

Guidance for Privacy and Official Information (POI) Requests

Please ensure you provide us with your contact details because we may need to ask you questions to help us assess your request.

1. What information to request

If your request is for all information held by Oranga Tamariki—Ministry for Children (formerly Child, Youth and Family) please be aware we may not be able to release this to you quickly. It may be possible for us to release your information quickly if you require specific information only. It helps us to help you if you can let us know:

- Is there a specific time period or event that this request relates to? (e.g.: interview dates, date of notification etc.)
- Are any of the parties known by any another name or could have a different date of birth?
- Are you looking for information on specific people only?
- Are you interested in a specific incident or information (e.g. an allegation of sexual abuse)?

2. Who can ask for information?

You can ask for information about yourself or about a child under the age of 14 years if you are the parent or legal guardian of the child. If someone else is seeking information about you on your behalf then your consent may be required before this information can be released.

Consent may need to be obtained from any children of or over the age of 14. Consent will need to be obtained if you require information for any children or young people not in your care or any adults aged 17 plus. Once we receive the consent we will action your request.

3. What information can be released?

Your request will be assessed under the *Official Information Act 1982* and the *Privacy Act 1993*. There may be information on file that you are not legally entitled to receive. If appropriate, we may suggest you contact an alternative agency or transfer/partially transfer to other agencies. You will be advised of the reasons for any information that is not released.

4. Time to complete your request

The *Privacy Act 1993* and *Official Information Act 1982* require us to process your application “as soon as reasonably practicable”. We will contact you no longer than 20 working days after the day on which the request was made if we need additional time to respond, for example, if the request is for a large volume of information.

If you are unable to provide correct names or dates of birth from the start we will have to contact you to request this information, which may cause a delay.

5. How to collect your completed request

You will be advised in writing when your request has been completed and is awaiting collection at your local Oranga Tamariki Site. You will need to bring some form of Photo ID (e.g. passport, drivers license, HANZ 18+ card) when you come to collect the completed request and we will ask you to sign a receipt. Requesters currently in prison or a residential medical institution will be posted their releases direct.

6. Who can help if you have any questions or need further assistance with your request?

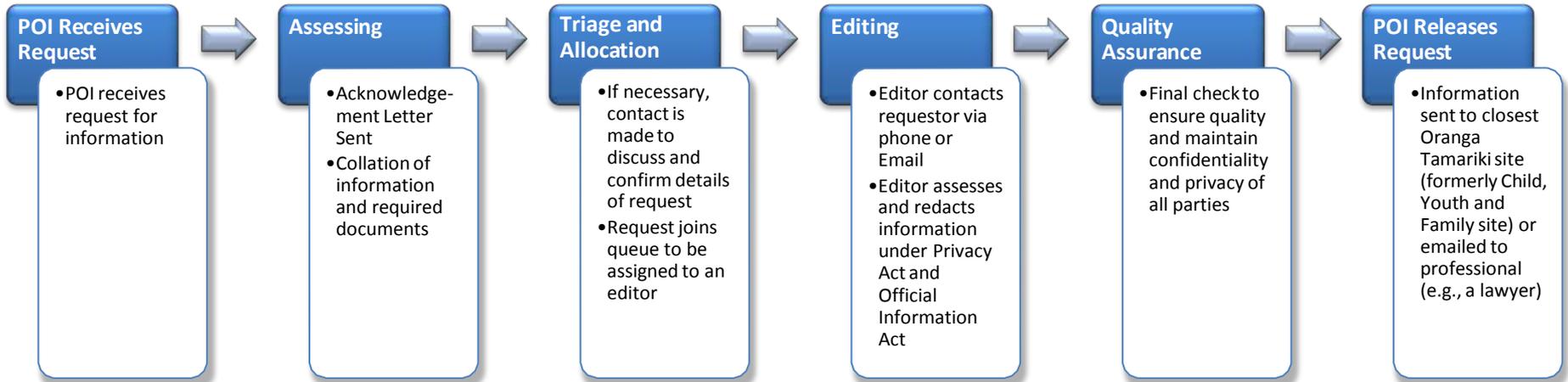
In the first instance, please contact Privacy and Official Information Services. You can telephone us on (0508) FAMILY or (04) 918 9230. We can help if you have a complaint or wish to request a review of the information provided to you. Our e-mail and postal addresses are below. Further information available at: www.orangatamariki.govt.nz

Contact the Office of the Ombudsman for Official Information Act or timeliness complaints and enquiries	Contact the Office of the Privacy Commissioner for Privacy Act complaints and enquiries
Phone: (04) 471 225 E-mail: info@ombudsman.parliament.nz Address: The Ombudsman, PO Box 10152, Wellington 6143	Phone: 0800 803 909 E-mail: enquiries@privacy.org.nz Address: The Office of the Privacy Commissioner, PO Box 10-094, Wellington 6143

POST TO: Privacy and Official Information Services P.O Box 546 WELLINGTON 6011
EMAIL: NAT_POI_Requests@mvcot.govt.nz PHONE: (04) 918 9230

REQUEST PROCESS

PRIVACY AND OFFICIAL INFORMATION SERVICES



FREQUENTLY ASKED QUESTIONS

Privacy and Official Information Services (POI)



What happens after I submit a request for information to the POI team?

