



4 March 2026

Tēnā koe

Official Information Act request

Thank you for your email of 5 January 2026, requesting information about the Ministry of Social Development (the Ministry) staff accessing institutional records from Oranga Tamariki.

I have considered your request under the Official Information Act 1982 (the Act). Please find my decision on each part of your request set out separately below.

- 1. The MSD Historic Claims Privacy Training guidance document (version 1, 31 July 2025) establishes that when carrying out an Individualised Claim Assessment, MSD obtains the relevant institutional files from Oranga Tamariki. Please advise under the OIA whether these records are located and/or accessed by MSD in every case involving residential care, or whether this is only obtained after MSD confirms that a Step 2 analysis is necessary.*

Institutional records are not obtained for every Individualised Claim Assessment involving residential care. However, the Ministry will search and locate relevant institutional records where a step 2 analysis is required. On rare occasions, the Ministry may also search for and locate institutional records to establish a claimant's eligibility, if this information is not readily available in a claimant's personal file.

- 2. Further to the above question please advise which (or potentially all) of the following institutional records can be accessed by the Ministry:*

- A staff register*
- An admission register;*
- A personal file;*
- A residential daily log;*
- A complaints register;*
- A secure care register; and*
- A grievance register.*
- A unit register;*
- A unit daily log;*
- A secure unit daily log;*
- A movement log;*

- *A court appearance list;*
- *A daily brief;*
- *A diary;*
- *An incident report log; and/or*
- *A monthly report log.*

If the above records are indexed in Oranga Tamariki's TRIM database, then the Ministry will be able to access them for the purpose of an Individualised Claims Assessment.

3. Please advise how the Ministry searches for and locates these records, including search methodology and parameters.

Searches are conducted in the Oranga Tamariki database TRIM. The starting point for institutional searches is a Title field search in the name of institution, including variant spellings and former institution names. Searches of additional fields are carried out to identify files where the name of an institution has been recorded in a field other than the Title field. From a broad list of results for an institution, further advanced searches are conducted to identify matching records.

Advanced search strategies vary depending on the nature of an allegation. When refining searches:

- Date ranges are scoped.
- Synonyms and alternative phrases for topic searches are identified.
- Keywords and dates may be combined and excluded using search operators to expand and limit search results.
- Truncated and wild-card searches are used to cover instances of variant terminology, names, and spelling.

Search strategies are peer-reviewed where few results are identified.

Training in searching the TRIM database and support for questions about records listed in TRIM is provided by the Oranga Tamariki Information Management team.

4. Finally, please advise the statutory basis for the Ministry to access these records in these cases.

The statutory basis for the Ministry accessing the records (listed in our response to question two of your official information request) from Oranga Tamariki is Information Privacy Principle 11 (IPP 11), which can be found in [section 22](#) of the Privacy Act 2020. IPP 11 prevents agencies from disclosing information unless one of the exceptions set out at IPP 11 (1)(a)-(i) applies.

As you are aware, the Ministry holds responsibility for responding to claims of abuse or neglect for people who were in the in care, custody or guardianship of the Child Welfare Division, the Department of Social Welfare, or Child Youth and Family before 1 April 2017. The historic claims group only accesses institutional records for that purpose.

The effect of IPP 11(1)(a) is that an agency that holds personal information may disclose that information to another agency or person if the agency believes, on reasonable grounds "that the disclosure of the information is one of the purposes in connection with which the information was obtained or is directly related to the purposes in connection with which the information was obtained".

IPP 11(1)(a) provides a statutory basis for the Ministry accessing the aforementioned Oranga Tamariki records because, when Historic Claims accesses or 'collects' information from an Oranga Tamariki system, Oranga Tamariki effectively 'discloses' personal information to Historic Claims.

Responding to claims is part of, and/or is directly related to, the purposes for which the information is/was collected. Accordingly, in this case, the Ministry considers the exception at 11(1)(a) applies.

The Ministry also considers IPP 11(1)(e)(iv) can provide further support for access to these records.

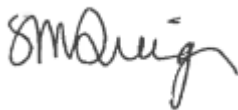
In terms of collection, the Ministry also considers the collection of this information from Oranga Tamariki is authorised under IPP 1 because it is done for a lawful purpose connected with a function held by the Ministry, and the collection of this information is necessary for that purpose.

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

pp. 

Anna Graham
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Ministerial and Executive Services