



4 July 2023

Tēnā koe

On 1 June 2023, you emailed the Ministry of Social Development (the Ministry) requesting, under the Official Information Act 1982 (the Act), the following information:

- *Could you please provide a breakdown of the time it has taken MSD to respond to counteroffers made by _____ between 2019 and today?*
- *My request includes counteroffers we are still waiting to receive responses for. I would also appreciate if you could indicate the average amount of time taken to respond, though I appreciate that may be difficult given the number we are still waiting for a response for.*

In the period 27 November 2019 to 31 May 2023, the average time between receipt of a counteroffer and a substantive reply from the Ministry is 1.8 years or 668 days (rounded up to a whole day).

We acknowledge that this timeframe is long, but the Historic Claims team has needed to carefully balance the carrying out of assessments for claimants who have yet to receive an offer with those who have received offers and are now seeking a review. Alongside this, as you will be aware, the Historic Claims team have a large backlog of claims and at times our review queue has been long.

Finally, reviews can vary greatly in the time taken to complete these given the complexity and nature of the review request.

Since the beginning of this period, we have seen a reduction in average response times and we anticipate being able to reduce the average time further with the introduction of rapid payments.

I have also provided a brief explanation below of the different limitations attached to this data.

The Ministry has provided data for claimants represented by [redacted] at the time that a counteroffer was sent to the Ministry. When calculating the average time taken, the Ministry used the date of the counteroffer letter that is recorded in the claimant's file and the date of the Ministry's response letter that is recorded in the Historic Claims Application database (HCA).

I have provided an average from 27 November 2019, as this is the implementation date of the HCA. The Ministry migrated recent relevant operational data that was needed to support ongoing work. The data from some more historical claims was not fully migrated into the database.

Information prior to the implementation of the HCA, and information about counteroffers that the Ministry has not yet responded to, is held in notes on individual case files. In order to provide you with this information, Ministry staff would have to manually review a substantial number 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.

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. The Ministry will do this by publishing this letter on the Ministry'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 regarding the average time between receipt of a counteroffer and the Ministry's substantive reply, 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



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Historic Claims