

**MINISTRY OF SOCIAL
DEVELOPMENT**

TE MANATŪ WHAKAHIATO ORA

Tēnā koe

On 7 April 2022, the Ministry of Social Development (the Ministry) received your letter requesting, under the Official Information Act 1982 (the Act), the following information:

- 1. Policy, reviews, and reports on how MSD acts to achieve the Disability Convention.*
- 2. Policy, reviews, and reports on how MSD acts to prevent harm to service users, in the way it considers information and makes decisions on benefits.*
- 3. Policy for WINZ staff on standards of making good, balanced and fair decisions.*
- 4. Policies showing a duty to prevent harm by WINZ staff, including to protect the best interest of service recipients: and to generally 'do no harm'.*
- 5. Staff Code of Conduct for WINZ/MSD staff.*
- 6. Office of Disability Issues information on how MSD/government agencies should treat disabled persons and to act in order to protect their best interests and achieve Disability Convention duties. Any and all relevant information from the Office of Disability Issues.*
- 7. Principles required of MSD staff in making housing (social housing, emergency accommodation) decisions to ensure that those entitled do have their disability related housing needs met, meaning housing that adequately or reasonably meets disability need.*
- 8. Information supporting that the needs of vulnerable and disabled persons should have their needs considered as a priority when there is a reasonable risk of harm if a decision is not made fairly in a short period of time.*
- 9. Copy of Social Security Act (or whatever the name of the Act is now called) that regulates the operation of WINZ and social benefits (as at 2019).*

10. Copy of all internal WINZ policies and guidelines as published on WINZ/MSD intranet and websites - for the processing of benefits.

Please find responses to each aspect of your request below.

1. Policy, reviews, and reports on how MSD acts to achieve the Disability Convention.

The Ministry leads a number of programmes of work in the Disability Action Plan (DAP) (2019-2023). The DAP is the specific programme that has been identified to progress the New Zealand Disability Strategy (NZDS) (2016-2026) which in turn is the Government Strategy to give effect to progressive realisation of the United Nations Convention on the Rights of Persons with Disabilities (UNCRPD) in New Zealand.

The DAP, and reporting against the Plan, can be found on the Office for Disability Issues (ODI) website: www.odi.govt.nz. The programmes in the DAP led by the Ministry are listed below.

While there are specific programmes led by the Ministry to progress the UNCRPD, the UNCRPD and the NZDS expect that the Convention and the NZDS are embedded in the business-as-usual activities of the Ministry and other Government agencies.

Ministry led programmes in the DAP 2019-2023 are:

Employment and economic security

- Disability Employment Action Plan.
- Employment of disabled people in the public sector.
- National Information Hub and Regional Networks.
- Replacement of Minimum Wage Exemption (also led by the Ministry of Business, Innovation and Employment).

Accessibility

- Accelerate Accessibility (including the role of accessibility legislation).
- Accessibility of Public Information.

Choice and control

- Develop guidance on the effective use of supported decision-making.

The government agencies contributing to the DAP (including MSD) report every six months on their progress. ODI provides a summary, once confirmed by the Disabled People's Organisations Coalition, to the Minister for Disability Issues. The latest summary reports are made public through publication on the ODI website www.odi.govt.nz/disability-action-plan-2/dap-biannual-reports. Further reports from 2021 will be uploaded once they have been completed.

In addition, the Ministry regularly briefs the Minister through Disability Issues Updates. Occasionally, these updates refer to the UNCRPD. However, no update sent this year refers to the UNCRPD. Please contact the Ministry, should you be interested in this type of documentation from previous years.

2. *Policy, reviews, and reports on how MSD acts to prevent harm to service users, in the way it considers information and makes decisions on benefits*
3. *Policy for WINZ staff on standards of making good, balanced and fair decisions*
4. *Policies showing a duty to prevent harm by WINZ staff, including to protect the best interest of service recipients: and to generally 'do no harm'.*

The scope of the three above questions is very broad. The Ministry does not have general policy, reviews or reports that specifically deal with the subject of how to 'prevent harm to service users', 'consider information', 'make good, balanced and fair decisions', and 'protect the best interest of service recipients'. Ministry staff members are obligated to apply legislation, policies, regulations, and the Code of Conduct, which ideally results in correct and fair decisions in all applications for assistance. The Ministry has a commitment to treating clients fairly and respectfully during all stages of a client's interaction with the Ministry. The below items describe clients' rights and Ministry staff members' duties during different stages of the process of applying for assistance from the Ministry.

Code of Conduct

In their interactions with clients, staff members are expected to observe the Code of Conduct, which requires them to treat others fairly, be responsible, avoid conflicts of interest, behave politically neutral, and keep information confidential. You are provided with a copy of the Code of Conduct under your fifth question.

Duty to assess applications

Once a client seeks assistance from the Ministry, staff members are required to assess the application and discuss with the client whether additional information is required. Making a fair decision includes that staff members must aid clients to receive all types of assistance they are eligible to. For example, if a client applies for Jobseeker Support, and it is established that the client has accommodation costs, the staff member must advise the client that they may be entitled to the Accommodation Supplement. More information on the Ministry's duty to assess applications can be found here:

www.workandincome.govt.nz/map/income-support/core-policy/requests-for-financial-assistance/application-for-benefit/investigating-applications-01.html.

