request for official information.</p> <p>An OIA request does not have to:</p> <ul style="list-style-type: none"><li>• be in writing</li><li>• be worded in a particular way</li><li>• refer to the OIA.</li></ul> <p>A request must be made "with due particularity", i.e. it must be clear and specific.</p>	<p>Requests can be made to:</p> <ul style="list-style-type: none"><li>• Ministers of the Crown acting in their official capacity</li><li>• Government Departments</li><li>• other organisations as specified in the Act such as the Public Trust, Armed Forces Canteen Council and Winston Churchill Memorial Trust Board</li><li>• Local Authorities.</li></ul>
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## In Summary: Privacy Act or Official Information Act?



## Administration of the Request

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The MaES is responsible for coordinating OIA responses. The team is in charge of the OIA process after a request has been received, ensuring that deadlines, standards and legal requirements are met.

The MaES team manages:

- the relationship with the requestor
- the timeframe and legal requirements in regards to the Official Information Act 1982
- the relationship with the different business units within the Ministry, ensuring correct information is provided in a timely and complete manner.
- a thorough assessment of the requested material and potential risks to the Ministry/Minister
- the Quality Assurance/sign-out process
- the relationship with the Communications Team, Deputy Chief Executives, the Chief Executive and the Minister's office
- the relationship with other ministries/agencies, where required
- feedback received from requestors and stakeholders
- follow-up requests (when received by MaES team).

The MaES team will ask you to:

- Identify, locate, and provide the information in the timeframe provided (five working days)
- complete a risk assessment within the same timeframe
- work with MaES to refine the request if necessary

### Timeframe

Requests should be answered as soon as practicable. Legally we have a maximum of 20 working days to respond to a request, taken from the date that the request is received by the Ministry. However, due to our thorough peer review and sign-off process (sometimes up to ten people read the file), you will be asked to provide the information within five working days. As the person who understands the content of the information, MaES relies on you for advice and guidance.

In addition to the response, a report to the Chief Executive or Minister will be produced by MaES that will include your contribution and all the identified issues and risks.



## **Urgency**

A requestor can ask that their request be treated as urgent. Under the Act it is necessary that the requestor states the reasons for urgency. With an urgent request, 20 working days is still the legal requirement but all efforts should be made to respond earlier. Ideally the Ministry would look to respond to an urgent request within 15 working days.

## **For Further Information**

You can get further information about MaES and the work we do from our doogle page at:

<http://doogle/business-groups/helping-staff/corporate-governance/who-we-are/ministerial-executive-services/index.html>

## Possible Actions

There are options available to the Ministry that need to be considered early on, once the request has been analysed.

- **Extensions:** requestors must be notified within 20 working days of the letter being received however, you may extend for “a reasonable period of time having regard to the circumstances”.
- **Transfers:** must be made within 10 days and the requestor must be notified of the transfer.

If the Ministry receives a request that is more closely connected to the functions of another agency, we have ten working days to transfer it to that other agency. It might be appropriate to split the request and only transfer a section of it. Transfers are made under section 14 of the Act and must occur within ten days of the letter being received. If a Minister receives a request that is more closely aligned with the operational activities of the Ministry, it is likely that the request will be transferred to the Chief Executive. If the Chief Executive receives a request that is more closely aligned with the role of the Minister, for example a request for Cabinet Papers, then the request will be transferred to the Minister.

Extending the time limit for answering a request is possible if the process of meeting the request would unreasonably interfere with the daily operations of the Ministry. For example, if the request is for a large number of documents or requires a lengthy consultation period to establish if any parties would be prejudiced by its release, then an extension may be appropriate. We must specify the length of the extension to the requestor and let them know that they have the right to complain to the Ombudsman about the extension.

Discuss the options available to you with an OIA advisor at MaES. There are procedural requirements we must follow if exercising either of these options. Most importantly, ensure that there is written documentation of the decision.

## **Draft Documents**

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Draft documents are not specifically protected by the OIA and can be considered official information like any other document. When considering whether drafts should be included you will need to consider the following:

- decision makers are only accountable for the advice they actually act on; they are not responsible for the early drafts that were generated in the preparation of advice and that they may not have ever seen
- would releasing the draft prejudice an interest that is protected under the Act
- is the need to withhold outweighed by a public interest in the release of the document.

