



Tēnā koe

On 9 July 2021, you emailed the Ministry of Social Development (the Ministry) requesting, under the Official Information Act 1982 (the Act), the following information:

- *I request all reports, briefings, and other documents provided to MSD related to the implementation of recommendations by the Welfare Expert Advisory Group, since October 2021*

On 12 July 2021 and 16 July 2021, the Ministry contacted you to refine your request to the following information:

- *I request all official reports and briefings provided by the Ministry to the Minister of Social Development related to the implementation of recommendations by the Welfare Expert Advisory Group, since October 2020.*
  - *Specifically relating to recommendations: 1 & 2, relating to the purpose and principles of the welfare system (this is to include kaupapa Māori values)*
  - *10, relating to a mutual expectation framework*
  - *11, relating to sanctions and obligations*
  - *14 & 15, relating to debt*
  - *18, relating to support for people exiting prison*
- *For recommendation 26, this also only includes official reports and briefings provided by the Ministry to the Minister of Social Development.*

On 11 August 2021, your request was extended due to the consultations necessary to make a decision on your request.

In response to your request, please find the following 17 documents identified as in scope of your request attached to this response:

- Document 1: REP/21/5/511 - Report - *Update on the review of the purposes and principles of the Social Security Act 2018*, dated 10 June 2021

- Document 2: REP/21/3/296 – Report - *Welfare Overhaul: Confirming the scope for the review of work obligations and sanctions*, dated 6 May 2021

Please note that you were provided with a copy of the above report (document 2) by the Ministry on 19 July 2021. Therefore, this has not been attached in this response.

- Document 3: REP/21/5/528 – Report - *Welfare Overhaul: Update on the review of the warrant to arrest sanction*, dated 17 June 2021

Please note that you were provided with a copy of the above report (document 3) by the Ministry on 5 August 2021. Therefore, this has not been attached in this response.

- Document 4: REP/20/12/1184 - Report - *Legislation Programme 2021 – Overview of bids*, dated 11 December 2020

Under section 16(1)(e) of the Act, the above document has been provided by a summary of the contents below:

A report with an overview of bids for the 2021 Legislation Programme was provided to the Minister for Social Development and Employment on 11 December 2020. This included advice on the removal of the subsequent child policy. This content is provided below, with headings for context. Some content of this report is withheld under section 9(2)(f)(iv) of the Act as it is under active consideration. This is highlighted by [s9(2)(f)(iv)].

The following text was included in the recommendations of the report:

**note** that in July 2020, the Cabinet Social Wellbeing Committee agreed to the removal of the subsequent child policy, to be given effect from November 2021, and noted that you would report to the Cabinet Legislation Committee in due course with a Bill to amend the Social Security Act 2018 (SWC-20-MIN-0101)

**note** that we are not aware of any other legislative vehicle that would align with the timeframes required for implementing the removal of the subsequent child policy

[s9(2)(f)(iv)]

The following text was included under the main heading 'New Bills for 2021', and sub-heading 'Social Security (Subsequent Child) Amendment Bill':

The Social Security (Subsequent Child) Amendment Bill has a proposed legislative priority category of two (must be passed in 2021). This Bill will amend the Social Security Act 2018 to remove the subsequent child policy, as a welfare overhaul initiative to provide better support for parents.

In July 2020, the Cabinet Social Wellbeing Committee (SWC) agreed to the removal of the subsequent child policy, to be given effect from November 2021

[SWC-20-MIN-0101]. SWC noted you would report to the Cabinet Legislation Committee in due course with a Bill to amend the Social Security Act 2018.

[s9(2)(f)(iv)]

We are not currently aware of any other legislative vehicles that would align with the timeframes required for the removal of the subsequent child policy to be given effect from November 2021.

We therefore recommend that the Bill is resubmitted as a stand-alone Social Security (Subsequent Child) Amendment Bill for your 2021 Legislation Programme, in order to progress this implementation date of November 2021. An indicative timeline for this implementation date could include reporting to the Cabinet Legislation Committee with the Social Security (Subsequent Child) Amendment Bill in March 2021. This could require a truncated select committee process and we will provide you with further advice on this.