Income/asset testing

Many types of assistance are subject to some form of income and asset testing. This is to ensure that on the one hand, clients with low or no income or assets are being treated fairly and receive the assistance they are entitled to, and on the other hand, the welfare system remains efficient and sustainable. Staff members who perform an income or asset test must apply the Ministry's policies in regard to what can be considered as income and what assets are relevant. This ensures that the client has enough income and assets to make a living. More information is available here:

- Asset test:
www.workandincome.govt.nz/map/income-support/extra-help/vehicle-modification-funding/cash-assets-01.html.

- Income test (specific to Disability Allowance):
www.workandincome.govt.nz/map/income-support/extra-help/disability-allowance/income-test-01.html.

Discretion

In many cases, staff members are granted discretion by relevant legislation, policies, or regulations in the process of making a decision about an application for assistance. For example, with regard to assistance to people with disabilities, the Ministerial Direction – Disability Allowance states in Clause 7 that the decision to grant a Disability Allowance is subject to discretion.

The Ministry advises staff members how they must make use of discretion to ensure that decisions are fair and in line with the spirit of relevant legislation and policies:

www.workandincome.govt.nz/map/definitions/discretion.html.

This advice includes that discretion involves:

- a good knowledge and understanding of the authority for the discretion, including the purpose and intent of the authority, and the actual wording of the provision and how that wording limits the extent of the discretion available to the decision maker;
- identification of what information is needed, and why, including what information or advice is relevant, in order to exercise the discretion;
- examination of the relevant information and then weighing up the importance, relevance and validity of that information in order to make a decision;
- not taking into account any irrelevant considerations.

Errors or omissions on the part of the Ministry

In cases where an error or omission on the part of the Ministry contributed to a client not making or completing an application for assistance, to treat the client fairly, the Ministry can backdate the decision to grant assistance. More information is available here: www.workandincome.govt.nz/map/income-support/core-policy/requests-for-financial-assistance/re-assessing-previous-applications/error-or-omission-on-the-part-of-the-ministry.html.

Should a client have received less assistance than they were entitled to, the Ministry must, once the error has been detected, retrospectively provide the assistance the client was entitled to.

Should an error wholly or partly been caused by the Ministry and should this have resulted in debt of the client, to treat clients fairly, the Ministry can decide to write off the debt: www.workandincome.govt.nz/map/income-support/core-policy/current-client-debt/debt-is-the-result-of-an-error-provisional-write-off-01.html.

Review of Decision

Clients who believe they have been denied assistance that they are entitled to have the right to lodge a review of decision. A detailed description of the review

process is available here: www.workandincome.govt.nz/map/income-support/core-policy/reviews-and-appeals/reviews-and-appeals.html.

Alternatively, if clients are of the opinion that they have been treated unprofessionally by a staff member, they can complain to the Ministry about the conduct of the staff member.

5. Staff Code of Conduct for WINZ/MSD staff

The Ministry currently employs around 9,000 staff who provide income, employment and other support and services to more than one million New Zealanders each year. All Ministry staff, including managers, are required to read and sign the Code of Conduct, which sets out the Ministry's expectations of all staff to act in a way that is professional and respectful.

The MSD Code of Conduct (enclosed) outlines how we should interact with the people we work alongside and the people we work for, to help make sure we all:

- work with honesty, integrity and respect,
- provide the best possible service and advice to the Government, public, stakeholders and clients, and gain their trust and confidence in what we do, and
- do the best we can do and be the best we can be – every day.

6. Office of Disability Issues information on how MSD/government agencies should treat disabled persons and to act in order to protect their best interests and achieve Disability Convention duties. Any and all relevant information from the Office of Disability Issues.

The ODI website presents a vast amount of publicly available information, including reports, reviews, guidance, disability policy: www.odi.govt.nz/about-us/contact-us. Here are links to some of the key documents on the website.

- The NZDS referred to above sets out the Government the Outcomes it seeks for all New Zealanders www.odi.govt.nz/nz-disability-strategy.
- The DAP referred to above records the commitments made by government agencies through initiatives that contribute to gradual realization of the NZDS www.odi.govt.nz/disability-action-plan-2.
- Additional information and guidance is provided through tools, such as the Disability Toolkit for Policy www.odi.govt.nz/disability-toolkit.

7. Principles required of MSD staff in making housing (social housing, emergency accommodation) decisions to ensure that those entitled do have their disability related housing needs met, meaning housing that adequately or reasonably meets disability need

With regard to Public Housing, the Ministry is responsible for completing public housing assessments to determine if someone is eligible for public housing. More information about this assessment can be found here:

www.workandincome.govt.nz/map/social-housing/assessment-of-eligibility/index.html.

When completing a public housing needs assessment, one factor that is considered in the application is whether clients have disabilities and require a house with modifications to suit their needs. This ensures that clients are only matched with houses that are suitable to them. More information from the Ministry's intranet has been enclosed.

Emergency housing is a last resort option considered once the Ministry has worked with a person to determine if there is any other way to support their housing need. When Emergency Housing is required, the Ministry provides a grant to a client that enables them to choose the accommodation that best suits their needs. If the client asks for help in finding accommodation, the Ministry can assist them and contact a supplier on their behalf.

8. Information supporting that the needs of vulnerable and disabled persons should have their needs considered as a priority when there is a reasonable risk of harm if a decision is not made fairly in a short period of time

The Ministry is delivering a programme of work to ensure the public sector is accessible for everyone and inclusive of disabled people: www.msd.govt.nz/about-msd-and-our-work/work-programmes/accessibility/index.html.

Furthermore, work is being progressed on "supported decision making" to review the law relating to adult decision-making capacity. This work can be viewed here: www.lawcom.govt.nz/our-projects/he-arotake-i-te-ture-m%C5%8D-ng%C4%81-huarahi-whakatau-ng%C4%81-pakeke-review-adult-decision-making.

