

Reference: 20240081

11 March 2024

Dear [REDACTED]

Thank you for your Official Information Act (OIA) request, received on 12 February 2024. You requested:

All instructions to or within your agency on the processing of OIA requests issued since 27 November 2023. This would include (for example) manuals (if issued since that date), emails, or verbal instructions, both within the agency and from Ministers (or their offices).

Where any document falls under the scope of this request, please release it in full, including sections which might otherwise be considered out of scope.

During the post-election period the Treasury made some minor changes to the OIA response review process, but continued to operate under the 'no surprises' principle by which government agencies keep their Ministers informed of significant matters relating to the Minister's portfolio areas of responsibility. These changes are detailed in the documents being released. Please note that the changes to the OIA response review process are no longer in place.

Information being released

Please find enclosed the following documents:

Item	Date	Document Description	Decision
1.	30 November 2023	Email: Access to information of a previous administration	Released in full
2.	12 December 2023	Email: changes to sign out	Released in full
3.	18 December 2023	Email: A couple of reminders	Released in full

I have decided to release the documents listed above, subject to information being withheld under one or more of the following sections of the OIA, as applicable:

- contact details of officials, under section 9(2)(g)(ii) – to maintain the effective conduct of public affairs through protecting Ministers, members of government organisations, officers and employees from improper pressure or harassment, and
- direct dial phone numbers of officials, under section 9(2)(k) – to prevent the disclosure of information for improper gain or improper advantage.

Direct dial phone numbers of officials have been redacted under section 9(2)(k) in order to reduce the possibility of staff being exposed to phishing, social engineering and other scams. This is because information released under the OIA may end up in the public domain, for example, on websites including Treasury's website.

In making my decision, I have considered the public interest considerations in section 9(1) of the OIA.

Please note that this letter (with your personal details removed) and enclosed documents may be published on the Treasury website.

This reply addresses the information you requested. You have the right to ask the Ombudsman to investigate and review my decision.

Yours sincerely

Alastair Gilby
Acting Manager, Ministerial Advisory Service

OIA 20240081

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From: Angela Mellish [TSY]
Sent: Thursday, 30 November 2023 10:07 am
To: @Ministerial Advisory Service [TSY]; Helen Guissane [TSY]; Brendan McBryde [TSY]; Isaac Rusholme Cobb [TSY]
Subject: FW: Access to information of a previous administration
Attachments: CO (23) 12 - Access to information of a previous administration.pdf

Follow Up Flag: Follow up
Flag Status: Flagged

Attachment available here:
<https://www.dpmc.govt.nz/publications/co-23>

FYI

From: Cath Atkins [TSY] <Cath.Atkins@treasury.govt.nz>
Sent: Wednesday, 29 November 2023 5:27 pm
To: @Kaiurungi [TSY] <KaiUrungi@treasury.govt.nz>
Subject: FW: Access to information of a previous administration

From: Caralee McLiesh [TSY] <Caralee.McLiesh@treasury.govt.nz>
Sent: Wednesday, 29 November 2023 5:20 pm
To: @ELT Members Only [TSY] <ELTMembersOnly@treasury.govt.nz>; Matthew Gilbert [TSY] <Matthew.Gilbert@treasury.govt.nz>; Mark Blackmore [TSY] <Mark.Blackmore@treasury.govt.nz>; Stacey Wymer [TSY] <Stacey.Wymer@treasury.govt.nz>
Subject: FW: Access to information of a previous administration

Kia ora tātou - A very helpful circular, please forward as useful.
Cheers
Caralee

