

FREEDOM OF INFORMATION CASE NOTES

Workplace report ***Information Act s.52, s.55, s.56***

The Complainant sought the report of an independent consultant who had assessed an organisation's workplace and made recommendations concerning how to handle interpersonal conflicts that had been occurring. The consultant had interviewed staff and some information from these interviews appeared in the report. Other parts of the report described issues generically, and talked about the nature of workplace conflict generally and approaches that could be taken in response. The Complainant was one of the staff members from the workplace who had been interviewed.

The decision maker found that there was sufficient *prima facie* evidence to substantiate the complaint. Section 52 (deliberative processes) applied over some parts of the document, but sections 55(3)(b)(ii) (communications in confidence) and 56 (privacy) had been misapplied by the organisation. There was also a strong argument that even the parts of the document covered by exemptions should be released, as this would be in the public interest.