## **Good Reasons to Withhold or Refuse**

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**Remember information must be made available unless there is good reason, under the Act, for withholding it.**

In keeping with the spirit of the Act, we try to be helpful and provide as much of the information requested as we can. However, if there are obvious reasons for refusing a request then we do so. Withholding information is a balancing act, as the majority of information withheld by the Ministry is done so under section 9 of the Act. In these instances the public interest must be considered to see if it outweighs the decision to withhold.

### **Common reasons for refusing a request**

Some common reasons for refusing a request are:

- the information does not exist or cannot be found
- the information is, or will soon be, publicly available
- the information cannot be made available without substantial collation or research.

Note that there is a high threshold to meet if a request is going to be refused on the grounds of substantial collation or research. We must consider whether charging or extending our time limit might be appropriate in the circumstances. It is also possible to release summaries of information or split a request into two or more, if this would help in responding to the request.

### **Common reasons for withholding information**

Some common grounds for withholding information are:

- to protect the privacy of individuals
- to maintain legal professional privilege (that is, information that is subject to lawyer/client confidentiality)
- to protect the free and frank expressions of opinions by, or between, Ministers and officials
- that releasing the information would unreasonably prejudice the commercial position of the person who supplied, or who is the subject, of that information
- that releasing the information would prejudice the supply of similar information. It is in the public interest that the information continue to be supplied (for example, complaints from the public)
- to maintain constitutional conventions (which protect confidentiality of communications. e.g. in some cases the release of advice may mean that Ministers are unable to make effective decisions)
- that releasing the information would prejudice the security or economy of New Zealand.

## Personal Privacy vs Public Interest

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Will releasing the information under the OIA better serve public interest or privacy considerations?

The balance between personal privacy and a legitimate public interest needs to be carefully weighed up. However, if the two interests are determined to be equal, then the information at issue will be withheld.



When considering the public interest, a distinction must be drawn between matters that are of legitimate concern to the public and those that are merely interesting on a human level.

Privacy issues must be considered even if the person in question is dead. It is common practice that the names and details of staff (minor officials) are withheld from documents as there is no public interest in their identity. However, there is a public interest in the accountability of more senior staff such as the Chief Executive.

There are cases where information would reveal something about an identifiable individual but there is no reason to withhold it, for example:

- when that individual consents to disclosure
- when the information is already publicly available
- when it is about an individual, but is of a nature that no protection of privacy is required.

## Issues Management

As you are the people “in the know”, it’s important you have the opportunity to highlight potential issues and how these issues might be mitigated. You will normally be asked to complete a template that makes an assessment of the material your business unit provides to MaES. A copy of the template has been attached for your information.

The purpose of the assessment is to:

- show that the Ministry has met legislative requirements, e.g. show that all relevant information has been identified
- list what is being released
- identify issues and mitigations for each of the documents that are being released
- provide contextual information for the response
- provide background information on the request.

The template should be signed-off by your General Manager and will then be attached to the file which the CE or Minister will sign-off.

### Questions to assist identifying risks:

- If you could tell the CE anything about the response, what would it be?
- What data/ideas/projects are not already in the public arena?
- What is likely to be newsworthy?
- What could be read into the response?
- If information is being withheld, what does the withholding imply?
- If data is being released, what trends/story does it show?
- Is the requestor likely to come back with further requests?

### Suggestions to mitigate issues

- Provide context in the response letter – clarifying points of note.
- Provide a full answer, provide information over and above what is requested if it explains and is useful background to the information requested.
- If information is being withheld – give a full explanation of why and note that the public interest in release does not outweigh the reasons for withholding.
- Provide an open and friendly response.
- Ensure that all relevant parts of the Ministry are aware of what is being released.

## **Report to Chief Executive or Minister**

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An OIA advisor from MaES will draft a report to the Chief Executive or Minister, using the information you have provided in the assessment. A copy of an OIA report template has been included in this workbook for your information.

The purpose of the OIA report is to succinctly provide the Chief Executive or Minister with:

- why the request has been made
- background to the draft response, i.e. the "full picture"
- an understanding of what is proposed for release
- an understanding of what is proposed to be withheld, and reasons why
- any issues associated with the response and release of information
- an assurance that issues are being mitigated where possible
- an assurance that all relevant parties have been consulted with during the process
- evidence that legislative requirements have been met.

Ombudsmen are appointed Officers of Parliament who report directly to Parliament through the Speaker of the House and the Officers of Parliament Committee and are therefore independent of the Government of the day. They impartially investigate complaints, including responses to Official Information Act requests that requestors are unhappy with.

The term 'Ombudsman' is taken from the Swedish/Norse word 'umbodhsmandr', which literally means "a grievance person". There are currently two Ombudsmen. Ombudsmen are appointed by the Governor-General on the recommendation of the House of Representatives.

