

20 April 2021

Penelope Eathorne
Acting Senior Investigator
Office of the Ombudsman



Via email: Penelope.Eathorne@ombudsman.parliament.nz

100 Heads Road, Private Bag 3003
Whanganui 4540, New Zealand

Dear Penelope

Ombudsman Reference 547483 Preliminary Inquiry on Complaint From Downer NZ

The Ombudsman has received a complaint from Spotless Facilities Ltd/Downer New Zealand, regarding the Whanganui DHB's decision to transfer an OIA request to the Ministry of Health.

On 23 October 2020, Spotless Facilities Ltd requested information from the DHB relating to MoH and DHB funding for Multi-Employer Collective Agreements and service provider Single Employer Collective Agreements.

On 10 November 2020, the DHB advised Spotless that the request was being transferred to the Ministry of Health.

To assist with assessing this complaint, are you able to provide some information about the DHB's decision to transfer this request to the Ministry? In particular, it would be helpful to know:

- What part of section 14 of the OIA that the DHB was relying on in making the decision to transfer
- Whether the DHB transferred any of its own information to the Ministry of Health, in order to assist the Ministry's decision.

Any other relevant information you can provide would be much appreciated.

The Whanganui District Health Board response:

The Whanganui District Health Board (WDHB) transferred OIA 13200 to Ministry of Health on 10th November under Section 14 (ii) of the OIA. A large part of the OIA related to funding and government policy, which are matters more closely connected to the functions of the MoH than the DHBs or TAS.

Should you have any further queries about the above information, please contact our OIA co-ordinator Anne Phoenix at anne.phoenix@wdhb.org.nz

Yours sincerely



Russell Simpson
Chief Executive

Chief Executive | Phone 06 348 3140 | Fax 06 345 9390