



15 August 2018



Dear [REDACTED]

**Re: OIA request – Board process**

Thank you for your Official Information Act request received 30 July seeking the following of Waitemata District Health Board (DHB):

- *Details of the process which is undertaken at your DHB to decide which items on an agenda are discussed with the public excluded*
- *Who is ultimately responsible for making the decision on the agenda?*
- *Who makes the decision as to which clause of the OIA applies to a decision to exclude the public?*
- *Copies of any written policies on the process for deciding which issues should be discussed with the public excluded*
- *Does your Board routinely meet in advance of the board/committee meeting and if so, for how long?*
- *Does your board hold regular meetings aside from the mandated board and board committee meetings – if so, how often and how long?*

In response:

- Suggestions that particular items be considered with public excluded are first reviewed by the Board Secretary in terms of the grounds given and whether they are valid in terms of the legislative requirements of the New Zealand Public Health and Disability Act and the Official Information Act. If they are straightforward – for example, discussion of individual medical cases (privacy), they are included in the public excluded section of the agenda. If there is any area of doubt as to whether they meet the criteria of the legislation for exclusion of the public, then the issues are discussed with the General Counsel-Legal and the relevant executive.
- For non-straightforward issues, normally the relevant executive makes the initial decision (with advice from the Board Secretary and General Counsel) as to whether

there are grounds for an item to be placed on the public excluded agenda. If the General Counsel is of the view that an item clearly does not meet the legislative criteria, it would not be included in the public excluded agenda. Reference is also made to the Ombudsman's Guidelines in making these decisions. The section of the Official Information Act or Local Government Official Information and Meetings Act relied on for placing an item on the public excluded part of the meeting is always specified in the agenda.

- The ultimate decision on whether an item is considered with the public excluded section of the meeting rests with the Board or statutory committee, regardless of where it is placed on the agenda. If the Board or statutory committee is not convinced that there are grounds for considering an item with the public excluded it can determine that the item be considered in public session.
- The Board does not have written policies or processes for determining what items should be considered with public excluded as this is considered a matter of applying the legislative requirements and Ombudsman's Guidelines. Each item is considered on its individual merits in terms of the legislation.
- The Board normally has a 45-minute "Board only" session prior to its (six weekly) Board meeting. The purpose of this meeting is for the Board Chair and Board members to have an informal discussion.
- The Board holds workshops and site visits from time-to-time during the year for it to be briefed on various matters relating to its roles and responsibilities. To date, these have not taken place on a regular basis. When they do occur, their average length would be 1-2 hours. A rough estimate would be that, in an average year, there might be three or four workshops and five or six site visits but we have not kept statistics on this. The Board is currently considering a more regular schedule of workshops for the year to come.

I trust that this information meets your requirements. Waitemata DHB, like other agencies across the state sector, supports the open disclosure of information to assist the public's understanding of how we are delivering publicly-funded healthcare.

This includes the proactive publication of anonymised Official Information Act responses on our website from 10 working days after they have been released.

If you feel that there are good reasons why your response should not be made publicly available, we will be happy to consider this.

Yours sincerely



Paul Garbett  
Acting Board Secretary  
Waitemata District Health Board