

17 April 2020

New Zealand Taxpayers' Union
By email: requests@taxpayers.org.nz

Dear Sir / Madam

Request for salary information of specific Auckland Council staff

We refer to your email entitled "2020 Town Hall Rich List – confirmation of your details – note 5pm Friday deadline" which was sent to certain Auckland Council group staff on the evening of Thursday 16 April 2020.

The specific remuneration information contained in those emails is inaccurate and, in at least one instance, has been sent to the wrong staff member. Despite these inaccuracies, we will not be correcting or confirming the specific remuneration information, or the individuals concerned, because that would be an unacceptable intrusion into their privacy.

We accept that there is a degree of public interest in transparency and accountability for the value the Council attributes to the carrying out of senior roles. However, there is strong privacy interest in the remuneration of an individual person, and section 7(2)(a) of the Local Government Official Information and Meetings Act 1987 typically applies to such requests.

The Ombudsman case which you refer to in your email does not support your request for personal information from staff about their remuneration. That case relates to state sector chief executives and is consistent with the view of successive Ombudsmen that the total remuneration of chief executives or other heads of public sector organisations should be released, affording a greater weight to accountability than to privacy in relation to those specific roles. Auckland Council's Chief Executive's salary is made publicly available each year in our annual report consistent with the requirement to do so under the Local Government Act 2002.

The position in relation to other council staff is different and this has been acknowledged by the Ombudsman in the Christchurch City Council 'Request for salary details of specific employees' case.¹ In that case, the Ombudsman refused a request for specific salary information relating to individual staff on the basis that there was a strong privacy interest in that information, outweighing the public interest in its release. The Ombudsman concluded that the public interest in such cases is adequately met by the release of the remuneration rate or range for a specified role, irrespective of who may be employed in that role.

Consistent with this approach, we have properly and reasonably responded to your requests for remuneration information by providing you with the salary bands attributable to senior Council and CCO roles in our responses of 18 December 2019 and 12 February 2020. We are satisfied that we have reflected the public interest in transparency and accountability in our approach.

¹ <https://www.ombudsman.parliament.nz/sites/default/files/2019-03/Case%20note%20Request%20for%20the%20salary%20details%20of%20specific%20employees%20%28440549%20C%20442773%2C%20446949%2C%20441850%29%20PDF.pdf>

We object to you targeting specific Council group employees and pressuring them to release their personal information. We ask you to refrain from doing so and to make any further requests for information through the official and proper channels.

Yours sincerely

A handwritten signature in blue ink, appearing to read "Stephen Town", with a long, sweeping horizontal line extending to the right.

Stephen Town
Chief Executive