

4 December 2024

File Ref: 241017 & 241018

Scott  
Fyi-request-29098-dc166034@requests.fyi.org.nz

Dear Scott

Thank you for your Official Information Act requests received on 6 November 2024. You made two requests for:

*'Ia requesting information in relation to a serious harm incident on 10/8/2020 resulting in death at Glenfield Pools, owned and operated by Auckland Council.  
Could you please provide a copy of each notifiable incident report submitted to Worksafe.  
Did Worksafe undertake an investigation and what was the outcome.  
Or If Worksafe did not undertake an investigation, please advise the reasons for this decision.  
Should you require clarification of my request, please let me know'.*

*'Ia requesting information in relation to a serious harm incident on 23/6/2020 involving Hamish Jamieson at Glenfield Pools, owned and operated by Auckland Council.  
Could you please provide a copy of each notifiable incident report submitted to Worksafe.  
Did Worksafe undertake an investigation and what was the outcome.  
Or If Worksafe did not undertake an investigation, please advise the reasons for this decision.  
Should you require clarification of my request, please let me know'.*

On 11 November 2024 following our initial search for information, we contacted you for further clarification of your requests, and you provided us with two media articles related to the incidents in your requests.

I can confirm that the Auckland Council notified WorkSafe of the incident that occurred at Glenfield Pools on 10 August 2020. The New Zealand Police attended the scene. No enforcement action has been taken in respect of that event. As noted in our Guardian file, this incident is not within WorkSafe jurisdiction.

### Information being released

Please find attached the following documents:

Item	Document Date	Document Title	Decision
1.	10 August 2020	5788303 Response File – Fatality Notification to WorkSafe of incident at Glenfield Pools	Release in part
2.	10 August 2024	Letter to Auckland Council from WorkSafe acknowledging their phone call notification of 10/08/2020.	Release in part
3.	10 August 2020	Email from Police to WorkSafe	Release in part
4.	29 June 2021	Coroner's Decision -Not to open inquiry	Release in full
5.	13 August 2020	Guardian View Response	Release in part

I have decided to release the relevant parts of the documents listed above subject to certain information being withheld under section 9(2)(a) of the Official Information Act, as applicable, with any information not relevant to your request removed and noted as "out of scope".

We have included in this response a copy of the Coroner's Findings for this fatality. For future reference you can obtain a copy of the Coroner's findings directly from Ministry of Justice (MoJ).

information on how to make a request can be found at [Contact the coronial offices | Coronial Services of New Zealand](#)

WorkSafe has not been notified of the incident at Glenfield Pools on 23 June 2020 involving Hamish Jamieson, and no enforcement action has been taken in respect of that event. I am refusing that part of your request under Section 18(g) of the Official Information Act, as the information requested is not held by WorkSafe New Zealand.

Only certain work-related matters are required to be notified to WorkSafe, and WorkSafe can only intervene when an incident is work-related. WorkSafe does not investigate or assign an inspector to every event or situation that is reported. All matters that are reported are carefully considered to determine what regulatory response is appropriate to the circumstances. When we become aware of a risk or harm, we make an initial decision about whether to intervene by testing it against our four decision-making criteria. Our criteria are:

1. The risk or harm sits within our responsibilities
2. We are the best placed to intervene if there is an overlap with another agency's responsibilities
3. The significance of the risk or harm means it warrants intervention; and
4. Intervening is an effective use of our resources.

In making my decision, I have considered the public interest considerations in section 9(1) of the Official Information Act.

This reply addresses the information you requested. You have the right to ask the Ombudsman to investigate and review my decision, and further information is available at [www.ombudsman.parliament.nz](http://www.ombudsman.parliament.nz).

If you require further assistance, please contact [ministerial.services@worksafe.govt.nz](mailto:ministerial.services@worksafe.govt.nz).

Yours sincerely

A handwritten signature in black ink, appearing to be 'Rob Pope', written in a cursive style.

Rob Pope  
**Head of Inspectorate**