

FREEDOM OF INFORMATION CASE NOTES

Inadequate searches

***Information Act* s.10, s. 17**

The complainant complained to the Information Commissioner that the organisation had conducted inadequate searches.

The decision maker found that there was insufficient evidence that adequate searches had been undertaken by the organisation. In particular, there was no elaboration of the physical and electronic locations that had been searched, no explanation of the search methodology, and no indication of the names of the persons who had conducted the search.

Sections 10 and 17 of the *Information Act* require a public sector organisation to provide as much of the information as is reasonably possible, and to handle applications 'as fairly and openly, as is reasonably possible'. Conducting adequate searches, and being able to show that adequate searches were conducted, is part of being fair and open. If the searches required would be too onerous, then at hearing the organisation would need to provide some evidence or explanation as to the extent of the search required and why it would unreasonably interfere with operations.

The decision maker referred the matter to mediation, which led to further searches being undertaken.