



Tēnā koe

On 16 August 2021, you emailed the Ministry of Social Development (the Ministry) requesting, under the Official Information Act 1982 (the Act), information regarding benefit sanctions.

On 13 September 2021, the Ministry advised you that more time was required to respond to your request in accordance with section 15(1) and 15A of the Act, and that the Ministry's decision will be with you no later than 5 October 2021.

On 5 October 2021, the Ministry advised that a decision to grant your request in part had been made, and that the information would be sent to you by 23 November 2021. The Ministry also advised that question five of your request is refused in full.

A client in receipt of a main benefit must meet certain on-going obligations to continue to be entitled to that benefit or payment. Obligations relating to each of the main benefit types can be found here:

[www.workandincome.govt.nz/on-a-benefit/obligations/index.html](http://www.workandincome.govt.nz/on-a-benefit/obligations/index.html).

When a client fails to meet one of their obligations (e.g. missing an appointment or failing to attend a training course), they are notified by letter and given five working days to provide a "good and sufficient" reason for why the obligation failure has occurred. If a sufficient reason is provided, then the obligation failure is overturned, and no sanction will be imposed. In most cases, a decision is made in the client's favour and the obligation failure is overturned. However, the obligation failure will be recorded on the client's file, whether a sanction was imposed or not.

Sanctions can affect benefit recipients in several ways depending on the client's circumstances and the number of times they have had a sanction imposed over the last 12 months. Not everyone who does not meet their benefit obligations will be sanctioned. For example, benefit protections exist for clients with children. Furthermore, a sanction can be withdrawn if a client later provides a legitimate reason as to why they could not meet their benefit obligation, and a large majority of clients will re-comply before their benefit is impacted.

You may be interested to know that, in response to the COVID-19 pandemic, a number of temporary processes were introduced to make things easier for clients. As part of this approach, between 23 March and 27 May 2020, no employment-related sanctions were initiated.

For the sake of clarity, your questions will be addressed in turn below:

1. *Total number of benefit sanctions handed out every year since 2010. Please include a yearly breakdown by benefit type.*
6. *A breakdown of the type (graduated, suspended or cancelled) of sanctions handed out every year since 2010. Please include a yearly breakdown by benefit type.*
7. *Please include a specific yearly breakdown between Jobseeker - Work Ready and Jobseeker - Health Condition and Disability since 2010. Please also include what type of sanctions are applied (graduated, suspended or cancelled).*

Please see the attached Excel Spreadsheet for the following Table:

- **Table One:** The number of sanctions actioned during the period 1 January 2010 to 30 June 2021, broken down by benefit type and sanction type.
2. *Total number of benefit recipients who have been given sanctions every year since 2010. Please include a yearly breakdown by benefit type.*

Please see the attached Excel Spreadsheet for the following Table:

- **Table Two:** The distinct number of clients who were sanctioned during the period 1 January 2010 to 30 June 2021, broken down by year ending and benefit type.
3. *Total number of benefit recipients who have been given multiple sanctions every year since 2010. Please include a yearly breakdown by benefit type and number of sanctions.*

Please see the attached Excel Spreadsheet for the following Table:

- **Table Three:** The number of clients who received multiple sanctions during the period 1 January 2010 to 30 June 2021, broken down by year ending and benefit types.
4. *Total number of benefit recipients who are found not meeting their benefit commitments since 2010. Please include a yearly breakdown by benefit type.*

Please see the attached Excel Spreadsheet for the following Table:

- **Table Four:** The number of distinct clients with a work obligation failure for the period 1 January 2012 to 30 June 2021, broken down by benefit type.

Please note that the Ministry are only able to provide you with information from 2012 onwards. We are unable to provide you with information for the years 2010 and 2011 because the information was not held centrally at the time, and was instead held on individual case files. Therefore, to provide you with the information for the period 2010 to 2011, Ministry staff would have to manually review thousands of files. As such, I refuse 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.

5. *In dollar terms, how much in sanctions is applied every year since 2010. Please include a yearly breakdown by benefit type.*

We are unable to provide you with this information because, the information is held in notes on individual case files. Therefore, to provide you with the information, Ministry staff would have to manually review thousands of files. As such, I refuse 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.

8. *The number of people who have re-complied with their commitments after a first sanction since 2010. Please include a yearly breakdown by benefit type.*

9. *The number of people who have re-complied with their commitments after a second sanction since 2010. Please include a yearly breakdown by benefit type.*

10. *The number of people who have re-applied for a benefit after a third sanction since 2010. Please include a yearly breakdown by benefit type.*

11. *The number of people who have successfully re-applied for a benefit after a third sanction since 2010. Please include a yearly breakdown by benefit type.*

We are unable to provide you with this information because, in each instance, the information is held in notes on individual case files. Therefore, to provide you with the information, Ministry staff would have to manually review thousands of files. As such, I refuse 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.

12. *The length of time a sanction applies to a person's case file*

The length of time a sanction applies to a client depends on the client's individual circumstances. As previously stated, sanctions can affect benefit recipients in several ways depending on the client's situation and the number of times they have had a sanction imposed over the last 12 months. Not everyone who does not meet their benefit obligations will be sanctioned. For example, benefit protections exist for clients with children. Furthermore, a sanction can be withdrawn if a client later provides a legitimate reason as to why they could not meet their benefit obligation, and a large majority of clients will re-comply before their benefit is impacted.

The principles and purposes of the Act 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
- 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. 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](mailto:OIA_Requests@msd.govt.nz).

If you are not satisfied with this response regarding benefit sanctions, 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](http://www.ombudsman.parliament.nz) or 0800 802 602.

Yours sincerely

*Bridget Saunders*

Bridget Saunders  
**Manager, Issue Resolution  
Service Delivery**