

Mr Mark Hanna

By email: fyi-request-13646-f64ace4a@requests.fyi.org.nz
Ref: H202006927

Dear Mr Hanna

Official information request for details relating to proof of requesters' identity

I refer to your official information request dated 2 September 2020 for:

1. *The following information for the past two years, broken down by month:*
 - a) *The number of requests for official information that were received by the Ministry of Health (the Ministry)*
 - b) *The number of times the Ministry requested proof of the requester's eligibility for under section 12(a) of the Official Information Act 1982 (OIA)*
 - c) *The number of times proof of the requester's eligibility was provided*
 - d) *The number of requests for official information received in this month that were considered withdrawn because proof was not provided*
2. *The following information:*
 - a) *The criteria used by the Ministry in determining whether a request for official information should require proof of the requester's eligibility*
 - b) *When these criteria were adopted*
 - c) *The advice the Ministry received on the creation and adoption of these criteria*

My responses to your questions are as follows:

1a) The number of requests for official information that were received by the Ministry

The Ministry received 2,831 requests for information between 2 September 2018 to 2 September 2020, which includes some Privacy Act 1993 requests. This figure is broken down month by month in a table attached as Appendix One to this letter.

1b) The number of times the Ministry requested proof of the requester's eligibility for under section 12(a) of the OIA

1c) The number of times proof of the requester's eligibility was provided

The Ministry does not compile the information requested in parts 1b) and 1c) of your request in one place as the information is held in the electronic record of each request. To extract and collate the information would require manual compilation following a review of each electronic record.

The Ministry considered the size of the task and calculated each examination would take five minutes on average. With 2,831 records to examine, the total hours required to extract the information is estimated to be 236 hours (or 33 working days).

The Ministry considered imposing a reasonable charge and extending the timeframe to respond. After considering the public interest test and given the task would require significant substantial collation, however, I have decided to refuse these parts of your request under section 18(f) of the OIA.

1d) The number of requests for official information received in this month that were considered withdrawn because proof was not provided

Between 2 August 2020 and 2 September 2020, three requests did not proceed as the requester did not respond with proof that they were eligible to make a request under the OIA.

2a) The criteria used by the Ministry in determining whether a request for official information should require proof of the requester's eligibility

In applying the OIA, the Ministry's default position is to accept that requesters have a legitimate right to make a request. On occasion, however, the Ministry makes reasonable enquiries to be satisfied that a requester is eligible to make a request under the OIA.

There are no specific criteria determining when proof of eligibility may be requested, rather the Ministry will ask for proof of eligibility where there is doubt. For example, a request for proof of eligibility will likely be considered when a request is received without a named requester, or from an email address from an overseas university. The Ministry assesses each request received prior to commencing a formal response under the OIA.

Please refer to the guides provided by the Office of the Ombudsman:

<https://www.ombudsman.parliament.nz/sites/default/files/2019-08/The%20OIA%20for%20agencies%20August%202019.pdf>

<https://www.ombudsman.parliament.nz/sites/default/files/2019-08/Online%20requests%20August%202019.pdf>

2b. When these criteria were adopted

2c. The advice the Ministry received on the creation and adoption of these criteria

As advised above, the Ministry does not use specific criteria in determine when proof of eligibility may be requested. As such, I am unable to provide a date for when criteria were adopted by the Ministry and it did not receive any advice on the creation of them. I am, therefore, unable to provide this information under section 18(e) of the OIA, as the information requested does not exist.

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

Please note that it is our policy to proactively release our responses to official information requests where possible. Our response to your request may be published on the Ministry website at <https://www.health.govt.nz/about-ministry/information-releases/responses-official-information-act-requests>, with your personal information removed.

Yours sincerely



Sarah Turner
Deputy Director-General
Office of the Director-General

Appendix One

Table setting out number of requests for information received by the Ministry between 2 September 2018 to 2 September 2020

Month	Total received
September 2018	114
October 2018	105
November 2018	100
December 2018	60
January 2019	59
February 2019	94
March 2019	114
April 2019	100
May 2019	117
June 2019	94
July 2019	109
August 2019	129
September 2019	112
October 2019	123
November 2019	110
December 2019	74
January 2020	78
February 2020	113
March 2020	109
April 2020	171
May 2020	172
June 2020	161
July 2020	168
August 2020	221
September 2020	24
Total	2831

Note this table includes requests made under the Privacy Act 1993.

