

30 May 2022

Andrew Ecclestone  
Deputy Chair  
New Zealand Council for Civil Liberties  
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Tēnā koe Andrew,

**Official Information Act (OIA) request: Stats NZ's processing of a previous OIA request and its search for the information requested**

Thank you for your email of 2 May 2022 requesting the following information under the Official Information Act 1982 (the Act):

*On 12 April 2022, five weeks after the latest date on which it should have responded, Statistics NZ refused the Council's request of 8 February 2022 (<https://fyi.org.nz/request/18491-stats-nz-discussion-paper-regarding-the-dimensions-of-security-vs-transparency#incoming-72316>). That request sought a copy of a discussion paper which minutes of an NZSIS meeting with Statistics NZ recorded as being written by the department with Customs New Zealand. The department stated that it had been "unable to locate the paper", and as such it believed that the paper did not exist. It consequently refused the Council's request under section 18(e) of the OIA. The information the Council is now requesting from the department is as follows:*

- *The date on which the department recognised that, according to its response of 12 April, "the request was not correctly logged."*
- *The name of the system in which the request should have been logged, and a copy of the manual for this system as well as the department's guidance or procedures for logging OIA requests.*
- *The number of OIA requests that have not been correctly logged in the system in the 12 months up to and including 12 April 2022.*
- *The date on which the department was first contacted by the Office of the Ombudsman regarding its failure to respond to the Council's request of 8 February 2022.*
- *The date on which the department responded to the Office of the Ombudsman regarding its failure to respond to the Council's request of 8 February 2022.*
- *All communications to and from the department and the Office of the Ombudsman relating to the Council's request of 8 February 2022.*
- *All the communications sent and received by the department, both internally and externally, in the course of Statistics NZ's search for the information requested in the Council's request of 8 February 2022.*
- *All telephone records or other notes made by officials in the department in the course of processing the Council's request of 8 February 2022.*

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- *All records of how the department searched for the information requested by the Council on 8 February 2022. This includes search terms used when querying information and records management systems including the department's email system, the names of the systems searched, the email accounts searched, the officials from whom information was sought, and the information the department provided to Customs New Zealand as part of its efforts to locate the information requested by the Council.*
- *All records of any information or advice sought and received from the department's information and records management team in the course of trying to locate the information requested by the Council on 8 February 2022.*
- *All information relating to communications the department may have had with former officials of the department from 8 February 2022 to date that in any way relates to the information requested by the Council on that date. Our understanding, from the NZSIS minutes of the meeting with Statistics NZ on 15 May 2020 (<https://fyi.org.nz/request/17682/response/69515/attach/4/2020%2005%2015%20RoM%20Stats%20NZ%20NZSIS.pdf> that we referred to in our request of 8 February 2022) is that the meeting was attended by Travis Ancelet (then Secretariat for the Data Ethics Advisory Board) and Dale Elvy (then Manager of Statistics NZ's Systems Policy Team) on behalf of the department. Both have subsequently left the department. We would like to know (a) if the department searched the email accounts of these former employees, (b) if the department contacted these former officials in the course of its search for the information requested by the Council, and (c) if so to receive copies of the communications sent and received.*

The answers to your questions are outlined in the response below:

**The date on which the department recognised that, according to its response of 12 April, “the request was not correctly logged.”**

Stats NZ recognised that the request was not correctly logged on 8 April 2022.

**The name of the system in which the request should have been logged, and a copy of the manual for this system as well as the department's guidance or procedures for logging OIA requests.**

All OIA requests received by Stats NZ are logged in an Excel spreadsheet file (Ministerial Servicing log), which is saved in Stats NZ's document management system, Tui Tuia. In mid-February 2022, Stats NZ implemented an additional OIA tracker where OIAs are saved in a Word document and updated weekly. This is also saved in Tui Tuia, in accordance with Stats NZ's data and information management policies and guidelines. Tui Tuia is the official repository of corporate information and is an instance of the Cohesion Sharepoint 2016 platform provided by InterGen.

Enclosed in this response is a copy of Stats NZ's Data and Information Management Policy, a high-level guidance document to accompany the policy, and introductory and summary information from the Tui Tuia system. Stats NZ's Data and Information Management Policy is currently being revised, but this work is nearing completion. Stats's NZ's OIA process document is also attached; it will need to be updated to reflect the additional processes implemented in February 2022 and organisational changes.

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Title	Detail
Data and Information Management Policy	Stats NZ's Data and Information Management Policy.
Data and Information Management Policy – Guidelines	Stats NZ's Data and Information Management Policy Guidelines.
Tui Tuia Knowledge Centre - Knowledge Wiki Home	Tui Tuia Wiki.
Tui Tuia Knowledge Centre - An Introduction to Tui Tuia	An introduction to Tui Tuia.
Stats NZ's OIA Process document_redacted	Stats NZ's OIA process document and guidelines. Redactions made under Section 9 (2) (a) of the Act.

**The number of OIA requests that have not been correctly logged in the system in the 12 months up to and including 12 April 2022.**

In the 12 months up to and including 12 April 2022, the only request that was not correctly logged was the Council's OIA request (8 February 2022).

**The date on which the department was first contacted by the Office of the Ombudsman regarding its failure to respond to the Council's request of 8 February 2022.**

Stats NZ received an email from the Office of the Ombudsman on 8 April 2022 relating to the Council's OIA request (8 February 2022).

**The date on which the department responded to the Office of the Ombudsman regarding its failure to respond to the Council's request of 8 February 2022.**

Stats NZ responded to the Office of the Ombudsman regarding its failure to respond to the Council's request (8 February 2022) on 8 April 2022; a response in full was provided on 12 April 2022.