The Ministry holds no further information directly relevant to this request.

9. Copy of Social Security Act (or whatever the name of the Act is now called) that regulates the operation of WINZ and social benefits (as at 2019).

A copy of the Social Security Act 2018 is available online here: www.legislation.govt.nz/act/public/2018/0032/latest/whole.html.

10. Copy of all internal WINZ policies and guidelines as published on WINZ/MSD intranet and websites - for the processing of benefits.

The Ministry's manuals and procedures are available online on the Ministry's Policy platform (Map): www.workandincome.govt.nz/map/index.html

The purpose of Map is to provide policy guidelines to staff based on the legislation administered by the Ministry. These policy guidelines are the standards that operationalise legislation for staff to follow when assisting clients. Map is written to enable staff to make accurate and sound decisions, ensuring clients receive their full and correct entitlement.

Map includes a wide range of information from policy to benefit rates. Each section of information is provided as an online manual, which can be read like a book, or individually for a particular topic or specific piece of information. If you would like more information sent to you about a specific product or service delivered by the Ministry, please let us know.

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.

MSD fully supports those principles and purposes. MSD therefore intends to make the information contained in this letter and any attached documents available to the wider public. MSD will do this by publishing this letter on its website. Your personal details will be deleted and MSD 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 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.

Yours sincerely



Stephanie Short
Manager
Official and Parliamentary Information



**MINISTRY OF SOCIAL
DEVELOPMENT**
TE MANATŪ WHAKAHĪATO ORA

Code of Conduct

August 2021

Introduction

As public servants each of us has the opportunity to make a positive difference in the lives of New Zealanders through the work we do.

So we can do our work, the taxpayers of New Zealand entrust us with the stewardship of their money and they trust us to protect their personal information. These are big responsibilities. It is important that the way we conduct ourselves reflects the trust New Zealanders place in us.

That's why we have a Code of Conduct. This Code provides you with guidelines on how to go about your work and how to best serve the government of the day. It is important you are familiar with the Code and that you read it regularly. In fact, it is a requirement if you work here.

The Ministry of Social Development (MSD) has a responsibility to you to be a good employer. You have the right to be treated fairly in all aspects of your job.

In return, there are some things MSD expects from you. The Code of Conduct includes clear expectations about behaviour and conduct we cannot and will not tolerate, and the consequences of not meeting these expectations. The Code clearly outlines the consequences of staff fraud, and the deliberate release of information to third parties without proper authorisation.

The Code of Conduct is a guide for you. It won't cover every situation or requirement you experience in your role. If you are ever unsure about what to do, ask for help.

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About the Code of Conduct

The Code of Conduct tells you about the way we work. It outlines how we should deal with the people we work alongside and the people we work for, to help make sure we all:

- work with honesty, integrity and respect
- provide the best possible service and advice to the Government, public, stakeholders and clients, and gain their trust and confidence in what we do
- do the best we can do and be the best we can be – every day.

This Code doesn't cover every possible requirement or situation. It gives us a benchmark to work from and gives others a basis from which to judge the way we are working.

We have policies and procedures that give you more detail on the way we work. You should understand and act on the policies and procedures that apply in MSD. You can find these on our intranet (doogle). Meanwhile, read the Code and understand its contents.

Please note, if you don't meet these standards of conduct your behaviour may result in disciplinary action which could include termination of employment.

It is important you fully understand the Code. If you have questions about parts of the Code and how they apply to you in your role, or you are uncertain as to what some of the information means, ask your manager to explain.

Coverage

The Code applies to anyone who works for us, including:

- employees
- contractors
- consultants
- volunteers at MSD.

Whether you are a permanent staff member, are here temporarily or casually, or are a full-time or part-time worker, the Code applies to you.

The Code is part of your employment terms and conditions. It should be read alongside your employment agreement or contract, our policies and procedures, and the Public Service Standards of Integrity and Conduct.

Standards for Public Servants

The Public Service Commissioner has issued the Public Service Standards of Integrity and Conduct. This document sets out the minimum standards of behaviour expected of public servants and is issued under section 17 of the Public Service Act 2020.

The standards say we must be:

- fair
- impartial
- responsible
- trustworthy.

You can find them in more detail at <https://www.publicservice.govt.nz/resources/code>.

The following pages outline what these standards mean for us as part of MSD, and what policies and procedures help us to comply with them.

Zero tolerance

All public servants are expected to uphold general standards of behaviour which are outlined by the Public Service Commission in the Standards of Integrity and Conduct for the Public Service. In MSD, there are other standards over and above these in some areas because of the work we do.

The Ministry of Social Development is responsible for paying benefits and for prosecuting those who defraud the benefit system. Our clients are required to provide us with highly sensitive, personal information to get what they need, or for our business reasons. This means that in these particular areas the standards we apply to ourselves must be higher than those we expect of others.

For example, it is unacceptable under any circumstances for an MSD staff member to:

- steal from the benefit system or MSD
- interfere with or in any way abuse a child or young person that MSD has a professional relationship with
- sell client information
- deliberately share client details or circumstances with any unauthorised person.

Where a staff member does any of these things, the staff member will be dismissed and the matter may be referred to police. In addition to any penalty the Court might impose, all money fraudulently obtained will have to be repaid in full.

Specific applications of MSD's staff fraud and misuse of information zero tolerance policy are in the following pages. You can find other information in relevant MSD policies on our intranet (doogle).

