

Request for a letter of resignation of senior manager

Legislation	Official Information Act, s 9(2)(a)
Agency	Department of Corrections
Ombudsman	Sir Brian Elwood
Case number(s)	W40876
Date	October 1998

Request for letter of resignation of senior manager—information withheld to protect privacy—public interest considerations

A senior manager in the Department of Corrections resigned in circumstances where the fact of resignation received wide publicity. A newspaper journalist sought a copy of the letter of resignation in the belief that it might reveal reasons for the resignation which would be of interest to his readers.

The letter of resignation was handwritten, and amounted to no more than formal notice of resignation as required by the person's terms of employment. However, the writer considered that it would be a breach of his privacy for the document to be made available.

A letter of resignation written by an employee to his or her employer does import a privacy interest. However, in the case of a senior manager, there may be a countervailing public interest in making available some details of a resignation which will outweigh any privacy interest that exists pursuant to section 9(2)(a) of the OIA.

The Department agreed to inform the requester that the manager had resigned with effect from a particular date in accordance with the terms of his contract. It further explained that the person had provided no reasons for his resignation in the letter at issue. Any mistaken belief on the part of the requester as to the content of the letter was thus corrected and the requester withdrew his complaint.

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