



St PATRICK'S CATHOLIC SCHOOL

By email: fyi-request-21867-fd760a25@requests.fyi.org.nz

15/02/2023

Dear requester,

Information request

1. We refer to your email correspondence of 17 February 2023.
2. Pursuant to the Official Information Act 1982 (**Act**) you asked for information about the business of St Patrick's Catholic School Board of Trustees (**Board**) within the last six to eight months, including any complaints about members of school staff or the Board. Along with copies of Board or school policies for staff codes of conduct, and special character, you wanted a copy of any Board or school policy in respect of romantic relationships between staff members. You also asked for copies of certain reports and investigations.
3. As your request for information did not include your full name the Board asked you to provide it and you have to date refused to do so. The Board does not feel that providing the surname and title of "Mr Harris" is sufficient information to establish the bone fides of the request or gives the Board the normal level of information on which to fully assess the request.
4. Whilst the Board has elected to make a decision in respect of your request (as below) your anonymity and unwillingness to provide the Board with these details raises serious concerns for the Board in respect of any release of information to you as it does not know who it may be releasing the information to.
5. Furthermore, as you have made your request by way of a "FYI" email address, the contents of this decision letter including any information released will, as you are aware, be immediately catapulted into the public arena.
6. The release of information to a person who the Board has no visibility of, alongside the immediate release of any information into the public arena, are factors the Board has given weight to in its decision-making process.

Decision:

7. In accordance with the OIA, the Board has given due consideration to your request and sets out its decision as follows:

- (a) **Minutes:** Board meetings and any subcommittee minutes within the last eight months:

The Board has made copies of meeting minutes available on the school website. Please see <https://www.stpatta.co.nz/about-us/our-school-board>

Board in-committee meeting minutes: the Board has searched its records from within the last eight months and is withholding the information as it considers it is necessary to protect the privacy of natural persons under section 9(2)(a) of the OIA. The Board considers the need to protect the privacy of its employees outweighs the public interest in disclosure of the information.

Board subcommittee minutes: The Board searched its documents from within the last eight months. Under section 18(e) of the OIA the Board refuses the request namely because the document alleged to contain the information requested does not exist.

- (b) **School or Board policies:** In respect of:

- (i) romantic relationships between staff members;
- (ii) staff codes of conduct;
- (iii) expectations around supporting special character;

The Board has made copies of its policies available on the school website and has previously provided you with a link to the documents.

- (c) **Complaints:** Complaints against or concerns about members or the conduct of members of school staff or the Board:

Upon searching its records, the Board:

- (i) provides copies of certain complaint information attached as Appendix One; and
- (ii) withholds other complaint information as it considers it is necessary to protect the privacy of natural persons under section 9(2)(a) of the OIA. The Board considers the need to protect the privacy of its employees and complainant(s) outweighs the public interest in disclosure of the information. The Board also considered and discounted, for the same reasons as above, the prospect of redaction of complaint(s).

- (d) **Reports or investigations:** Reports (non-ordinary) or investigations written as a result of Board business within the last six months:

The Board searched its records from within the last six months. Under section 18(e) of the OIA the Board refuses the request namely because the document alleged to contain the information requested does not exist.

- (e) **Recollections of conversations:** Notes of, or notes of recollections of any conversation of Board members or staff about Board or Board subcommittee business within the last six months:

The Board does not have within its records notes of, or notes of recollections of any conversations of Board members or staff in respect of Board business within the last six months. To provide this information the Board would need to create information which would require the application of complex skill, judgement or interpretation. The Board has no obligation under the OIA to create such information. Thus, the Board does not hold the information you are seeking, or it does not exist, and therefore refuses access to that information pursuant to section 18(g) of the OIA. Even if the Board was required to create this information it would comprise substantial collusion as contemplated by s18(f).

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.

Sincerely,
St Patrick's School Board