From: Louise Beard [DPMC] <Louise.Beard@dpmc.govt.nz> **On Behalf Of** Rachel Hayward [DPMC]
Sent: Wednesday, 29 November 2023 4:29 pm
To: 'megan.main@acc.co.nz' <megan.main@acc.co.nz>; 'carolyn.tremain@mbie.govt.nz' <carolyn.tremain@mbie.govt.nz>; 'pnelson@doc.govt.nz' <pnelson@doc.govt.nz>; 'jeremy.lightfoot@corrections.govt.nz' <jeremy.lightfoot@corrections.govt.nz>; ^CrownLaw: Una Jagose <una.jagose@crownlaw.govt.nz>; 'Mac.leauanae@mch.govt.nz' <Mac.leauanae@mch.govt.nz>; Christine.STEVENSON <Christine.STEVENSON@Customs.govt.nz>; Bridgman, Andrew <Andrew.Bridgman@defence.govt.nz>; 'kevin.short@nzdf.mil.nz' <kevin.short@nzdf.mil.nz>; 'paula.tesoriero001@whaikaha.govt.nz' <paula.tesoriero001@whaikaha.govt.nz>; Iona Holsted <iona.Holsted@education.govt.nz>; 'nicholas.pole@ero.govt.nz' <nicholas.pole@ero.govt.nz>; ^MFE: James Palmer <james.palmer@mfe.govt.nz>; Dave Gawn [NEMA] <Dave.Gawn@nema.govt.nz>; 'mervin.singham@ethniccommunities.govt.nz' <mervin.singham@ethniccommunities.govt.nz>; SEED, Chris (CEO) <chris.seed@mfat.govt.nz>; 'andrew.clark@gcsb.govt.nz' <andrew.clark@gcsb.govt.nz>; 'diana.sarfati@health.govt.nz' <diana.sarfati@health.govt.nz>; 'margie.apa@health.govt.nz' <margie.apa@health.govt.nz>; 'riana.manuel@health.govt.nz' <riana.manuel@health.govt.nz>; 'andrew.mckenzie@kaingaora.govt.nz' <andrew.mckenzie@kaingaora.govt.nz>; Andrew Crisp <Andrew.Crisp@hud.govt.nz>; 'peter.mersi@ird.govt.nz' <peter.mersi@ird.govt.nz>; Paul James <paul.james@dia.govt.nz>; Kibblewhite, Andrew <Andrew.kibblewhite@justice.govt.nz>; ameikle <ameikle@linz.govt.nz>; 'Chappie.tekani@ot.govt.nz' <Chappie.tekani@ot.govt.nz>; 'Gerardine.Clifford-

Lidstone@mpp.govt.nz' <Gerardine.Clifford-Lidstone@mpp.govt.nz>; 'andrew.coster@police.govt.nz' <andrew.coster@police.govt.nz>; ray.smith <ray.smith@mpi.govt.nz>; Rebecca Kitteridge [DPMC] <Rebecca.Kitteridge@dpmc.govt.nz>; Katrina Casey [DPMC] <Katrina.Casey@dpmc.govt.nz>; 'andrew.hampton@nzsis.govt.nz' <andrew.hampton@nzsis.govt.nz>; 'karen.chang@sfo.govt.nz' <karen.chang@sfo.govt.nz>; 'debbie.power006@msd.govt.nz' <debbie.power006@msd.govt.nz>; Renee Graham <renee.graham@swa.govt.nz>; mark.sowden <mark.sowden@stats.govt.nz>; ^TeArawhiti: Lil Anderson <lil.anderson@tearawhiti.govt.nz>; ^SSC: Peter Hughes <peter.hughes@publicservice.govt.nz>; 'dave.samuels@tpk.govt.nz' <dave.samuels@tpk.govt.nz>; Audrey Sonerson <a.sonerson@transport.govt.nz>; 'nicole.rosie@nzta.govt.nz' <nicole.rosie@nzta.govt.nz>; Caralee McLiesh [TSY] <Caralee.McLiesh@treasury.govt.nz>; ^NZTE: Peter Chrisp <peter.chrisp@nzte.govt.nz>; Kellie Coombes <kellie.coombes@women.govt.nz>; 'peter.boshier@ombudsman.parliament.nz' <peter.boshier@ombudsman.parliament.nz>

Subject: Access to information of a previous administration

Kia ora koutou,

The Cabinet Office has recently published CO (23) 12: Access to information of a previous administration. A copy of the circular is attached to this email and can also be found on the website of the Department of the Prime Minister and Cabinet: [CO \(23\) 12: Access to information of a previous administration | Department of the Prime Minister and Cabinet \(DPMC\)](#)

The circular sets out the principles that guide Ministers' access to the records of a previous administration, and provides guidance for officials handling requests for official information received before 27 November 2023, when the new administration was appointed.

I would be grateful if you would ensure all those in your wider leadership team are made aware of the circular, and please also forward a link to the circular to the heads of relevant public sector agencies within your Ministers' portfolios (see para 19 of the circular). The Cabinet Office is also available to provide further advice about these matters.

Please contact the Deputy Secretary of the Cabinet, Nicola Purvis s9(2)(k) or me if you have any queries).

Ngā mihi maioha,

Nāku, nā Rachel



Rachel Hayward (she/her)
Secretary of the Cabinet and Clerk of the Executive Council
Cabinet Office, Executive Wing,
Parliament Buildings, Wellington 6011, New Zealand

DDI: s9(2)(k) Mobile: s9(2)(q)(ii)
Email: Rachel.hayward@dpmc.govt.nz

From: Alastair Gilby [TSY]
Sent: Tuesday, 12 December 2023 12:14 pm
To: Bernsten Ferrao [TSY]; Stephen Platts [TSY]; Sophie Crawford [TSY]; Bradley Martin [TSY]; Matt Kell [TSY]; Nastassja Deys [TSY]; Nikki Chamberlain [TSY]
Subject: Changes to Sign Out

Follow Up Flag: Follow up
Flag Status: Flagged

Afternoon team,

Please note the below from the Leader's Update in regard to changes to sign out. This in particular, will apply to TOIA replies where an Inform is **not** being sent to the office. If an Inform **is** being sent to the office, then the standard sign out still applies.

