

26 September 2024

A L.C

Via email: fyi-request-28238-225bc1de@requests.fyi.org.nz

Tēnā koe A L.C

Request for information: Diabetes New Zealand

Thank you for your request dated 29 August 2024 under the Official Information Act 1982 (the Act) for information relating to Diabetes New Zealand. You requested:

Under the OIA I seek copies of all correspondence between Pharmac and Diabetes New Zealand for the period between 2022 - 2024.

This could be in the form of email correspondence/letters and or meetings notes.

With DNZ being a charitable trust, to have full transparency on the dealings between government and charity should be provided to the public.

On 4 September 2024, we contacted you in accordance with section 18b of the Act as your request, as it was worded, was for a very large volume of information. We also informed you that your request may be refused under section 18(f) of the Act, as it would require a substantial amount of collation to provide the information requested. We asked that you specify a topic or reduce the timeframe of your request. You replied on 7 September and said:

I appreciate your response and willingness to look into this matter.

I believe there is a conflict of Interest with DNZ as they are in a business partnership with one of the suppliers that was in the tendering process with Pharmac during that time period.

To fund continuous glucose monitors for thousands of people with type 1 diabetes is a huge milestone.

The topic/subject that I believe needs to be public is DNZ involvement around this procurement process and information on devices proposed to Pharmac, in particular Dexcom and Libre options.

As you have indicated there is already a large amount of correspondence between both parties. Apart of this correspondence I believe will be information sharing on this subject around advice, data analysis and the devices on which DNZ support.

We interpreted this refinement as being correspondence relating to the involvement of Diabetes New Zealand with the funding application and process of funding Continuous Glucose Monitors (CGMs). The majority of correspondence between Diabetes New Zealand

and Pharmac in that time period has related to the funding for CGMs, and therefore your refined request was still for a very large volume of information.

Therefore, on 18 September 2024 we contacted you a second time to further refine your request. In your initial request you stated that you were also interested in file notes from meetings with Diabetes New Zealand. We asked if you were willing to refine your request to file notes only and exclude correspondence. You agreed that you were willing to accept that refinement.

The meeting file notes are included as **Appendix A**. This information is released to you in full.

In addition, I have also included some key pieces of correspondence between Pharmac and Diabetes New Zealand. This information is included as **Appendix B** and is released in part.

Where information has been withheld it is under the following sections of the Act:

- Section 9(2)(a) to protect the privacy of natural persons,
- Section 9(2)(k) to prevent the disclosure or use of official information for improper gain or advantage,
- Section 9(2)(b)(ii) where its release would likely unreasonably prejudice the commercial position of the person who supplied the information; and
- Section 9(2)(ba)(i) to protect information that is subject to an obligation of confidence and making it available would likely prejudice the supply of similar information, or information from the same source.

We would like to note that Diabetes New Zealand did not endorse a particular product or indicate a preference for which CGM, or insulin pump product received funding. Any views expressed by Diabetes New Zealand were provided as a representation of views and feedback they received from New Zealanders living with diabetes. Diabetes New Zealand is an important stakeholder who continues to provide input and insight on behalf of people across New Zealand who live with diabetes.

In making our decision, we have considered the public interest considerations in section 9(1) of the Act. No public interest has been identified that would be sufficient to override the reasons for withholding that information.

We trust that this information answers your queries. Please note, you have the right to make a complaint to the Ombudsman about our response to your OIA, under section 28(3) of the OIA. Details of [how to make a complaint](#) are on the Ombudsman's website.

To make information more freely available, we publish selected OIA responses (excluding personal details) on our website. Please get in touch with us if you have any questions about this.

Nāku noa, nā



Oliver Whitehead
Team Leader, Government Services