

- Make sure responses are as helpful as possible – i.e. direct the writer to where they can seek further assistance in every possible circumstance.
- Don't commit Ministers to things they can't deliver.
- Don't apologise and blame Ministers for things they didn't do and/or couldn't influence.
- Responses should be professional (even if the writer isn't).
- Keep sentences short and simple.
- Line spacing needs to be even and consistent.
- Ensure text and format is consistent throughout the document (e.g. regarding the use of capitals).
- Use 'Hon' not 'the Hon', as in 'Hon Kris Faafoi'.
- Note that the Prime Minister does not use Rt Hon in her title. You can address her as 'Prime Minister, Jacinda Ardern'.
- Acknowledge receipt of correct form of correspondence – letter, fax, email and refer in the response to the actual date of any previous correspondence with the writer.
- Acknowledge who it was sent to and if transferred – sent to Minister of Justice, transferred to Minister for Courts.
- Keep dates and honorifics together e.g. 26 February 2010 or Mr, Mrs, Ms, first name and surname on the same line. This may require insertion of a hard return at end of line (ctrl+shift+space).
- Avoid having a paragraph run over two pages.
- If the ministerial has any attachments, ensure they are provided and listed at the end of the document. Type Encl: after signature block plus a short description of the enclosure/s.
- Ensure that references to legislation in responses are correct and accurate.
- If mentioning an Act, e.g. Official Information Act, more than once then refer to it as 'the Act' after first use.
- If you have direct quotes within a sentence, use quotation marks.
- If you have direct quotes out of a sentence, use italics.
- If paraphrasing, use a bullet point list.
- If paraphrasing a large number of questions, use a numbered list.
- Check that URLs or links actually work. Also, remove the https:// part of the address.
- In signature blocks, leave the person's name in normal text, and bold their title or position underneath that to signal that they are different types of information.
- The signature page should have substantive text on it and not just the 'yours sincerely' and signature block.
- Fill in the cover sheet with as much information as possible.
- Don't include unnecessary copies (such as old drafts or peer-reviewed drafts) in the folder.
- If the response has been amended according to the Minister's office's changes, put the original response (the one that was sent back for amending) under the new version.
- Use a paperclip to hold all the paper together and to attach it to the folder so it doesn't fall out if sending hard copies.
- Ensure that responses are thoroughly proofread.
- Read the response out loud to ensure it 'flows' well with no abrupt shifts or awkward transitions, is easy to understand, and that there are no grammatical errors.
- Is the language appropriate for the audience? Technical language (including technical legal language) may be appropriate for expert audiences, but not for lay people.

- Don't forget to proofread figures, tables and attachments as well.
- Check any arithmetic (e.g. do the totals in any tables and charts add up?)
- Check macrons and the use of Te Reo are correct and consistent (e.g. if opening with a Te Reo salutation, use Te Reo in the closing and vice versa).
- Check dates, names, addresses, and references against the original request.
- Do the requester's details includes their position and organisation, if applicable?
- Write "Jane Smith" in address block and "Dear Ms Smith" in the salutation (only write the person's full names if their gender or preferred pronoun is unclear – e.g. "Dear Sam Jones").
- Look for any visual clutter such as (), e.g. or i.e. - use "for example". Use parentheses or brackets sparingly as they can make sentences longer and clumsier. If something is important enough that it needs to be mentioned, don't bury it in brackets.
- Some typos may not be picked up by Word e.g. Manger/Manager, pubic/public, Minster/Minister, trial/trail, annual/annul, inconsistent/incontinent.
- Check capitalisation, including Government/government, Court/court. And don't over-capitalise – the Ministry deals with applications for legal aid, not applications for Legal Aid.
- Check number references are correct and consistent (i.e. spell numbers 1-9 in full and use numerals from 10 onwards. Spell the number if it appears at the beginning of a sentence, (but sometimes it's easier to rearrange the sentence so it doesn't start with a number).
- Check the use of %/percent is consistent.
- When talking about money, use the full number (i.e. \$17 million, not \$17m or \$17M, and \$80,000

not \$80k or \$80K). If you're using an abbreviation in a chart, be consistent.

- Use Plain English. This isn't about dumping down information – it's about making it as accessible to as wide an audience as possible, and so they can quickly and easily understand what they need to know or do.
- To check the readability of your writing, there's a useful feature in Word (<https://support.office.com/en-us/article/test-your-document-s-readability-85b4969e-e80a-4777-8dd3-f7fc3c8b3fd2>). Regardless of your audience or topic, it's good practice to aim for a reading age of 12-13 (which is a score of 7 or 8 on the Flesch-Kincaid Grade Level test).

Peer reviewing tips

The purpose of giving feedback is to improve the situation or performance. You won't accomplish that by being harsh, critical or offensive.

What you reward gets repeated. When you are reviewing someone's work, spend time on what the person is doing well, in addition to the areas where they could improve. A good rule is start with something positive.

Note that when reviewing correspondence, it is important our Advisors develop their own style, whilst meeting the requirements of the Minister's Office or the subject matter expert team. In other words, don't rewrite their work if it's a matter of the style rather than substance of the text.

While public recognition is appreciated, public scrutiny is not. Establish a safe place to talk where you won't be interrupted or overheard.

When giving feedback on changes that need to be made, try to be clear about the reason the change is required. This helps the person to take the right steps next time.

