



7th December 2021

Tēnā koe

On 10 November 2021, you emailed the Ministry of Social Development (the Ministry) requesting, under the Official Information Act 1982 (the Act), the following information:

- The number of beneficiaries referred to drug testable positions in the year to June 30, 2021.
- The number who failed.
- The number of sanctions applied.
- The number of drug sanctions applied to beneficiaries with children.
- The number of children affected.

The Ministry works closely with people receiving a benefit to support them into employment. If someone is not able to obtain work as a result of failing a drug test, the Ministry offers clients support to enable them to address their drug use and be in a position where they can be considered for jobs that that require them to be drug free.

Sanctions are a last resort. Stopping or reducing someone's benefit is a serious step and one the Ministry would only take after exhausting all other options and providing re-compliance opportunities to the client.

For example, when a Work and Income client fails a pre-employment drug test for the first time, they can re-comply with their obligations by verbally agreeing to stop using drugs and no sanction will be imposed. As you may be aware, sanctions are a legal obligation and any changes to any sanctions would require changes to the Social Security Act.

For people with children in their care, any reduction is limited to half of their main benefit. They will still receive all supplementary payments and family tax credits. Further information about what happens when a client fails or does not take a pre-employment drug test is available on the Work and Income website, here: www.workandincome.govt.nz/on-a-benefit/obligations/not-meeting-your-obligations.html.

Further information about the obligations for clients is available here: www.workandincome.govt.nz/on-a-benefit/obligations/index.html.

I can advise that for the 2020/21 financial year, there were 45,285 referrals to drug testable positions by Work and Income. Of those, 60 resulted in a drug test obligation failure. The total number of drug test obligations failures that resulted in a sanction is 42.

The number of referrals only refers to referrals made – not the number of individual clients. The same client may be referred to multiple drug testable positions and may be unable to pass a drug test more than once.

For the number of sanctions applied to beneficiaries with children and the number of children affected, both of these numbers are below the count of five therefore the release of this information could make individuals identifiable. As such, the Ministry is withholding this information under section 9(2)(a) of the Act in order to protect the privacy of natural persons. 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. The Ministry will do this by publishing this letter 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

Bridget Saunders

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**Manager Issues Resolution
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