

19 April 2021

Tēnā koe

Official Information Act Request

Thank you for your request of 30 March 2021, under the Official Information Act 1982, for the following information:

Please supply the following information under the Official Information Act (OIA):

- 1. Does your organisation have a policy or guidelines in relation to charging requestors for supplying information under the Official Information Act 1982?*
- 2. If yes, please supply a written copy of the policy/guideline, including grounds for seeking costs for supplying information, charges for photocopying, scanning or other copying of information and the hourly rate for staff time in compiling requests?*
- 3. If not, what does your organisation charge for photocopying, scanning or other copying of information and what is the hourly rate for staff time in compiling requests?*

In the 12 months from 01 January 2020 to December 31, 2020:

- 4. How many requests for information under the Official Information Act did your organisation receive?*
- 5. Of these, in how many was the requestor advised that they would incur charges for copying and staff time, or any other reason?*
- 6. In how many of these, did the requestor pay the required charge for supplying of information?*
- 7. In total, how much did your organisation receive in payments for supplying information under the OIA?*
- 8. What were the largest 10 amounts paid by requestors in charges for fulfilling OIA requests?*

Questions 1- 3

We have attached NZQA's guidelines on the charging requestors for supplying information under the Official Information Act 1982. These guidelines cover grounds for seeking costs for supplying information, charges for photocopying, scanning and the hourly rate for staff time in compiling the request.

Questions 4

In the 2020 calendar year, NZQA completed 45 OIA requests.

Questions 5-8

NZQA did not charge anyone for processing OIA requests in 2020.

As part of the commitment to open and transparent government, NZQA is proactively releasing responses to Official Information Act requests which are of public interest. NZQA intends to publish its response to this request on its website in June 2021. Your name and contact details will be removed before publication.

If you require further assistance or believe we have misinterpreted your request, please contact [REDACTED] in the Office of the Chief Executive, email [REDACTED]@nzqa.govt.nz or telephone (04) 463 [REDACTED]

If you are dissatisfied with our response, you have the right, under section 28(3) of the Official Information Act 1982, to lodge a complaint with the Office of the Ombudsman at www.ombudsman.parliament.nz. You can also telephone 0800 802 502 or write to the Ombudsman at PO Box 10152, Wellington, 6143.

Nāku nā



Dr Grant Klinkum
Pouwhakahaere/Chief Executive

Guidelines for the Charging for NZQA Official Information Act Requests.

1. NZQA supports the principle of availability under the Official Information Act 1982. In certain circumstances, it will consider charging requestors.
2. Section 15(1A) of the OIA allows NZQA to charge requestors for responses to OIA requests.
3. NZQA will decide to charge for the preparation of OIA responses on a case-by-case basis and for one or both of the following reasons.
 - The request is likely to consume a considerable amount of labour or resources: The definition, and difference between considerable and simple will vary depending on NZQA's resourcing and workload at the time, but in general, the Ombudsman advises that a charge may be reasonable if the time and/or effort required to meet a request is likely to have a significant impact on NZQA's day-to-day operations. NZQA will also consider the decision to charge alongside our discretion to extend the timeframe for responding to a request under section 15A of the OIA.
 - The requestor has recently made a large number of time consuming requests: The Ministry of Justice guidelines allow NZQA to consider charges for repeated requests from the same requester in respect of a common subject over intervals of up to eight weeks, and whether requests after the first should be aggregated for charging purposes.
4. Any decision to charge must be recommended by the Deputy Chief Executive and approved by the Chief Executive.
5. NZQA follows the guidelines for charging recommended by the Office of the Ombudsman and the Ministry of Justice. Charges cannot be imposed for the time taken to consider whether or not the information should be made available.

<http://www.ombudsman.parliament.nz/resources-and-publications/guides/official-information-legislation-guides>

<https://www.justice.govt.nz/about/official-information-act-requests/directory-of-official-information/charging-guidelines-for-oia-requests/>
6. Note that 15(1A) is subject to section 24 of the Act which relates to requests for persons asking for their own information.
7. NZQA will not be charging for:
 - Decision making, including the time taken to consider whether or not the information should be made available.
 - Administrative inefficiencies in poor record keeping, searching for information that is not where it should be
 - Administrative costs associated with the way an agency chooses to process a request- drafting the response, briefing to the Minister, formatting in a way preferred by the agency but not sought by the requestor
 - Costs not directly related to supplying the information

- No charge can be made for information that is withheld
8. NZQA must consider whether a charge is appropriate before refusing a request in its entirety under substantial collation and research.
 9. NZQA uses the following charges if a decision is made to charge:
 - Time spent by staff searching for relevant material, abstracting and collating, copying, transcribing and supervising access where the total time involved is in excess of one hour should be charged out as follows, after that hour: an initial charge of \$38 for the first chargeable half hour or part thereof; and then \$38 for each additional half hour or part thereof. (See Ministry of Justice guidelines on charging, 3.1)

Activity	Price (inclusive of GST)
Staff time	\$38/half hour, with the first hour free
Photocopying	\$0.20/page, with the first 20 pages free
Other activity (e.g. offsite retrieval) or materials (e.g. electronic storage device)	Actual costs

Operational tasks

10. Once the decision has been made to charge, a letter should be sent to the requestor which includes the following:
 - an estimate of likely costs
 - seeking confirmation from the requestor that they are willing to meet the costs
 - pay a deposit within two working days
 - NZQA requires immediate payment once the response is ready to be released.
 - The requestor will be advised that in terms of the 20-working day timeframe, the clock stops while until payment is received.
 - A template letter for outlining charging to the requestor is available in S:\OCE\DRAFTS (OCE) - Official Correspondence\Templates and in Promapp 11.2.2.1
11. Finance will create an individual ID reference for every chargeable OIA. This will create a case in Navision. Hours and photocopying will be entered into Navision by those working on the OIA. When the OIA response is complete a printout from Navision will be included in the red folder to accompany the other documents through the sign off process.
12. Note that Chief Executive and Ministerial office staff should also include photocopying and time in Navision.
13. Once the CE has signed off the OIA response but before it goes to the Minister's office, the invoice should be sent out to the requestor with payment required before the 20th working day of the request to ensure NZQA meets its obligations under the OIA.
14. As per the sign off process, once the OIA has been signed off at 11(b) of Promapp 11.2.2.1 and payment of the invoice has been received, the OIA can be released.