

16 November 2021

Andrew F

By email: fyi-request-17302-4af235ff@requests.fyi.org.nz
Ref: H202114841

Tēnā koe Andrew

Response to your request for official information

Thank you for your request under the Official Information Act 1982 (the Act) on 22 October 2021 for OIA statistics relating to Ministry of Health (the Ministry) under the Act. You specifically requested:

- “1. How many frivolous misinformation-laden or vexatious OIA requests have been made pertaining to the issues of vaccination and COVID-19?*
- 2. How many staff hours have been expended to answer these OIA requests?*
- 3. How does the MoH efficiently address such OIA requests?”*

On 29 October 2021 the Ministry advised you in accordance with section 18B of the Act, your request, as it was worded, would require a search through a substantial amount of information to respond to your request and may be refused under section 18(f) of the Act. The Ministry asked you to narrow the scope of your request by selecting a specific time frame to enable to Ministry to better manage your request.

On 1 November 2021 you provided the following reply:

“Thank you very much for your reply. Apologies for being too vague in timeframe. I would like to know from the period of March 2020 until 1 November with monthly breakdown. Though, if the Ministry holds the data for the number of OIA requests received, the number successfully processed, and the number rejected for each main rejection clause under the act, would requesting that by the monthly period specified above be an acceptable amended OIA request as this shows a larger dataset?”

On 29 October 2021 the Ministry also explained that a ‘frivolous or vexatious’ request is one refused under section 18(h) of the Act. The Ministry asked you to confirm if this is the information that you are requesting. We did not receive a response to this part of your request.

However, I can advise that under section 13 of the Act, since July 2021 there have been two requests that the Ministry has refused under section 18(h). One of these related to the COVID-19 vaccine. The Ministry does not record the number of hours spent by staff to respond to requests that are refused under section 18(h) of the Act.

There are very specific grounds for a request to be considered vexatious as outlined in guidance from the Ombudsman. On several occasions the Ministry has warned requesters that subsequent repeated requests for the same or similar information might be refused under section 18(h).

In response to your rescoped request on 1 November 2021, the Ministry is providing the following OIA statistics below.

- The Ministry received 4344 OIA requests in the period 1 March 2020—1 November 2021
- The Ministry completed 3931 requests in the same period
- The Ministry introduced the ability to record the refusal and/or withholding grounds for individual requests in July 2021. Since this date, 192 requests have been recorded as refused in full under section 18 refusal grounds of the Act.
- Of the 192 requests recorded as refused in full under section 18:
 - 1 request was recorded as refused under section 18(b)
 - 44 requests were recorded as refused under section 18(d)
 - 49 requests were recorded as refused under section 18(e)
 - 43 requests were recorded as refused under section 18(f)
 - 47 requests were recorded as refused under section 18(g)(i)
 - 6 requests were recorded as refused under section 18(g)(ii)
 - 2 requests were recorded as refused under section 18(h).

The Ministry recognises there is considerable public interest in its work, including the response to the global COVID-19 pandemic, and the Government's plans to reform the health sector. This has seen a sustained increase in the number of requests for official information as reported to the Public Service Commission (PSC). From 1 January to 30 June 2021, the Ministry completed 1042 responses under the Act, an increase of 51% on the 690 completed in the same period in 2019. In both periods, the Ministry responded to 96% of responses within statutory timeframes. Further information is also available through the statistics held by the PSC at: www.publicservice.govt.nz/resources/official-information-statistics/.

The Ministry is also committed to proactively releasing and publishing a large amount of information on its website, so that the public can have easier access to information about all areas of its work.

I trust this fulfils your request. Under section 28(3) of the Act, you have the right to ask the Ombudsman to review any decisions made under this request. The Ombudsman may be contacted by email at: info@ombudsman.parliament.nz or by calling 0800 802 602.

Please note that this response, with your personal details removed, may be published on the Ministry website at: www.health.govt.nz/about-ministry/information-releases.

Nāku noa, nā



Elisabeth Brunt
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