Fair

We must:

- » treat everyone fairly and with respect
- » be professional and responsive
- » work to make government services accessible and effective
- » strive to make a difference to the wellbeing of New Zealand and all its people.

Public Service Commission Standards of Integrity and Conduct: Fair

<https://www.publicservice.govt.nz/resources/code/?e200=1516-fair>

Conflicts of interest

At MSD we need to make sure we are always fair in the way we deal with people, no matter who they are, what their backgrounds are or what their needs are.

We must avoid any appearance or suggestion of preferential treatment or favouritism towards any individual or organisation which we or you have an interest in.

Because we live and work in our communities, it is sometimes hard to avoid conflicts of interest, whether real or perceived. That makes it even more important that conflicts of interest are identified, avoided when they can be, and managed when they cannot be avoided.

MSD has a policy and a procedure to help you and your manager identify and manage conflicts of interest that arise in the course of your work. You can find the policy and procedure for managing conflicts of interests on our intranet (doogle).

You must inform your manager if you have a relationship with someone you deal with in your role or someone we deal with at MSD that could cause or be seen to cause a conflict of interest.

Secondary employment and voluntary work – if you take on other work (paid or unpaid) or services while you work at MSD, you'll need to consider how it could affect your work here, and whether there is any potential or perceived conflict of interest. Talk to your manager about this. Refer to the Conflicts of Values, Interests and Politics policy for information on secondary employment and managing conflicts.

Respecting others

As an MSD staff member you need to make sure you respect the rights of other people, all the time. This includes any client, stakeholder, colleague or member of the public.

In particular, you must:

- treat each other with respect and courtesy
- show mana manaaki and look after the dignity of people
- support a positive and safe work environment free from any form of bullying, harassment or discrimination (refer to MSD's Positive Workplace policy and guides on our intranet (doogle))
- avoid acting in a way that could upset people, or cause harm or disruption
- not bring anything to work that could be seen as offensive to any person or group of people
- ensure any workplace relationships with colleagues don't have a negative effect on your work
- recognise MSD's commitment to the Treaty of Waitangi
- always be professional, fair and unbiased in the work you do, or the advice you give
- remember that everyone has the right to privacy and confidentiality
- make sure you don't abuse your position at MSD, or any power delegated to you in your role.

We understand that sometimes you may need to do something as part of your role that conflicts with your personal beliefs. If you find yourself in this position, talk to your manager. They will be able to discuss this with you and help you find the right solution.

Impartial

We must:

- » maintain the political neutrality required to enable us to work with current and future governments
- » carry out the functions of our organisation, unaffected by our personal beliefs
- » support our organisation to provide robust and unbiased advice
- » respect the authority of the government of the day.

Public Service Commission Standards of Integrity and Conduct: Impartial

<https://www.publicservice.govt.nz/resources/code/?e200=1518-impartial>

Political neutrality

While we work with the government of the day, we must also be able to work with future governments. This means we need to maintain the confidence of our current Minister and make sure the same relationship can be established with future Ministers. We do this by keeping politics out of our work and our work out of politics.

As public servants we have the same rights as other New Zealanders and may publicly express our own political or personal views. However, at the same time we need to work in a professional and politically neutral way.

Most people at MSD can be involved in social campaigns or the activities of political parties and other organisations without it affecting their ability to be impartial in the work they do.

Talk to your manager about your actual or intended political involvement. It's important to consider what you can do to avoid a perceived conflict with your work. This may include steps so that you are not identified as working for MSD or taking annual leave if you need time off for activities you are involved in.

For senior managers, people who have extensive contact with Ministers, and those responsible for interpreting and implementing government decisions we have to keep a balance and it is not appropriate to publicly express views about government policy related to their work area.

The Public Service Commissioner's guidance about political neutrality is available at www.publicservice.govt.nz or you can talk to your manager if you have any questions about what this means for you.

Commenting on government policy

MSD may view any staff members who publicly make strong or repeated criticisms of government policies as being unable to impartially implement, administer or advise on government policies.

For all staff, publicly expressing your personal view of government policy is unacceptable if you:

- disclose information gained by your work at MSD
- are or could be perceived to be representing MSD
- make personal attacks on a Minister, people at MSD or other Public Servants
- strongly or persistently criticise to the extent that it could be perceived that you cannot carry out your work in an impartial way.

Due to the nature of the roles, for Senior Managers, people working with Ministers, and those responsible for interpreting and implementing government decisions there is a greater responsibility to not publicly comment on government policy related to their work area.

Only people who are authorised by the Chief Executive or who have permission as part of their job can make public statements on behalf of MSD. This applies to responses to any media enquiry.

Private communications with Ministers or Members of Parliament

You have the same right to approach political representatives as any other person, but you must be clear that you are not representing MSD. Remember, any approach to a political representative about something that is not to do with MSD's work should be made with some sensitivity to your role as a public servant.

Any matters concerning MSD must go through the official channels.

Standing as a Member of Parliament

Public servants can seek election to Parliament but there are rules about this set out in the Electoral Act 1993. If you are thinking about putting your name forward for nomination as a constituency candidate or for inclusion on a party list, or if you have already done so, tell your General Manager, Regional Commissioner or the Group General Manager People (Human Resources). They will discuss this with the Chief Executive.

You can find more information on the Public Service Commission website

www.publicservice.govt.nz/resources/code and in the Public Service Standards of Integrity and Conduct.

Responsible

We must:

- » act lawfully and objectively
- » use our organisation's resources carefully and only for intended purposes
- » treat information with care and use it only for proper purposes
- » work to improve the performance and efficiency of our organisation.

