Wairarapa DHB
Wairarapa District Health Board
Te Poari Hauora a-rohe o Wairarapa

31 March 2021

[redacted]

Dear [redacted]

Official information request regarding charging for Official Information Act requests W21-589

I refer to your official information request dated 30 March 2021.

Request:

Please supply the following information under the Official Information Act (OIA):

1. Does your organisation have a policy or guidelines in relation to charging requestors for supplying information under the Official Information Act 1982?

2. If yes, please supply a written copy of the policy/guideline, including grounds for seeking costs for supplying information, charges for photocopying, scanning or other copying of information and the hourly rate for staff time in compiling requests?

3. If not, what does your organisation charge for photocopying, scanning or other copying of information and what is the hourly rate for staff time in compiling requests?

In the 12 months from 01 January 2020 to December 31, 2020:

4. How many requests for information under the Official Information Act did your organisation receive?

5. Of these, in how many was the requestor advised that they would incur charges for copying and staff time, or any other reason?

6. In how many of these, did the requestor pay the required charge for supplying of information?

7. In total, how much did your organisation receive in payments for supplying information under the OIA?

8. What were the largest 10 amounts paid by requestors in charges for fulfilling OIA requests?

Response:

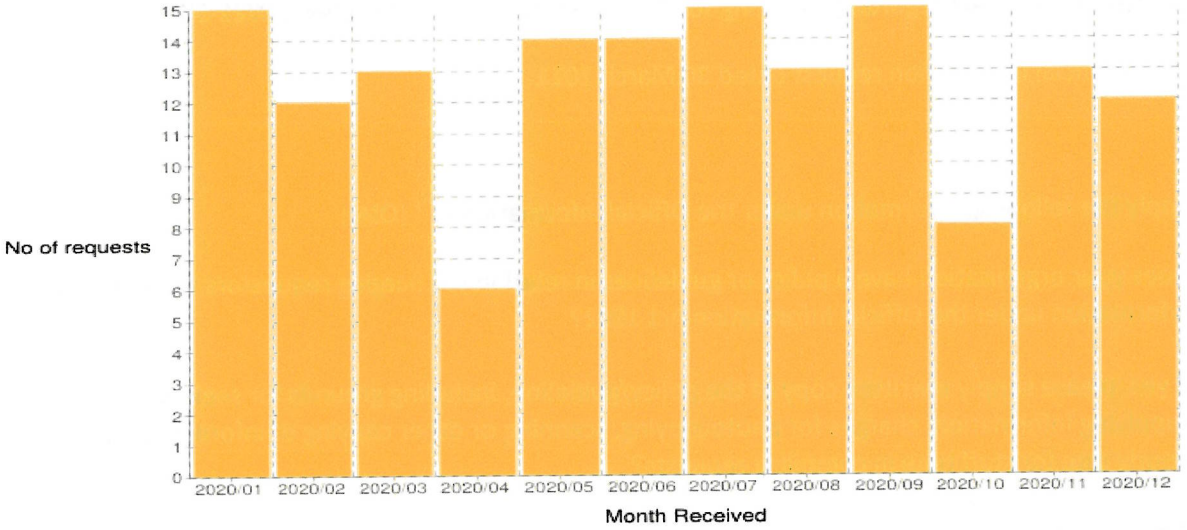
In response to your first three questions, Wairarapa District Health Board (DHB) does have a policy and procedure for managing external requests for official information, which include detail on the processes the DHB follows in relation to charging for the supply of official information.

Refer sections 4.5 to 4.8 in the enclosed Official Information Act (OIA) Requests Policy, and paragraph 4 in the enclosed OIA Procedure, for the relevant detail on Wairarapa DHB's OIA charging policy and procedure.

Please note that Wairarapa DHB charges a requestor only as a matter of last resort. If the DHB determines that a request will require substantial collation of information, we will discuss with the requestor narrowing the scope of the request, or extending the timeline for response. This is the approach recommended by the Ombudsman's Office.

In response to your last five questions, in the 12 month period between 1 January 2020 and 31 December 2020, Wairarapa DHB received 150 requests for official information (see table below).

OIA requests received in 2020



In none of these 150 cases did Wairarapa DHB advise the requestor that they would incur any charges for the supply of information. In the 2020 calendar year, Wairarapa DHB received no payments for supplying information under the OIA.

Please note that this response, or an edited version of this response, may be published on the Wairarapa District Health Board website no less than one week after the response has been provided to you. Any personal or identifying information will be redacted from any response published online. The DHB will endeavour to resolve any concerns you should raise but, subject to any legal grounds for withholding, ultimately reserves the right to publish any information.

