



5 December 2025

Tēnā koe

Official Information Act Request

Thank you for your email of 13 November 2025 requesting any policies which refer to client-initiated call recordings and information on case managers.

I have considered your request under the Official Information Act 1982 (the Act). Please find my decision on each part of your request set out separately below.

- *I am requesting current and recent (from January 2025 to present) MSD or Work and Income policies, procedures, or staff guidance that refer to client-initiated call recordings, or instruct staff to terminate calls when a client begins recording. Please include any relevant internal memos or contact centre scripts.*

I have attached the following documents in scope of your request:

- Excerpt from Privacy and identifying callers: HIYA Guidance
- Excerpt from Operational Guidance: Recording Standard

I am providing you with these excerpts as the other guidance in these documents is out of scope of your request as it does not relate to client-initiated call recordings.

- *I am also requesting any current and recent policy stating words to the effect that "your case manager may request you to do anything they deem necessary." As I was shown such policy in person on a paper document.*

The Ministry has a responsibility to ensure that people are receiving the correct support based on their actual circumstances. Where Ministry staff see that it is necessary, they can request verification of client circumstances to ensure that they remain eligible for the support they are receiving.

This may include, but is not limited to, verification of income, job search activities, medical conditions, tenancy costs, or outgoing expenses. The Ministry deals with public money and resources and therefore is held to a standard of probity. Probity means we show integrity and professionalism in using public money to do our work. People can choose not to give their personal information to the Ministry, but this may impact the support they receive.

You can find more information on what information the Ministry may require for assessing potential entitlement to main benefits here: www.workandincome.govt.nz/map/income-support/main-benefits/index.html

I will be publishing this decision letter, with your personal details deleted, on the Ministry's website in due course.

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 my decision on your request, 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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Anna Graham
General Manager
Ministerial and Executive Services

Clients recording MSD staff members

This guidance is targeted at situations that involve clients recording MSD staff members. This includes in-person meetings and/or interviews, conversations over the phone, and any potential virtual meetings and/or interviews that may occur.

It is becoming increasingly likely that the way we interact with our clients will be changing, as will the technology we use to interact with our clients. Regardless of how we interact with our clients, either in-person, over the phone or virtually, the scenarios and expectations for both parties (clients and staff) will generally be the same in terms of justifying a recording and being comfortable in controlling the meeting appropriately to protect staff and clients involved.

General principles

Clients can record conversations or meetings that they are participating in, and do not have to ask staff for permission, so long as they are intending to use the information collected within that recording for their own personal or domestic affairs. If this is the client's intended use, they do not generally need to comply with the information privacy principles of the Privacy Act 2020.

However, if an MSD staff member has reasonable grounds to believe a client's intended use of a recording is to cause them or others harassment or other harm, staff are entitled to object to the recording and terminate the meeting if recording does not stop.

Being able to record a conversation can be a valuable tool for clients to help them understand important or complicated information and decisions that affects them, for example, their benefit entitlements. Further, certain clients may have

vulnerabilities that affect memory, understanding or access to information and could benefit from being able to replay recorded advice and support that MSD has given them.

For the sake of openness and transparency, instead of clients feeling that they need to record a conversation or meeting covertly, it is preferable for clients to feel comfortable that if they feel that they need to record a conversation, they can do so.

Allowing a recording: when should staff agree to being recorded by clients?

As well as instances where the Ministry agrees to a recording taking place, there will be occasions when we should actively encourage clients, kaimahi or other parties to record meetings (or do so on their behalf). Instances where we should encourage clients to record a meeting could include, but are not limited to:

- the client is deaf or blind and requires the information contained in a recording to help them, or their agents/advocates, understand decisions made about them or their benefit entitlements;
- the client could have cognitive or attention issues and having the information contained in the recording would help them, or their agents/advocates, understand decisions made about them or their benefit entitlements;
- the information the client is seeking is of a complex nature, and having a recording with a staff member explaining the decision or process would be of immense value to that client, or their agents/advocates.

If staff are comfortable being recorded, they should reassure the client that MSD recognises recording may be helpful and agree that the client and staff member are comfortable to be recorded for uses directly related to the meeting. They should also set expectations around the use of the recording, where it will take place and whether it will involve only audio, or audio and video.