Public Service Commission Standards of Integrity and Conduct: Responsible

<https://www.publicservice.govt.nz/resources/code/?e200=1520-responsible>

Probity

When we deal with public money and resources, there is a standard of behaviour expected of us. This is called probity.

Probity means we have shown integrity and professionalism in using public money to do our work.

Probity isn't about setting a list of rules; it's about showing we have used good judgement and a sensible process to make our decisions around how we spend money.

When spending public money, you can show probity if your expenditure:

- is reasonable
- demonstrates value for money
- is relevant to what we do, or to our goals
- can satisfy the questions of anyone who asks about it, including the public.

If you have questions about probity or how to apply it in your role, talk to your manager.

MSD's financial policies are available on our intranet (doogle).

Information and confidentiality

We need to keep all MSD information secure, including personal information about our clients, their families or other organisations.

How we treat this information – collect it, store it, share it and use it – affects how the public trusts us and whether they are willing to continue to share their information with us so we can do our jobs properly.

MSD has a number of policies and procedures in place to protect information and to help us manage information appropriately.

This includes complying with the:

- Official Information Act 1982
- Privacy Act 2020
- Public Records Act 2005.

If information is inadvertently or unintentionally released or disclosed, take action straight away to

minimise any risks, or impact on people. You must also contact MSD's Privacy Team to report the incident. They can give you further advice about handling it.

Refer to MSD's privacy and security policies on our intranet (doogle).

You can find more about MSD's information policies on our intranet (doogle), including our IT security policies (End User Security Policy).

Accessing information

Each of us must take care to ensure MSD and client information is only accessible to authorised people for authorised use.

Make sure you always observe people's right to privacy when you are dealing with their personal information.

- You must only access client information or records for legitimate work purposes.
- You must not access your own record or the record of a friend, relative, colleague or acquaintance for any reason, even if the person asks you to, including if you're just interested or browsing.
- Accessing information also includes processing actions on records. You must not undertake any processing action within your own record or the record of any current or former client, including your own record if you're a current or former client of MSD, without a legitimate business reason.

This applies to any information we hold in any form. If you are not sure whether it is appropriate for you to access information, always check with your manager first.

Misuse of information

Misuse of information includes accessing, falsifying, requesting, or sharing of information without a business purpose. To get the most valid information and to protect people's privacy, information should generally be requested from the person themselves, rather than a third party.

If you are found to have misused or falsified MSD information, formal disciplinary action will be taken, which may include dismissal.

MSD has a zero tolerance policy for the misuse of personal information. Any staff member found to have sold or deliberately given client information to any unauthorised person will be dismissed and the matter may be referred to police.

You can find more information about this on our intranet (doogle).

Trustworthy

We must:

- » be honest
- » work to the best of our abilities
- » ensure our actions are not affected by our personal interests or relationships
- » never misuse our position for personal gain
- » decline gifts or benefits that place us under any obligation or perceived influence
- » avoid any activities, work or non-work, that may harm the reputation of our organisation or of the State Services.

Public Service Commission Standards of Integrity and Conduct: Trustworthy
<https://ssc.govt.nz/resources/code/?e200=1522-trustworthy>

Client relationships

When we work for a government department it is important to be aware of how our relationships can affect the way we do our jobs or the reputation of MSD.

You must inform your manager if you have a relationship with someone you deal with in your role or someone we deal with at MSD that could cause, or be seen to cause, a conflict of interest.

Disclosing and managing these relationships is important to ensure the public's trust in MSD is well-founded and conflicts of interest are appropriately managed.

MSD has a vital role in our communities to help New Zealanders to be safe, strong and independent. Because of this, if you have sexual contact with, or abuse in any way, a child or young person we have a professional relationship with, you will be dismissed and the matter may be referred to police.

Fraud

As an MSD staff member, you must not commit, condone, encourage or be directly associated with any type of fraud.

MSD has a zero tolerance policy for staff fraud and misuse of client information (available on doogle). In every case where a staff member is found to have defrauded MSD, they will be dismissed and the matter may be referred to police. In addition to any penalty the Court might impose, all money fraudulently obtained will have to be repaid in full.

If you know, or think you know, that someone is involved in fraud against MSD, tell your manager, the Internal Fraud Unit or Fraud Intervention Services.

Prior or pending convictions

If you have a conviction we didn't know about before we hired you, or you weren't truthful about having a conviction, we may take disciplinary action which could result in dismissal.

This does not apply to anything covered by section 7 of the Criminal Records (Clean Slate) Act 2004.

You must tell your manager if you have any convictions or charges laid against you while you work for MSD.

Roles requiring National Security Clearance

People in roles which require National Security Clearance must obtain and maintain this clearance at the appropriate level.

Gifts and rewards

Receiving a gift or reward for doing your role could be seen as a bribe or as a way of making you obligated to another person or organisation. As a general rule you should not ask for or accept a gift or reward.

Consider the intention of the gift and whether it is related to a cultural practice. Some occasions (such as a hui) may require an exchange of gifts. We are committed to meeting the needs of different cultures and if a gift is offered in these situations, it should be accepted on behalf of MSD.

Refer to MSD's Gifts, Donations and Koha Policy when giving or receiving a gift.

Staff who are also clients

If you receive payments or services from MSD, you must make sure anything you do as a client is honest and lawful.

It is your responsibility to give the Staff Assistance Unit full details about your circumstances or any changes in your circumstances to ensure you receive the correct entitlement.

Exemptions and other considerations

For a small number of staff, obligations under the Code of Conduct must be considered alongside other requirements eg for staff to act independently from MSD or to uphold the maintenance of the law. MSD may consider exemptions on a case by case basis to specified sections of the Code of Conduct, taking ethical and legal considerations into account.