If you wish to discuss this response with us, please feel free to contact:

Communications Administrator
Email: OIArequest@wairarapa.dhb.org.nz
Ph: 06 946 9800, ext 5840

Yours sincerely

Dale P. Oliff

Dale Oliff
Chief Executive

Official Information Act Requests (OIA)

Type: Policy	**HDSS Certification Standard**
Issued by: Executive leadership team	**Version:** *as per document control process*
Applicable to: Wairarapa DHB	**Document Owner:** Communications manager

1.0 Purpose

This policy outlines the process by which Wairarapa District Health Board (WrDHB) manages external requests for information, including those that refer to the board, its contracted providers, DHB clients, patients and staff.

2.0 Scope

This policy applies to all official information requests made of WrDHB.

For the purposes of this document, staff will refer to all staff within WrDHB:

- Employees irrespective of their length of service
- Agency workers
- Self-employed workers
- Volunteers
- Consultants
- Third party service providers, and any other individual or suppliers working for WrDHB including personnel affiliated with third parties, contractors, temporary workers and volunteers
- Students

3.0 Roles & responsibilities

On receiving an external request for information DHB staff must ensure that the request is lodged with the OIA Facilitator. The OIA facilitator will ensure the request is assigned to the appropriate executive leadership team (ELT) lead or their delegated authority.

The lead ELT assigned with the responsibility of replying to an OIA request must ensure a response is returned to the OIA facilitator and signed approval is given.

The OIA facilitator will ensure all OIA responses are approved and signed by the Communications Manager or his/her delegate before they are finalised and released.

Any transfers of requests made under the Official Information Act will be made by the OIA facilitator, following discussion with (and approval from) the lead ELT, in accordance with section 14 of the Act.

4.0 Policy

4.1 A response is provided for every official information request. Responses must be provided to the requestor within 20 working days of the request being received by the organisation.

4.2 The Communications Manager or his/her delegate shall approve all responses to requests under the Official Information Act 1982, and seek advice where appropriate.

4.3 Should the Communications Manager choose to delegate responsibility, this will devolve in the first instance to the responsible ELT member, or the WrDHB Privacy Officer.

4.4 All official information requests shall be forwarded to the OIA facilitator in the first instance and documented in the Official Information Request Register.

4.5 WrDHB may charge for the supply of official information in the following circumstances:

- where a response to a request involves the commitment of significant time or resources
- if the requestor has made repeated requests for information on similar issues that cumulatively result in the allocation of significant time and resources to deal with the requests.

4.6 WrDHB has defined 'significant time' as taking 5 hours or more to prepare.

4.7 Time spent deciding whether or not to release information or searching for information when it is not where it should be cannot be charged for. The Ombudsman has charging guidelines that should be consulted. The Ombudsman can investigate the reasonableness of charges imposed.

4.8 If an ELT member supports a decision to charge a requestor, the OIA facilitator must be notified of estimated hours of work involved. The OIA facilitator will inform the requestor of the charges and confirm they want to proceed with the request.

4.9 The Communications Manager must approve all responses before they are finalised and released.

4.10 The Communications Manager will ensure that policies and procedures to manage and respond to information requests of the WrDHB are in accordance with the Privacy Act 1993 and the Health Information Privacy Code 1994.

5.0 Proactive release of information

The State Services Commission encourages proactive release of official information in line with the Act's purpose of making it more freely available.

5.1 Proactive release includes:

- publishing a wide variety of WrDHB-produced documents without any request from the public
- publishing the same (or edited) information previously released to a requestor under the OIA.

5.2 Caution and due diligence must be exercised before publishing official information, and potential effects of releasing the information (including privacy issues) must be considered. The protections in section 48 of the OIA do not extend to the proactive publication of information, including information previously released to a requestor. Potential liability, civil or criminal, that may arise from publication of official information must be considered before a decision to publish is made.

5.3 The executive leadership team or the Communications Manager will authorise publication of official information, including information previously released under the OIA.

6.0 Implementation and monitoring compliance with/effectiveness of document

The State Services Commission has developed an Official Information Capability Development Toolkit that provides a structured framework for reviewing capability, to identify where improvements can be made. The OIA facilitator will adopt the toolkit to support WrDHB's focus on the state of its official information capability, strengths and weaknesses, improvement strategies, and priorities.

