



**MINISTRY OF SOCIAL
DEVELOPMENT**

TE MANATŪ WHAKAHIATO ORA

12 MAR 2019



Dear 

On 13 February 2019, you emailed the Ministry requesting, under the Official Information Act 1982, the following information:

- *Could I please ascertain Work and Income's policies on - clients and the department itself recording conversations at meetings with clients. The media being used in a support role by a client.*

Everyone, including clients is bound by the Privacy Act 1993. The Ministry has procedures in place for clients who want to record interviews:

- Clients can only record the actual events of their own interview. This information can only be used in respect of their own personal circumstances.
- At no time may the wider service centre or others be filmed. This would be a breach of the Privacy Act.
- The interview should have a timed agenda structure.
- The member of service centre staff will have another member of staff or manager present at all times during the scheduled interview.
- Staff will immediately terminate the interview if threatening or abusive behaviour is used.
- Clients are reminded of their responsibilities under the Privacy Act. At no time can any of the material recorded be copied or transmitted to others. Sharing the material in any way will constitute a serious breach of the Act. Action will be taken against anyone who does so.

It is not standard practice for Ministry staff to undertake recordings of meetings involving clients. However there are two exceptions to this.

This first circumstance will be when Fraud Intervention Services staff may conduct a voice recorded interview of a client or witness for evidential purposes. In all cases the client is advised that the interview is being recorded, that they are not being detained and they are free to leave at any time, they do not have to answer any questions but anything they do say may be used in evidence. Clients are offered a CD copy of the recorded interview.

Access to voice recordings is limited to staff involved in an investigation and recordings or transcripts may be used in judicial proceedings.

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The second exception is when recordings of conversations between clients and staff are undertaken at the Call Centre. These types of recordings are used for training purposes to enable staff to learn how to manage different types of calls and to measure the quality of information provided by staff to clients.

You have also asked about the media being used in a support role by a client. A client may choose someone who works for a media outlet to be an agent and act on their behalf with Work and Income, though generally an agent will be a person the client knows well and can depend on for support. Further information regarding agents are available on the Work and Income website here: <https://www.workandincome.govt.nz/map/income-support/core-policy/agents/index.html>.

A client could also choose to waive their right to privacy and allow someone from the media to access their personal information. Protecting the personal information of New Zealanders is a high priority for the Ministry and a written waiver is required from the client before their information can be shared.

The principles and purposes of the Official Information Act 1982 under which you made your request are:

- to create greater openness and transparency about the plans, work and activities of the Government,
- to increase the ability of the public to participate in the making and administration of our laws and policies and
- to lead to greater accountability in the conduct of public affairs.

This Ministry fully supports those principles and purposes. The Ministry therefore intends to make the information contained in this letter and any attached documents available to the wider public shortly. The Ministry will do this by publishing this letter on the Ministry of Social Development's website. Your personal details will be deleted and the Ministry will not publish any information that would identify you as the person who requested the information.

If you wish to discuss this response with us, please feel free to contact OIA_Requests@msd.govt.nz.

If you are not satisfied with this response, you have the right to seek an investigation and review by the Ombudsman. Information about how to make a complaint is available at www.ombudsman.parliament.nz or 0800 802 602.

Yours sincerely



Cassandra Wise
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