



BAY OF PLENTY
DISTRICT HEALTH BOARD
HAUORA A TOI

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New Zealand
Phone 07 579 8000

OIA REQUEST

Received: 17 June 2021
Due: 15 July 2021
Response Date: 15 July 2021
Subject: 21-0071 Incidents at Hospital on 12 June 2021

In response to your request under the Official Information Act, please find our response below:

Request

Please provide the following information:

With respect, I request the following information under the terms of the Official Information Act 1982:

- The CCTV footage of the two events mentioned in this Facebook post on Saturday, June 12, 2021:
<https://www.facebook.com/BOPDistrictHealthBoard/photos/a.590191294462105/2024456864368867/>.
- Any documentation and all communications related to the two incidents (one in hospital reception and other in car park).

The information sought in this request is to be used as part of a report into gangs in the Bay of Plenty. I ask that any fee is waived.

It is understood elements of the requested information might not be considered public information. If this is the case, I would ask each element is considered separately, described as best it can be and reasons for any information being declined being set against the information sought.

There may be aspects of the information sought which require names to be redacted to meet section 9(2)(a) of the Act. In situations such as this, I would ask you indicate the employer and position of the person whose name is redacted for the purposes of clarity.

Response

The CCTV footage of the two events mentioned in this Facebook post on Saturday, June 12, 2021:

<https://www.facebook.com/BOPDistrictHealthBoard/photos/a.590191294462105/2024456864368867/>

Any footage we captured would contain images of members of the public and staff and can only be released as per our policy (refer following). Therefore, pursuant to clause 9(2)(a) of the Official Information Act 1983 the BOPDHB is withholding this information to protect the privacy of a natural person.



 <p>BAY OF PLENTY DISTRICT HEALTH BOARD HAUORA A TOI</p> <p>SECURITY PROTOCOL</p>	<p>SECURITY – SURVEILLANCE / CCTV</p>	<p>Policy 5.5.1 Protocol 3</p>
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PURPOSE

Specified Bay of Plenty District Health Board (BOPDHB) security functions may be carried out by external security contractors and persons designated by GM, Facilities & Business Operations (FBO) or delegate.

In an extraordinary emergency situation security measures may need to be put in place outside of those documented. Any such action will be taken on the authority of the senior operational manager taking into account the best information available and in accordance with the intent of the Security policy.

STANDARDS TO BE MET

1. CCTV Installation and Operation

- 1.1 BOPDHB may install closed circuit television cameras (CCTV) to safeguard and / or improve the safety and security of staff, patients, visitors and any other persons or their assets whilst on DHB property.
- 1.2 Where CCTV is being utilised signage advising staff and members of the public will be erected to advertise the fact.
- 1.3 Cameras will be placed in areas that will not intrude on the privacy of individuals.
- 1.4 Covert CCTV will not be utilised other than in extraordinary situations and only after legal advice has been obtained from the Senior Advisor, Governance & Quality.
- 1.5 CCTV cameras will operate 24 hours 7 days per week; however some may record only when automatically activated.
- 1.6 The cameras will be able to be monitored by Security personnel and other DHB staff that have a requirement to view as part of their DHB role.
- 1.7 Images will be retained for 1 month, unless they are required for the purposes of further investigation or prosecution, in which case a copy may be made and retained on the system. In normal circumstances the image will be automatically overridden on the system after 1 month.
- 1.8 Security personnel may supply NZ Police with downloaded stills and footage from CCTV if requested to do so in order to assist in the identification of alleged offenders to a criminal event. A record of such requests must be kept in Security.
- 1.9 A person may request to view footage of themselves and this request should normally be considered if the information is readily retrievable.
 - a) If an individual asks for footage of him / herself but cannot provide a specific time or location, then this information may not be readily retrievable.
 - b) Consideration must be given to protect the privacy of others who may have been captured in the footage.
 - c) Copies of footage containing other persons within it will not be released.
 - d) In all cases a request for such viewing should be made to the Security Manager in writing in the first instance.
 - e) This request must be responded to as soon as possible, but within a maximum of 20 days.
 - f) The Security Manager must ensure that the person requesting access is the person actually featured in the footage.
 - g) If the images are connected to a criminal investigation, then the NZ Police should be advised.

