

Official Information Policy

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Policy Owner and Approval	<ul style="list-style-type: none">▪ The Owner of this Official Information Policy (“Policy”) is the Chief Executive.▪ This Policy has been approved by the Board.▪ The Committee responsible is the Audit and Risk Committee.
Next Review Date	June 2026
Effective Date	20 March 2013

Introduction

Purpose and Scope	<p>The purpose of this Policy is to ensure Southern Response complies with the Official Information Act 1982 (“OIA”).</p> <p>This Policy applies to all Personnel.</p> <p>This Policy accords with the values and other core principles of Southern Response.</p> <p>Southern Response’s <i>Information Request Process</i> document provides more detailed guidance for Personnel processing requests for information that are governed by the OIA and the Privacy Act 2020.</p> <p>Where policies and standards are not specified in this Policy, Southern Response Personnel will be guided by the OIA, Southern Response’s operational processes, and guidance issued by the Office of the Ombudsman (“Ombudsman”).</p>
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Definitions	<p>For the purpose of this Policy:</p> <p>“Personnel” means all employees and other personnel providing services to, or associated with, Southern Response (e.g. independent contractors and Directors).</p> <p>“Official Information” means information held by Southern Response. This could include, for example:</p> <ul style="list-style-type: none">▪ documents (including drafts), reports, memoranda, letters, costings, policy papers, emails and text messages;▪ non-written information, such as video or audio recordings;▪ statistical information;▪ information held by contractors working on behalf of Southern Response; and▪ documents or manuals setting out internal rules, policies or procedures of Southern Response. <p>“Official Information” may include information about an identifiable Individual that is also “Personal Information” under the Privacy Act 2020 (“Privacy Act”). OIA requests for Personal Information may be dealt with in accordance with the Privacy Act and Southern Response’s Privacy Policy.</p> <p>“Official Information” does not include any information that pre-dates the change of ownership of Southern Response to the Crown (on 5 April 2012) that Southern Response holds as agent for IAG. Legal advice should be sought before any information that pre-dates 5 April 2012 is released under the OIA.</p>
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Guiding Principle

Availability	<p>The principle of availability underpins the OIA and Southern Response’s approach to requests for Official Information.</p> <p>Southern Response will make Official Information available to a requester unless there is good reason for withholding it under the OIA.</p>
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Requests for Official Information

Form of Requests	Requests for Official Information do not need to refer to the OIA and can be made in any form and communicated by any means (including orally) provided all other requirements for requests under the OIA are met.
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Oral Requests	If an OIA request is not made in writing, Southern Response will record its understanding of the request in writing and provide a copy to the requester. If necessary, Southern Response may ask the requester to clarify their OIA request.
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Assistance to Clarify or Refine Requests	If an OIA request does not specify the Official Information requested with due particularity, is too broad in scope, or is unclear, Southern Response will provide reasonable assistance to the requester to refine and clarify the request.
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Transfer of Requests	If Southern Response receives an OIA request: (a) for Official Information Southern Response does not hold but believes may be held by another organisation; or (b) Southern Response believes is more closely connected to the functions of another organisation; Southern Response will transfer the OIA request (or part of it) to that other organisation within 10 working days of receiving the OIA request.
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Decisions on OIA Requests

Decisions to Grant or Refuse OIA Requests	An OIA request may be granted in full, refused in full, or partly granted and partly refused by Southern Response.
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Timeframes for Responding to OIA Requests

Decisions on Requests	<p>Southern Response's decision on whether to grant an OIA request will be communicated to the requester as soon as reasonably practicable and no later than 20 working days after the OIA request is received by Southern Response (unless it is necessary to extend the timeframe for one of the reasons provided in the OIA).</p> <p>If the timeframe for answering an OIA request is extended, the requester will be advised of the extension and the reasons for it within the initial 20 working day period.</p>
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Providing Information Requested	Southern Response will endeavour to provide Official Information to the requester at the same time as Southern Response's decision on the OIA request. However, if time is required to prepare the requested information for release, the Official Information will be provided to the requester within a reasonable period of Southern Response's decision and without undue delay.
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Urgent Requests	<p>A requester may ask Southern Response to treat an OIA request as urgent but must give reasons for the urgency.</p> <p>Southern Response will endeavour to respond to an urgent OIA request as soon as possible and will consider whether it is reasonable in the circumstances for the urgent OIA request to be given priority over other OIA requests and work.</p>
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Refusing Requests

Refusal Under OIA	OIA requests will only be refused by Southern Response for reasons provided in section 18 of the OIA.
Considerations Before Refusing	If an OIA request is likely to be refused under OIA sections: 18(e) (document does not exist or cannot be found); or 18(f) (information cannot be made available without substantial collation or research); Southern Response will consider the matters specified in the OIA. These include, for example, considering whether consulting with the requester would assist them to amend the request in a way that would remove the reason for refusal.
Reasons to be Provided	If an OIA request is refused by Southern Response, the requester will be informed of: <ul style="list-style-type: none">▪ the reason(s) for Southern Response’s refusal; and▪ the section(s) of the OIA that apply.

