



Large and broadly framed requests for official information can often cause difficulties. This guidance is intended to provide a useful starting point for agencies to determine how to apply the provisions relating to substantial collation or research to manage these types of requests.

Managing large requests

When you receive a request, your first task is to make sure you can clearly identify what is being requested. If the request is so vague that you can't understand what the requester is asking for, then you will need to decide whether the request meets the 'due particularity' test in section 12(2) of the Official Information Act 1982 (OIA).

If you can't understand what the requester is seeking you need to offer reasonable assistance, as set out in section 13, to enable the requester to make their request. If it is clear what the requester is seeking, you will need to determine how easily you will be able to respond to the request.

Section 18(f)

Among the administrative reasons for refusing a request for official information, section 18(f) of the OIA provides that a request may be refused if 'the information requested cannot be made available without substantial collation or research'.

If you believe that the request will:

- involve assembling large quantities of information; or
- require long periods of research, or assessing a large amount of information to determine whether that is within the scope of the request, which will mean that staff will not be available to undertake other parts of their roles;

you may wish to consider whether there are any tools in the OIA to help you manage that administrative burden, including whether you should refuse the request under section 18(f).

Simply asserting that the information requested cannot be made available without substantial collation or research without doing some research and having evidence to support this decision will not be acceptable to an Ombudsman if the requester makes a complaint.

What is 'collation or research'?

Collation or research is to do with the process of finding and assembling the information in one place in the form sought by the requester, such as:

- identifying the requested information
- determining whether the requested information is held

- searching for the requested information
- retrieving the requested information
- extracting the requested information
- assembling or compiling the requested information.

When is this ‘substantial’?

The above tasks may be considered ‘substantial’ where they would have a significant and unreasonable impact on the agency’s ability to carry out its other operations.

Factors to consider

When deciding whether ‘substantial collation or research’ would be required to respond to a request, the following questions can be asked.

Questions

Considerations

<p>Do you know what is being asked for?</p>	<ul style="list-style-type: none"> • Consult the requester if there is any uncertainty about what they are asking for. If your agency seeks amendment or clarification of a request within seven working days of receiving it, you can treat an amended or clarified request as a new request for the purpose of calculating the maximum timeframe for response (section 15(1AA)).
<p>Do you hold the information?</p>	<ul style="list-style-type: none"> • Look at what is being requested and consider whether you are the right agency to respond to the request – if not, consider transferring all or part of the request. • Would you need to create new information in order to answer the request? If the work required to answer the request means you would effectively be creating new information, consider whether the request needs to be refused on the basis that the information is not held.
<p>How much information is involved?</p>	<ul style="list-style-type: none"> • How much information do you need to search through to find what has been requested? Get evidence of how you established how much information was involved: <ul style="list-style-type: none"> – You could get lists of documents showing the volume of material covered by the request or how much research would be needed to locate what the requester asked for. – Ask IT for a print out of results of searches run on staff email mailboxes to show the amount and size of email correspondence that may be within scope. • Has the requester made two or more requests for information covering the same subject matter over a short period of time (section 18A(2))? If so, you are able to treat these as one request for the purposes of section 18(f) if you have not responded to the first request.
<p>How long will it take to respond to the request?</p>	<ul style="list-style-type: none"> • Calculate the time it would take to research or collate documents. Carry out a sample exercise to make a reasonable estimate of how long it would take to find the information and bring it together. • Make sure you don’t include activities that cannot count towards establishing substantial collation or research (see below).

What impact will responding to this request have on your agency?

- Would responding to this request impact on your ability to do other core business?
- How many people are capable of processing the request and what are the other responsibilities of those people?
- Do certain people need to do the work because of the complexity of the request, or because they are familiar with the information?
- How many other OIA requests are on hand, and would you need to stop working on those to answer this request?

Is there anything else you could do?

- Consult the requester to see whether they are able to refine their request, which would make responding more manageable.
- Consider whether you could provide the information if you extended the time limits for response or charged the requester for the information (see below).

What is not substantial collation or research?

The time required to make a decision on whether to withhold or release information that has already been found and brought together cannot be included in your consideration of whether it would require substantial collation or research to respond to the request. You cannot include these tasks if they relate to decision making:

- The time needed to make a decision on a request.
- Reading and assessing the information requested, even if this would take a significant time.
- Consulting (internally or with other external parties) about whether to release information.
- Redacting information where you have decided there is good reason to withhold information.
- Preparing information to be released, including drafting letters and briefings.
- The time needed for internal sign out and quality assurance processes.

Before you refuse a request

Before you refuse a request on the grounds of substantial collation or research, you must consider whether:

- Imposing a charge for the provision of this information would enable the request to be granted.
- Extending the time limit for making a decision on the request would enable the request to be granted.
- Consulting the requester would enable the request to be refined, to make it more manageable. If you consult the requester within seven working days of receiving the request and the request is amended you can treat the amended request as a new request with new time limits (section 15(1AA)).