**All communications to and from the department and the Office of the Ombudsman relating to the Council's request of 8 February 2022.**

Title	Date	Detail
Correspondence with Office of the Ombudsman_8 April 2022	8 April 2022	Email correspondence between Stats NZ and the Office of the Ombudsman
Correspondence with Office of the Ombudsman_12 April 2022  Attachments in email: OIA0352 Andrew Ecclestone NZCCL- discussion paper re dimensions of security vs transparency	12 April 2022	Email correspondence between Stats NZ and the Office of the Ombudsman

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Correspondence with Office of the Ombudsman_13 April 2022	13 April 2022	Email correspondence between Stats NZ and the Office of the Ombudsman
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**All the communications sent and received by the department, both internally and externally, in the course of Statistics NZ's search for the information requested in the Council's request of 8 February 2022.**

Title	Date	Detail
Stats NZ internal communications (1) 12 April 2022  Attachments: RE: Official Information request- Data Ethics Advisory Group (1), RE: Official Information request- Data Ethics Advisory Group (2), RE: Official Information request- Data Ethics Advisory Group (3)_redacted	11 to 12 April 2022	Email correspondence between Stats NZ staff. Redactions made under Section 9 (2) (a) and Section 9 (2)(g)(i) of the Act.
RE: Official Information request- Data Ethics Advisory Group (part3)_redacted	24 February 2022	Email correspondence between Stats NZ staff related to the document requested by Council (8 February 2022). Part of the above attachments. Redactions made under Section 9 (2)(a) and Section 9 (2)(g)(i) of the Act.
Stats NZ staff text communication_11 April 2022	11 April 2022	Text correspondence between Stats NZ staff.

**All telephone records or other notes made by officials in the department in the course of processing the Council's request of 8 February 2022.**

Date of call	Notes
8 April 2022	Call between Stats NZ staff to discuss the OIA that was not correctly logged.
12 April 2022	Call between Stats NZ staff to discuss and confirm the work undertaken in regard to the search of the information requested in the Council's request of 8 February 2022.

**All records of how the department searched for the information requested by the Council on 8 February 2022. This includes search terms used when querying information and records management systems including the department's email system, the names of the systems searched, the email accounts searched, the officials from whom information was sought, and the information the department**

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**provided to Customs New Zealand as part of its efforts to locate the information requested by the Council.**

Stats NZ released information on a “discussion paper written for Customs NZ on the topic of security vs. transparency” in a previous [OIA](#) request. The information that was received as part of processing that request formed the backbone of the search required for the Council’s request (8 February 2022).

Stats NZ staff who may have been involved in or had knowledge of the discussion paper were spoken to and the Tui Tuia database was searched for the relevant information. Stats NZ conducted external consultations with Customs New Zealand and the Data Ethics Advisory Group during the processing of that OIA request and key email communications are provided above.

While processing this OIA request (2 May 2022), Stats NZ contacted NZ Security Intelligence Service and Customs NZ again to ensure no information was missed in the search for the information requested in the Council’s request (8 February 2022). NZ Security Intelligence Service provided Stats NZ with additional information relevant to the Council’s request of 8 February 2022.

Title	Date	Detail
Communications between Stats NZ and NZSIS_ 11 May 2022_Redacted  Attachments: RE:data ethics at NZSIS_Redacted	6 to 11 May 2022	Email correspondence between Stats NZ and NZ Security Intelligence Service. Redactions made under Section 6 (a) of the Act.

**All records of any information or advice sought and received from the department’s information and records management team in the course of trying to locate the information requested by the Council on 8 February 2022.**

Stats NZ’s information and records management team were not involved with locating the information requested by the Council on 8 February 2022.

**All information relating to communications the department may have had with former officials of the department from 8 February 2022 to date that in any way relates to the information requested by the Council on that date. Our understanding, from the NZSIS minutes of the meeting with Statistics NZ on 15 May 2020**

**(<https://fyi.org.nz/request/17682/response/69515/attach/4/2020%2005%2015%20RoM%20Stats%20NZ%20NZSIS.pdf> that we referred to in our request of 8 February 2022) is that the meeting was attended by Travis Ancelet (then Secretariat for the Data Ethics Advisory Board) and Dale Elvy (then Manager of Statistics NZ’s Systems Policy Team) on behalf of the department. Both have subsequently left the department. We would like to know (a) if the department searched the email accounts of these former employees, (b) if the department contacted these former officials in the course of its search for the information requested by the Council, and (c) if so to receive copies of the communications sent and received.**

Stats NZ did not contact or search the accounts of former employees, Travis Ancelet and Dale Elvy, from 8 February 2022 to date regarding the Council’s request (8 February 2022) because internal searches/consultation and external consultation showed that the document in question did not exist; either at Customs New Zealand or at Stats NZ.

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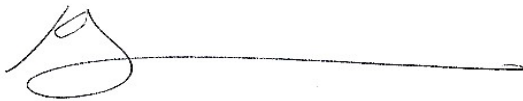
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Staff inboxes are also deleted after a period of 7 years and therefore are less likely to be accessed for searches.

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](http://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. This letter, with your personal details removed, will be published on the Stats NZ website. Publishing responses creates greater openness and transparency of government decision-making and helps better inform public understanding of the reasons for decisions.

Ngā mihi nui

A handwritten signature in black ink, consisting of a stylized initial 'K' followed by a long horizontal line that tapers to the right.

Kate Satterthwaite  
**Senior Manager, Executive and Government Relations**  
**Office of the Chief Executive**  
**Stats NZ**

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