

26 May 2022

Steven Ensslen
Secretary
New Zealand Council for Civil Liberties
By FYI Request: fyi-request-18942-e76e670b@requests.fyi.org.nz

Tēnā koe Steven,

On 28 March 2022, you emailed Stats NZ requesting, under the Official Information Act 1982 (the OIA), the following information:

- *Who are the external stakeholders referred to in your email of 20 April?*
- *On what date did Statistics NZ realise it would need to consult external stakeholders in relation to the Council's request of 21 March 2022?*
- *On what date did Statistics NZ substantively initiate the consultation with these external stakeholders - that is, provide them with the information on which it wanted their views?*
- *How long a period did Statistics NZ give these external stakeholders to respond to its request for comments on potential disclosure of the information?*

The information you have requested is in relation to a decision Stats NZ made to extend the maximum time limit to respond to your previous request for official information (dated, 21 March 2022).

Stats NZ understands its obligations under the OIA to make a decision on a request 'as soon as reasonably practicable' and to release the information without 'undue delay'.

Details of the external consultation undertaken following the extension of the request are provided within this response.

I acknowledge that consultation with external stakeholders could have occurred earlier in the process, however, as you were advised in my email dated 28 April 2022, the extension (including the period of time it was extended for) was considered reasonable having regard to both the circumstances at the time and the notable interferences on our operations.

For transparency, Stats NZ has two FTE whose primary role includes, but is not limited to, the centralised progression of OIA requests (refer to Stats NZ's response to Question 55 of the [2020/21 Annual Review](#)). At the time of your request and the extension, one FTE was vacant, and the other FTE was on unplanned extended leave. Due to this, Stats NZ diverted other personnel from their core duties to provide support for progressing all OIA requests (WPQs, Ministerial Correspondence, and the drafting of the Stats NZ Weekly Report to Ministers.) The core duties of those staff diverted to support this work, include the provision of strategic support to the organisation, the Chief Executive, and our Ministerial offices, their core duties involve a range of tasks with varying levels of urgency and complexity. These roles were also significantly impacted by the circumstances.

Further to the lack of resourcing and experienced OIA expertise, the Omicron outbreak caused further disruption.

In light of these circumstances, a thorough prioritisation of work was undertaken to ensure business continuity and enable the organisation to respond to requests for information, while ensuring daily operations were not heavily impaired.

I acknowledge that regular, prompt, and clear communication about the difficulties we experienced in processing your request and the implication for our agency's response time, should have been made to you early and throughout the process. Stats NZ has taken this into account and acknowledges its error.

I will respond to each of your questions in turn.

Who are the external stakeholders referred to in your email of 20 April?

The external stakeholders referred to in the 'notification of decision to extend' email of 20 April 2022, are listed as follows:

- Office of the Privacy Commissioner (OPC)
- Office of the Ombudsman
- Office of the Auditor-General
- New Zealand Security Intelligence Service
- Ministry of Business, Innovation and Employment
- Ministry of Social Development
- Inland Revenue Department
- Department of Conservation
- Department of Corrections
- Department of Internal Affairs
- Department of the Prime Minister and Cabinet
- Housing and Urban Development
- Toitū Te Whenua Land Information New Zealand
- Ministry for Primary Industries
- Ministry for the Environment
- Ministry of Education
- Ministry of Foreign Affairs and Trade
- Ministry of Health
- Ministry of Justice
- Ministry for Pacific Peoples
- Ministry for Women
- Electoral Commission
- NZ Police
- Oranga Tamariki – Ministry for Children
- Te Kawa Mataaho Public Service Commission
- The Treasury New Zealand
- National Cyber Security Centre
- Reserve Bank of New Zealand
- Te Arawhiti – Māori Crown Relations
- Crown Law
- Te Puni Kōkiri
- Accident Compensation Corporation (ACC)
- Social Wellbeing Agency

On what date did Statistics NZ realise it would need to consult external stakeholders in relation to the Council's request of 21 March 2022?

On receipt of email correspondence and documents identified in scope of the request, it was recognised that external stakeholders would need to be consulted. The period of which these emails were received was 24 March to 5 May 2022.

On what date did Statistics NZ substantively initiate the consultation with these external stakeholders - that is, provide them with the information on which it wanted their views?

How long a period did Statistics NZ give these external stakeholders to respond to its request for comments on potential disclosure of the information?

On 6 April 2022, Stats NZ contacted the OPC informing them of this request and that contact will be made in due course to consult them on our decision in the release of the information.

On 19 April 2022, Stats NZ identified two former staff members who needed to be consulted on the release of their names and contact details. Responses were received from these individuals by 26 April 2022.

On 29 April 2022, the OPC was consulted on Stats NZ's proposed decision, and OPC were requested to return feedback by 4 May 2022. On 2 May 2022, OPC provided feedback on the proposed decision.

The majority of the government agencies listed above were contacted on 2 May 2022, this was in regard to staff names and contact details being in scope of the information to be released. The agencies were required to return with comments or concerns by 4 May 2022.

On 5 May 2022, further emails were identified by Stats NZ in scope of the request. Multiple agencies were included in these emails, including OPC, the Office of the Auditor-General, and the Office of the Ombudsman. On the same day, the OPC and the Office of the Auditor-General were consulted on the release staff names and contact details. A response was requested from these agencies by 6 May 2022. Further consultation on Stats NZ's proposed decision in the release of the information was also undertaken (on this day) with the Office of the Ombudsman. A response was requested by 9 May 2022. The Office of the Ombudsman provided feedback on 9 May 2022.

If you are not satisfied with this response, you have the right to seek an investigation and review by the Ombudsman. Information about how to make a complaint is available at www.ombudsman.parliament.nz or 0800 802 602.

It is Stats NZ's policy to proactively release its responses to official information requests where possible. This letter, with your personal details removed, will be published on the Stats NZ website. Publishing responses creates greater openness and transparency of government decision-making and helps better inform public understanding of the reasons for decisions.

Ngā mihi nui, nā



Kate Satterthwaite
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