



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

10 May 2022

Tēnā koe

On 2 March 2022, you emailed the Ministry of Social Development (the Ministry) requesting, under the Official Information Act 1982 (the Act), the following information:

From January 1994 until June 2021:

- *Work and Income (WINZ) and Ministry of Social Development (MSD) training and induction manuals and material, including briefing notes and videos, for case workers who assist beneficiaries;*
- *Any information specifically relating to training for WINZ and MSD staff on how to assist people applying for benefits who may be the beneficiaries of a trust;*
- *Any further information on assistance for WINZ and MSD clients regarding the treatment of trusts, when applying for a benefit;*
- *Internal opinions, policy documents or guides held by WINZ and MSD relating to trusts and their impact on beneficiary entitlements.*

On 16 March 2022, the Ministry advised that your request as it stood encompassed a large amount of information across the agency and would need to be rescoped. On 22 March 2022, you rescoped your request to the following:

- *Information solely related to trusts and their effect on benefit entitlements.*
- *Between January 2002 and December 2014.*

I sincerely apologise for the delay in providing a response to you.

Information on trusts, and their effect on a person's entitlement to benefit assistance, is available to Ministry staff via our intranet, Doogle. I refer you

to **Appendix One** for the webpage available to staff when assisting clients who may have, or be part of, a trust.

You will note that some information is marked as 'Out of Scope,' as this information does not fall within the timeframe of your request. The Case Referral Cover Sheet is an internal document, created in 2015, and is therefore out of scope of your request. However, I can confirm this document is an internal referral sheet encompassing client details to assist the Income Determination team with case management.

As noted on this Doogle page, staff can access the Overview of Trusts document, providing a summary of how a trust is formed and how it may affect a benefit application. This document is withheld under section 9(2)(h) of the Act in order to maintain legal professional privilege. The greater public interest is in ensuring that government agencies can continue to obtain confidential legal advice.

Staff are also encouraged to speak to the Ministry's Income Determination team for further advice about how a trust may affect a person's entitlement. It is recommended that the Trust Questionnaire and Income for Benefit Purposes documents are provided to clients for additional information to assist the Income Determination team in providing advice. These documents are provided to you as follows:

- **Appendix Two** – Trust Questionnaire
- **Appendix Three** – Income for Benefit Purposes

Some further information is available for specific financial assistances on the Work and Income Manuals and Procedures (MAP) website archive. These are archived pages from the MAP site and cover the period specified in your request.

- **Appendix Four** - Funeral Grants
- **Appendix Five** - Student Allowance
- **Appendix Six** - Residential Care Subsidy

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 and attachments 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, 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

A handwritten signature in blue ink, consisting of several loops and a long horizontal stroke extending to the right.

Dwina Dickinson
Group General Manager
System Performance and Improvement