RANGITĪKEI DISTRICT COUNCIL

# LOCAL GOVERNMENT OFFICIAL INFORMATION AND MEETING ACT REQUESTS POLICY

Approved: October 2025

Approved by: Executive Leadership Team

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Who is responsible: Group Manager Corporate Services



# Local Government Official Information and Meeting Act Requests Policy

# **PURPOSE**

The purpose of this policy is to outline Rangitīkei District Council's (Councils) framework and process for considering requests for official information under the Local Government Official Information and Meetings Act (LGOIMA) 1987.

# SCOPE

This policy applies to all Council employees, contractors, consultants and elected members (workers).

It covers the decision-making process for requests for official information held by the Council.

Any LGOIMA Request received by Council is also subject to the Privacy Act 2020. If the request is for personal information about the requestor, the Privacy Act 2020 will apply and the request will be managed under the provision of the <u>Privacy Act 2020</u>

# **RESPONSIBILITIES**

Role	Responsibility
Group Manager Corporate Services	Undertake final review of LGOIMA response before it is sent to the requestor.
Executive Leadership Team	Review LGOIMA response prior to it being sent to the Group Manager Corporate Services.
	Support LGOIMA process and responding officers within their Group as required.
LGOIMA Officer (Manager People and Culture)	Assess all incoming information requests, and support responding officers to complete information request.
	Furnish LGOIMA responses for review by ELT and GM Corporate Services.
	Provide guidance to employees on the LGOIMA Response Policy and relevant procedures.
LGOIMA Assistant (EA to GM's).	Support the LGOIMA Officer to maintain the LGOIMA database (information management).
	Acknowledge all incoming LGOIMA requests
Responding Officers (RDC Employees)	Assess and respond to LGOIMA requests within the required timeframes, under the guidance of the LGOIMA Officer

# PRINCIPLES AND OBJECTIVES

The guiding principle under the LGOIMA is that if the information is held by the Council, it must be available to the public unless good reason exists under the LGOIMA for withholding it.

The objectives of this policy are:

- 1. To ensure all Council workers are aware of their responsibilities under the LGOIMA.
- 2. To provide clear guidance to requesters about Councils approach to LGOIMA requests.

#### **DEFINITIONS**

LGOIMA: The Local Government Official Information and Meetings Act (LGOIMA) 1987.

LGOIMA Requests: Requests for official information held by Council as defined in the LGOIMA.

**Official Information:** Any information held by the Council as defined by Section 2 of the LGOIMA Section 2 of the LGOIMA. This includes, but is not limited to:

- Reports, policies, letters, emails and information held on databases
- · Video / recording footage and photos
- · Information that is known but not yet recorded in writing
- Information held by Councils contractors, consultants and elected members in their official capacity.

Personal Information Requests: Requests managed under the Privacy Act 2020.

Requestor: A person or group who makes a request under LGOIMA

# **POLICY**

Council is committed to conducting its day-to-day business openly and being as transparent as legislation allows.

# Requests:

Anyone can request information from Council and the request can be made in various forms including:

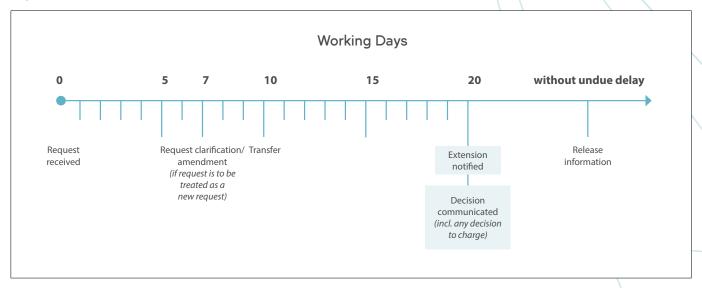
- Verbal or written directly from individuals or groups
- From other public bodies
- From an individual's agent (e.g., a lawyer acting on behalf of a client).

Requests for official information do not have to state that they are a LGOIMA request.

# Responses:

Council will respond as quickly as possible to LGOIMA requests, and within a maximum of 20 working days (unless the timeframe has been extended for legitimate reasons).

#### **Key Timeframes**



#### Working days means any day that is not:

- Saturday, Sunday, Good Friday, Easter Monday, ANZAC Day, Labour Day, Queen's Birthday, Waitangi Day, or
- the day observed as the provincial anniversary day in the area in question Wellington Province's anniversary day is the Monday that falls closest to 22 January; and
- a day between 20 December and 10 January inclusive.

Day 1 is the first working day after the day on which the request is received.

#### Situations where additional timeframes may apply include:

- 1. Situations where the request needs to be clarified. Requests for clarification of a request will occur within 7 working days, and the amended request may be treated as a new request (with Day 1 the first working day after the amended request is received). This is covered under Section 13 (7) of the Act.
- 2. Situations where the request needs to be transferred to another agency. We will transfer a request to another agency promptly, and no later than 10 working days, after the request is received. This is covered under <u>Section 12</u> of the Act
- 3. Situations where we need to extend the maximum time limits to make a decision or transfer a request, within 20 working days after the day on which the request was received. This is covered under <u>Section 14 of the Act.</u>

# PUBLICATION OF LGOIMA RESPONSES

Our default approach is to publish all LGOIMA responses unless there is a good reason not to. LGOIMA responses are published on Councils website.