Here are some specific prompts for reviewing correspondence:

- Have we answered the question or addressed the issue?
- Have we responded to all or the requests or questions?
- Do we need to consult anyone (internally or externally) on the response?
- Do we need to inform anyone (internally or externally) about the response? Sometimes there's no reason to withhold information, but it may be good practice to advise someone who is affected by or referred to in the response or the material that's being release.
- Is there anything in the response or the subject matter that could attract media or political interest?
- Does the response make sense? Is it logical? If it sounds strange or unexpected, dig deeper – it might be wrong, or it might be right but require a better explanation.
- What does the Minister's office (and/or CE's office) need to know?
- Is the response tactfully, professionally and respectfully written? If the requester or respondent is unhappy don't be defensive or adopt their tone. If they have used an aggressive tone, don't adopt their tone. If they are accusatory, be polite, even firm, but not defensive.
- Don't promise things we can't deliver. E.g. don't say we will let them know when something happens in the future if we aren't reasonably sure when it's going to happen and that it will be in the near future.
- Be careful about promising time frames.
- Don't apologise for things that aren't our [or the Minister's] fault.
- Have we released the data before – whether in the annual report, responses to select committee questions (Annual Review or Estimates). Is it consistent with that data. If it's not exactly the same question, we may need to clarify for the Minister's office that it's different response because it's a slightly different question.
- What does the Minister's office (and/or CE's office) need to know? If we're releasing stats or financial information, does it show any difficult or positive trends that need to be explained. Can we provide any comparisons to other years or other departments?
- Does the information need to be caveated in any way or require some additional explanation?
- If we are providing stats or financial data, have we said when that was accurate – e.g. "For 2015/16...", "as at 30 June 2016", as at 31 August etc. For financial data, we use end of month or end of financial year data. If we're releasing full-year financial information before the annual report has been published, we may need to caveat that it is still being audited (add wording).
- If it refers to legislation, are the name and any section references correct
- Quote or paraphrase the original question or request, but check that any quotes are accurate
- Are any \$ amounts expressed to be GST exclusive?
- Have we referred to the right to complain to the Ombudsman?
- If we are releasing documents, have any attachments been included and are they the correct attachments – if we can't find the correct attachment, say so in the response.
- If we are releasing documents, are the dates and the titles correctly described in the response?
- Are the documents numbered?

- Do the numbers on the document match the numbers in the table?
- Check each document – are we withholding any information, and if so, are all the section numbers correct and included in the response?
- If we are seeking to withhold information on the grounds that it is free and frank advice or commercially sensitive, have you talked to OLC – these can be difficult grounds to rely on?
- If we have withheld information under s9(2) of the Act, have we referred to the public interest balancing test?
- Provide a completed OIA information sheet even if the response isn't going to the Minister's office – it gives the reviewer and approver key background information.
- For OIA requests, tell the reviewers and approvers what has and hasn't been released before, and whether we're proposing to release information that has previously been withheld. The fact that something hasn't been released before is not, in itself, a reason to withhold it now, but knowing what is already in the public domain will help them gauge and prepare for the likely interest in the information being released now.
- If multiple documents come within the scope of the request, provide a clear, well-ordered pack.
- Merge documents into a single, ordered PDF so it's easier to review any information you are proposing to withhold OIA request into one, ordered PDF, so it's easy to print and review.
- Check the documents are numbered and accurately described in the response
- Check that, if any information is being withheld, the section number is noted next to the redacted text and in the response itself.
- Check that any documents that refer to attachments include those attachments – and make sure they are the correct attachments.

Ministerial consultation

The 'No Surprises Convention' is set out in the Cabinet Manual and requires departments to inform Ministers promptly of matters of significance within their portfolio responsibilities, particularly where these matters may be controversial or may become the subject of public debate.

If questions relate to what are, fundamentally, fairly operational matters, it is not necessary for the Minister's office to be *consulted*.

However, if the request could result in a story or public scrutiny, the Minister's office should be *informed* – i.e. send them a copy of the proposed response before it's released in accordance with the 'no surprises' approach.

Third party consultation

Agencies may consult before making a decision on an official information request.

Consultations may be with:

- the requester
- agency staff, including in-house policy or legal teams
- external third parties, such as those who originally provided information to the Ministry or those whom the information is about
- any other agency with an interest in the information, such as other government departments or Ministers.

Usually consultation is to ensure that other parties are comfortable with the information is planned to be released. Consultation can uncover if there is any disclosure that would adversely affect the Ministry or other party. It can help to determine if information is available through other means, and or any other

information that the Ministry should be aware of before making a decision.

There is no obligation to consult, and the final decision remains with the Ministry.

A third party can complain to the Ombudsman that an agency has acted unreasonably in either omitting to consult an external third party, or in how they went about that consultation, or in deciding to release the information notwithstanding consultation.

Good faith is key. The OIA provides protection for agencies that release information in good faith in response to a request.

Records management

The workflow tracker and JAX can and should be updated as work progresses.

The MRS Advisor who is allocated an item should update the Writer/Drafter field in JAX. This should be updated if work is re-allocated.

It is also important to make sure records are updated once work is completed. Ensure you have saved everything you need down in the I Drive. Save the scan of the signed release/correspondence on to the I Drive and into JAX. Close off JAX (ensure you indicate the response sent date and properly close off the record).

