

From: Shayne Gray <Shayne.Gray@mbie.govt.nz>
Sent: Tuesday, 13 October 2020 10:31 am
To: Michael Alp <Michael.Alp@mbie.govt.nz>
Cc: Emma Prestidge <Emma.Prestidge@health.govt.nz>; Phil Knipe <Phil.Knipe@health.govt.nz>
Subject: FW: MIQ contract with MBIE/Crown [UNCLASSIFIED]

Hi Michael.

Thanks for the below.

Emma and Phil: FYI.

Cheers

Shayne

From: Michael Alp
Sent: Monday, 12 October 2020 12:43 p.m.
To: Shayne Gray <Shayne.Gray@mbie.govt.nz>; Rachael Shadbolt <Rachael.Shadbolt2@mbie.govt.nz>
Cc: Renee Le'afa <Renee.Le'afa@mbie.govt.nz>
Subject: RE: MIQ contract with MBIE/Crown [UNCLASSIFIED]

Thanks Shayne

I think if we sought approval from the hotels, as we should do under the contract, they would likely decline. However as mentioned below, if it is "OIA'able" then we would need to disclose unless there were reasonable grounds under the act not to disclose. One of the provisions under the Act to withhold information is where the information would likely prejudice the commercial position of person supplying the information – and whilst this doesn't prejudice MOH or MBIE, my view is that it would the hotel, recognising (and I haven't seen the audits) that they are acting under the Crown's instruction once under contract and this is business unusual. Therefore, my recommendation would be that the hotels are anonymised as this has potential to cause them harm (which goes beyond a particular facility but the actual hotel chain brand as an example).

Ngā mihi

Michael Alp

General Manager - Finance Systems, Control & Procurement
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From: Shayne Gray <Shayne.Gray@mbie.govt.nz>
Sent: Monday, 12 October 2020 12:28 PM

To: Michael Alp <Michael.Alp@mbie.govt.nz>; Rachael Shadbolt <Rachael.Shadbolt2@mbie.govt.nz>
Cc: Renee Le'afa <Renee.Le'afa@mbie.govt.nz>
Subject: RE: MIQ contract with MBIE/Crown [UNCLASSIFIED]

Hi Michael,

MoH will have completed their 2nd audit of Infection Protection Control practices at MIQF facilities. They will have want to proactively release the results of this. There was concern that specifically naming the individual hotels rather than anonymising them (Hotel A, B, C etc) would cause undue concern for these commercial entities and potentially breach commercial considerations.

Cheers

Shayne

From: Michael Alp
Sent: Monday, 12 October 2020 12:21 p.m.
To: Shayne Gray <Shayne.Gray@mbie.govt.nz>; Rachael Shadbolt <Rachael.Shadbolt2@mbie.govt.nz>
Cc: Renee Le'afa <Renee.Le'afa@mbie.govt.nz>
Subject: RE: MIQ contract with MBIE/Crown [UNCLASSIFIED]

Hi all,

The contracts have the standard GMC provisions around confidentiality and we would generally need to get the other party's permission to release information, unless it was subject to the normal OIA provisions in which we would need to release (or be partially redacted depending on information being sought).

What is it that is being sought to be released?

Cheers

Ngāmihi

Michael Alp

General Manager - Finance Systems, Control & Procurement
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From: Shayne Gray <Shayne.Gray@mbie.govt.nz>
Sent: Monday, 12 October 2020 12:09 PM
To: Rachael Shadbolt <Rachael.Shadbolt2@mbie.govt.nz>
Cc: Renee Le'afa <Renee.Le'afa@mbie.govt.nz>; Michael Alp <Michael.Alp@mbie.govt.nz>

Subject: FW: MIQ contract with MBIE/Crown [UNCLASSIFIED]
Importance: High

Hi Rachel,

As discussed, would appreciate if you could advise.

Cheers

Shayne

From: Emma Prestidge [<mailto:Emma.Prestidge@health.govt.nz>]
Sent: Monday, 12 October 2020 11:37 a.m.
To: Shayne Gray <Shayne.Gray@mbie.govt.nz>
Cc: Phil Knipe <Phil.Knipe@health.govt.nz>
Subject: MIQ contract with MBIE/Crown
Importance: High

Hi Shayne

Working through the proactive release of the audits.

Can you advise us/share with us (phil from legal copied in) is there anything in the contract/agreements with the hotels on confidentiality / commercial sensitivity of their information ?

Thanks Emma

Emma Prestidge
Group Manager
Quality Assurance and Safety
Health System Improvement and Innovation
Ministry of Health
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