



4 May 2021



Tēnā koe 

Thank you for your email of 15 April 2021 to the Ministry of Education requesting the following information:

- *The titles of reports, briefings and documents the Ministry of Education sent to the Ombudsman Peter Boshier from February 1 2021 to April 15 2021*

Your request has been considered under the Official Information Act 1982 (the Act).

Between 1 February 2021 and 15 April 2021, the Ministry of Education exchanged correspondence and communications with the Office of the Ombudsman for the purposes of responding to the Ombudsman's preliminary inquiries and formal investigations under both the Official Information Act 1982 and the Ombudsmen Act 1975. Outside of responding to preliminary inquiries and formal investigations, the Ministry did not have any other communication with the Office of the Ombudsman.

Section 18(2) of the Ombudsmen Act 1975 requires every investigation undertaken by an Ombudsman to be conducted in private.

The Chief Ombudsman has confirmed that section 18(2) of the Ombudsmen Act 1975 only applies to investigations that have been notified to the Chief Executive as required by section 18(1) of the Ombudsmen Act 1975 and therefore does not apply to preliminary inquiries.

Section 2(1)(i) of the Official Information Act 1982 states that official information does not include: *...information contained in any correspondence or communication which has taken place between the office of the Ombudsmen and any department or Minister of the Crown or organisation and which relates to an investigation conducted by an Ombudsman ... other than information that came into existence before the commencement of that investigation.*

On this basis, any reports, briefings, and documents provided by the Ministry to the Office of the Ombudsman regarding formal investigations between 1 February 2021 and 15 April 2021, are not subject to the Act, and are therefore not in scope of this request.

**Table One** below lists the titles of reports, briefings, and documents (including emails) that the Ministry have sent to the Office of the Ombudsman that relate to preliminary inquiries between 1 February 2021 and 15 April 2021. This includes titles that were not specifically directed towards Mr Boushier.

Some information in this table has been withheld under section 9(2)(a) of the Act to protect the privacy of the individuals who have made a complaint about the Ministry to the Ombudsman. There are no public interest considerations which outweigh these individuals' right to privacy regarding their complaint.

Please note, the Ministry now proactively publishes OIA responses on our website. As such, we may publish this response on our website after five working days. Your name and contact details will be removed.

Thank you again for your email. If you have further questions please feel free to contact our media team in the first instance at [media.team@education.govt.nz](mailto:media.team@education.govt.nz). If you are unsatisfied with my response, you have the right to ask an Ombudsman to review it. You can do this by writing to [info@ombudsman.parliament.nz](mailto:info@ombudsman.parliament.nz) or Office of the Ombudsman, PO Box 10152, Wellington 6143.

Nāku noa, nā



Emily Fabling  
**Deputy Secretary**  
**Strategy, Planning and Governance**

**Table One**

Number	Date	Document Type	Title
1	18 February 2021	Email	RE: Ombudsmen Act complaint: Hukarere Girls' College
2	3 March 2021	Email	RE: Ombudsman investigation 535357 - Complaint against West Eyreton School
3	4 March 2021	Email	RE: Urgent preliminary inquiry - OIA delay - Ombudsman ref: 546116
4	5 March 2021	Email	RE: Urgent preliminary inquiry - OIA delay - Ombudsman ref: 546116
5	8 March 2021	Email	RE: Ombudsman investigation 535357 - Complaint against West Eyreton School
6	22 March 2021	Email	RE: Ombudsman investigation 535357 - Complaint against West Eyreton School
6a	22 March 2021	Attachment	Email: OIA Response – 1248851
6b	22 March 2021	Attachment	Document: 1248851 – <b>{Name Withheld}</b> – Response letter
6c	22 March 2021	Attachment	Document: Appendix A
7	25 March 2021	Email	RE: Case 541255 - <b>{Name Withheld}</b> (Te Kura Kaupapa Maori o Piripono)
7a	25 March 2021	Attachment	Occupancy Use Certificate
7b	25 March 2021	Attachment	Storm Damage Claim Third & Final Report
8	15 April 2021	Email	RE: Preliminary inquiry - The Office of the Ombudsman REF: 546764
8a	15 April 2021	Attachment	Appendix 1: Timeline of correspondence with <b>{Name Withheld}</b>
8b	15 April 2021	Attachment	Appendix 2: All correspondence with <b>{Name Withheld}</b>