

5 November 2021

OIA Reference: OIA2021101101

Max Shierlaw

Email: fyi-request-17123-785ce673@requests.fyi.org.nz

Tēnā koe Max

Official Information Act 1982 (OIA) – Response – OIA2021101101

Thank you for your official information request received on Monday 11 October 2021.

You requested the following information:

I understand there was a meeting held of the Hutt Valley DHB Board members at the conclusion of the 2DHB meeting on 6 October 2021.

Could you please send me the full Zoom record of that meeting?

Our response to your request is outlined below.

Response

Your request is refused under:

- section 9(2)(g)(i) of the Act, on the grounds that the withholding of the information is necessary to maintain the effective conduct of public affairs through the free and frank expression of opinions by or between or to Ministers of the Crown or members of an organisation or officers and employees of any public service agency or organisation in the course of their duty.¹
- section 9(2)(ba) of the Act, on the grounds that withholding the information is necessary to protect information which is subject to an obligation of confidence. The information shared among Board members (outside their meetings as defined by our operative legislation) is confidential, and subject to section 9(2)(ba) of the OIA. The information shared by Board members is also confidential under section 57 of the Crown Entities Act.

Regarding the countervailing public interest grounds in favour of releasing the information (the general interest in transparency and accountability) the public interest in the effective conduct of DHB affairs outweighs the transparency and accountability benefits of the information being released.

If you have any queries, or if you wish to discuss any aspect of your request with us – including this decision – please feel free to contact 2DHB by return email or by emailing us at OIArequest@huttvalleydhb.org.nz. If any additional factors come to light which are relevant to your request, please do not hesitate to contact us so that these can be taken into account.

¹ It is noted that the 'meeting' to which your request relates was not a 'meeting' (as defined in the New Zealand Public Health and Disability Act 2000) so therefore section 9(2)(g)(i) of the OIA can apply (*in contrast with clause 32, Schedule 3 NZPHDA*). The definition of 'meeting' under Schedule 3 NZPHDA in relation to a board, "means any annual, biennial, triennial, ordinary, special, or emergency meeting of the board at which resolutions or decisions of the board are made".

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 free phone 0800 802 602.

Nāku ite noa, nā

A handwritten signature in black ink, appearing to read 'Fionnagh Dougan', with a large, stylized flourish at the end.

Fionnagh Dougan

Āpiha Whakahaere Mātāmua | Chief Executive

Ūpoko ki te uru Hauora | Capital & Coast and Hutt Valley District Health Boards