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Campbell Larsen

By email: campbell.larsen@gmail.com
Ref: H2023030056 H2023031009

Tēnā koe Campell

Response to your request for official information

Thank you for your requests under the Official Information Act 1982 (the Act) to Manatū Hauora (the Ministry of Health). On 1 August 2023 as a follow up to a previous response provided to you (H2023028765 refers). You requested:

“Please advise if the provision of audit findings, Health Reports and legal advice on the topic of operational compliance with obligations under legislation is achievable for the specified timeframe.

If you are aware of a document set that meets my needs please provide the name(s) so I may request it directly.”

As you have been advised, Manatū Hauora administers over 30 pieces of legislation which changes over time. Information in scope of your request captures compliance with all pieces of administered legislation, as well as compliance with general legislation. Recording of non-compliance is not held in a single depository or document. Reducing the scope of your request to audit findings, health reports and legal advice still captures information over 30 years, dispersed over a range of filings and databases (including paper records) and not amenable to a consistent key word search, even of electronic records.

However, you may be interested in court decisions, including in instances where Manatū Hauora has appeared in court. These are publicly available here: www.courtsofnz.govt.nz.

Manatū Hauora also holds legislative compliance reports. A legislative compliance report for 1 July 2021 – 30 June 2022 has been attached to this letter as Appendix 1 and is released to you in full.

On 22 August 2023, you requested:

“Copies of the Ministry of Health Complaints Policy, Procedures, contact details and other relevant documents pertaining to the management of complaints within the Ministry, and in association (via escalation or otherwise) with the Minister of Health.”

Currently, Manatū Hauora does not have a single complaints policy. As complaints can relate to a range of different activities by the Ministry, any complaints that are received are triaged by referral through to the relevant part of the Ministry for review, investigation as appropriate and response. Therefore, your request for the Ministry of Health complaints policy and relevant documents is refused under section 18(g)(i) of the Act.

Manatū Hauora is currently working towards a central complaints policy as part of our Integrity workplan.

If you wish to discuss any aspect of your request with us, including this decision, please feel free to contact the OIA Services Team on: oiagr@health.govt.nz.

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 Manatū Hauora website at: www.health.govt.nz/about-ministry/information-releases/responses-official-information-act-requests.

Nāku noa, nā

A handwritten signature in blue ink, appearing to be 'Phil Knipe', with a stylized, flowing script.

Phil Knipe
Chief Legal Advisor
Government and Executive Services | Te Pou Whakatere Kāwanatanga