

Contacting Requesters



PRACTITIONER GUIDANCE

You may need to get in touch with a requester when responding to an Official Information Act 1982 (OIA) request.

Contact with the requester may result in requests being refined, transferred or even cancelled. This can be mutually beneficial. You'll be able to give the requester information that's more useful and reduce the administrative load for you and your agency.

This guidance sets out information about the types of situations where it may be helpful to contact a requester, the best way to get in touch with the requester and how to handle OIA-related phone calls.

WHEN TO CONTACT A REQUESTER

You should contact a requester if you need to:

1. Provide [reasonable assistance](#) to the requester to help them clarify the wording or scope of a request.
2. Narrow a broadly framed request that you are considering refusing due to [substantial collation or research](#) requirements (noting that if you do this within [seven working days](#) the refined request may be treated as a new request).
3. Look into [extending the timeframe](#) or giving the requester the response in stages.
4. Update a requester about the progress of their request.

Getting prepared

Check your agency's procedures on contacting requesters. Clarify what you want to say to the requester.

You may also want to discuss with colleagues and subject matter experts the parameters of what you will talk about with the requester.

Where the request covers multiple topics or agencies, identify the best person to contact the requester.

Keep in mind

Check if your agency has standard talking points to help with this process.

It's often the responsibility of the media or communications teams to contact requesters from the media or MPs or interest groups.

If you think the request involves legally privileged information, you should get legal advice before contacting the requester.

What is legal privilege?

Legal privilege is a rule of law protecting communications between legal practitioners and their clients from being disclosed under compulsion of court or statute. This means clients can be open and honest with their lawyer, and the lawyer can give them free and frank advice.

1 ENSURING A REQUEST IS CLEAR AND SPECIFIC

Requests need to have enough detail so you can identify what information the person needs.

If you get a request that is not clear, or you need more information about what the requester is seeking, then you have an obligation to [offer assistance](#) to help the requester make a valid request.

Try to find out:

- what the requester wants to know;
- the specific types of documents the requester is looking for or perhaps isn't aware of;
- what time pressures the requester has (you might be able to send the response in stages).

2 NARROWING A REQUEST

Sometimes a requester asks for a lot of information and consulting with them to help narrow the scope of their request can make a response more achievable.

The purpose of consultation is to understand the needs of the requester and explain any difficulties involved in meeting the request as it is currently framed, and the implications this might have for how the request is handled.

Talk to the requester to see if they can narrow their request. If they can't, let them know that you may need to extend the time limits for response, charge them or refuse the request.

Give the requester some examples of how they could narrow their request. For example, the requester could refine the types of documents or the time period covered. If they still want the entire time period, you could note that the response could be staged for different time periods.

[Section 18\(f\)](#) states that a request may be refused if the information requested cannot be made available without substantial collation or research. However, [section 18B](#) states that if a request is likely to be refused for this reason, you must consider consulting the requester to help them narrow the scope of the request to make a response achievable.

See the [SSC guide](#) on substantial collation or research.

3 EXTENDING A TIME LIMIT OR SEQUENCING A RESPONSE

If you think it will be difficult to respond to the request by the due date, contact the requester as soon as possible. You can:

- notify the requester of an extension and the reasons for it;
- ask the requester to prioritise certain parts of the request.

Making contact with the requester and keeping them informed helps the requester understand how their request is progressing and may help to avoid a complaint being made to the Ombudsman in the event of a delay beyond the maximum statutory time limits.

4 UPDATING A REQUESTER ABOUT THE PROGRESS OF A REQUEST

Talking to a requester

When you call the requester, you should:

- explain who you are and why you are calling;
- if you are calling in relation to a Ministerial OIA request, explain why an agency is calling not the Minister's office;
- summarise their request;
- tell them the limits or difficulties with responding to their request;
- listen to their comments or suggestions;
- discuss options and suggest a solution;
- repeat back to them what you are going to do and follow up in writing.

Why call?

Calling is generally more effective than email:

- it's faster
- it's more personal
- it can reassure the requester that their request is being dealt with as efficiently as possible
- it can foster a positive relationship.

But if the requester isn't comfortable talking to you, don't push them into it. They may prefer you to write or email. If you do email the requester, make sure that you are very clear about the reasons you are emailing and what you want from the requester.

Providing context

Help the requester by understanding their needs and providing background or context. Don't assume they already know exactly what they were requesting, or what might be available.

You could:

- outline the different kinds of information that might meet the terms of the request;
- give the requester advice about catalogues, indices or lists to help them understand the sort of information held by the agency.

Establishing relationships

It is important to show empathy. The requester may find dealing with a government agency intimidating or confusing. It's important to treat them with empathy, attention and respect.

While it is important to reassure the requester, keep the tone of your discussion professional.

Dealing with difficult requesters

Sometimes a requester's behaviour may be challenging. In these cases:

- stay calm and matter-of-fact if they get angry;
- listen closely;
- respond with empathy, attention and respect;
- have clear boundaries and don't stay on the call if you are abused;
- focus on tasks, choices and consequences;
- be consistent;

- be non-threatening;
- be reassuring but don't expect them to trust you;
- explain that policies or the law require you to do certain things (so it feels less personal);
- respect the fact that the person may want you to contact them through another means.

The Office of the Ombudsmen has detailed guidance about how to deal with difficult requesters which you can find on their [website](#).

If you are unable to contact a requester after repeated attempts, you must still respond to the request as best you can within the OIA time limits.

Following up consultation

- Keep records of your consultation.
- Confirm any changes to the request in writing back to the requester.
- Summarise your discussion in an email to your manager if required.