# LIVESTREAMING OF COUNCIL MEETINGS

The Council will livestream open meetings (all Council meetings and most Standing Committee meetings), if they are held in the Council Chambers – 46 High Street, Marton, where the technology allows for this.

This enables members of the public to listen to the meeting proceedings; makes the democratic process more available to the public; and promotes transparency and accountability of Elected Members' performance and decisions.

Workshops are not live streamed, but these are open to the public.

#### WITHHOLDING INFORMATION

Reasons for withholding, include if providing the information would likely:

- a) prejudice maintenance of the law; or
- b) endanger the safety of any person. These are covered under Section 6 of the Act.

Other reasons for withholding information are included in <u>Section 7 of the Act</u>. Examples of why we might withhold information include but are not limited to:

- a) protect the privacy of natural persons
- b) maintain the effective conduct of public affairs through free and frank expression of opinions by or between elected members and staff
- c) the protection of persons from improper pressure or harassment
- d) enable the Council to carry out without prejudice or disadvantage, commercial activities and negotiations (including commercial and industrial negotiations);
- e) maintain legal professional privilege

The grounds for withholding official information in section 7 of the LGOIMA are subject to a 'public interest test'. This means that we will balance the public interest in disclosing information against the need to withhold it. We follow the Ombudsman's guide Public Interest on how the public interest test works in practice.

# OTHER REASONS FOR REFUSING INFORMATION

There are some other reasons where we may not provide the information requested.

These include situations where:

- The information is already or will soon be publicly available
- Substantial collation or research is required
- We can't find the information requested

In these cases, we will follow the relevant Ombudsman's guidance for agencies The OIA for agencies.pdf.

# **CHARGING**

We follow the Ombudsman's guidance on charging.

If the request is not onerous, the Council will not charge. We only charge if it would take a number of hours and multiple members of staff to provide the information requested. Written approval must be gained from the requester for any charge before work is started. Charges are outlined in <u>Council's Fees and Charges Schedule</u>.

The letter to the requester must set out:

- a) The decision to release the information, subject to a charge;
- b) The estimated amount of the charge;
- c) Details of how the charge was calculated;
- d) The basis for the proposed charge; and
- e) The requester's right to complain to the Ombudsman.

Our practice is that the first hour is free, then the requestor can be charged per half hour or part thereof in line with the current schedule of fees and charges

# OTHER CONSIDERATIONS UNDER THE LGOIMA

# Similar requests from same requestor:

<u>Section 17A of the LGOIMA</u> provides information on when a request may be treated as a single request, in cases where two or more requests have been received from the same person and are about the same, or similar subject matter(s) or are received simultaneously or in short succession.

# Request for personal information:

This is covered under Section 23 of the LGOIMA. As a general rule:

Requests for personal information about someone other than the requester must be considered under LGOIMA

Anyone can ask for personal information about themselves and this will be considered under the Privacy Act 2020

Requests by, or on behalf of, bodies corporate for personal information about themselves, must be considered under LGOIMA.

#### Consulting third parties:

We will follow the Ombudsman's guide for consulting third parties (updated April 2019).

# Clarity of the request:

Requestors are required to specify the information they are seeking "with due particularity". This is covered under Section 10(2) of the LGOIMA. The clearer the requester can be, the easier it is to respond.

# **Urgency:**

If a requester asks for a request to be treated as urgent, they must give reasons.

If Council can't meet the urgent timetable sought by the requester, we will advise the requestor accordingly.

In the case of multiple requests for information, the Council may ask the requester to prioritise their requests so that we can focus on the information sought under urgency first, before considering the remaining information within the normal LGOIMA timeframes.

# PROCESS FOR MAKING A REQUEST

Anyone can make a request in any form including by email, verbally or in writing.

Requesters are advised to:

- · Email: info@rangitikei.govt.nz
- Phone: (06) 327 0099.
- Write to: The LGOIMA Officer, Rangitīkei District Council, Private Bag 1102, Marton 4741.

# **COMPLAINTS**

If the requester is not satisfied with the Council's response, they can make a complaint by emailing <u>info@rangitikei.govt.nz</u> or phoning (06) 327 0099.

If they are still dissatisfied with the response, they have the right to make a complaint to the Ombudsman by one of the following ways:

- Email: info@ombudsman.parliament.nz
- Visit: How to make a complaint | Ombudsman New Zealand
- Post: The Ombudsman, PO Box 10152, Wellington 6143
- Phone: Contact the Ombudsman's Office on 0800 802 602.

# **RELEVANT LEGISLATION**

This policy should be read in conjunction with:

- Local Government Official Information and Meetings Act 1987
- Privacy Act 2020
- Local Government Act 2002