



26 August 2021

Mr Roger Bray

By email: fyi-request-16244-63dce2b9@requests.fyi.org.nz

Dear Roger

Official Information Request – Copies of Submission Request

1. We refer to your official information request dated 29 July 2021 for information in respect of the submissions received by the Management Agency during the July 2021 consultation in respect of the review of the Biosecurity (American Foulbrood Pest Management Plan) Order 1998 (“**the Plan Order**”).
2. Due to the substantial amount of work that would be required to research and collate the information you have requested, we are refusing your request under section 18(f) of the Official Information Act 1982 (“**the OIA**”).

Reasons for Difficulties in Fulfilling your Request

3. We set out for your information below why your current request will be difficult to meet.
4. The information you have requested is not easily accessible as we would need to extract each of the 415 submissions received from the SurveyMonkey platform and further 20 submissions.
5. The information you have requested is difficult to collate as we would need to identify and review each and every one of the 435 submissions received and redact the information recorded below to protect respondents’ privacy. The submissions contained beekeepers’ personal details, including, but not limited to, their names, physical addresses, email addresses, and phone numbers. After this extensive exercise, the submissions would need to be collated and provided to you in an accessible format (which would require additional work to be carried out). By way of example, we would need to go through all of the submissions one by one and manually redact them to address the abovementioned privacy concerns.
6. We have calculated that it will take approximately 40 hours to process your request. Unfortunately, I am the only person trained to assess and respond to requests for official information. Due to my existing workload, it would not be practicable for me to fulfil your above-mentioned request (as it is currently drafted) as this would have a detrimental impact on my ability to ensure the Management Agency can meet its statutory obligations pursuant to the Plan Order, which are instrumental in the elimination of American Foulbrood Disease in New Zealand.



7. If we were to comply with your request, this would likely result in the following outcomes:
 - a. Failure to report to the Minister for Biosecurity (as required by the Biosecurity Act 1993);
 - b. Failure by me to lead Agency staff and contractors leading to the loss of efficiency and effectiveness in the use of levy payer funds; and
 - c. Failure to present a fully consulted proposal in respect of the Plan Order to the Minister for Biosecurity prior to its expiry on 1 April 2023.

Section 18A of the OIA

8. Pursuant to section 18A of the OIA, we are required to consider whether fixing a charge or extended the time limit would enable us to grant your request for information. Unfortunately, for the reasons recorded above, we do not consider that either charging you a fee nor extending the time limit would allow us to meet your request.

Our consultation with you

9. We have also consulted with you in respect of your request, as required by section 18B of the OIA.

Our Letter to you dated 16 August 2021

10. In our letter to you dated 16 August 2021, we advised you that your request as it was framed would be difficult to meet without substantial collation or research, and we invited you to amend your request.

Your Feedback

11. In your email to us dated 19 August 2021, you advised us that you did not see the need to alter your request in any way. In your feedback, you recorded that you expected that the Management Agency used a “pro” version of the SurveyMonkey platform that would allow us to provide you with copies of all of the abovementioned submissions without disclosing the identity of the submitter.

Our Response to your Feedback

12. The Management Agency is subscribed to the “Team Advantage Plan” from SurveyMonkey (“**the Subscription**”). Unfortunately, the Subscription does not allow us to provide you with copies of the submissions without identifying the identity or personal details of the submitter. We acknowledge that the Subscription allows us to extract all of the submissions into an Excel spreadsheet, however the layout of this spreadsheet would require significant formatting to be undertaken. By way of example, we would need to manually adjust the width of every single row and column to ensure that all of the text is visible to you. We calculate that there would be approximately 2,490 individual cells of data that would need to be manually reviewed by me.

13. Moreover, Excel does not have a “redact” function, so we would need to manually delete individual “pieces of data” relating to submitters’ private information. As you will appreciate, we would need to exercise extreme care when carrying out this exercise to ensure that no private information is disclosed. Excel is an excellent platform for displaying large quantities of numerical information; but unfortunately, it does not have the capability to effectively display large quantities of text.

Time to Collate Information

14. In total, we estimate that it would take me 60 to 80 hours to undertake the abovementioned exercise in Excel. For the reasons recorded at paragraphs 6 to 7 above, this would adversely affect the Management Agency’s operations and would not be practicable in the circumstances.

Conclusion

15. In summary, our consultation with you has not resolved the difficulty in collating your request.

Meeting Request in Alternative Way

16. While we cannot meet your exact request, the Management Agency will shortly be undertaking a review of the abovementioned submissions, and a report will be produced when the review has been completed. We anticipate that this report will be published in October 2021. This report will include a summary of all of the submissions received and will be publicly released for your perusal and review. We will endeavour to provide this report to you as soon as it is available.

Ombudsman Complaint

17. 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.
18. If you wish to discuss this decision with us, please feel free to contact me. Furthermore, I am available to provide further assistance should you be willing to change or refine your request.

Yours Sincerely



Clifton King
National Compliance Manager