Any exemptions will be approved by the relevant Deputy Chief Executive and the Group General Manager People (Human Resources).

Breaches of the Code of Conduct

We need to identify breaches or potential breaches of the Code as soon as possible. We will always make sure any disciplinary process is impartial, fair, prompt and consistent. We will consider each case on its merits, including reviewing the reasons for the breach and taking into account the individual circumstances of each case before deciding on the action to take.

Reporting breaches of the Code of Conduct

If you find out about a breach or possible breach of either the Public Service Standards of Integrity and Conduct or this Code of Conduct, you should:

- think carefully about how you can deal with the situation responsibly
- discuss the issue or situation with your manager as quickly as possible – they may have additional information you might not know, so trust them to know the best way to deal with things.

Talk to your manager to report a breach of any other MSD policy, procedure, standard or guideline, unless another process is provided.

If you don't think you can talk to your manager, or if the situation remains unresolved, then you can talk to another MSD manager or the Group General Manager People (Human Resources).

If you need access to confidential counselling, MSD's Employee Assistance Programme (EAP) is voluntary, private, free, confidential and available to all MSD staff. You can find more details on EAP on MSD's intranet (doogle).

Managers who are advised of a breach or a possible breach will deal with the alleged breach in accordance with MSD's policy. This means anyone alleging a breach or who is being investigated for a breach of the Code of Conduct will be given adequate notice of meetings, have an opportunity to be heard, and have the right to representation and/or have a support person present at meetings.

Privacy breaches

Refer to the 'Information and confidentiality' section of the Code of Conduct and MSD's intranet (doogle) for reporting a privacy breach or near miss.

Reporting serious wrongdoing

In some cases, a breach of the Code of Conduct may also be serious wrongdoing under the Protected Disclosures Act 2000. If this is the case, you can use the MSD's Protected Disclosures procedures to report the incident or action and receive the protections of the Act. There is information about protected disclosures on our intranet (doogle).

If you think MSD has not met its obligations under the Code

If you think MSD has not met its obligations, follow the same process as the one to report breaches of the Code of Conduct (as set out above).

Once you have told us about your concerns, we will:

- treat your concerns confidentially, investigate them promptly and appropriately, and take action as necessary
- where appropriate, let anyone affected by an allegation know about it and ask for their explanation
- consider the use of a neutral third party to resolve the issue, if appropriate
- let you know if an investigation or action has started and stay in regular contact, if appropriate
- let you know about the outcome, where appropriate.

MSD will make every effort to maintain the confidentiality of an individual making a protected disclosure. This is set out in our Protected Disclosures policy.

Remember, you can also face disciplinary action for breaching other MSD policies, procedures and guidelines.

If you are unsure about how to deal with an ethical issue, discuss it with your manager. If your manager is involved, discuss the issue with your manager's manager or any senior manager.

RELEASED UNDER THE
OFFICIAL INFORMATION ACT



**MINISTRY OF SOCIAL
DEVELOPMENT**
TE MANATŪ WHAKAHĪATO ORA

Commencing a social housing application

This page provides information and tips to help you answer the questions in the assessment.

On this Page:

Roles and household units

Each individual in the housing application needs to be assigned to a specific role and household unit in CMS. Below will help you identify which role to assign to each individual.

Applicant: All people who are signing the tenancy agreement need to have 'Applicant' assigned as their role. When the household is placed into a property, the role of 'Applicant' automatically changes to 'Signatory' on activation of the tenancy in CMS.

Partner: When a couple exists and only one person is signing the tenancy agreement, the other person needs to have 'Partner' assigned as their role. Where both clients are signing the tenancy agreement, they both need to have 'Applicant' assigned as their role.

Additional Occupant: Individuals who are not on the tenancy agreement or not a partner of someone on the tenancy agreement and are financially independent, 16 years or over and have a specific and established on-going need to live with the household, will need to have the 'Additional Occupant' assigned as their role.

Child: Dependent individuals younger than 18 years old (or 18 years old and in their last year of secondary school) need to have 'Child' assigned as their role.

Household Units: Where there is only one applicant, all occupants in the household should have the household unit '1' assigned to them. Where there are applicants from multiple households, you will need to assign a household unit number to each household.

Note: Where there are multiple households there must be an applicant per household unit.

Assessment information visible to social housing providers

It is important to remember that providers do not have access to the client's full application or to any of the supporting verification we hold. Only the information in fields directly relevant to placement is shared. This means that where key information is recorded in the incorrect fields or without sufficient detail, clients may be matched to properties that don't meet their needs, or placements may be delayed unnecessarily. Please ensure all fields are filled in correctly and in full to avoid any confusion during placement.

Note: Scanned documents and client event notes are not visible to providers. When there is information relevant to the placement in a scanned document or client event note, you need to summarise the information in your comments in the assessment.

When entering comments, ensure that the comments are short, and only contain relevant information that is not already captured in the application.

Comments should be limited to 500 characters (including spaces), and not contain apostrophes ('), hyphens (-), or the ampersand (&) symbol. Otherwise, the public housing (also known as social housing) provider will not receive the comment, which means that the client may not be matched or placed into the most suitable property.

