

PRIVATE &
CONFIDENTIAL



Health and Disability Commissioner
Te Toihau Hauora, Hauātanga

4 November 2013

Street

AUCKLAND 1

Dear Mr

Complaint: Dr D.

Our ref: C12HDC0

Thank you for your letter of 7 October 2013 requesting certain information in relation to this complaint.

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

All correspondence and any notes and transcripts of phone calls exchanged between Dr D. and the Health and Disability Commissioner's office in relation to this complaint.

I enclose the following documents:

- letter from HDC to Dr D., dated 18 September 2012;
- letter from Dr D. to HDC, dated 20 September 2012;
- file note of phone call from HDC to Dr D. dated 22 November 2012;
- letter from Dr D. to HDC, dated 22 November 2012;
- letter from HDC to Dr D., dated 27 November 2012; and
- letter from HDC to Dr D., dated 24 April 2013.

There is no record on file of any other communications between HDC and Dr D. in relation to this complaint.

I have removed Dr D.'s Medical Council registration number from those documents pursuant to section 9(2)(a) of the OIA, in order to protect his privacy.

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 enclose the following documents:

- 'New Complaint (Triage)' form, dated 30 July 2012;
- file note of a discussion between Senior Complaints Assessor, A J and Complaints Assessment Manager, Deborah O'Flaherty, dated 18 December 2012;
- forwarded email, dated 22 April 2013;
- forwarded email, dated 29 April 2013; and
- file note of a visit by you to HDC's Auckland office, dated 20 September 2013.

I have removed the names of HDC staff members from the internal emails released to you, pursuant to section 9(2)(a) of the OIA, in order to protect the privacy of those individuals.

I have removed information from the 'New Complaint (Triage)' form pursuant to:

- section 9(2)(g)(i) of the OIA, in order to maintain the effective conduct of public affairs through the free and frank expression of opinions between HDC employees in the course of their duty; and
- section 9(2)(a) of the OIA, in order to protect Dr [redacted]'s privacy.

The following documents have been withheld in their entirety pursuant to section 9(2)(h) of the OIA, and section 29(1)(f) of the PA, in order to maintain legal professional privilege:

- requests for legal advice from HDC staff to HDC's legal team, and legal advice provided by members of that team;
- a file note prepared by a member of HDC's legal team, dated 1 July 2013; and
- communications between a member of HDC's legal team and other HDC staff, dated 28 June 2013 and 1 July 2013.

There is no record on file of any other communications between HDC staff in relation to this complaint.

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

- the Privacy Commissioner;
- the Ministry of Social Development (including Principal Health Advisor, Dr Bratt);
- S [redacted] at [redacted] Psychological Services;
- General Practitioner Dr [redacted] T [redacted]; or
- any other person.

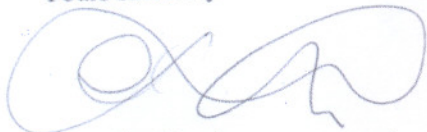
There is no record on file of contact between HDC and any of those parties in relation to this complaint. The records on file show that the only contact with external parties in relation to this complaint has been with you, and with Dr [redacted].

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

A handwritten signature in blue ink, appearing to be 'GR', written over a circular scribble.

Georgina Rood
Legal Advisor