



Thomas Beagle
Chairperson
New Zealand Council of Civil Liberties
thomas@nzcl.org.nz

Dear Thomas

OFFICIAL INFORMATION ACT COMPLAINT OIA-2021/22-0261
Request from the New Zealand Council for Civil Liberties (NZCCL) for information relating to contact tracing

I refer to your request made under the Official Information Act (the Act) and received on 10 September 2021. Your request was for:

- a) *Consideration of, advice on, or responses to communications received from third parties about statutory limitations on the use of contact record information provided by members of the public to a workplace; and*
- b) *Advice to Ministers or senior officials since 1 January 2021 about mandating the provision and collection of contact information from members of the public when they visit a workplace; and*
- c) *Advice to Ministers or senior officials since 1 January 2021 on limitations on the use of contact record information provided by members of the public to a workplace; and*
- d) *Advice to Ministers or senior officials since 1 March 2020 on privacy protection for contact record information provided by members of the public to a workplace; and*
- e) *Advice to Ministers or senior officials since 1 March 2020 on police, intelligence and security agency, or public service department access to information provided by the public to organisations undertaking contact tracing for Covid-19 public health purposes; and*
- f) *All advice on the retention and disposal of contact records by workplaces since 1 January 2021 that informed the drafting of clause 11(2) of the Order.*

As you will recall, the Department of the Prime Minister and Cabinet (DPMC) wrote to you on 8 October 2021 extending the time limits for responding to your request by an additional 30 working days. On 23 December 2021, five documents within the scope of your request were released, subject to redactions under the Act.

Subsequent to that response, you requested that the Office of the Ombudsmen investigate DPMC's decision to extend the timeframe for responding to the request, and DPMC's failure to meet the extended timeframe.

The Ombudsman has determined that the decision to extend the timeframe for responding to your request was unreasonable.

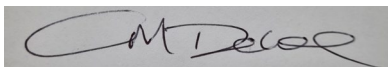
DPMC apologises for extending the time limits for responding to your request and failing to respond within the statutory time limits.

DPMC acknowledges a large amount of time passed before the information within the scope of your request was released to you. The decision to extend and the failure to meet the extended timeframe were due to the significant workload pressures DPMC was experiencing in the course of our response to the pandemic and other areas of work.

However, DPMC accepts such pressures are not a reason under the Act to extend the timeframe for making a decision.

On behalf of DPMC, I apologise again for the way in which your request for official information was managed.

Yours sincerely

A handwritten signature in black ink, appearing to read 'C. Delore', is placed on a light grey rectangular background.

Catherine Delore
Acting Executive Director
Strategy, Governance and Engagement Group

cc: Office of the Ombudsmen
Ombudsmen reference: 568836