

<b>Policy on Requests for Information under the Local Government Official Information and Meetings Act 1987 and the Privacy Act 1993</b>	<b>GROUP B CP C11.0</b>
	Page 1 of 3

## Introduction

The following policy has been developed to outline how requests for information made to Environment Southland (the brand name of Southland Regional Council) under the Local Government Official Information and Meetings Act 1987 (LGOIMA) and the Privacy Act 1993 (Privacy Act) will be dealt with.

## Requests under the Local Government Official Information and Meetings Act 1987

All requests for information made under the LGOIMA will be met in full, unless the request is transferred, or there are good and proper reasons for not providing some or all of the information, as provided for by the LGOIMA.

Requests will be processed with maximum helpfulness and minimum formality, and as soon as reasonably practicable.

Requests will be processed in accordance with the Council's internal procedures applicable at the time. These procedures may be requested in accordance with the LGOIMA. These procedures are set out in Council's Promapp system under the following titles:

- Receiving an Official Information Act Request
- Registering and Assigning an Official Information Act Request
- Responding to a LGOIMA Request
- Closing an Official Information Act Request File

together with associated guidance material contained within them.

Requests for personal information (other than under the Privacy Act) will be processed in accordance with the statutory obligations.

The Council may consult other local authorities or other people in relation to requests received. The Council has a duty to consider consulting with the requestor if it proposes to refuse information on the basis that it cannot be found, or will involve substantial collation or research.

Should any request be declined, the requester shall be informed the reason for the refusal, bearing in mind always the need for due caution to ensure confidentiality where this is applicable, and the need to maintain proper records of requests.

The Council will, at its discretion, recover the reasonable costs of providing the official information requested before the information is made available. The Council's policy on charges in relation to LGOIMA requests is detailed in the Council's applicable User Charges Policy, published within its Annual Plan or Long-term Plan, from time-to-time. Guidance is also provided to staff through its Promapp system under the following title:

➤ Charging for LGOIMA Requests

Decisions of the Council in relation to LGOIMA requests may be investigated and reviewed by the Ombudsman.

### **Requests under the Privacy Act**

Natural persons may make requests to the Council under the Privacy Act to obtain confirmation of whether or not the Council holds personal information about them, to access information held by the Council about that person, or to correct information held by the Council in relation to that person.

All requests for information made under the Privacy Act will be met in full, unless the request is transferred, or there is a reason for not providing some or all of the information, as provided for by the Privacy Act.

All requests made under the Privacy Act 1993 will be decided upon within the relevant statutory timeframes. Requests will be processed with maximum helpfulness and minimum formality, and as soon as reasonably practicable.

The Council will not charge for requests made under the Privacy Act.

### **Delegations**

It is noted that the Chief Executive has been delegated the powers of the Council under Parts II and V of the Local Government Official Information and Meetings Act 1987 (excepting powers under Section 32); and also under section 124 Privacy Act 1993 – which delegation is set out in Council's Delegation Manual.

### **Reporting**

The Chief Executive will report half yearly to the Council on all requests received under the LGOIMA and the Privacy Act. The report shall explain those LGOIMA requests met in full or met in part, and those refused. Summary information only in relation to the Privacy Act requests will be disclosed. The report will also provide details of any charging that is implemented as a result of the request.

Individual names of people requesting information under either the LGOIMA or the Privacy Act shall not be disclosed in that reporting, in order to protect the privacy of those persons

### **Review**

This policy shall be reviewed every three years, or as otherwise required.

*Adopted by Council at its Meeting on 5 October 2016*