### **Official Information Complaints - what can the Ombudsmen investigate?**

- decisions to withhold or delete information from documents released
- delays or extensions to the time limits for responding to requests
- charges for supplying information
- the manner in which the information has been made available
- release of information subject to conditions; and
- an inadequate statement of reasons for a decision or recommendation affecting the requestor

An investigation enables an Ombudsman to express an independent view as to whether or not a decision was made in accordance with the requirements of the Act. The Ministry may decide to release the information to a requestor during the course of an investigation.

Where information has not been released and an Ombudsman thinks it should have been, the Ombudsman may recommend that it be released. Generally an Ombudsman's ruling becomes binding on the 21st day after it has been made, unless there has been an Order in Council from Cabinet against it. A recommendation to a Minister of the Crown or to a central government department or organisation may only be overturned by Order in Council.

We must respond to an Ombudsman Review as soon as possible and no later than 20 working days. It is important the Ministry co-operates fully with the Ombudsman and provides a comprehensive response.

The Executive Services Team in MaES manages the Ministry's response to the Ombudsman (and the complainant if applicable).

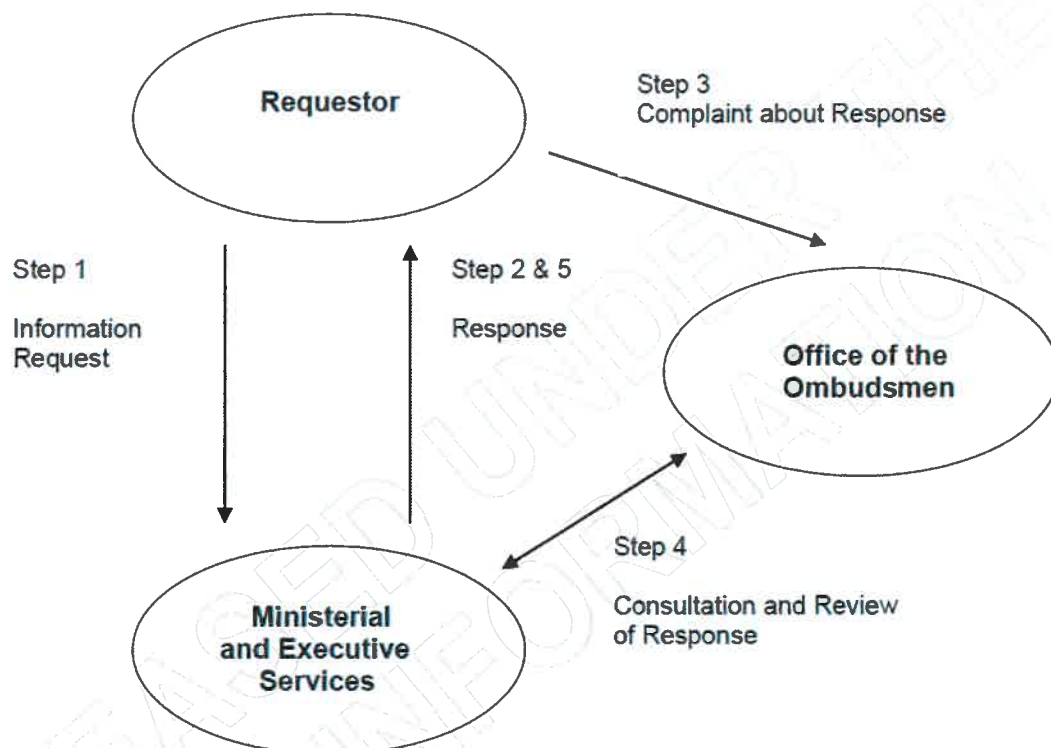
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<http://doogle/business-groups/helping-staff/corporate-governance/who-we-are/ministerial-executive-services/index.html>



## In Summary: Interaction between requestor, Ministry and the Ombudsman



More information on the Office of the Ombudsman can be found at [www.ombudsmen.parliament.nz](http://www.ombudsmen.parliament.nz).

## Attachment 1 Risk Assessment Template



MINISTRY OF  
SOCIAL DEVELOPMENT  
*Te Manatū Whakahiato Ora*

memo

**To:** *Co-ordinator name, business unit*  
**From:** *Advisor name, Official and Parliamentary Information*  
**Date:** *Date*  
**Security level:** Sensitive

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### OIA Request: *Name - Subject*

We have received an Official Information request from name of requestor. Please provide me with a completed risk assessment for this request, as outlined below.