For Ministry OIA responses

We send the final signed correspondence to the requester. This means we need to scan the final copy, save it into JAX and then email it to the correspondent. The original request must also be saved into JAX. This creates a record of what was asked, when, and what the response was.

For Ministerial OIA responses

Once a MOI has been agreed internally, it is emailed to the Private Secretary for the Minister. Once the Minister has signed the letter, it is scanned and sent to the requestor by the Minister's office. Every month or two, a stack of signed responses may be sent back to the Ministry. These need to be scanned and the signed final versions need to be saved into JAX. The original request must also be saved into JAX. This creates a record of what was asked, when, and what the response was.

Where hard copies are sent to the Minister's office, order the documents within the folder as follows:

- The commissioning email from the Minister's Office
- The correspondence/OIA from the citizen if not on the above
- The Jax cover sheet with details of approvals – preferably attach the emails if approved digitally
- An OIA coversheet for OIAs
- The word copy of the correspondence/OIA plus any attachments
- Sign out tab(s) for the Minister.

Check the letter includes necessary parts:

	Ministry OIAs	Other Ministry correspondence	Minister's OIAs	Other Minister's correspondence
Correct letterhead	✓	✓	✓	✓
Space for date stamp	✓	✓	✓	✓
OC reference #	✓	✓		
Requestor's name, job title, address	✓	✓	✓	✓
Salutation (Te Reo if appropriate)	✓	✓	✓	✓
Subject line	✓	✓	✓	✓
Original request	✓		✓	
History of request, including previous information provided, any extensions	✓		✓	
Grounds for withholding information	✓		✓	
For media related – sentence for how to contact Media	✓		✓	
Note regarding Ombudsman complaints process	✓		✓	
Closing (te reo if appropriate)	✓	✓	✓	✓
Space for signature	✓	✓	✓	✓
Signature block	✓	✓	✓	✓

Step-by-step daily guide

For Ministry OIA responses (no Ministerial consultation)

Day	Step	Notes/considerations
Day 1	Receipt and acknowledgement Request received by the Ministry. Acknowledgement sent. The Ministry decides whether the request, or parts of it, needs to be transferred to another government agency or Minister. Request is entered into JAX and allocated to the appropriate Business Group to action. The Team Leader allocates it to an Advisor.	OIAs should be processed as quickly as reasonably practicable. These guide timeframes are the maximum permissible, unless a request is extended. A transfer must be made within 10 working days (section 14). This could be actioned on Day 1.
Day 2-11	Scope request and draft reply The Advisor and/or Team Leader and/or SME discuss the scope of the request and determine the approach. Consult subject experts and peer reviewer early in the process. Draft the response based on appropriate scoping and consultation. Escalate to the SME Manager/General Manager and/or MRS Team Leader if the request has not been allocated and scoped by day 5. OLC, media may need to be consulted on major releases or if you are proposing to withhold information regarding complex requests, or high or critical risk requests. The media team must be consulted on all requests from the media or through the FYI website. If the information requested belongs to another agency, you must consult that agency on the proposed approach.	This could be started on Day 1. Check if there are previous OIA requests from the requester and whether they relate. Check if there are previous OIA requests on the same topic and what the approach to that request was. To identify information within the scope of the request, you may need to check: <ul style="list-style-type: none"> • emails (inbox and sent items) • physical and electronic files • weekly reports • information held by the Minister's Office • meeting notes. Also check with the subject expert that you have identified all information within scope of the request.
Day 12-13	Peer review Draft response is provided to peer reviewer or reviewers for comment/ amendment.	Initial consultation with peer reviewer should occur at the beginning of the process.
Day 14-19	Sign-out Response is finalised for SME sign- out.	If information is to be withheld, clean copies of the full document or documents must be included in the file for comparison. The appropriate SME Manager must have three days for consideration and sign-out.
Day 20	Send response to requester The decision must be communicated by the Ministry to the requester.	OIAs should be processed as quickly as reasonably practicable. These guide timeframes are the maximum permissible, unless a request is extended.

For Ministry OIA responses (with Ministerial consultation)

Day	Step	Notes/considerations
Day 1	Receipt and acknowledgement Request received by the Ministry. Acknowledgement sent. The Ministry decides whether the request, or parts of it, needs to be transferred to another government agency or Minister. Request is entered into JAX and allocated to the appropriate Business Group to action. The Team Leader allocates it to an Advisor.	OIAs should be processed as quickly as reasonably practicable. These guide timeframes are the maximum permissible, unless a request is extended. A transfer must be made within 10 working days (section 14). This could be actioned on Day 1.
Day 2-8	Scope request and draft reply The Advisor and/or Team Leader and/or SME discuss the scope of the request and determine the approach. Consult subject experts and peer reviewer early in the process. Draft the response based on appropriate scoping and consultation. Escalate to the SME Manager/General Manager and/or MRS Team Leader if the request has not been allocated and scoped by day 5. OLC, media may need to be consulted on major releases or if you are proposing to withhold information regarding complex requests, or high or critical risk requests. The media team must be consulted on all requests from the media or through the FYI website. If the information requested belongs to another agency, you must consult that agency on the proposed approach.	This could be started on Day 1. Check if there are previous OIA requests from the requester and whether they relate. Check if there are previous OIA requests on the same topic and what the approach to that request was. To identify information within the scope of the request, you may need to check: <ul style="list-style-type: none"> • emails (inbox and sent items) • physical and electronic files • weekly reports • information held by the Minister's Office • meeting notes. Also check with the subject expert that you have identified all information within scope of the request.
Day 9-10	Peer review Draft response is provided to peer reviewer or reviewers for comment/ amendment.	Initial consultation with peer reviewer should occur at the beginning of the process.
Day 11-13	Sign-out Response is finalised for SME sign-out.	If information is to be withheld, clean copies of the full document or documents must be included in the file for comparison. The appropriate SME Manager must have three days for consideration and sign-out.
Day 14-19	Minister's office FYI Response to the OIA request is sent to the relevant Minister's Office or Ministerial Offices for consideration by day 14.	This allows five full days for the Minister's Office to process and consider the reply the Ministry intends releasing. Make sure that questions or requests for more information from Ministerial Offices are responded to as quickly as possible to ensure an OIA is not held up.
Day 20	Send response to requester The decision must be communicated by the Ministry to the requester.	OIAs should be processed as quickly as reasonably practicable. These guide timeframes are the maximum permissible, unless a request is extended.