<p>Issue Date: May 2021 Review Date: May 2023</p>	<p>Page 1 of 2 Version No: 7</p>	<p>NOTE: The electronic version of this document is the most current. Any printed copy cannot be assumed to be the current version.</p>
<p>Protocol Steward: Security Manager, FBO</p>	<p>Authorised by: GM, Facilities & Business Operations</p>	

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h) A record will be kept of any such request and the response to the request in Security.

1.10 No copies of CCTV footage are to be made unless authorised.

2. Paediatric Ward Isolation Room and Play Room

2.1 Tauranga Hospital operates a continuous CCTV security camera inside the isolation room and child’s play room of the Paediatric Ward.

2.2 Continuous CCTV also operates in the Paediatric Playroom at Whakatane Hospital.

2.3 Notices within the rooms clearly indicate continuous CCTV operates at that specific location.

2.4 Decisions on whether to share footage as part of any discussion, diagnosis or treatment plan with Parents, Caregivers or visiting Specialists outside of BOPDHB staff are Clinical, and rest with the Consultant Paediatrician or their delegate.

2.5 In any decision to allow viewing of footage by anyone described at 2.4 the overarching principle is that the welfare and interests of the child or young person shall be the first and paramount consideration.

3. System Management and Audit

3.1 The Security Manager will have overall responsibility for the CCTV system and will:

- a) Develop policy and train staff in its usage;
- b) Liaise with FBO around placement of new and existing cameras;
- c) Deal with problems or issues arising from CCTV usage;
- d) Monitor and arrange any covert camera placings as outlined in the installation process.

3.2 Staff will be trained in the operation of the CCTV as appropriate to their role. This will normally take place as part of the induction process.

3.3 Staff will be made aware at the time of training of the CCTV policy and the investigation and disciplinary procedures that would result from any breach of that policy, for example inappropriate copying of material or disclosure.

3.4 Staff will ensure that access to the monitoring systems is only given to the monitoring staff and other appropriate authorised persons.

3.5 The Security Manager will informally monitor equipment and procedures on an ongoing basis to ensure that this policy is adhered to. A formal annual audit will take place to:

- a) Collect statistics about the CCTV system to assess its usage;
- b) Evaluate the operation of the system to ensure that the system is operating smoothly;
- c) Check that staff are complying with policy, and retrain as required.

ASSOCIATED DOCUMENTS

- [Bay of Plenty District Health Board Security controlled documents](#)
- [Bay of Plenty District Health Board policy 3.50.02 protocol 9 Investigation Process](#)
- [Bay of Plenty District Health Board policy 3.50.02 protocol 15 Disciplinary Process](#)
- [Bay of Plenty District Health Board policy 2.5.1 Health Information Privacy](#)
- [Bay of Plenty District Health Board CH4K protocol CH4K.S2.1 Safety & Security](#)
- [Bay of Plenty District Health Board policy 2.1.1 Risk Management](#)
- [Bay of Plenty District Health Board policy 2.1.3 Hazard Management](#)
- [Bay of Plenty District Health Board policy 2.1.3 protocol 2 Hazard Management - Home Visit Management Standards](#)

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Any documentation and all communications related to the two incidents (one in hospital reception and other in car park).

Communication on this matter is publicly available through Facebook and reflects the situation. We have however reviewed the CCTV footage and all the feedback has been collated as per the following timeline.

Following the social media comments, the CEO met with MP for Tauranga, Simon Bridges. It was a robust, but good discussion and covered a lot of areas, not only what was in the media.

Mr Bridges noted that he could have approached things differently and talked with the DHB before making his comments. He apologised and requested staff be informed that his comments weren't at all directed at our people. In fact, he was very complimentary about the care his whanau have recently received.

What is clear, is that there was a lot of things happening on the afternoon of the 12th June, and lots of people onsite. As police have said publicly, there was a minor incident in the hospital car park involving two vehicles, but this did not involve any gang members. We consider the matter now closed.