If in doubt on a sensitive item then it's best to use a common sense approach and proceed with caution. If an issue feels remotely sensitive or risky, then ask that the sign out person at least discuss it with a Dep sec first. In addition, you can also send anything you like to OSEC for them to give the all clear (whether they are interested in it or not!), and you have myself, Brad and Nikki to run things by too.

For your information

Changes to sign out processes (contact: OSEC)

- We are relaxing Phase One sign out protocols for everything that is not advice (e.g. communications with external stakeholders, changes to Treasury's website).
- As is current procedure, all advice going from the Treasury to Ministers and Ministers' offices (informal and formal) should be cleared by Dep Secs and by Caralee. Advice should be sent direct to Caralee cc-ing OSEC 24 hours in advance of the Minister Office deadline, by 3pm at the latest (unless agreed otherwise with OSEC). OSEC will help triage advice for Caralee to minimise any delays.
- We are reverting to BAU protocols for all other information leaving the building. As is the usual system these no longer require OSEC approval - you should escalate to directors/dep secs and sight OSEC where needed.

Updates on office processes (contact: MAS)

Bag deadlines

- As flagged on huihui last week, MoF has a strict bag deadline of **3pm Monday - Thursday**. Weekend bags are likely to be very limited, but the Minister's preferences are not yet settled on this. In practice this means teams must make the 2.30pm MAS upload deadline each day.
- Please also be aware that MOF and Min SOEs require hard copies of advice. 3 copies will need to be managed by teams and arranged with the relevant Seconded while we work to return to a physical Treasury bag. Once we have established a process for this, we will send out further guidance.

UIB

- You will have seen that the UIB has started to run again.
- This is a targeted exercise between now and Christmas to make sure we have sight of what advice needs to go this side of Christmas, enhancing what OSEC already is aware of with a greater understanding of what decisions are required by the Minister (in line with her request).
- We will look to move back to the full UIB after the holidays.

Phone Numbers on TSY advice

- We have been advised that ministers may use phone numbers listed on the front page of advice in order to ask follow-up questions. Please make sure anyone who's number is listed is aware of this possibility and that the phone numbers are the right ones.

Requests for research services unavailable 7 December – 5 February 2024

Due to low capacity within the Data and Information Management Team, and prioritising work leading up to Christmas, all requests for research services coming through to the Library and Research Services will be unavailable from 7 December 2023 until 5 February 2024. Please refer to [Koha](#) (Our catalogue, World Catalogue; Article databases; OECD iLibrary) and our MS Team, [Te Kete Aronui](#) for further information on external resources.

Kind regards,

Alastair



Alastair Gilby | Acting Manager Ministerial Advisory Service | Te Tai Ōhanga – The Treasury

s9(2)(k) | Email/IM: Alastair.Gilby@treasury.govt.nz

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From: Alastair Gilby [TSY]
Sent: Monday, 18 December 2023 4:13 pm
To: Bradley Martin [TSY]; Matt Kell [TSY]; Nastassja Deys [TSY]; Sophie Crawford [TSY]; Stephen Platts [TSY]; Nikki Chamberlain [TSY]; Bernsten Ferrao [TSY]
Subject: A Couple of Reminders

Follow Up Flag: Follow up
Flag Status: Flagged

Afternoon team,

Just a couple of things to bear in mind before we finish up for the year this week.

Don't worry too much about hitting inform dates which are due this week but where the response is due out in mid-to late January. It's preferable that they stay in our control and on our books than them disappearing across the road and we not hearing anything back until next year. If they're all on track and ready to go then that's fine, but if it's going to be a stretch and a strain on TSY time and resources to meet the deadline this week, then feel free to aim for early next year instead.

The other thing to keep in mind is the Dep Sec sign out currently in place. Sometimes an OIA may cross more than one team, but just one manager has agreed to sign it out. In those cases it's important that the relevant Dep Sec see the responses before they go across the road (which may be more than just one Dep Sec). So please have a think about who *owns* the information for release when forwarding for Dep Sec for review.

Happy to chat or to answer any questions,

Kind regards,

Alastair



Alastair Gilby | Acting Manager Ministerial Advisory Service | Te Tai Ōhanga – The Treasury

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