For Minister's OIA responses

Day	Step	Notes/considerations
Day 1	Receipt and acknowledgement Request received by the Minister's office. Acknowledgement sent by the Minister's office. The Minister's office and the Ministry decide whether the request, or parts of it, needs to be transferred to another government agency or Minister. Request is entered into JAX once the Ministry has received it and allocated to the appropriate Business Group to action. The Team Leader allocates it to an Advisor.	OIAs should be processed as quickly as reasonably practicable. These guide timeframes are the maximum permissible, unless a request is extended. A transfer must be made within 10 working days (section 14). This could be actioned on Day 1.
Day 2-8	Scope request and draft reply The Advisor and/or Team Leader and/or SME discuss the scope of the request and determine the approach. Consult subject experts and peer reviewer early in the process. Draft the response based on appropriate scoping and consultation. Escalate to the SME Manager/General Manager and/or MRS Team Leader if the request has not been allocated and scoped by day 3-5. OLC, media may need to be consulted on major releases or if you are proposing to withhold information regarding complex requests, or high or critical risk requests. The media team must be consulted on all requests from the media or through the FYI website. If the information requested belongs to another agency, you must consult that agency on the proposed approach.	This could be started on Day 1. Check if there are previous OIA requests from the requester and whether they relate. Check if there are previous OIA requests on the same topic and what the approach to that request was. To identify information within the scope of the request, you may need to check: <ul style="list-style-type: none"> • emails (inbox and sent items) • physical and electronic files • weekly reports • information held by the Minister's Office • meeting notes. Also check with the subject expert that you have identified all information within scope of the request.
Day 9-10	Peer review Draft response is provided to peer reviewer or reviewers for comment/ amendment.	Initial consultation with peer reviewer should occur at the beginning of the process.
Day 11-14	Sign-out Response is finalised for SME sign-out.	If information is to be withheld, clean copies of the full document or documents must be included in the file for comparison. The appropriate SME Manager must have three days for consideration and sign-out.
Day 15	Recommend response to Minister Response to the OIA request is sent to the relevant Minister's Office or Ministerial Offices for consideration and action by day 15.	This allows five full days for the Minister's Office to process and consider the reply. Make sure that questions or requests for more information from Ministerial Offices are responded to as quickly as possible to ensure an OIA is not held up.
Day 20	Send response to requester The decision must be communicated by the Minister's office to the requestor.	

OIA escalation points (15-day turnaround)

Day	Step	Timeline risk and accountability
Day 3-5	Scope request	OIA unassigned – OC to follow up with Team Leader No response from business group SME – Writer to follow up with SME Manager Key participant unavailable to scope request – Writer to follow up with SME Manager and agree alternate approach
Day 8-10	Gather information and draft response	Information not yet collated and assessed – Writer to follow up with SME and escalate to SME Manager, then SME GM SME review date missed – Writer to flag to Team Leader and agree mitigation OIA timeframe to be extended if appropriate – Writer to discuss with Team Leader
Day 11-12	Review	SME not available for review – Writer to follow up with SME Manager and agree alternate approach Manager review date missed – Writer to flag to Team Leader and agree mitigation OIA timeframe to be extended if appropriate – Writer to discuss with Team Leader
Day 13-15	Approval	Manager not available for approval – Writer to flag to Team Leader and agree mitigation OIA timeframe to be extended if appropriate – Writer to discuss with Team Leader

OIA decision flow chart

Clarifying the scope and information included in a response

** Seek legal advice if needed*

```

graph TD
    A[Receive requests from the Official Correspondence Unit] --> B[Clarify scope of request. Is it for official information? *]
    B --> C{Do we hold the information?}
    C -- YES --> D{Has the information been previously released under an OIA request?}
    C -- NO --> E[s14 Transfer to Minister or Department more closely connected with the issue (within 10 days)]
    E --> F[Inform Department/Minister and requester. Log transfer with the OC team]
    F --> G[Is the requester an individual seeking information about themselves?]
    G --> H[Process request under the Privacy Act 1993]
    H --> I[STOP]
    D -- YES --> J[Ensure grounds still relevant and ensure consistency of information released in response]
    J --> K[STOP]
    D -- NO --> L[s18(d) is the information publicly available? *]
    L -- YES --> M[Advise requester in the response where to locate information]
    M --> N[STOP]
    L -- NO --> O[Is an extension required? s15 You can only have one extension *]
    O -- YES --> P[Advise requester of reason, set an agreed reasonable timeframe and advise of right to complain. You can only have one extension]
    P --> Q[Is charging appropriate after consulting the Ministry charging guidelines? *]
    Q -- YES --> R[Calculate charge under guidelines]
    R --> S[Write to the requester advising the proposed amount to be charged. Advise of right to complain]
    S --> T[Withhold some information? (see s8, s9)]
    Q -- NO --> T
    T -- YES --> U[Is consultation required? *]
    T -- NO --> U
    U --> V[Make decision]
    V --> W[Identify as withholding information]
    V --> X[Identify as withholding/release in part]
    V --> Y[Identify as releasing information]
    W --> Z[Include Advise of right to complain in the response]
    Z --> AA[Draft response]
    X --> AA
    Y --> AB[Draft response]
  
