



Dear

On 15 April 2021, you wrote to the Office of Hon Carmel Sepuloni, Minister for Social Development, requesting, under the Official Information Act 1982 (the Act), the following information as Appendix F and G of your correspondence:

Appendix F to Ministry staff member Jay Van Uffelen

1. *Is English your first language?*
2. *Is Afrikaans your first language?*
3. *Were you born in South Africa?*
4. *List all countries, in alphabetical order, who received your letter of application for overseas pensions?*
5. *Apply the number of people to each country you stated in question 4?*
6. *Now highlight the people you approached before the Security Act 2018 came into force?*
7. *Are you getting a bonus payment in any shape or form?*
8. *Are you getting commission in any shape or form?*
9. *Have you ever worked for the private sector?*
10. *How long are you working for Work and Income?*
11. *Who is your direct superior?*
12. *Give postal address of your direct superior?*
13. *What internal courses have you done to enhance your position and knowledge?*
14. *How many courses have you done in the last five years?*

Appendix G to the Ministry's Chief Executive Debbie Power

1. *On which international share market does the Ministry of Social Development trade and is registered?*
2. *Give the share value of the last 3 years in monthly steps?*
3. *How many security guards are employed in all branches of Work and Income?*
4. *What is the yearly cost of that protection nationwide?*
5. *Since the shooting in Ashburton and you got security protection guards state any policy to reduce the cost of those guards which are from taxpayer money and could be used for infrastructure?*
6. *Are you aware that there is a conflict of interest between a public servant and company director?*
7. *In your words describe why I am part of the company as I never signed any papers regarding the company when trading?*
8. *Name courses you established since become Chief Executive that shows your staff have any knowledge of Social Development.*
9. *Name courses for staff which are based on knowledge of the law?*
10. *What training staff receive of dealing with the public?*
11. *What criteria is employed to train staff who have no knowledge of public law and social behaviour?*

12. *Explain in your CV the word 'Executive' Master in Public Administration from Victoria University?*
13. *How long was the Harvard Business School Leading Organisation Change and Renewal Programme which you mentioned in your CV?*
14. *In your own words explain the word income or revenue used by MSD?*
15. *If 13 differs from Appendix J, which is the definition used as accounting standard in IAS 18, explain why a accounting standard which is sign as an international standard by New Zealand is not used by MSD?*

As the matters raised are operational, that same day your request was transferred to the Ministry of Social Development (the Ministry) for response.

For clarity, I will respond to your questions in turn, addressing Appendix F first, then Appendix G.

Appendix F questions:

1. *Is English your first language?*
2. *Is Afrikaans your first language?*
3. *Were you born in South Africa?*

You have asked for details from the personal employment file held by the Ministry of a named individual. Under the Act, information must be made available unless there is good reason to withhold it. In this instance, the Ministry determined the privacy interests of the named individual to be significant and as such, these aspects of your request, and others, as outlined below, are refused under section 9(2)(a) of the Act. This in order to protect the privacy of natural persons. The need to protect the privacy of these individuals outweighs the public interest in making this information available.

4. *List all countries, in alphabetical order, who received your letter of application for overseas pensions?*
5. *Apply the number of people to each country you stated in question 4?*
6. *Now highlight the people you approached before the Security Act 2018 came into force.*

In order to provide you with this information, Ministry staff would need to manually assess every file of New Zealand Superannuant recipients for those who have resided overseas, as this information is held in the individual notes of client's files. As such I refuse these aspects of your request under section 18(f) of the Act. The greater public interest is in the effective and efficient administration of the public service.

I have considered whether the Ministry would be able to respond to your request given extra time, or the ability to charge for the information requested. I have concluded that, in either case, the Ministry's ability to undertake its work would still be prejudiced.

7. *Are you getting a bonus payment in any shape or form?*

The Ministry does not pay bonuses to staff or provide staff with additional leave in recognition of performance. Leave entitlements are determined by a staff member's employment agreement and their length of service.

There are no criteria for performance payments and, therefore, no change to the policy since October 2017.

In 2008/09, staff were eligible for and received performance payments. From 2009/10 to 2015/16 only a small number of staff remained on legacy employment agreements and were still eligible to be considered for performance payments. In 2015/16 one staff member received a performance payment. The amount of the payment is not disclosed for privacy reasons.

As such, this aspect of your request is refused under 18(e) of the Act on the basis that the information requested does not exist.

8. Are you getting commission in any shape or form?

Ministry staff members do not receive commission for their work. As such, this aspect of your request is refused under section 18(e) of the Act on the basis that the information requested does not exist.

9. Have you ever worked for the private sector?

10. How long are you working for Work and Income?

These aspects are refused under section 9(2)(a) of the Act, in order to protect the privacy of natural persons. The need to protect the privacy of these individuals outweighs the public interest in making this information available.

11. Who is your direct superior?

12. Give postal address of your direct superior?

The Ministry staff member you have requested information on directly reports to Jason Dwen, General Manager, Centralised Services. The Ministry's postal address, which is used for staff, is PO Box 1556, Wellington 6140.

13. What internal courses have you done to enhance your position and knowledge?

14. How many courses have you done in the last five years?

These aspects are refused under section 9(2)(a) of the Act, in order to protect the privacy of natural persons. The need to protect the privacy of these individuals outweighs the public interest in making this information available.

Generally speaking, the Ministry is committed to building staff capability. The approach to learning and development is based on a range of formal and informal development opportunities and experiences supported by in-house training programmes, relevant external training or study related to the job, stretch opportunities, on-the-job training, online learning, in-house coaching and mentoring, and secondments.

