

## By email

8 February 2019

File Ref: OIAP-212673595-299

Hugh Davenport

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Dear Mr Davenport

### Request for information – follow up to OIA 2018-358

I refer to your follow up request for information referred to our response to your information dated 23 January 2019, which was received by Greater Wellington Regional Council (GWRC) on 23 January 2019. You have requested the following information:

*"For the correspondence requested, in one of the emails received from Bruce Horsefield, he stated " just after midday on 19 September we received notification that one of the communications operators for the bus company had identified the driver and that that information was forwarded to the depot where the driver is employed." However, none of the documents you attached suggested that the driver was identified. Can this correspondence please be attached as originally requested. See note below about what is defined as "information held" in terms of the LGOIMA.*

*In addition, Bruce stated "The bus operator confirmed that the depot Operations Manager would be speaking to the driver concerning the incident. This was conveyed to you via email on 20 September 2018.". Again, there is no sign of the correspondence where the bus operator confirms that the Operations Manager will speak with the driver.*

*In addition, Bruce stated "We subsequently received further advice that on the day after this incident and prior to the driver being given his shift card for the service runs that he would be responsible for, a discussion occurred between that driver and the Depot Operations Manager.". Again, no sign of this correspondence.*

*As stated in this request, "This may not be all the correspondence between GWRC and the operator.", so this request requires all correspondence.*

*I believe that this correspondence listed above, and potentially other correspondence with the operator is "directly related" to this case, and was specifically asked in this request. I would like this provided please. If you are refusing to provide this information, can you please list the reason(s) why in accordance with the LGOIMA.*

RESPONSE TO FOLLOW-UP



*For the Police query, can you please confirm whether the Police contacted Tranzurban. I believe that the Police contacted them, due to the following statements in Police file 181011/0350.*

*"Police emailed tranzurban on the 29/10/2018 requesting CCTV footage of incident."*

*"Police confirmed they had spoken directly to Tranzurban as part of their enquiries and stated Tranzurban take all complaints seriously"*

*I would like acknowledgement from GWRC that the operator was contacted by the Police.*

*I should note that in that Police file, the CCTV footage provided to the Police were either not from the same bus, or from a different time/day, as the bus was not in the same location. Given that GWRC previously stated that the bus was at that location (OIA 2018 322), this suggests that the operator purposefully withheld information from the NZ Police during an investigation while acting as an agent for the GWRC. "*

GWRC's response follows.

### **19 September advice**

Attached is a copy of the response received by the operator in relation to this incident. You will see that this records that the driver had been identified and the follow-up action to be taken.

Note that as part of our complaints management system, the response from the operator was directly input into our complaints management system by the operator for consideration by our Customer Resolution Team.

I have also attached a copy of general details related to this investigation recorded in our complaints management system by the operator.

### **Subsequent advice and correspondence**

As part of our review of documents referred to our original response, we have conducted a subsequent search for correspondence. We have identified correspondence between GWRC and the operator which had previously not been identified in our original search. The documents had not been identified as they had not been saved in accordance with our document management protocol. I apologise for this.

### **Police involvement**

GWRC has previously provided you with our response in relation to Police involvement in this matter.

### **Details withheld from documents**

Please note that we have elected to withhold the driver's identification number, the names of Customer Resolution Team members involved in this case and names of operator contacts in accordance with section 7(2)(a) of the Local Government Official Information and Meetings Act

1987 (the Act) on the basis that we consider that it is necessary to protect the privacy of these people.

We have considered whether the public interest in the requested information outweighs GWRC's need to withhold personal details. As a result, we do not consider that the public interest outweighs GWRC's reason for withholding parts of the document under the ground identified above.

If you have any concerns with the decision(s) referred to in this letter, you have the right to request an investigation and review by the Ombudsman under section 27(3) of the Act.

Yours sincerely



**Greg Pollock**  
General Manager, Public Transport