



**MINISTRY OF SOCIAL
DEVELOPMENT**

TE MANATŪ WHAKAHIATO ORA

12 JUL 2017

Dear

On 10 May 2017 you emailed the Ministry requesting, under the Official Information Act 1982, the following information:

- *Whether the Government considers mental health in its employment criteria for staff, and if so, why?*
- *Which mental health conditions are considered to potentially affect the hiring process?*
- *What kinds of roles does this affect?*
- *Are medications taken into consideration, and if so, which ones?*

The State Services Commission has undertaken to provide you with a response from a whole of government perspective. The Ministry will provide answers specific to the Ministry of Social Development's policy and practice.

The Ministry of Social Development is committed to:

- Promoting equality and diversity within a positive work culture that is based on respect.
- Fairness and valuing of individual difference.
- Enhancing work practices and performance that integrate diverse perspectives.
- Complying with all relevant equality legislation, Government strategies and policies, and best practice guidelines.

This commitment applies to all employment practices at the Ministry and to all Ministry employees, contractors and people applying for employment at the Ministry.

A quarter of the working age population identify themselves as disabled i.e, they have a long term impairment. In some cases the disability may be a mental health condition. If a preferred candidate chooses to voluntarily disclose this during a selection process the Ministry is obligated to discuss and consider what reasonable accommodations may be required to support them in the role. Part of considering reasonable accommodations is balanced against the Ministry's obligations under health and safety legislation to eliminate or minimise risk. If a candidate with a mental health condition chooses not to disclose during a selection process but rather waits until after they are employed the Ministry has the same health and safety obligations.

Mental health conditions may affect a number of people in their life time. Most workers will successfully manage their condition within a healthy work environment. Some may require no workplace support, some may require support for a short period of time if their condition deteriorates and a small number will require on-going support.

The expectation is that Ministry managers understand and act on their obligations under the Health & Safety At Work Act 2015 and the Human Rights Act 1993. As part of the interview process an interview panel may ask a candidate whether or not they have a health condition or take medication that may affect their ability to undertake a role. This allows the Ministry and the applicant to discuss the appropriate supports the Ministry or an external provider can offer during the tenure of employment.

Dependent upon the individual circumstances, there may be grounds where employment is not offered to a candidate such as their health condition putting the health and safety of themselves, other staff or clients at undue risk or the support that is required to accommodate the person is not reasonable for the Ministry to provide. As a Ministry we are committed to working with applicants that have a health condition to gaining employment in the Ministry.

Whilst the Ministry maintains the right to ask this information, it does not identify mental health conditions which may affect the hiring process nor does it identify the kind of roles which mental health conditions may affect.

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 shortly. The Ministry will do this by publishing this letter on the Ministry of Social Development'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 regarding the Ministry of Social Developments hiring policy, 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

A handwritten signature in black ink, appearing to read 'Merv Dacre', with a horizontal line underneath it.

Merv Dacre
Deputy Chief Executive, Corporate Solutions