For more information on what information is shared with providers and guidance on where to record specific factors, see:

[Recording assessment information to support housing placement \(Word 88.3KB\)](#) [<http://doogle/documents/resources/helping-clients/procedures-manuals/social-housing/screening-and-assessment/recording-information-to-support-placements.docx>]

Health and disability classifications

The following table will assist you when answering the health and disability questions for each person (including children) in the household:

Significant Mental Health	Mixed bipolar affective disorder, Schizophrenic disorders, Affective psychoses, Alcoholic psychoses, Drug psychoses, Chronic depression, Nonorganic psychosis NOS, Obsessional neurosis, Other specified mental disorders, Paranoid schizophrenia, Paranoid states, Reactive depressive psychosis, Recurrent depression, Recurrent major depressive episode, Unspecified bipolar affective disorder
Common Mental Health	Anger reaction, Attention deficit with hyperactivity, Personality disorders, Other post-traumatic stress disorder, Generalised anxiety disorder, Mental disorders, Panic disorder, Phobic disorders
Physical Disability	Ankylosing spondylitis, Rheumatoid arthritis, Morbid obesity, Obesity, Osteoporosis, Nerve and spinal cord injuries, Arthropathy NOS, Musculoskeletal and connective tissue diseases, Osteoarthritis and allied disorders, Osteoarthritis NOS of hip, Osteoarthritis NOS of knee, Congenital anomalies, Other specific learning difficulty, Multiple sclerosis, Internal derangement of knee, Intervertebral disc disorders, Lumbar disc displacement, Lumbar disc prolapse with radiculopathy, Spinal stenosis, excluding cervical region, Spondylosis and allied disorders, Cerebral arterial occlusion, Stroke and cerebrovascular accident unspecified, Hearing loss, Cataract, Blindness and low vision, Diabetic retinopathy
Intellectual Disability	Infantile autism, Mental retardation
Health	Gouty arthritis, Acute myocardial infarction, Angina pectoris, Aortic valve disorders, Atrial fibrillation, Atrial fibrillation and flutter, Cardiac dysrhythmias, Cardiomyopathy, Chronic rheumatic heart disease, Circulatory system diseases, Congestive heart failure, Heart failure, Ischaemic heart disease, Mitral valve incompetence, Other specified diseases of circulatory system, Chronic renal failure, Diabetes mellitus with renal manifestation, Renal impairment, Bronchiectasis, Chronic obstructive pulmonary disease, Emphysema, Other specified diseases of nervous system or sense organ, Disorders of eye and adnexa

Health and disability information

If the client is happy to be matched to a property with a support person, select "Yes" in the "Health Condition" section. The client will then be matched to both properties with and without a support person. The previous fault with this question has been resolved.

Income

Any main benefit paid to the client will automatically populate into the application. This does not include any income held in SWIFTT for the client. You will need to manually enter this. Remember the amount recorded in SWIFTT is gross and all public housing income needs to be net minus the ACC levy.

Use the 'IncomeWorksheet' in the NFIU calculator to calculate the client's net income.

[NFIU calculator \(Excel 8.07MB\)](http://doogle/documents/business-groups/helping-clients/service-delivery/centralised-services/centralised-services-ellerslie/knowledge-base/resources/nfiu-calculator.xlsm), [<http://doogle/documents/business-groups/helping-clients/service-delivery/centralised-services/centralised-services-ellerslie/knowledge-base/resources/nfiu-calculator.xlsm>]

Note: DREW cannot be used for public housing income assessments as it includes the ACC levy, which is included for benefit income purposes but not for public housing income purposes.

Note: where the client receives a reduced rate of benefit due to Section 192A deduction or sanction, you will need to manually adjust the benefit rate to the full rate through the benefit evidence item.

Letting areas

The applicant must nominate at least three letting areas (defined as individual post codes), unless they have a good and sufficient reason for selecting less than three areas. The more locations added into the application, the better chance the client has to be matched to a property.

Letting areas in CMS include neighbouring suburbs within postcodes. This means a postcode area may include some areas/suburbs that previously would have come under individual letting areas.

Because postcodes are used to match applications to vacancy, it's important the right postcodes are in the client's application.

Below are some tips for adding/editing letting areas:

Add letting areas at the highest level possible. For example, add North Shore if the client is able to live there rather than individual suburbs on the North Shore.

If end-dating the only letting area, you must add a new one. If the letting area(s) are end-dated, the client can't be matched to any properties.

Check the system has assigned a postcode when adding a new letting area (and follow your escalation process if CMS isn't assigning one).

Post codes can be edited (ie added or removed) without changing the selected area fields. The format must be 1234,1234,1234 (no spaces, commas only, no other characters).

Apply changes and check eligibility after adding or editing a letting area.

If a client advises they cannot live in a particular suburb (and they have good and sufficient reason):

Add the letting area at the highest level possible.

Remove the post code for the unwanted suburb.

Add a comment with the name of the suburb that has been removed.

Providers can see what areas the client is unable to live in if a comment has been added. This comment can also be used to indicate to a provider if there is a preferred letting area.

Other factors

These questions help with good matching, such as ensuring client is not offered a tenancy where a rival gang could be present, or informing the provider that the client has pets, or that there are parole conditions that need to be factored. The answers and comments will be shared with providers, so they are aware of these things when considering whether the client is suitable for a vacancy.

The following is an example of how you may approach this question "Is there anything you need to tell us to ensure you are matched to the most appropriate property"?

Adding just the name of a school or a medical centre does not give the provider enough information to understand why the client needs to be placed in a property close to the specific school or medical centre.

For example, you might say in the "School" comments: "Needs to be within zone for ABC School. Child is well established in the school and receives additional support for specific needs. It would be very disruptive to change schools."