```

Flowchart Details:

- Start:** Receive requests from the Official Correspondence Unit.
- Decision 1:** Clarify scope of request. Is it for official information? *
 - YES:** Do we hold the information?
 - YES:** Has the information been previously released under an OIA request?
 - YES:** Ensure grounds still relevant and ensure consistency of information released in response. → **STOP**
 - NO:** s18(d) is the information publicly available? *
 - YES:** Advise requester in the response where to locate information. → **STOP**
 - NO:** Is an extension required? s15 You can only have one extension *
 - YES:** Advise requester of reason, set an agreed reasonable timeframe and advise of right to complain. You can only have one extension.
 - Is charging appropriate after consulting the Ministry charging guidelines? ***
 - YES:** Calculate charge under guidelines. Write to the requester advising the proposed amount to be charged. Advise of right to complain. → **Withhold some information? (see s8, s9)**
 - NO:** → **Withhold some information? (see s8, s9)**
 - NO:** Is consultation required? *
 - YES:** → **Make decision**
 - NO:** → **Make decision**
 - Make decision:**
 - Identify as withholding information:** Include Advise of right to complain in the response. → **Draft response**
 - Identify as withholding/release in part:** → **Draft response**
 - Identify as releasing information:** → **Draft response**
 - NO:** s14 Transfer to Minister or Department more closely connected with the issue (within 10 days). Inform Department/Minister and requester. Log transfer with the OC team.
 - Is the requester an individual seeking information about themselves?**
 - YES:** Process request under the Privacy Act 1993. → **STOP**

MINISTRY OF JUSTICE
Tāhū o te Ture

RISE TOGETHER

MRS Process Guide
Chapter 4: Drafting OIAs
Page | 26

OIA decision flow chart

Clarifying the scope and information included in a response

** Seek legal advice if needed*

```

graph TD
    A[Receive requests from the Official Correspondence Unit] --> B[Clarify scope of request. Is it for official information? *]
    B --> C[Do we hold the information?]
    C -- YES --> D[Has the information been previously released under an OIA request?]
    C -- NO --> E[s14 Transfer to Minister or Department more closely connected with the issue (within 10 days)]
    D -- YES --> F[Ensure grounds still relevant and ensure consistency of information released in response]
    D -- NO --> G[s18(d) is the information publicly available? *]
    F --> H[STOP]
    G -- YES --> I[Advise requester in the response where to locate information]
    G -- NO --> J[Is an extension required? s15 You can only have one extension *]
    I --> H
    J -- YES --> K[Advise requester of reason, set an agreed reasonable timeframe and advise of right to complain. You can only have one extension]
    J -- NO --> L[Clarify scope of request with manager]
    K --> M[Is charging appropriate after consulting the Ministry charging guidelines? *]
    L --> N[Assemble ALL information. Information includes documents, emails, information in officials' minds]
    M -- YES --> O[Calculate charge under guidelines]
    M -- NO --> P[Withhold some information? * (see s8, s9)]
    O --> Q[Write to the requester advising the proposed amount to be charged. Advise of right to complain]
    P -- YES --> R[Is consultation required? *]
    P -- NO --> R
    R --> S[Make decision]
    S --> T[Identify as withholding information]
    S --> U[Identify as withholding/release in part]
    S --> V[Identify as releasing information]
    T --> W[Include Advise of right to complain in the response]
    U --> W
    V --> X[Draft response]
    W --> X
    E --> Y[Inform Department/Minister and requester. Log transfer with the OC team]
    Y --> Z[Process request under the Privacy Act 1993]
    Z --> AA[STOP]
  