Granting Requests and Releasing Information

Form and Manner of Release	In general, Southern Response will endeavour to release Official Information in the form and manner requested. If Official Information is not provided in the form or manner requested, the reasons for this will be given to the requester.
Information May be Withheld	Some Official Information may be withheld by Southern Response for reasons provided in the OIA. If Official Information is withheld by Southern Response, the requester will be informed of: <ul style="list-style-type: none">▪ the reason(s) for the information being withheld; and▪ the section(s) of the OIA that apply.
Charging for Information	Most OIA requests will be answered by Southern Response free of charge. However, Southern Response may impose a reasonable charge in accordance with the OIA and guidelines issued by the Ombudsman from time to time. Charging is at the discretion of the Chief Executive. If a charge is imposed, the requester will be provided an estimate of possible charges and asked to agree to the charges before the requested information will be collated by Southern Response.
Restrictions on Use of Information	Official Information may be released by Southern Response subject to restrictions on the use, communication or publication of that information. For example, conditions may be imposed requiring that the Official Information be kept confidential to the requester or not be republished without a specific contextual statement. Any restrictions on Official Information released by Southern Response must be approved by the Chief Executive.

Third Party Official Information

Third Party Consultation	When Official Information about a third party is requested, or is included in the information to be provided in response to an OIA request, Southern Response will consult with the third party about Southern Response’s proposed response to the OIA request whenever possible and practical to do so. Southern Response will take third party concerns into account when making decisions under the OIA about third party Official Information. However, Southern Response is not bound by third party views.
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Third Party Payments

Generally, Southern Response does not pay third parties for time, effort or cost incurred consulting with Southern Response about requests for third party Official Information.

In exceptional circumstances, Southern Response may reimburse a third party for some or all of their time, effort, or cost if authorised in writing by the Chief Executive.

Authority for Southern Response payments to third parties will be rare. In general, contractual arrangements between Southern Response and third parties will require that Official Information be stored by third parties in a manner that makes such work unnecessary.

Investigation and Review by Ombudsman

Right to Complain

A requester may complain to the Ombudsman to seek an investigation and review of most decisions Southern Response makes under the OIA. These include but not limited to decisions to:

- refuse an OIA request;
- withhold Official Information;
- provide Official Information in a particular form or manner; and
- impose a charge or impose a restriction on the requester's use, communication, or publication of Official Information.

A complaint to the Ombudsman can be made free of charge.

Information About How to Complain

When Southern Response notifies a requester of a decision under the OIA that may be investigated and reviewed by the Ombudsman, Southern Response will provide the requester with information about their right to complain to the Ombudsman about Southern Response's decision.

Co-operation With Ombudsman

Southern Response will co-operate fully with any investigation and review by the Ombudsman under the OIA.

Crown Engagement

Ministers

Southern Response advises shareholding Ministers on a 'no surprises' basis of all significant, topical or potentially contentious requests for Official Information.

Chief Archivist

The Chief Archivist has determined that Southern Response is not a public office and is not subject to the regulatory requirements of the Public Records Act 2005. Notwithstanding that, Southern Response adheres to good business practices for recordkeeping.

Relevant Links

Processes

- Southern Response's *Information Request Process*
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References and Resources

- Official Information Act 1982
 - Office of the Ombudsman
 - Privacy Act 2020
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Version Control

Version	Date	Description
0.1	29/07/2012	Policy created
0.2	13/08/2012	Updated with feedback from Legal Counsel and CERA Liaison Manager
0.3	20/8/2012	Updated with feedback from Chief Corporate Officer
1.0	25/9/2012	Updated to Board policy
1.1	21/1/13	Updated to address Privacy Act relationship
1.2	20/02/13	Updated to address Privacy Act relationship V2
1.3	15/03/13	Updated with feedback from Governance Committee
1.4	22/3/2013	Approved by Board
2.1	10/6/2014	Updated according to Policy Review Cycle
2.2	17/6/2014	Approved by the Governance Committee subject to amendments agreed.
2.3	20/6/2014	Amended Policy approved by the Board
3.0	27/05/2015	Scheduled review. Amendments to align with the changes to the Ombudsmen Act and official information legislation. effective 26 March 2015
3.1	15/06/2015	Governance Committee approved and recommended to the Board.
3.2	19/06/2015	Board approved.
4.0	20/11/2015	Review to clarify the references in the Policy to the relevant sections of the Act.
4.1	31/12/2015	Review in preparation for proactive release.
4.2	25/01/2016	Legal review
4.3	03/02/2016	Governance Committee reviewed and recommended to the Board
4.4	19/02/2016	Board approved.
5.1	17/06/2016	Renewal approved by the Board with no change.
6.0	19/06/2017	Scheduled review (GM - Legal & Strategy)
6.1	14/07/2017	Governance Committee reviewed and recommended to the Board
6.2	21/07/2017	Board approved.
7.0	05/03/2019	Review to incorporate text messaging, Ombudsman's guide for charging and to reflect the composition of Board Committees (Senior Legal Advisor)
7.1	25/03/2019	CEO and GM - Legal & Strategy review
7.2	18/04/2019	Board approved.
7.3	25/05/2020	Position title changes.
7.4	10/03/2021	Scheduled review by Company Secretary
7.5	19/05/2022	Legal Team review for overall consistency with Privacy Policy and internal process documents plus addition of new sections relating to requests for Personal Information of companies and other corporate entities under the OIA
7.6	27/05/2022	Board approved subject to minor amendment
8.0	17/06/2024	Major re-write by General Counsel to: remove unnecessary detail about operational processes, remove references to irrelevant external documents, and reduce document length from 12 to 6 pages.
8.1	25/06/2024	Board approved subject to minor amendments on 24 June. Amendments made.