[s9(2)(f)(iv)]

- Document 5: REP/21/2/059 – Report - *Legislative amendments required for the removal of the subsequent child policy*, 10 February 2021
- Document 6: REP/21/1/002 – Report - *Legislation Programme 2021 – Final Bids*, dated 21 January 2021
- Document 7: REP/21/3/174 - Report - Final Cabinet paper - *Social Security (Subsequent Child Policy Removal) Amendment Bill: Approval for Introduction*, dated 10 March 2021

Please note for Report REP/21/3/174 (document 7), the following publicly available information is to be read in conjunction with this document:

Cabinet paper - <https://www.msd.govt.nz/about-msd-and-our-work/publications-resources/information-releases/cabinet-papers/2021/social-security-subsequent-child-policy-removal-amendment-bill.html>.

Bill - [https://www.parliament.nz/en/pb/bills-and-laws/bills-proposed-laws/document/BILL\\_109567/social-security-subsequent-child-policy-removal-amendment](https://www.parliament.nz/en/pb/bills-and-laws/bills-proposed-laws/document/BILL_109567/social-security-subsequent-child-policy-removal-amendment).

Departmental Disclosure statement - <http://disclosure.legislation.govt.nz/bill/government/2021/18/>.

- Document 8: REP/21/3/245 - Aide-mémoire - Cabinet Legislation Committee paper – *Social Security (Subsequent Child Policy Removal) Amendment Bill: Approval for Introduction*, dated 15 March 2021

- Document 9: REP/21/5/470 - Report - *Reinstating the Training Incentive Allowance - Further policy decisions*, dated 10 May 2021

Under section 16(1)(e) of the Act, the above document (document 9) has been provided by a summary of the contents below:

On 10 May 2021, the Ministry provided the Minister for Social Development and Employment with a report about the Training Incentive Allowance, which included some advice relating to the subsequent child policy. This content is provided below, with headings for context

The following text was included in the recommendations of the report:

**note** that the removal of the subsequent child policy later this year may impact study options for a small group of clients and we will discuss study options with affected clients closer to the time the Social Security (Subsequent Child Policy Removal) Amendment Bill is to be given effect.

The following text was included under the heading 'Sole parents receiving JS with younger children':

You have agreed to expand access to sole parents receiving JS with a youngest dependent child 14 years or older, from 1 July 2021 (REP/20/11/1133 refers). The policy intent of this change was to treat sole parents across the benefit system as a cohort.

In line with this, additional analysis suggests that there are a group of sole parents receiving JS with dependent children under the age of 14 years who were inadvertently omitted when we were developing the proposal, but also face barriers to employment.

Due to this, we recommend clarifying that all sole parents receiving JS will become eligible for the TIA from 1 July 2021. Extending eligibility criteria to include all sole parents on JS would simplify the messaging. If you agree, we will also ensure budget communication material is updated to reflect this decision.

We anticipate that this change can be accommodated within current funding approved for the initiative. This is because many clients receiving JS with younger children have a 'subsequent child' and the removal of this policy from November 2021 will mean they are likely to transition from JS to SPS and will be able to study full time on the latter benefit. This transition has been accounted for in the costings.

We estimate there are currently approximately 200-300 sole parent clients with younger children who are receiving JS for other reasons and would choose to

take up the TIA if eligible. We estimate that these sole parents can be accommodated within current funding.

The following text was included under the heading 'The removal of the subsequent child policy later this year may impact study options for some clients':

We have identified approximately 4,500 clients who may become eligible to transfer to Sole Parent Support from Jobseeker Support when the subsequent child policy is removed later this year, subject to the enactment of the Social Security (Subsequent Child Policy Removal) Amendment Bill.