Timeline:

Saturday June 12, 2021 Time	Description of what happened (can be seen on CCTV)
14:14 hours 14:58 hours (Security 1)	Car with flat battery parked in front of ED with female driver. Two males one wearing Mongrel Mob patch, the other a brown hoodie arrive to help get the car going. A person, off camera, hands over cables. Cables used; car started. Patched man shakes hands with the person who has supplied the cables.
15:11 hours (Security 2)	Patched man shakes hands with the person who has supplied the cables. Patched man and passenger wearing a brown hoodie drive off, and so does the car which was jump started. This was not deemed an incident as neither security, nor the hospital coordinator were aware of anything untoward. Several people who were close to ED have informed DHB that there was no animosity among these people, nor towards anyone else close by.
15:12 hours	Shouting and loud bang heard in the direction of the 3 hours car park (across from hospital front doors). 2 guards go to check on the situation. They find broken glass on the road. Two vehicles involved – a Mazda (car) and a Colorado (ute).

Saturday June 12, 2021 Time	Description of what happened (can be seen on CCTV)
Summary from witness to the bottle throwing	<p>A witness (who contacted the DHB following media articles) had seen the incident and said he was parked and noticed the Mazda circling the carpark a couple of times.</p> <p>Mazda driver came to his window and asked how long he would be – to which he replied 15 minutes.</p> <p>The Mazda was then parked in the driveway blocking a Colorado from passing.</p> <p>Colorado driver tooted, no response, Colorado driver went to the Mazda driver’s window and they spoke.</p> <p>Colorado driver went back to his car and a female passenger in the Mazda threw a bottle towards the Colorado followed by the driver who also threw 2 bottles.</p> <p>Security advise the Colorado driver to phone the Police.</p> <p>The Mazda drives off to the ED entrance, and female passenger goes into ED.</p> <p>The Mazda is not seen engaging with the earlier car (containing the patched member).</p>
15:13 hours – 15:13:25 hours	<p>Security guard tells the Mazda driver to park up.</p> <p>As he leaves the driver swerves towards the driver of the Colorado, who had left his car and followed the Mazda to the ED drop off.</p> <p>Two more guards join the situation.</p>
15:15 hours	<p>Police arrive take two statements and said they would be back to complete their interviews.</p>
	<p>Mazda driver and female passenger in Ward. No further problems with them security guard stood down.</p>
15:20 hours	<p>Mr Bridges and others enter main reception area from the direction of the Clarke Street carpark.</p>
15:22 hours	<p>Mr Bridges enters ground floor lift.</p>
16:13 hours	<p>Mr Bridges and others enter main reception area and leave the hospital turning towards the Clarke Street carpark.</p>
22:00 hours	<p>Person with stabbing injuries in Tauranga Hospital theatre. Arrives from out of Western Bay.</p>

Saturday June 12, 2021 Time	Description of what happened (can be seen on CCTV)
Feedback from reception (email received)	<p>“I was working on front reception on Saturday 12 June from 8 am to 4 pm. During the afternoon there were a few visitors coming and going through the main doors who appeared to have gang affiliations, although no gang regalia was noticed.</p> <p>There was a couple of minutes where they congregated in a group outside the main doors but there was no confrontation obvious. They were just milling around and talking. At no time was there any sign of a 'take over' by them as was reported. I was unaware of any problems whatsoever.</p> <p>I certainly would have been aware had that been the case. Please feel free to contact me should you require any further information.”</p>

Bay of Plenty DHB supports the open disclosure of information to assist the public understanding of how we are delivering publicly funded healthcare. This includes the proactive publication of anonymised Official Information Act responses on our website. Please note this response may be published on our website.

You have the right to request the Ombudsman investigate and review the decision to withhold information. The Ombudsman’s postal address is:

The Ombudsman
Office of the Ombudsmen
P O Box 10-152
WELLINGTON

Yours sincerely



DEBBIE BROWN
Senior Advisor Governance and Quality