7.0 Definitions

CE – Chief executive
ELT – Executive leadership team
OIA – Official Information Act (requests)

8.0 References

- A guide to charging under for official information under the OIA and LGOIMA (www.ombudsman.parliament.nz/resources-and-publications/guides/official-information-legislation-guides)
- Ministry of Justice Charging Guidelines for OIA Requests (www.justice.govt.nz/about/official-information-act-requests/directory-of-official-information/charging-guidelines-for-oia-requests/)

9.0 Related documents

- OIA procedure
- Processing Official information Act requests

10.0 Legislation

- Health Information Privacy Code 1994
- Information Request Register
- New Zealand Public Health and Disability Act 2000
- Official Information Act 1982
- Public Finance Act 1989 (S45A)
- Privacy Act 1993

11.0 Key Words

- Official
- Information
- OIA

Disclaimer: This document has been developed by Wairarapa District Health Board (WrDHB) specifically for its own use. Use of this document and any reliance on the information contained therein by any third part is at their own risk and WrDHB assumes no responsibility whatsoever for such use.

Approval Authority Signature

Name:	.....
Role:	.....
Signature:	.....
Date:	.....

Wairarapa DHB
Wairarapa District Health Board
Te Poari Hauora a-rohe o Wairarapa

OIA Procedure

Type: Procedure	**HDSS Certification Standard**
Issued by: Executive leadership team	**Version:** *as per document control process*
Applicable to: Wairarapa DHB	**Document Owner:** Communications manager

Purpose

This procedure outlines the process by which Wairarapa DHB (WrDHB) manages external requests for official information, including those that refer to the board, its contracted providers, WrDHB clients, patients and staff.

Scope

This procedure applies to all official information requests made of WrDHB.

For the purposes of this document, staff will refer to all staff within WrDHB, including:

- Employees irrespective of their length of service
- Agency workers
- Self-employed workers
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- Students

Roles and Responsibilities

The OIA facilitator is responsible for managing the workflow of all official information requests.

The executive leadership team (ELT) is responsible for ensuring a draft for response is supplied within the timeframes set by the OIA facilitator, and for ensuring that responses are approved and ready for the Communications Manager's signature.

The Communications Manager must approve all responses before they are finalised and released.

Procedure

	Wairarapa DHB OIA process	Within X days of receipt
1.	OIA request comes into the OIA inbox. OIA facilitator registers the request and acknowledges its receipt. A response is due to the requestor within 20 working days – allowable response time is calculated from the day the request is received into the OIA inbox.	2
2.	ELT members are responsible for OIA requests pertinent to their area of work.	2

	The OIA facilitator forwards the request to the relevant ELT member for a response via email, and cc's their EA. In some cases more than one ELT lead may be required to prepare a response. *OIAs assigned to Mental Health will be actioned subject to the direction of the GM, Mental Health Addictions and Intellectual Disability, any relevant correspondence (extensions etc) and scanned final copy will be emailed to oiarequest@wairarapa.dhb.org.nz. A reminder will be emailed to the GM approximately 5 days prior to response deadline as a courtesy.* All other OIAs must comply with the following process:	
3.	EITHER: If the request needs input from another staff member, the ELT lead will refer it on by email and cc oiarequest@wairarapa.dhb.org.nz	5
4.	OR: If the requested response cannot be made available without substantial collation, under section 18(f) and section 18A(1)(a) of the Official Information Act the request can be refused, the timeframe extended, or a charge fixed under section 15. *ELT lead to discuss parameters of charging and expectations with the OIA facilitator. Charging is not a recommended option. If necessary, the OIA facilitator will seek advice from the Ombudsman's Office and/or DHB Shared Services before any action is taken.*	5
5.	OR: If a transfer to another agency is required (eg, if we do not hold the information requested) the OIA facilitator must be informed as soon as possible in order to complete the transfer and inform the requestor within 10 working days of receiving the request.	5
6.	A draft response is prepared, approved by the ELT member and then provided to the OIA facilitator by email oiarequest@wairarapa.dhb.org.nz	10
7.	Communications team proofreads/edits, correctly formats the response, identifies any points of clarification/redaction required and assesses the response for any potential risks/media issues.	12
8.	OIA facilitator provides final draft to ELT member for approval. ELT member signs the pink cover sheet to confirm the response is accurate. *(This step confirms that the content/meaning of the response has not inadvertently changed during editing and that the lead ELT takes responsibility for approving the final copy).*	15
9.	Any further changes required by the ELT member are addressed and, where appropriate, Steps 7 and 8 are repeated.	16
10.	The final response is signed by the Communications Manager, or pp'd by delegated authority as appropriate.	18
11.	The OIA facilitator emails the signed response to the requestor in .pdf and files it accordingly.	20

Definitions

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References

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Related Documents

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Legislation

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- Information Request Register
- New Zealand Public Health and Disability Act 2000
- Official Information Act 1982
- Public Finance Act 1989 (S45A)
- Privacy Act 1993

Keywords for searching:

- Official
- Information
- OIA

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Approval Authority Signature

Name:	.....
Role:	.....
Signature:	.....
Date:	.....