If staff are uncomfortable being recorded, they can seek guidance from a colleague or manager, either to discuss whether another colleague or manager could handle the conversation, or to consider other options. However, MSD, and its staff, cannot refuse to deal with that client *solely* because they are wanting to make a recording. Even where a client's desire to record a meeting presents an obstacle, staff must make best efforts to ensure there is no prejudice to that client receiving Full and Correct Entitlement (FACE), e.g., losing or not being granted an entitlement. Staff should seek support and guidance from a colleague or manager as necessary. However, for the protection of MSD staff, and for our other clients who may be present during a recording, staff should engage with clients on setting reasonable expectations around how recordings are made.

These expectations could include:

- conducting themselves in a respectful manner (including being clear that they are recording for their own personal or domestic use);
- being willing to move to a more suitable location (such as an interview room, or an interview desk in matters of staff safety) if other clients are within recording range of the conversation;
- if a more suitable location cannot be found, the client is willing to reschedule the meeting so appropriate measures can be made to facilitate the meeting;
- allowing an audio recording, instead of a video recording (except in instances of accessibility), if MSD staff would prefer that option.

If those reasonable expectations are not met by the client, staff are entitled to decline to be recorded, or terminate the meeting if the recording has already begun. This is because, while some clients may simply wish to record a conversation or interview for their own personal or domestic affairs, it is recognised that some clients may intend to use a recording to cause harm or discomfort to MSD staff members.

Objecting and stopping a recording: when can staff decline to be recorded?

If an MSD staff member has reasonable grounds, such as the criteria stated below, to believe a recording of a meeting will be used to cause them or others harassment or other harm, they are entitled to object to the recording and terminate the meeting if recording does not stop. Indicators of this include evidence of a history of harassment, or current aggressive or vexatious behaviour, such as:

- if the client is making explicit, or implicit, threats that they intend to put the recording, edited or otherwise, online (via social media or otherwise);
- if the client is conducting themselves aggressively – swearing and/or threatening language and/or behaviour;
- if the client insists on the recording taking place while other clients are within earshot;
- previous evidenced interactions with the client (held in STAR or the client's CMS record) where there were threats made, general aggressive behaviour and/or verbal abuse indicating they are likely to record to cause harm to the staff member or the Ministry.

Staff members can stop the recording (and meeting) if they feel the recording is being done with the intention to use the recording to cause harassment or other harm later, such as:

- recording and being deliberately abusive, for instance, making an implied or explicit threat to publish the recording online in a derogatory or abusive way;
- recording a conversation and indicating they intend to edit the recording and share it in a way that harms or cause the staff member to feel distressed, embarrassed, or harassed;
- recording a conversation to manipulate MSD staff into changing a decision made about them, their benefit, or their entitlements.

In these circumstances, if a staff member believes that a client is making, or has made, a recording with the intention to use it to cause harassment or harm, they should report the behaviour in [STAR](#). Their manager will determine what the appropriate response is to the harmful behaviour, such as issuing a warning letter.

Where a client has posted online or shared a recording of any form following a meeting, and this is done in a manner the staff member concerned finds distressing, intrusive or unreasonable based on their understanding of the interaction, the incident should be reported to the staff member's manager, to discuss what options or support may be available. More information can be found here: [Support for staff who are identified or targeted on the internet - Doogle \(ssi.govt.nz\)](#).

Responding to clients who record calls

There may be times when a caller tells you they are recording the call. Below are some tips on how to manage the conversation.

Why hanging up isn't appropriate

- Callers can record their calls if they wish
- Ending a call because it's being recorded can damage trust and may be considered unfair
- Just remain calm, professional, and respectful throughout the conversation

You don't need to question the reasoning

- Callers are not required to explain their reasons for recording the call
- Asking can feel confrontational and is unnecessary

Acknowledge and reassure

- Let the caller know you understand they're recording the call
- Reassure them that MSD also records calls for training and quality purposes
- Let them know they can request a copy of the call if needed

Protect privacy

- Politely remind the client to discuss only their own situation
- Avoid naming or discussing other individuals

Maintain professional

- Continue the call in a polite, constructive, and empathetic manner
- Focus on providing accurate and helpful information

Client requests copy of call

- If the caller wants a copy of the call, follow this process [Privacy and identifying callers](#)

Avoid confrontation

- Do not end the call simply because it's being recorded
- If the conversation becomes abusive or unsafe, follow this process [Challenging callers](#)

If you're unsure how to proceed during a recorded call or the situation escalates, speak to your manager.

More information is available here about when we can refuse recording/terminate a call [recording-standard-operational-guidance-approved-.pdf](#)