Some clients within this cohort may be interested in studying through the TIA full-time, but would be unable to do so until the removal of the subsequent child policy. This is because benefit settings for SPS allow for full-time study, but settings for JS do not. However, we anticipate the majority of this cohort would be comfortable with either studying part-time from 1 July and then transitioning to full-time study later in the year (following the removal of the subsequent child policy), or waiting until later in the year to study full-time.

We will communicate the benefit of these changes to affected clients closer to the time the Social Security (Subsequent Child Policy Removal) Amendment Bill is to be given effect.

- Document 10: REP/21/6/548 - Report - *Initial Briefing: Social Security (Subsequent Child Policy Removal) Amendment Bill*, dated 28 May 2021

The above report (document 10) is refused under section 18(d) of the Act, on the basis that it is already publicly available and can be accessed at the following link:

[https://www.parliament.nz/resource/en-NZ/53SCSS\\_ADV\\_109567\\_SS1741/6e79604fb909bffd31960b731d4ec3c727050015](https://www.parliament.nz/resource/en-NZ/53SCSS_ADV_109567_SS1741/6e79604fb909bffd31960b731d4ec3c727050015).

- Document 11: Report - *Final Departmental Report: Social Security (Subsequent Child Policy Removal) Amendment Bill*, dated 25 June 2021

The above report (document 11) is refused under section 18(d) of the Act, on the basis that it is already publicly available and can be accessed at the following link:

[https://www.parliament.nz/resource/en-NZ/53SCSS\\_ADV\\_109567\\_SS1855/f8117f13a3108cf78f0c4d06d3035b563a1578b3](https://www.parliament.nz/resource/en-NZ/53SCSS_ADV_109567_SS1855/f8117f13a3108cf78f0c4d06d3035b563a1578b3).

- Document 12: REP/21/4/350 - Report - *Welfare Overhaul: Review of Social Obligations*, dated 30 April 2021
- Document 13: REP/21/6/613 - Report - *Welfare Overhaul: Pre-employment drug test obligation and sanctions*, dated 16 June 2021

- Document 14: REP/21/3/232 - Briefing - *Addressing debt to government - update 11 March 2021*

The above report REP/21/3/232 (DPMC-2020/21-604) (document 14) was provided to by the Department of the Prime Minister and Cabinet on 27 July 2021. Therefore, this has not been attached in this response.

- Document 15: REP/20/12/1223 - Report - *Summary: Inaugural Ngā Mātanga Māori Hui*, dated 9 December 2020
- Document 16: *Ngā Mātanga Māori second hui update for the SDEU*, dated 11 March 2021

Please note that the Ministry received *Ngā Mātanga Māori's finalised advice in early October 2021*.

One report and title are withheld in full under section 9(2)(f)(iv) of the Act as this is under active consideration. The release of this information is likely to prejudice the ability of government to consider advice and the wider public interest of effective government would not be served.

You will note that some information has been deemed to be 'out of scope' of your request, as this information relates to Ministry staff names and contact details who are below tier 4 and/or who are not decision-makers.

Some of the names of some individuals are withheld 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 any public interest in this information.

You will note that the title and contents of one report have been withheld in full under section 9(2)(f)(iv) of the Act as this is under active consideration. The release of this information is likely to prejudice the ability of government to consider advice and the wider public interest of effective government would not be served.

Furthermore, you will note that some information is withheld under section 9(2)(g)(i) of the Act, to protect the effective conduct of public affairs through the free and frank expression of opinions.

You will also note that some information is withheld under section 9(2)(g)(ii) of the Act, to maintain the effective conduct of public affairs through the protection of such Ministers, members of organisations, officers, and employees from improper pressure or harassment.

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 and attachments on our 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 the official reports and briefings regarding the Welfare Expert Advisory Group, 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.

Ngā mihi nui

A handwritten signature in blue ink that reads "Christian Opetaiia". The signature is written in a cursive, flowing style.

Christian Opetaiia  
**Policy Manager**  
**Welfare System and Income Support Policy**