```

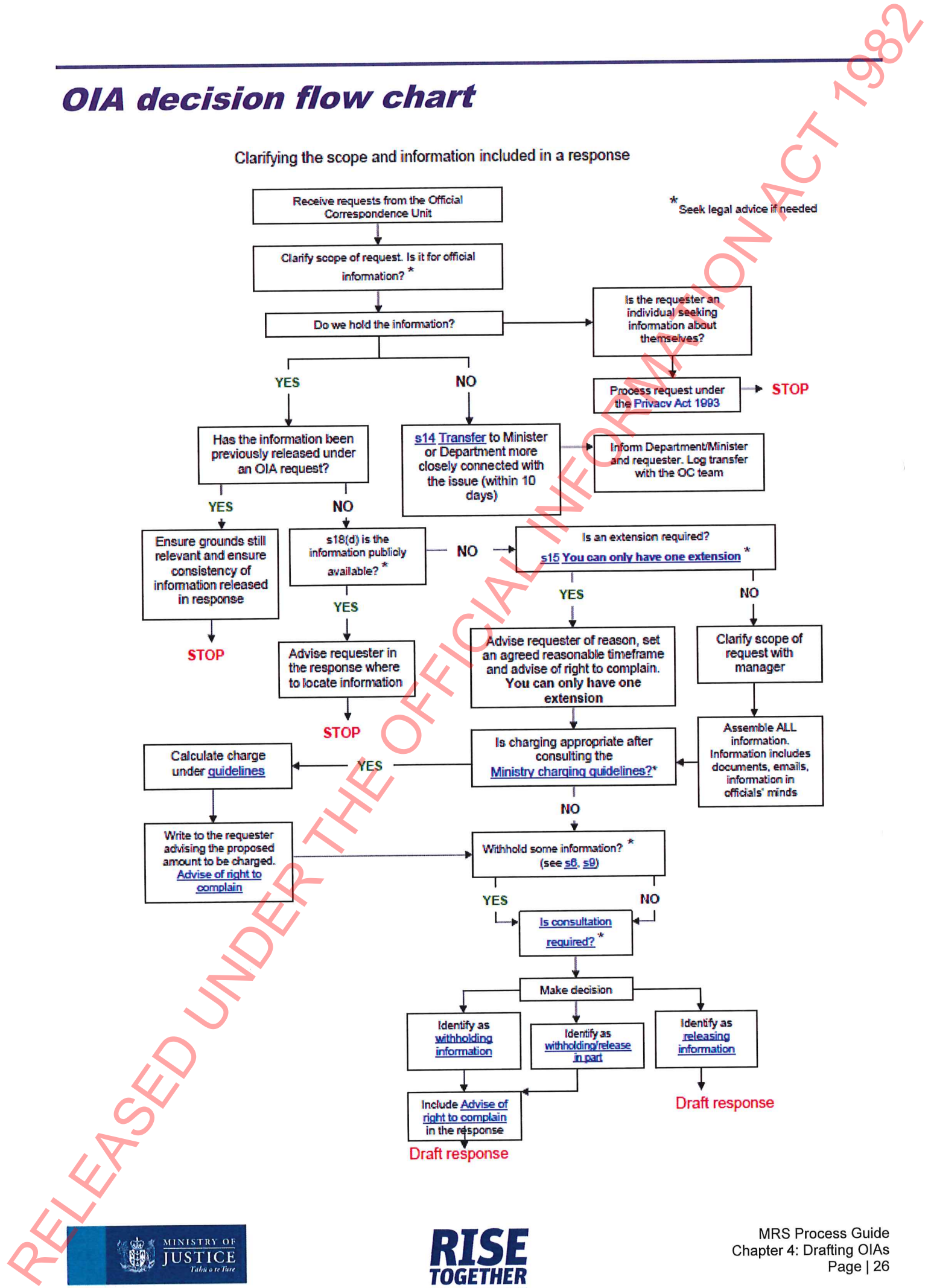
Flowchart Details:

- Start:** Receive requests from the Official Correspondence Unit.
- Decision 1:** Clarify scope of request. Is it for official information? *
 - YES:** Do we hold the information?
 - YES:** Has the information been previously released under an OIA request?
 - YES:** Ensure grounds still relevant and ensure consistency of information released in response. → **STOP**
 - NO:** s18(d) is the information publicly available? *
 - YES:** Advise requester in the response where to locate information. → **STOP**
 - NO:** Is an extension required? s15 You can only have one extension *
 - YES:** Advise requester of reason, set an agreed reasonable timeframe and advise of right to complain. You can only have one extension. → Is charging appropriate after consulting the Ministry charging guidelines? *
 - YES:** Calculate charge under guidelines. → Write to the requester advising the proposed amount to be charged. Advise of right to complain. → **Draft response**
 - NO:** Withhold some information? * (see s8, s9)
 - YES:** Is consultation required? *
 - YES:** Make decision
 - Identify as withholding information → Include Advise of right to complain in the response → **Draft response**
 - Identify as withholding/release in part → **Draft response**
 - Identify as releasing information → **Draft response**
 - NO:** Is consultation required? *
 - YES:** Make decision (same as above)
 - NO:** Make decision (same as above)
 - NO:** Clarify scope of request with manager. → Assemble ALL information. Information includes documents, emails, information in officials' minds. → Is charging appropriate after consulting the Ministry charging guidelines? *
 - NO:** s14 Transfer to Minister or Department more closely connected with the issue (within 10 days). → Inform Department/Minister and requester. Log transfer with the OC team. → Process request under the Privacy Act 1993. → **STOP**
 - NO:** Is the requester an individual seeking information about themselves? → Process request under the Privacy Act 1993. → **STOP**

