

Requesting information from a school

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Legal Matters

Parents and others in the school community – and even people not in the school community – can request information from schools under a variety of laws.

If it is a state school (not private), it is covered by the Local Government Official Information and Meetings Act.

Under that law board of trustees agendas and minutes can be inspected at the school office and notes taken or a free copy requested.

A person attending a board of trustees meeting is also able to request a free copy of the agenda.

Some minutes relating to “public excluded” parts of the meeting may be declined under the Official Information Act or Privacy Act (if they relate to the person requesting them).

The Privacy Act deals with information requested about yourself.

Parents requesting information about their children should do so under the Official

Information Act.

Privacy Act requests should be responded to within 20 working days.

There are several grounds for refusing to release information including:

- Maintenance of the law.
- Danger to an individual’s safety.
- Prejudice to a commercial interest.
- Privacy of another individual.
- Evaluation material supplied in confidence.
- Not in the interests of a person under 16.
- Inability to find the information.

It pays to discuss matters with the school to work through any issues about information requested.

If a request is refused you should be told why and you can apply to the Privacy Commissioner to review the decision.

Under the Official Information Act any New Zealand citizen, permanent resident, person in New Zealand or company incorporated here can request information from a school. You do not have to provide a reason for the request.



State schools are covered by the Local Government Official Information and Meetings Act.

The information should be provided within 20 working days. Information can be refused for similar reasons as above. In addition, a refusal can be

because a request is trivial or vexatious or cannot be collated without substantial effort.

The school should consult you if it is refusing because it cannot

find the information or it would take substantial collection. You may be able to refine your request.

Parents must be given reports on their child’s achievement, failure to progress or problems with staff or students under the Education Act.

A parent’s ability to look after their child usually outweighs a child’s privacy (unless there are particular concerns).

The older the child the more their privacy must be considered.

Charges can be made for providing the information. Current guidelines are 20c per page after 20 pages and \$36 per half hour after the first hour for staff time.

You should be provided with an estimate of the cost and an opportunity to refine your request if it is going to be too expensive.

Information should be provided unless an exception applies and if the information is refused you should be given the reasons why.

It pays to discuss matters with the school to work through any issues about information requested.

Column courtesy of Rainey Collins Lawyers, phone 0800 733 684 or visit raineycollins.co.nz. If you have a legal inquiry you would like discussed in this column, contact aknowsley@raineycollins.co.nz.