Please sign and return the attached memo with the completed risk assessment no later than *date*.

Please take time to consider the following questions before addressing this request:

- **Are you clear about what is being requested and is it reasonable?**
- **How much time will you need to collate the information?**
- **Do any other areas of the Ministry or any other Departments hold information on this topic?**
- **Are Cabinet documents involved in the scope of the request? If so, the request may need to be transferred to the Minister's office.**

Your MaES Advisor will discuss the scope of your request with you and clarify any questions you may have. Together with your MaES Advisor you will agree on what information will be included in the response.

If you have questions about completing the risk assessment, or require assistance to deal with this request, please contact me on number. Thank you.

Regards

Official and Parliamentary Information

File ref: [OIA/]

## Background Information

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- 1 *Provide background information on the requestor, who they are, any previous and/or current requests.*
- 2 *Details of request*
- 3 *Provide any information that led to this request being made eg this request was made as a result of the recent announcement of the shoelace initiative*
- 4 *Provide information on similar previous requests, and the consequence of their release, e.g. the last quarterly report was released to XX this resulted in articles in a number of publications, these are attached and tagged for your reference*

### List of Information Relevant to Request

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- Please provide a full list of all documents which fall within the scope of the request regardless of whether they are to be released or not.
- Clearly mark with post-it flags any sections of the information you consider contain risks. Also clearly identify information that you want withheld.
- Follow the format in the following table:

Date	Title	Already released? (where? To whom?)	Should it be released? (full, partial, withhold)

Attach unmarked full paper copies of each document identified in this list.

## Risk Assessment

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- Your risk assessment must cover each of the documents you have listed above that were prepared, or contributed to, by the Ministry.
- If appropriate, you may wish to fill this part in separately for each of the documents you have compiled in response to the request.

- 1 *Is the information already publicly available? If so, where or to whom has this been made available? If applicable, provide MAES with a copy of the risk assessment that was completed at the time the document was published.*
- 2 *What story does the information tell?*
- 3 *What risks are associated with making this information public?*
- 4 *Does the information tell the whole story? If not, what information could we provide to clarify the situation?*
- 5 *Does the information contain any report-back dates or references to other reports, work areas, evaluation, or outcomes?*
- 6 *Were the report back dates met? What resulted from this further work? Is this covered within the scope of the request?*
- 7 *Do you think there is any information that should be withheld? Tell us why you think it should not be released. (see notes in appendix 1 for factors to be considered when withholding information)*
- 8 *Is there any other information that could be provided in the spirit of being helpful, or to help the requestor understand the information we have provided them?*

## APPENDIX 1 - Important notes about withholding information

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When considering withholding all or part of the information that is requested you **must have legitimate grounds under the Official Information Act** for doing so.

You can discuss this with MaES, however take into account the following:

- Will releasing the information affect the people who provided the advice?
- Will it affect the provision of similar advice in the future?
- Is there any personal information included in the document? Are there any references to staff members, clients and other people?
- Have final decisions been reached with regard to the work areas that the information refers to? If not, is a release likely to affect the ability of Ministers to reach final decisions effectively?
- Is any of the information commercially sensitive?
- Does any of the information involve provision of legal advice?



# memo

To: insert MaES Adviser name

From: insert GM name

Date: Date

Security level: Sensitive

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## OIA Request: Name - Subject

I confirm the accuracy of the attached risk analysis provided for this OIA request. I have identified any possible risks around release of this information and provided options for mitigating these risks (where possible).

These risks are detailed in the attached table. I have also consulted with other parties about the release of this information, if appropriate.

If there are any additional matters that need to be considered as risks, or ought to be considered at the time this information is being released, I will advise MaES immediately.

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[insert GM name]

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Date

[Insert GM title]

Approved

Not Approved

File ref: [OIA]

## Attachment 2



**MINISTRY OF SOCIAL  
DEVELOPMENT**  
TE MANATŪ WHAKAHIATO ORA

# Report

**Date:** 21 February 2020

**Security Level:** In Confidence

**To:** Deputy Chief Executive

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## Official Information Act Request: Requestor - Title

### Recommended actions

It is recommended that you:

**Note** the contents of this report

Agree / Disagree

**Sign** the attached letter to name

Agree / Disagree

**Note** that the response letter will be published on the Ministry of Social Development website

Agree / Disagree

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9(2)(a) [Redacted]  
General Manager  
Ministerial and Executive Services

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Date

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Deputy Chief Executive  
Business area

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Date



## **Due Date**

- 1 A response is due to the requestor on or before *due date*.