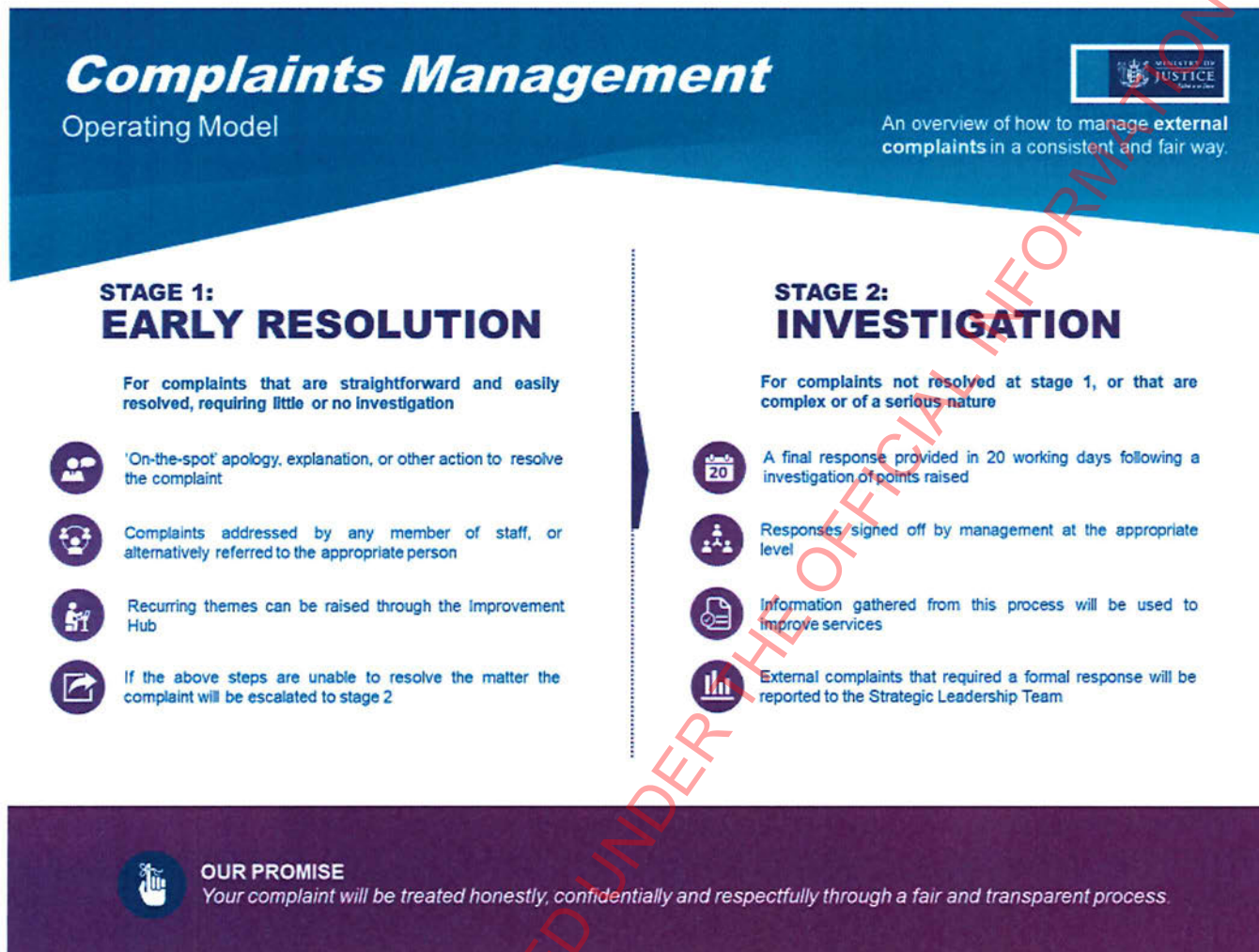
MINISTRY OF JUSTICE
Tāhū o te Ture

RISE TOGETHER

MRS Process Guide
Chapter 4: Drafting OIAs
Page | 26



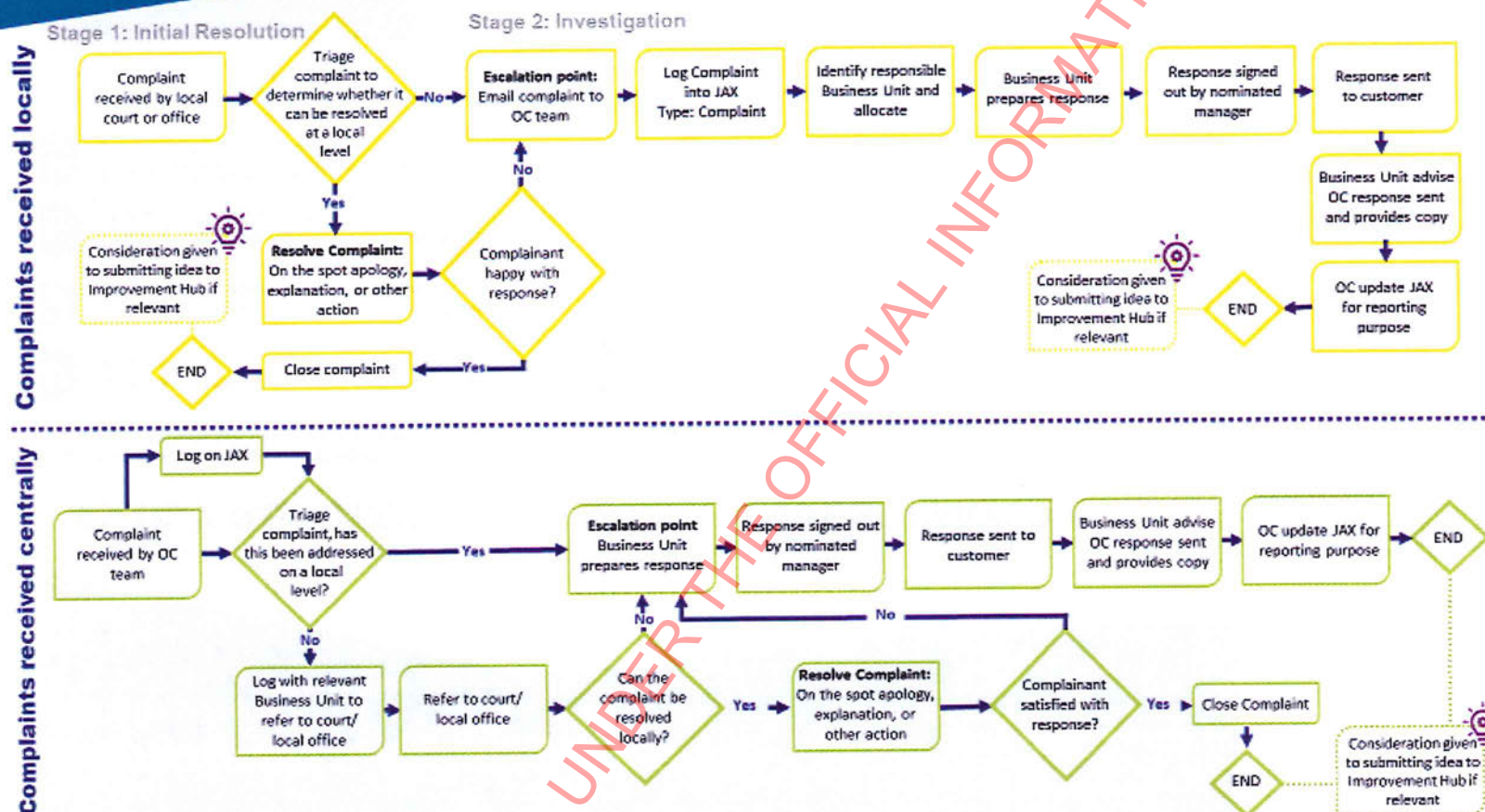
Complaints management flow chart



Complaints Management

Process Map

An overview of the external complaints management process



OUR PROMISE

Your complaint will be treated honestly, confidentially and respectfully through a fair and transparent process.



**RISE
TOGETHER**

OIA Scoping Plan and Checklist

This plan needs to be completed by Ministerial Relations and Services in conjunction with the stakeholder group as a meeting or discussion within three days of the Ministry receiving the request.

Details

| | |
|---|--|
| OIA reference/requester | |
| OIA request details | |
| Due date to requester | |
| Due date to Minister (if consultation needed) | |
| Sign out Manager/General Manager/Deputy Secretary | |
| Who is involved in the planning | |
| Advisor | |
| Subject Matter Expert | |
| Manager | |
| Media | |
| Legal | |
| Others | |
| Process | |
| Does the sign out manager have any stylistic requirements that differ from the Ministry's Style Guide that should be noted? | |
| Will the response include copies of publicly available information? | |
| Specific ordering requirements of documents to be released, if any. | |

For Administrative Refusal

| | Next Step | Who | Approval/date |
|---|--|-----|---------------|
| Is or will soon be publicly available s18(d) | Draft reply | | |
| Could be sought by defendant under Criminal Procedures Act s18(da)(i) | Draft reply | | |
| Does not exist or cannot be found s18(e) | Confirm with Library team and stakeholders and draft reply | | |
| Substantial collation or research s18(f) | Consult Library and stakeholders and draft reply | | |
| Frivolous, vexatious or trivial s18(h) | Consult Legal and stakeholders and draft reply | | |

Timetable for request

| Stage | Due date | Who |
|--|--|-----|
| Transfer in full or part | Up to day 10 after receipt | |
| Amend or clarify request | Up to day 7 after receipt | |
| Extension of time limit | Up to day 20 after receipt | |
| Gathering information | | |
