

From: lgoima
To: [Chris Morris](#)
Subject: RE: LGOIMA - non-disclosure agreements
Date: Tuesday, 9 July 2019 01:47:00 p.m.
Attachments: [image001.png](#)

Dear Chris

I refer to your request for information about non-disclosure agreements. I have provided answers to your questions below.

1. How many non-disclosure agreements have been signed by council staff, at council's request, in the last five years (since the start of the 2014-15 year, or the start of calendar year 2014 if easier)?

Your request for this information is declined under section 17(f) of LGOIMA, that the information requested cannot be made available without substantial collation or research. We do not hold this information in a form that would allow us to answer your request. We do not hold a register of non-disclosure agreements signed by council staff.

2. How many of those NDAs were part of an exit package that involved the resignation of the staff member?

We do not have any NDA's that are part of an exit package involving the resignation of staff members. These types of settlements would be made using the standard terms and conditions within the Employment Relations Act, and would be lodged with MBIE. These are not non-disclosure agreements.

3. How many also involved payouts to the staff member involved, and what was the total sum paid out and the range of payouts (highest and lowest)?

Any severance payments made are disclosed in Council's Annual Reports. The following information has been provided in past Annual Reports:

2014/15 - *Severance payments*

There were eight severance payments made during the year; \$76,939; \$55,255; \$33,118; \$32,902; \$12,959; \$9,904; \$7,529; \$4,479;.

2015/16 Severance payments

There were four severance payments made during the year; \$74,340; \$10,099; \$2,289; \$1,491

2016/17 Severance payments

There were two severance payments made during the year: \$5,000; \$2,500.

2017/18 There were 4 severance payments made during the year; \$25,000; \$20,000; \$15,720; \$3,537.

The information for 2018/19 will be disclosed in the next Annual Report.

4. How many non-disclosure agreements have been signed by individuals outside council, at council's request, in the last five years (since the start of the 2014-15 year, or the start of calendar year 2014 if easier)?

We do not hold any information on this, nor are not aware of any such agreements.

5. How many of those involved a payment, and what was the total paid and the range (highest and lowest)?

As for 4 above.

6. How many non-disclosure agreements have been signed by organisations outside council, at council's request, in the last five years (since the start of the 2014-15 year, or the start of calendar year 2014 if easier)?

As for 4 above.

7. How many of those involved a payment, and what was the total paid and the range (highest and lowest)?

As for 4 above.

8. What were the general reasons non-disclosure agreements were used, both inside council and outside?

As for 4 above.

As we have declined to provide you with some of the information requested, I advise that you have the right to have this decision reviewed by the Office of the Ombudsman, on 0800 802 602 or info@omudsman.parliament.nz

Regards

Jennifer Lapham

**Governance Support Officer
Civic**

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From: Chris Morris

Sent: Wednesday, 12 June 2019 1:22 p.m.

To: Jenny Lapham <Jenny.Lapham@dcc.govt.nz>; Official Information <officialinformation@oa.dcc.govt.nz>; Sandy Graham <Sandy.Graham@dcc.govt.nz>

Subject: LGOIMA - non-disclosure agreements

Hi,

I have the following request for information to make under the terms of the Local Government Official Information and Meetings Act 1987:

I request a breakdown showing:

1. How many non-disclosure agreements have been signed by council staff, at council's request, in the last five years (since the start of the 2014-15 year, or the start of calendar year 2014 if easier)?
2. How many of those NDAs were part of an exit package that involved the resignation of the staff member?
3. How many also involved payouts to the staff member involved, and what was the total sum paid out and the range of payouts (highest and lowest)?
4. How many non-disclosure agreements have been signed by individuals outside council, at council's request, in the last five years (since the start of the 2014-15 year, or the start of calendar year 2014 if easier)?
5. How many of those involved a payment, and what was the total paid and the range (highest and lowest)?
6. How many non-disclosure agreements have been signed by organisations outside council, at council's request, in the last five years (since the start of the 2014-15 year, or the start of calendar year 2014 if easier)?
7. How many of those involved a payment, and what was the total paid and the range (highest and lowest)?
8. What were the general reasons non-disclosure agreements were used, both inside council and outside?

Many thanks,

Chris.

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