

Request for details of risk management processes

Legislation	Official Information Act 1982, s 9(2)(g)(i)
Agency	Health Funding Authority
Ombudsman	Sir Brian Elwood
Case number(s)	W41391
Date	December 1998

Request for details of risk management processes—relevant documents provided apart from the ‘risk register’—register consisted of free and frank expressions of opinion—release might undermine risk management strategy—public interest met by release of Risk Management Policy

A political party researcher requested details of the Health Funding Authority’s risk management process. In response he was provided with a copy of the Authority’s Risk Management policy and the document entitled ‘*Completing Our Risk Management Programme Nationally*’. However, the ‘*risk register*’ attached to that document was withheld in reliance upon section 9(2)(g)(i) of the OIA on the basis that it consisted of free and frank expressions of opinion.

It was established that the ‘*risk register*’ was based on staff opinions as to what action the Authority should take if a defined risk occurred. The purpose of the register was to identify potential problems (risks) with a view to taking early and appropriate action, if necessary, to eliminate or minimise the risk. It was accepted that provision of such information was an essential component of the risk management strategy. It was clear that the information did consist of free and frank expressions of opinion which, if released, might well inhibit staff from expressing their opinions as freely and frankly in future. Accordingly, it was accepted that section 9(2)(g)(i) applied to the information.

In considering whether there was a public interest in release of the particular information at issue which outweighed the reason for withholding, it was recognised that there was a public interest in ensuring that the Authority had appropriate measures in place to identify and minimise risk. However, that public interest was met by release of the Risk Management Policy. It was considered that release of every detail of possible risk identified as a result of the

application of that policy would not promote the public interest, particularly if staff became reluctant to continue to express their views.

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