There may be circumstances where a client is unable to nominate a minimum of three letting areas. Reasons could include:

Nominated letting area is already large (e.g. rural locations, postal codes that cover several suburbs already)

A good and sufficient reason - as covered in the declines process when a client does not accept a suitable property.

When discussing letting areas with a client, they may not want to nominate an area that you think is suitable (i.e. the client does not have a good reason for not selecting the area). If you identify a suitable area that the client does not want to nominate you can exercise discretion and add these to the client's record.

If the client nominates less than three letting areas you should always consider other potentially suitable letting areas:

If there are other suitable areas, discretion can be used to add the additional areas to the client's record. The client should be advised of this and the reasons why the areas have been added.

If there are no other suitable areas, clear notes must be recorded in the client event advising the reason why the client is unable to nominate three or more letting areas. The letting areas comments section of the letting area evidence should be updated with 'Exemption to have less than three letting areas' so that public housing staff member knows that they do not need to discuss nominating other letting areas with the client. These comments can be seen by the provider during the shortlist process so no personal information should be included.

[MAP - Clients must choose three places where they need to live \(letting areas\) \[http://doogle/map/social-housing/assessment-of-eligibility/clients-must-choose-three-places-where-they-need-to-live.html\]](http://doogle/map/social-housing/assessment-of-eligibility/clients-must-choose-three-places-where-they-need-to-live.html)

[Good and sufficient reasons for declining offer of suitable property \[http://doogle/map/social-housing/register-management-and-referrals/good-and-sufficient-reasons-for-declining-offer-of-01.html\]](http://doogle/map/social-housing/register-management-and-referrals/good-and-sufficient-reasons-for-declining-offer-of-01.html)

Lower Quartile Rent

When adding in affordability of alternative housing, CMS will check the data you have entered against MBIE data (this is held behind the scenes). An error message 'Lower Quartile Rent value does not exist for selected area' may display. This will happen if the area chosen, dwelling type and number of bedrooms do not have a lower quartile value in the MBIE data. If this happens, you will need to try another area, dwelling type or number of bedrooms and select 'Next'. This won't have an effect on the client.

You will also need to complete an assessment in DREW for accommodation supplement. This will determine how much Accommodation Supplement the client would be entitled to if they were renting alternative accommodation.

If you need to determine how many bedrooms are required you can use the below tool to help:

[Bedroom calculator \(Excel 27.11KB\) \[http://doogle/documents/resources/helping-clients/procedures-manuals/social-housing/screening-and-assessment/bedroom-calculator.xlsm\]](http://doogle/documents/resources/helping-clients/procedures-manuals/social-housing/screening-and-assessment/bedroom-calculator.xlsm)

Rent and Bond

During the assessment, you will need to ask clients if they will require financial assistance with rent and bond and record their response in the application.

If there is more than one tenant, you will need to ask how much of the assistance will each tenant need and enter the percentage amount (eg if there are two signatories, and they will require half on the rent/bond, you would enter '50'). CMS will only accept numerical values.

You will need to advise the client that at the time they accept a property offer and sign the tenancy agreement, the bond and rent in advance will be paid directly to the provider (as long as they are still eligible) and the rate of recovery (repayment amount) will also be set up. If the client wants to set up a negotiated arrangement earlier, this can be noted in the comments field with the question or Evidence Item.

Note: Bond is only paid to Community Housing Providers. HNZ no longer require a bond payment.

Quota Refugees, Protected persons and Asylum seekers, Christchurch Mosque Attack and Christchurch Response Visa

Social Housing assessments for 'quota' refugees are managed by the Housing Case Manager (HCM) linked to the Mangere Refugee Resettlement Centre.

Christchurch Response Visa or people getting Christchurch Mosque Attack payments are managed by the Christchurch response team.

Note: Migrants claiming refugee or protected person status and people getting SNG domestic violence programme payments generally live in the community and are managed by the HCM nearest to where they are living.

[Quota Refugees, Protected persons and Asylum seekers, Christchurch Mosque Attack and Christchurch Response Visa \[http://doogle/resources/helping-clients/procedures-manuals/social-housing/screening-and-assessment/social-housing-for-quota-refugees-protected-persons-and-asylum-seekers-christchurch-mosque-attack-and-christchurch-response-visa.html\]](http://doogle/resources/helping-clients/procedures-manuals/social-housing/screening-and-assessment/social-housing-for-quota-refugees-protected-persons-and-asylum-seekers-christchurch-mosque-attack-and-christchurch-response-visa.html)

Exceptions

The rent and bond questions should be no for:

Client Type	Reason
Low Trust clients	require a face-to-face appointment to apply
Youth Service clients	YSSU process all financial assistance applications
Remote Services clients	RCU process all financial assistance applications
clients who are over the income limit for a RAP	cannot pre-apply for rent and bond in advance as their eligibility for a RAP needs to be assessed

The housing provider will notify CUH if the client requires rent and bond assistance before the tenancy agreement is signed.

Client Event Note template – Assessment

Reason for assessment: new application / transfer / join-in request (non-partner)

Client eligible for social housing: Yes / No

Financial assistance required for bond and rent in advance: Yes / No

(If Yes and there is more than one tenant): How much of the assistance will each tenant need:

Additional verification required: Yes / No

(If Yes) What verification is required and due:

Application has been fast-tracked for Rheumatic Fever: Yes / No

Manager approval required for override of priority rating: Yes / No

(If Yes) Why does the client require an override:

Assessment Summary signed /or posted: Yes / No

Have 3 or more letting areas been recorded in the assessment: Yes / No

(If No) What reason is the client exempted from nominated 3 or more letting areas:

Comments:

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