## **Background**

- 2 *Provide background information on the requestor, who they are, any previous and/or current requests.*
- 3 *Provide any information that led to this request being made (e.g. this request was made as a result of a press release on the number of people in receipt of the Unemployment Benefit in Invercargill).*
- 4 *Provide information on similar previous requests and the consequence of their release, (e.g. the last quarterly report was released to (previous requestor) this resulted in articles in a number of publications, these are attached and tagged for your reference).*

## **Suggested Response**

- 5 *This section provides an opportunity to expand upon the information provided in the response. Do not repeat what is in the letter.*
- 6 *Is there an 'angle' to this response? What is it? Why have we taken it? How was this decision made? What tone has been used and why? Are there any figures that stand out?*
- 7 *Are we providing more information than was asked for? Why? (Be specific)*
- 8 *If any information is being withheld, the weighting of public interest versus the provisions that the information is withheld under need to be summarised. This should reflect the decisions made in the 'Record of Decision' section.*

## **Risks and Issues**

- 9 *This response is of XYZ risk.*
- 10 *Please list all risks relevant to the response (if appropriate, you may wish to summarise the full Risk Assessment completed in consultation with the business unit that provided the information). You should be considering trends, information already in the public domain, report back dates and future work plans. This should be formatted as follows:*

### **11 Risk**

*The response shows that... this is a risk because...*

### **Mitigation**

*The Ministry has taken proactive steps to...*

### **12 Risk**

- 13 *The signed response will be published on the Ministry's website. This may create additional comment from others who view the response. This is regarded as high/medium/low risk because...*
- 14 A full risk assessment has been completed by Business Unit name and approves the enclosed documents for proactive release. The risk assessment is attached for your reference.

### **Consultation**

- 15 XYZ has been involved in this response, from compiling the relevant information to consulting on risks and the proposed response.
- 16 The Minister's Office has been provided with the response as part of the Ministry's "no surprises" approach.
- 17 A sign-off sheet is attached and tagged in the file.

File Reference: **OIA/**

## **Record of Decision**

**Has the requestor sought urgency?**

No.

**Can the information be identified? Can it be found? What do we think the requestor is asking for?**

**Will answering the request require substantial collation and research?**

**What are the countervailing reasons to withhold the information?  
How do the Public Interest and the reasons to withhold weigh up?**

## Sign Off Sheet

<b>Quality Assurance</b> <b>Name:</b> <b>Date:</b>	9(2)(a) [Redacted] <b>Manager, OPI</b> <b>Date:</b>
<i>The response meets the criteria set out on the QA Sheet</i>	<i>The response is in accordance with the requirements of the Act, addresses the scope of the request, is of good general quality, and has been properly consulted on.</i>

<b>Communications (if app)</b> <b>Name:</b> <b>Date:</b>	9(2)(a) [Redacted] <b>General Manager, MaES</b> <b>Date:</b>
<input type="checkbox"/> No media strategy is required <input type="checkbox"/> A media strategy is attached, or noted below	<i>The response addresses the scope of the request, is, of good quality and has been completed in accordance with the provisions of the Official Information Act.</i>

### Business Unit One:

<b>General Manager</b> <b>Name:</b> <b>Date:</b>	<b>Deputy Chief Executive</b> <b>Name:</b> <b>Date:</b>
<i>All information within the scope of this official information request has been identified by my business unit, provided to OPI, properly documented in this response, approved for release to the requestor and on the Ministry's website, or withholding in part or in full, and is factually correct.</i>	

### Business Unit Two:

<b>General Manager</b> <b>Name:</b> <b>Date:</b>	<b>Deputy Chief Executive</b> <b>Name:</b> <b>Date:</b>
<i>All information within the scope of this official information request has been identified by my business unit, provided to OPI, properly documented in this response, approved for release to the requestor and on the Ministry's website, or withholding in part or in full, and is factually correct.</i>	

### Comments / Caveats:

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## Document Table

The following documentation has been scoped and identified in consultation with...

\* If no documentation is to be released, please note under this section: "No documents fall within the scope of this request".

No.	Date	Title	Decision	OIA Section(s)	Previously Released?
1.	Insert date	Insert title (please specify the type of document e.g. <i>email, Report to the Minister, Cabinet paper [provide a relevant reference number]</i> )	Specify whether the document is to be released in: <b>full, in part, or withheld in full</b>	If withholding, please insert relevant withholding provisions	Please state <b>Yes / No</b> and provide OIA file number, name of requestor
2.					

