

PRIVATE &
CONFIDENTIAL



Health and Disability Commissioner
Te Toihau Hauora, Hauātanga

4 November 2013

[REDACTED]
[REDACTED]
[REDACTED] Street

AUCKLAND [REDACTED]

Dear Mr [REDACTED]

Complaint: [REDACTED] (Waitemata DHB)
Our ref: C11HDC [REDACTED]

Thank you for your letter of 7 October 2013 requesting certain information in relation to this complaint. In your letter you specified that your request only related to information "that was not yet covered and/or presented upon a previous request of this nature." Therefore, in processing this request, I have not considered material that has previously been released to you, or withheld from you, pursuant to your two previous information requests on this file.

I have considered your request under the Privacy Act 1993 and the Official Information Act 1982. My responses to each of your requests are set out below.

All correspondence, and any notes and transcripts of phone calls exchanged between Waitemata DHB (the CEO or other staff, including those at [REDACTED]) and HDC in relation to this complaint.

There is no record on this complaint file of any contact between HDC and Waitemata DHB having occurred since your last information request. I therefore refuse this aspect of your request pursuant to section 18(e) of the Official Information Act and section 29(2) of the Privacy Act, as the information requested does not exist.

All memos or other written communications exchanged between staff acting in relation to this complaint within HDC's offices (both Auckland and Wellington), including file records, notes or transcripts of internal phone calls or formal discussions

I have withheld, in its entirety, a legal advice memorandum prepared by a member of HDC's legal team in relation to this complaint. This document is withheld pursuant to

section 9(2)(h) of the Official Information Act and section 29(1)(f) of the Privacy Act, in order to maintain legal professional privilege.

Aside from that document, there is no other record on this complaint file of any communications between HDC staff having occurred since your last information request. I therefore refuse this aspect of your request, pursuant to section 18(e) of the Official Information Act and section 29(2) of the Privacy Act, as the information requested does not exist.

Information on any consultation or correspondence, in relation to this complaint, between HDC and:

- *the Privacy Commissioner;*
- *the Addiction Practitioners' Association of Aotearoa – New Zealand;*
- *W. [redacted] at [redacted];*
- *M. S. [redacted] at [redacted];*
- *L. [redacted] at [redacted];*
- *[redacted] at [redacted] Psychotherapy Services;*
- *[redacted] at [redacted] Psychological Services; or*
- *General Practitioner Dr [redacted]*

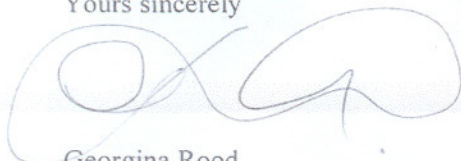
There is no record on this complaint file of any contact between HDC and these parties having occurred since your last information request. I therefore refuse this aspect of your request, pursuant to section 18(e) of the Official Information Act and section 29(2) of the Privacy Act, as the information requested does not exist.

Conclusion

You may seek a review of this decision from the Office of the Ombudsman or the Privacy Commissioner.

Please note that, pursuant to Principle 7 of the Privacy Act, you may request correction of your personal information.

Yours sincerely



Georgina Rood
Legal Advisor