

Work sheet for dealing with administratively challenging requests

Important note

This summary work sheet takes you through process of dealing with administratively challenging official information requests. Detailed guidance on dealing with administratively challenging requests can be found in our guide: [Substantial collation or research—A guide to section 18\(f\) of the OIA and section 17\(f\) of the LGOIMA](#).

<p>1. Do you know what's being asked for?</p> <p>Relevant provisions:</p> <ul style="list-style-type: none"> • OIA ss 12(2) & 13 • LGOIMA ss 10(2) & 11 	<ul style="list-style-type: none"> • Can you identify the requested information? • If you can't, provide reasonable assistance to help the requester specify the information requested with due particularity. • If you can, go to step 2.
<p>2. Do you hold what's being asked for?</p> <p>Relevant provisions:</p> <ul style="list-style-type: none"> • OIA s 18(g) • LGOIMA s 17(g) 	<ul style="list-style-type: none"> • Do you hold the requested information or would you need to create it in order to answer the request? • If the work required to complete the request means you would effectively be creating new information, consider whether the request needs to be refused on the basis that the information is not held. • If the information is held, go to step 3.
<p>3. Scope the request</p>	<ul style="list-style-type: none"> • Consider in detail: <ul style="list-style-type: none"> - What is being asked for? - What would be involved in providing it? • Consult the requester as early as possible about any ambiguity of wording or uncertainty of scope. Note that if an agency seeks amendment or clarification of a request within seven working days of receiving it, it is able to treat any amended or clarified request that is received as a new request for the purpose of calculating the maximum timeframe for response (see s 15(1AA) OIA and s 13(7) LGOIMA). • Go to step 4.

<p>1. Do you know what's being asked for?</p> <p>Relevant provisions:</p> <ul style="list-style-type: none"> • OIA ss 12(2) & 13 • LGOIMA ss 10(2) & 11 	<ul style="list-style-type: none"> • Can you identify the requested information? • If you can't, provide reasonable assistance to help the requester specify the information requested with due particularity. • If you can, go to step 2.
<p>4. Will it require substantial collation or research to make the information available?</p> <p>Relevant provisions:</p> <ul style="list-style-type: none"> • OIA s 18(f) • LGOIMA s 17(f) 	<ul style="list-style-type: none"> • <i>Research</i> means finding the information and <i>collation</i> means bringing it together. <i>Substantial</i> means there will be a significant and unreasonable impact on the agency's ability to carry out its other operations. • Consider: <ul style="list-style-type: none"> - How much information has been requested or needs to be searched through to find what has been requested? - How long will it take to find the information and bring it together? Be sure to exclude activities that cannot go toward establishing substantial collation or research, including: <ul style="list-style-type: none"> › time required to decide on withholding or release of information that has already been found and collated; › difficulties due to an agency's own administrative failings; › unnecessary efforts to guarantee the accuracy or completeness of the information, which may be addressed by disclosing the information with a contextual statement explaining its limitations; and › presentation and quality assurance. - What resources are available to do this work? - How would the diversion of these resources to complete the required tasks impact on the agency's ability to carry out its other operations? • Do a sample exercise in order to make a reasonable estimate of the amount of work involved. • If you think it will require substantial collation or research to make the information available, go to step 5.

<p>1. Do you know what's being asked for?</p> <p>Relevant provisions:</p> <ul style="list-style-type: none"> • OIA ss 12(2) & 13 • LGOIMA ss 10(2) & 11 	<ul style="list-style-type: none"> • Can you identify the requested information? • If you can't, provide reasonable assistance to help the requester specify the information requested with due particularity. • If you can, go to step 2.
<p>5. Could you meet the request if you charged?</p> <p>Relevant provisions:</p> <ul style="list-style-type: none"> • OIA ss 15(1A)–(3) & 18A(1)(a) • LGOIMA ss 13(1A)–(4) & 17A(1)(a) 	<ul style="list-style-type: none"> • Consider whether you could meet the request if you charged. • For more information on charging see our guide Charging—A guide to charging for official information under the OIA and LGOIMA. You can also use our template charging letter. • If charging won't help, go to step 6.
<p>6. Could you meet the request if you extend?</p> <p>Relevant provisions:</p> <ul style="list-style-type: none"> • OIA ss 15A & 18A(1)(b) • LGOIMA ss 14 & 17A(1)(b) 	<ul style="list-style-type: none"> • Consider whether you could meet the request if you extended the maximum timeframe for making a decision. • For more information on extensions see our guides The OIA for Ministers and agencies (pages 23–24 and 49) and The LGOIMA for local government agencies (pages 21–22 and 54). You can also use our template extension letter. • If extending won't help, go to step 7.

<p>1. Do you know what's being asked for?</p> <p>Relevant provisions:</p> <ul style="list-style-type: none"> • OIA ss 12(2) & 13 • LGOIMA ss 10(2) & 11 	<ul style="list-style-type: none"> • Can you identify the requested information? • If you can't, provide reasonable assistance to help the requester specify the information requested with due particularity. • If you can, go to step 2.
<p>7. Consult the requester</p> <p>Relevant provisions:</p> <ul style="list-style-type: none"> • OIA s 18B & s 15(1AA) • LGOIMA s 17B & s 13(7) 	<ul style="list-style-type: none"> • Consider whether consulting the requester would enable them to make the request in a way that wouldn't require substantial collation or research. • Note that if an agency seeks amendment or clarification of a request within seven working days of receiving it, it is able to treat any amended or clarified request that is received as a new request for the purpose of calculating the maximum timeframe for response. Also note that if an agency needs to, it can extend the maximum 20 working days for response in order to enable consultation with the requester to take place. • See our template letter 8 for consulting the requester, and our template letter 9 for confirming the outcome of consultation with the requester. • Go to step 8.
<p>8. Can you meet the request in another way?</p> <p>Relevant provisions:</p> <ul style="list-style-type: none"> • OIA s 16 • LGOIMA s 15 	<ul style="list-style-type: none"> • Consider whether you can meet the request in another way, even if you have to refuse the specific information requested. • Options for consideration: <ul style="list-style-type: none"> - releasing a subset or sample of the information - releasing other information - releasing the information in an alternative form (see our template letter 10 for releasing the information in an alternative form; or - releasing information on conditions. • If you're not providing the specific information requested, you will still have to refuse the request. • Go to step 9.
<p>9. As a last resort, refuse the request</p>	<ul style="list-style-type: none"> • If none of the other mechanisms for managing an administratively challenging request help, you can refuse the request. Use our template letter 11 to refuse the request.