## Official Parliamentary Team – Checklists

### Chief Executive’s Response

Report tagged to file	
Original request placed directly behind report to Chief Executive and tagged with a yellow “letter to CE” tag	
Response and any information proposed for release is placed in a coloured plastic file	
All documentation proposed for release is marked with the 'Released Under the Official Information Act' stamp	
All documentation proposed to be withheld is printed on pink paper	
Duplicate set of documents recommended for release (that have not previously been released) is to be retained by OPI for filing	

### Official Parliamentary Team – Peer Review

I have consulted the Official and Parliamentary Team Quality Assurance checklist and am confident that the response and the report are of a high standard and in accordance with the Official Information Act 1982.

\_\_\_\_\_  
Name

Ministerial and Executive Services Advisor  
Official and Parliamentary Information Team

\_\_\_\_\_  
Date

**Comments:**

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# Exercises



The following examples highlight when we should and shouldn't withhold information. It is important to have a reasoned argument that supports the withholding of any information. It is also important to consider if there is public interest in releasing the information in each case.

## Exercise 1

Emma Page, a journalist from The Oamaru Times has submitted a request for "details about all recipients of Disability Allowance in Oamaru, including their reason for receiving it, how long they have received it for and the Service Centre Manager's name".

The following information has been provided by the Oamaru Service Centre.

What would you release to Emma Page?

**Table 1: Statistical information on disability allowance recipients in Oamaru**

Name	Identified Disability	Benefit	Duration	Service Centre Manager
Mary Jones	Deaf	DA	3 years	Seamus O'Toole
Bruce Burgher	Quadriplegic	IB/DA	1 year	Seamus O'Toole
Matthew McDonald	Bad back	DA	9 months	Seamus O'Toole
David Brown	Depression	DA	6 months	Seamus O'Toole

In Oamaru there are:

- approximately 70 deaf people
- 3 people confined to a wheelchair
- 150 David Browns

## Exercise 2

Company A has requested “*all information the Ministry holds about Company B*”.

The following information has been identified as falling within the scope of the request. What aspects of this information would you release to Company A?

### **Memo**

**By:** Chan Tripp of Legal Services National Office

**To:** Contracts team

**Date:** 18 July 2015

**RE:** Negotiations with Company B

In regards to your specific questions on whether the Ministry should enter into an agreement with “Company B”.

It is my opinion that we should enter into an agreement with this company.

This company's offer of \$12 million is extremely competitive. In fact, it is the best deal that could ever be offered. I don't know how they can even do this for this price!

As the Ministry is still in negotiations with this company, please keep this figure confidential.

While I think this company is great, I met the boss the other night and he is a real tosspot.



## Exercise 3

The Associate Minister for Social Development received a request for:

*"...all information prepared by her office or Department regarding advice on youth justice options for young offenders."*

The request specifically referred to five documents that were listed in a written parliamentary question.

The requester has also stated:

*"Please take this request to include, but not be limited to, Cabinet and Cabinet Committee papers and minutes, reports, oral and written advice, aide memoirs, briefings, memoranda, and correspondence (including emails) that may be caught by the wording."*

At this stage, work on some specific youth justice options has been underway for three years, with a number of extensions for final recommendations. No final decisions have been reached, though some decisions have been made by the Minister regarding consultation to be undertaken, aligning the final report with other work and the funding required.

A very large body of work is identified as within scope. Some of these documents contain information on other work. Some contain specific details of the consultation process. Other documents contain information on possible recommendations, including potential costs of policy changes.

What actions would you take and what would you release?

## Exercise 4

Journalist Betty Fire has asked for the “names of all contractors and consultants engaged by the Ministry since January 2015, the costs to the Ministry incurred by their appointments, and the duration of those appointments”. The following information has been identified as falling within the scope of her request:

### Consultants engaged by MSD since January 2015:

Name	Duration	Budgeted and / or actual Cost	Titles and dates of reports
Jane Doe Consultants	3 Jan 2016 - 2 Mar 2016	\$17,500	Review of Services
High Flyers for the CAT Party	5 Feb 2015 - 9 Feb 2015	\$2,000	Change management facilitation
The Huckleberry Finns	2 Jul 2015 - 6 Aug 2015	\$6,000	Public Relations 2015
Anna Kavan	2 Sep 2015 - 9 Sep 2015	\$5,000	Capability Plan 2015