Once we receive your request, our Coordinators enter your request details into the system and send you an Acknowledgement Letter to confirm that we have received your request and, if necessary, to ask for further documentation (such as consent, court date proof, or guardianship documents). We will collate and assess your information and contact you within 20 working days to discuss the release of your information. An Editor will ensure the information that we release to you meets the requirements of the Privacy Act 1993. Finally, our Quality Assurance team reviews your request to ensure the highest standard is maintained. At this point, your request is ready to be released to you.



When can I expect to receive my information?

Once we receive your request, we begin to assess your request to determine its complexity, size, and scope. This initial assessment process may take up to 20 working days as we gather and collate information. Once we complete the assessment process, we will contact you to discuss the release of your information. Please be aware that it is generally faster to request specific information rather than to request all information held as this can narrow the search and help us release the information to you faster.



Why can it take up to 20 working days for my request to be released or an extension advised?

During the assessment process, we gather and collate all information related to your request. Information dated prior to 1990 often exists in paper files, which must be delivered to our National Office in Wellington and scanned into the digital system. We may have to contact you to clarify your request and verify details. This process helps us determine the size and complexity of your request.

Section 15(1) of the Official Information Act 1982 and Section 40(1) of the Privacy Act 1993 requires us to “decide whether the request is to be granted” and provide you with “notice of the decision on the request” within 20 working days. We will endeavor to release the information requested to you as soon as possible, though this process can sometimes take longer than 20 working days.

ask

Why does it take time to process and fulfill my request for information?

The files we hold are organised around families, not individuals. This means that there is often confidential information about other people contained within the files you have requested. Our Editors read through all files and apply the Privacy Act and Official Information Act to withhold any information that would breach the privacy of another person. Other factors that may contribute to the length of time to fulfil your request include the amount of information relevant to your request, the number of requests currently on hand with POI, or the inclusion of paper files in your request (pre-1990 information).

ask

I have a court date! How do I get my information faster?

If you have a court date, we will do our best to get you your information before that date. In order to mark your request as urgent, we must have official documentation from the Court that states when you will appear in court. You can email this information as a PDF to NAT_POI_Requests@mvcot.govt.nz, or you may scan and email the document from a local Oranga Tamariki site (formerly Child, Youth and Family).

ask

Can a Social Worker or MVCOT provide POI with my guardianship papers or court date documents on my behalf?

Court dates and guardianship assignments can often change. To ensure we have the most updated information, we ask that you provide us with court date documents and guardianship papers yourself. Therefore, Oranga Tamariki and Social Workers are unable to provide these documents to POI on your behalf.

ask

Can POI release my medical records to me?

No, we do not hold medical records for clients. You should contact your local District Health Board to request your medical records.

ask

Why do I need to provide consent for my children?

Everyone has the right to privacy but we can release information to a child's guardians where it is in the child's best interests. Once a child becomes a Young Person, at age 14, it is Oranga Tamariki's policy that a Young Person is mature enough to decide if they want an adult to have more information about them. If they do want this then they need to sign a valid consent form (see below). If they do not provide consent, we will still release all the information that we legally can, though it may be limited. We cannot process your request until we know whether you have consent or not.



How do I provide valid consent?

For us to accept a consent form, it must be signed by the person whose consent is needed **and** a witness. Suitable witnesses include an Oranga Tamariki employee, a lawyer who does not work for you, a Justice of the Peace, or a Police Officer. To avoid any potential conflict of interest, the witness may not be a relative, friend, school principal, or clergy member. The consent form should also include any limits on the information to be released as specified by the young person. Please contact us if you would like us to provide you with a consent form.



As a parent/guardian, can I get confidential interviews between my children and Social Workers or Police?

To protect children's safety, we will not release confidential interviews between children and a Social Worker or Police Officer. We want children to feel comfortable in these interviews. In some situations, we may be able to provide a brief summary of the interview. You may contact New Zealand Police to make a request for Police information.



How will POI release the information to me?

Once an Editor and Quality Assurance checker have processed your information, your request is ready to be released. In order to further protect the confidentiality of the information released, it is our policy to send the release in a sealed bag to your closest Oranga Tamariki site (formerly Child, Youth and Family). We will send you an email/letter stating the location of this Child, Youth and Family site and the instructions for how to collect your release. If you are not currently residing in New Zealand, the Editor assigned to your request will speak with you about options for releasing your information.



What will I need to do to collect my information?

You will need to take and present the following items Oranga Tamariki—Ministry for Children site (formerly Child, Youth and Family site) to collect your information: the Pick Up letter sent to you from POI and a photo ID. This process further ensures that the information is only released to the appropriate person.

If you have any questions, you can contact us via direct dial at 04 918 9230, on free phone 0508 FAMILY (326 459), or email NAT_POI_REQUESTS@mvcot.govt.nz.