



6 JUN 2018

Dear [REDACTED]

On 27 April 2018, you emailed the Ministry requesting, under the Official Information Act 1982, the following information:

- *Please advise how many staff employed by the MSD nationally are currently suspended on full pay (gardening leave) - for any reason including while an investigation is conducted into any possible wrongdoing by them.*
- *We appreciate you won't be able to name the people concerned but please specify positions (section etc), the duration of the suspension so far and the amount spent so far on their salary and benefits while they are suspended.*

At any one time the Ministry of Social Development (the Ministry) has around 7,000 employees who provide income assistance and services to more than one million New Zealanders each year.

It is paramount employees conduct themselves in a way that reflects the trust New Zealanders put in the Ministry. All new employees are required to read the Ministry's Code of Conduct which is aligned to the Public Service Code of Conduct and which guides employees' actions and behaviours to enable staff to serve the government of the day. Given its importance, refresher training of the Ministry's Code of Conduct is provided to all employees.

When the Ministry is made aware of a situation that breaches this Code, employees may be placed on leave while the situation is looked into. Examples of Code of Conduct breaches include stealing from the benefit system or the Ministry and misusing client information. In limited circumstances, situations may occur outside of the workplace that impact on an employee's ability to work at the Ministry. Employees may also be placed on leave while the Ministry awaits the outcome of any external investigations that are underway.

It is important that the Ministry conducts a fair investigation when made aware of a breach or situation occurring. Placing an employee on leave can protect the integrity of both the investigation and those involved.

Generally, employees will be placed on leave with pay while an investigation is undertaken. The Ministry cannot comment on the details of active investigations. I can advise you that as at 27 April 2018, the Ministry had five or less employees that were on leave with pay due to a Code of Conduct breach or external situation that impacted their ability to continue in their position during the investigation. The above employees were paid approximately \$47,830. They are not eligible for any benefits.

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Please note that in order to protect the privacy of staff the exact number of employees, their position and the duration of their suspension is withheld in accordance with section 9(2)(a) of the Official Information Act. The Ministry is unable to provide you with this information as releasing this information is likely to risk making the individuals concerned identifiable, especially by their colleagues. The privacy impact on any individuals is high because of the serious nature of the reasons someone may be suspended on leave with pay and because it allows for the potential for individuals' salaries to be extrapolated from the total amount given. The need to protect the privacy of these individuals outweighs any public interest in this information.

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](mailto:OIA_Requests@msd.govt.nz).

If you are not satisfied with this response regarding Ministry employees suspended on leave with pay, 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.

Yours sincerely



Stephen Crombie  
**Deputy Chief Executive, Corporate Solutions**