| Drafting reply | | |
| MRS peer review | | |
| Communications/Media review | | |
| Legal review | | |
| SME 1 review | | |
| SME 2 review | | |
| Judicial Office/Judiciary consultation (if required) | | |
| Manager review | | |
| General Manager/Deputy Secretary review | | |
| Ministerial consultation | Contact the Minister's Office early to clarify how much time is required | |
| MRS final peer review | | |

Issues to consider

- **Urgency** – Has urgency been sought by the requester? If yes, consider impact on timeframes.
- **Request from media or special interest group?** – Is the request from Media, Politician, Political Party or special interest group? If yes, discuss with stakeholder group and Team Leader as required.
- **Consult with Minister's office** – Does the Minister's Office need to be consulted on this request? If yes, is the MO aware of this request and have you discussed how much time is required and communicated that to the stakeholder group? Has this been factored into timescales and will an extension be required?
- **Is third party consultation required?** If yes, who is responsible for identifying and contacting third parties and how long will this take? Has this been factored into timescales and will an extension be required?
- **Is this a multi-agency request?** Has the request been made across several agencies? If yes, are there matters that require consultation and agreement? Has this been factored into timescales?
- Is the subject matter of the request connected contextually to any **current media, correspondence or active political issue**? If yes, have the Advisor and SME checked previous responses?
- **Has the requester made previous requests on the subject?** If yes, cross reference and ensure consistency of message.
- Has a **similar request been made** by a different requester in the past? If yes, cross reference and ensure consistency of message.
- Is the request for a **large amount of information or complex, broad or difficult to understand**? If yes, has an approach been made to the requester to scope their request? Who is responsible? This should be undertaken by **no later than day seven**.