



27 June 2024

Tēnā koe

Official Information Act request

Thank you for your email of 4 June 2024, requesting information relating to the potential misuse of census data by Manurewa Marae.

I have considered your request under the Official Information Act 1982 (the Act). Please find my decision on your request set out below. For the sake of clarity, I will respond to your request in parts.

1. *Can I please have any information about the whistleblower complaint?*
2. *What advice did MSD receive in relation to the whistleblower?*
4. *What did MSD do about the complaint when it was initially raised?*
6. *Were any complaints made under the Protected Disclosures (Protection of Whistleblowers) Act 2022?*

These aspects of your request are refused under section 18(c)(i) of the Act, as release of this information would be contrary to the provisions of section 19 of the Protected Disclosures (Protection of Whistleblowers) Act 2022.

I note that, in an interview on Newstalk ZB on Thursday 6 June, employee advocate Allan Hulse said he represented a MSD whistleblower that had used the Protected Disclosure Act.

Under section 19 of the Protected Disclosure Act, there is a very high degree of confidentiality required of the organisation that has received a protected disclosure, in order to protect the identity of a complainant.

In cases where we receive disclosures under the Protected Disclosures Act, the Ministry of Social Development follows a careful process to consider complaints.

I am not able to provide any further information on this matter for the reason explained in section 19 of the Protected Disclosures Act.

3. *Can I have any briefings sent to the Hon Louise Upston or any other Ministers on this matter?*

Your request for this information is refused under section 18(e) of the Act, on the basis that this information does not exist. The Ministry has not sent a briefing to the Minister for Social Development and Employment on this matter to date.

To the extent you wish to access information which other Ministers have received, then I suggest you make those requests directly to the Ministers that you consider relevant to your interest in this matter.

5. *Can I have any information concerning any complaints made to MSD on this matter?*

This aspect of your request is very broad, and substantial manual collation would be required to locate and prepare all documents within scope of your request. As such, I refuse your request under section 18(f) of the Act. The greater public interest is in the effective and efficient administration of the public service.

I have considered whether the Ministry would be able to respond to your request given extra time, or the ability to charge for the information requested. I have concluded that, in either case, the Ministry's ability to undertake its work would still be prejudiced.

I will be publishing this decision letter, with your personal details deleted, on the Ministry's website in due course.

If you wish to discuss this response with us, please feel free to contact OIA_Requests@msd.govt.nz.

If you are not satisfied with my decision on your request, you have the right to seek an investigation and review by the Ombudsman. Information about how to make a complaint is available at www.ombudsman.parliament.nz or 0800 802 602.

Ngā mihi nui



Magnus O'Neill
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Ministerial and Executive Services