



Private Bag 18
Nelson, New Zealand

20 August 2021



Response to a request for official information



Thank you for your request for official information received 29 July 2021 by Nelson Marlborough Health (NMH)¹, and subsequent clarification 2 August 2021, where you seek the following information.

- 1. Since 2020, copies of any reports received or held by the DHB that were completed in relation to OPCAT (the United Nations Optional Protocol to the Convention Against Torture) inspections of secure aged care facilities, and copies of any response to these reports.**

CLARIFICATION: I read the Ombudsman's report on Covid-19 OPCAT inspections of some aged care facilities: <https://www.ombudsman.parliament.nz/resources/report-inspections-aged-care-facilities-under-crimes-torture-act-1989> This outlines the fact OPCAT inspections took place from May 27 to June 20 2020: "My Inspectors conducted six inspections of secure aged care facilities in Hastings, Whanganui, Palmerston North, and Nelson, located in the Hawke's Bay, Whanganui, MidCentral, and Nelson Marlborough District Health Board regions." My request was intended to capture any report the DHB received in relation to this inspection.

NMH response: We have no record of receiving any Ombudsman report in regard to COVID-19 focused inspections of privately run secure aged care facilities from 27 May 2020 to 20 June 2020. We understand that the Office of the Ombudsman provides OPCAT reports, including Ombudsman provisional reports, direct to the facility. As such, we decline to respond under section 18(g) of the Act in 'that the information requested is not held by the department or organisation'.

This response has been provided under the Official Information Act 1982. You have the right to seek an investigation by the Ombudsman of this decision. Information about how to make a complaint is available at www.ombudsman.parliament.nz or free phone 0800 802 602.

¹ Nelson Marlborough District Health Board

If you have any questions about this decision please feel free to email our OIA Coordinator OIArequest@nmdhb.govt.nz I trust that this information meets your requirements. NMH, like other agencies across the state sector, supports the open disclosure of information to assist the public's understanding of how we are delivering publicly-funded healthcare. This includes the proactive publication of anonymised Official Information Act responses on our website from 10 working days after they have been released. If you feel that there are good reasons why your response should not be made publicly available, we will be happy to consider.

Yours sincerely

A handwritten signature in blue ink, appearing to read 'Lexie O'Shea', with a stylized flourish at the end.

Lexie O'Shea
Chief Executive