

Information not held work sheet

Important note

This summary work sheet will help you to decide whether there is a proper basis for refusing a request for official information because:

- the document does not exist / cannot be found (section 18(e) OIA / 17(e) LGOIMA);
- the information is not held (section 18(g) OIA / 17(g) LGOIMA).

Detailed guidance on these refusal grounds is found in our guide: [Information not held](#).

1. What's the difficulty?	<ul style="list-style-type: none">• Document doesn't exist or can't be found—consider section 18(e).• Information isn't held, and there's no reason to think it would be held by, or more closely connected with, another agency's functions—consider section 18(g). (Don't forget the obligation to transfer if the information is held by, or more closely connected with, another agency's functions.)• Section 18(g) can also apply where the requested information:<ul style="list-style-type: none">- would need to be created;- isn't held by a Minister in their official capacity; or- is excluded from the definition of '<i>official information</i>'.
2. Make a reasonable search	<ul style="list-style-type: none">• Take all reasonable steps to try and find the information, or to determine that it doesn't exist or isn't held.• This could include:<ul style="list-style-type: none">- Asking people who might hold the information, or know something of its whereabouts, to search for it, provide details of the searches, and confirm the outcome.- Searching physical filing systems.- Searching email accounts, shared drives, document or content management systems, business systems, databases or other electronic repositories. A search by a user with administrative rights will be more comprehensive than a search by a general user.- Seeking advice from information management staff about how to find the information, what the relevant

	<p>recordkeeping policies are in relation to it, and any disposal actions that may have been taken.</p> <ul style="list-style-type: none"> - Seeking advice from information technology staff about how to find the information, and if it has been deleted, whether it is reasonably possible to recover it. • Keep full records of your searches, including screenshots, so they can be provided to the Ombudsman if a complaint is made.
<p>3. Consider consulting the requester</p>	<ul style="list-style-type: none"> • Explain the difficulty in meeting the request, and the steps taken to try and find the information. • Explain the information that is held, and see if they're prepared to withdraw or change the request. • See if they can think of additional lines of inquiry, for example, different search locations or search terms. • Use our template letter 23: Consultation with requester before relying on section 18(e) or (g) OIA / 17(e) or (g) LGOIMA
<p>4. Can you release other information?</p>	<ul style="list-style-type: none"> • Consider whether there is any other information that is held that could be provided to the requester.
<p>5. Refuse the request</p>	<ul style="list-style-type: none"> • If, having taken these steps, the agency believes that the document does not exist or cannot be found, or that the information is not held, refuse the request. Use our template refusal letters: <ul style="list-style-type: none"> - 19: Document does not exist or cannot be found - 20: Information not held - 21: Information excluded from the definition of 'official information' - 22: Information not held in Minister's official capacity - 17: Information not held—no obligation to create it