The Ministry has committed to the Aotearoa New Zealand Skills Pledge which is a private and public sector initiative sponsored by the Prime Minister's Business Advisory Council. Our commitment is to improve access to learning and increase achievement across MSD. We are committed to doubling the number of on-the-job training and reskilling hours we provide by 2025.

Staff may also attend a range of external training or study programmes related to their job where specialist programmes are not available or cost-efficient to run in-house, as agreed with their managers as part of the staff performance agreement and development plan. COVID-19 affected how we delivered training. We moved to mostly

online/virtual training where we could, and a lot of training was initially deferred including the Ministry's qualifications programmes.

Appendix G questions:

1. *On which international share market does the Ministry of Social Development trade and is registered?*
2. *Give the share value of the last 3 years in monthly steps?*

The Ministry is a public service agency, not a company. The public sector consists of a number of different organisational forms. These forms vary in the extent to which they are at an arm's-length from Ministers, how they are governed, and the expectations that apply. The public service is guided by the Public Service Act 2020, which is available on the Public Service Commission's website at the following link: www.legislation.govt.nz/act/public/2020/0040/latest/LMS106159.html

As a public service agency, the Ministry does not trade or operate within the international share market. As such, these aspects of your request are refused under section 18(e) of the Act, on the basis that the information you have requested does not exist.

3. *How many security guards are employed in all branches of Work and Income?*

The Ministry deploys 402 security guards (Tautiaki) every Monday to Friday at our sites. This number may fluctuate slightly day to day due to operational requirements.

4. *What is the yearly cost of that protection nationwide?*

This aspect of your request is refused under section 9(2)(b)(ii) of the Act as, if released, it would be likely to prejudice the commercial position of the person who supplied or who is the subject of the information. The greater public interest is in ensuring that the commercial position can be maintained.

5. *Since the shooting in Ashburton and you got security protection guards state any policy to reduce the cost of those guards which are from taxpayer money and could be used for infrastructure?*

There is currently no policy in place to review the number of security guards, however, the Ministry constantly monitors and looks to improve its policies and processes.

6. *Are you aware that there is a conflict of interest between a public servant and company director?*
7. *In your words describe why I am part of the company as I never signed any papers regarding the company when trading?*

As mentioned above, the Ministry is a public service agency, not a company, of which the operations are guided by the Public Service Act 2020. In regard to conflicts of interest, Government organisations are required to have in place effective conflict of interest policies and processes that support robust and timely decision-making and foster public confidence in their integrity, the integrity of officials and public decision making.

8. *Name courses you established since become Chief Executive that shows your staff have any knowledge of Social Development.*
9. *Name courses for staff which are based on knowledge of the law?*
10. *What training staff receive of dealing with the public?*
11. *What criteria is employed to train staff who have no knowledge of public law and social behaviour?*

We provide induction and ongoing training and development for our client service staff, which includes training on our products, processes and underlying legislation. Our development for staff has an emphasis on providing coaching and 'in the work learning' to support our staff in the mahi they do with clients, which helps ensure our staff can continue to build their technical knowledge as it relates to the needs of our clients, thus providing the correct information and assistance.

The length, duration and focus of the learning for our client service staff will vary depending on the learning style and needs of the individual, together with the complexity of the work our staff may be involved in. Our staff also have access to a team of subject-matter experts who are available to answer questions related to legislation, policy and processes, ensuring the help and assistance we provide clients is correct and meets their needs.

To compile all the training material provided to Ministry staff, which is made up on online module, induction training and in person courses, would require substantial manual collation. As such, your request for courses and training is refused under section 18(f) of the Act, as the greater public interest is in the effective and efficient administration of the public service.

I have considered whether the Ministry would be able to respond to your request given extra time, or the ability to charge for the information requested. I have concluded that, in either case, the Ministry's ability to undertake its work would still be prejudiced

12. *Explain in your CV the word 'Executive' Master in Public Administration from Victoria University?*
13. *How long was the Harvard Business School Leading Organisation Change and Renewal Programme which you mentioned in your CV?*

Information regarding the Executive Master in Public Administration, including definitions of the course, can be found the Victoria University of Wellington's website here: www.wgtn.ac.nz/sog/about/anzsog. As such, this aspect of your request is refused under 18(d) on the basis that the information is already publicly available.

According to the Harvard University website, the Harvard Business School Leading Organisation Change and Renewal Programme is one week long. Information about this course can be found online here: www.online-learning.harvard.edu/course/leading-change-and-organizational-renewal%E2%80%94virtual?delta=0

14. In your own words explain the word income or revenue used by MSD?
15. If 13 differs from Appendix J, which is the definition used as accounting standard in IAS 18, explain why a accounting standard which is sign as an international standard by New Zealand is not used by MSD?

The definition of income sits within the Social Security Act 2018 (Schedule 3) and captures most of the resources that a person has available to support themselves. The definition of income can be split into three parts:

- Common forms of income such as salaries, wages and bonuses
- Financial arrangements in trusts, self-employment and other business structures
- Income that has been exempted, such as veterans' pension, superannuation and other payments made by Inland Revenue, Accident Compensation and Oranga Tamariki – Ministry for Children.

This definition of income aligns with the purposes of the Social Security Act that is, to ensure government support is targeted to those with the greatest need, taking into account that they have exhausted all the resources available to them. The definition is seen to be fit-for-purpose and has remained fairly consistent since the introduction of the Social Security Act in 1938 and across successive Governments.

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 available to the wider public. 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 to your request regarding your New Zealand Superannuation, 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.

Ngā mihi nui

PP


Bridget Saunders
**Manager, Issue Resolution
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