Appendix 2

Safeguards for the Ministry of Social Development's use of Automated Decision-Making

11 The Ministry of Social Development (MSD) takes appropriate measures to support the safe use of Automated Decision-Making (ADM) by to protect the rights and interests of MSD's clients. As the use ADM has expanded, MSD continues to review appropriate ADM safeguards, in consultation with relevant oversight bodies.

12 Section 363(5) requires MSD to have an approved standard for MSD's use of ADM in force at all times. The Standard is designed to help mitigate risks already seen internationally when ADM is poorly implemented. The Standard safeguards are:

Area	**Safeguards**
Approval of the Standard	The Standard, and any changes to it, are approved by MSD's Leadership Team. MSD must consult with the Privacy Commissioner on the Standard as part of the approval process.
Review of the Standard	The Standard must be reviewed at least once every three years.
Publication requirements	The Standard must be published in the Gazette and on MSD's website.
Relation to legislation	Primary legislation requires MSD to have a Standard and to ensure that MSD's use of ADM in respect of child support payments is consistent with the Standard.

13 There are additional safeguards embedded in the Act that enable the effective and appropriate use of ADM:

Area	**Safeguards**
Reliability requirements	MSD may approve the use of ADM only if it is satisfied that the system is under the department's control, and that the system has the capacity to make the decision with reasonable reliability. Meeting the reliability requirement necessarily involves assurance and testing for accuracy.
Human alternative available	One or more persons must always be available as an alternative to automated electronic systems to make the decision.
Substitution of automated decision	MSD staff may substitute an automated decision with a new decision under the same provision if it is more favourable to the affected person.
Review rights remain unaffected	Clients' rights of review or appeal against an automated decision continue as they would have if the decision were made by a person.