

13 September 2023

File Ref: OIAPR-1274023063-16793

[REDACTED]

Tēnā koe [REDACTED]

### **Request for information 2023-219**

I refer to your request for information dated 17 August 2023, which was received by Greater Wellington Regional Council (Greater Wellington) on 17 August 2023. You have requested the following:

*“Any and all information/documents held by the Council related to the Council’s arranging, placement, holding and/or understanding of liability insurance with any brokers, and/or Local Government Mutual Funds Trustee Limited (Riskpool) and/or insurers for each of the years 2010 – 2023. For the avoidance of doubt, the information/documents requested include:*

- a) liability policy documents for the years 2010-2023; and*
- b) any file notes and correspondence related to the Council’s arranging, placement, holding and/or understanding of these liability policy documents, including internal correspondence, correspondence with the Council’s broker(s), and direct correspondence with insurers]”*

### **Greater Wellington’s response follows:**

#### ***Liability policy documents for the years 2010-2023***

Policy documents are considered commercially sensitive by Greater Wellington. Greater Wellington, like most commercial organisations, holds insurance to protect it against claims of damage or loss made against it. If Greater Wellington’s insurance details were to be made public, the Greater Wellington's position in dealing with other commercial organisations (who do not have to tell Greater Wellington about their insurance provisions) could be compromised. Similarly, if an "opposing" party has knowledge of the Greater Wellington's insurance position, Greater Wellington would be placed at a disadvantage. This disadvantage would be particularly acute in respect of

Greater Wellington's ability to effectively negotiate with a third party to settle a claim against Greater Wellington. Therefore, we are withholding all documents in scope of this part of your request under the following sections of the Local Government Official Information and Meetings Act 1987 (the Act):

- Section 7(2)(b)(ii) – protect information where the making available of the information would be likely unreasonably to prejudice the commercial position of the person who supplied or who is the subject of the information;
- Section 7(2)(h) – enable any local authority holding the information to carry out, without prejudice or disadvantage, commercial activities; and
- Section 7(2)(i) – enable any local authority holding the information to carry on, without prejudice or disadvantage, negotiations (including commercial and industrial negotiations).

We have considered whether the public interest in the requested policy documents outweighs Greater Wellington's need to withhold certain aspects of the requested information. As a result, we do not consider that the public interest outweighs Greater Wellington's reason for withholding the documents under the grounds identified above.

Notwithstanding the response above, Greater Wellington has provided you with a schedule of insurance policies the Greater Wellington currently holds under **Appendix One**. We are working with AON, our insurance broker, to provide you with a full list of insurance policies for the years 2010-2022. This will be provided to you by 31 October 2023.

***Any file notes and correspondence related to the Council's arranging, placement, holding and/or understanding of these liability policy documents, including internal correspondence, correspondence with the Council's broker(s), and direct correspondence with insurers***

This part of your request is extremely broad and covers a considerable timeframe (over 14 years). We have identified over 129,000 pieces of information which range from file notes and correspondence relating to the Greater Wellington's arranging, placement, holding and/or understanding of its liability policy documents, including internal correspondence, correspondence with Greater Wellington's broker(s), and direct correspondence with insurers. It is estimated that this will take over 1,000 hours of staff time, and the person who has the subject matter expertise required to review the information would be taken away from their usual work, which would adversely impact Greater Wellington's operations.

In responding to your request, we have considered charging you for the supply of information, extending the time limit for responding to your request for information and consulting with you on your request.

We have formed the view that further clarification and refinement, an extension of time, and/or charging for the supply of the information would not mitigate the request's significant administrative impact on Greater Wellington's operations. We have therefore refused your request under section 17(f) of the Act on the basis that the information requested cannot be made available without substantial collation or research.

If you have any concerns with the decision(s) referred to in this letter, you have the right to request an investigation and review by the Ombudsman under section 27(3) of the Local Government Official Information and Meetings Act 1987.

Please note that it is our policy to proactively release our responses to official information requests where possible. Our response to your request will be published shortly on Greater Wellington's website with your personal information removed.

Nāku iti noa, nā



Alison Trustrum-Rainey  
Kaiwhakahaere Matua Pūtea me ngā Tūraru | Group Manager Finance and Risk

### Appendix One: schedule of currently held insurance policies

Type of Policy	Term of Cover	Lead Insurance Company
Professional Indemnity	1/05/2023 – 1/05/2024	Berkshire Hathaway Specialty Insurance
Combined General & Products Liability	1/05/2023 – 1/05/2024	Berkshire Hathaway Specialty Insurance
Statutory Liability/ Employers Liability	1/05/2023 – 1/05/2024	QBE Insurance (Australia) Limited
Commercial Motor Vehicle	1/05/2023 – 1/05/2024	NZI, a business division of IAG NZ Limited
Directors and Officers Liability	1/05/2023 – 1/05/2024	QBE Insurance (Australia) Limited
Crime	1/05/2023 – 1/05/2024	QBE Insurance (Australia) Limited
Marine Liability	1/05/2023 – 1/05/2024	TT Club Mutual Insurance Limited
Commercial hull	1/05/2023 – 1/05/2024	QBE Insurance (Australia) Limited
Natural Catastrophe	1/05/2023 – 1/05/2024	Lloyd's of London, European and Singaporean Markets
International business travel	1/05/2023 – 1/05/2024	Chubb Insurance New Zealand Limited
Personal Accident	1/05/2023 – 1/05/2024	Chubb Insurance New Zealand Limited
Material Damage and Business Interruption (Wellington Combined Insurance Group)	1/05/2023 – 1/05/2024	Portfolio insurance
Material Damage – Residential Assets	1/05/2023 – 1/05/2024	NZI, a business division of IAG New Zealand