



Tēnā koe

On 14 July 2021, you emailed the Ministry of Social Development (the Ministry) requesting, under the Official Information Act 1982 (the Act), the following information in regard to a response sent to you on 11 May 2021:

- 1. Of the 140 investigations of employees for releasing or distributing information of a sensitive or confidential nature, can you please specify the outcome of each of those investigations: staff member dismissed, no wrongdoing found, staff member resigns, staff member warned.*
- 2. Of the staff members investigated for falsifying information please specify and quantify the information: the staff member's own personal details, a client's details or details of a client's case, other (please specify). Please specify the outcomes of each of those investigations (see above).*

On 11 August 2021, the Ministry contacted you advising that more time was required to make a decision on your request due to consultations still taking place. You were advised that a decision would be with you on or before 8 September 2021.

The Ministry has around 9,000 employees at any one time who provide income assistance and services to more than one million New Zealanders each year.

Protecting the privacy of personal information underpins the work we do and the services we provide. We recognise our responsibilities under the Privacy Act 2020 to protect personal information and use information in accordance with the principles of the Act.

The Ministry's Code of Conduct outlines how we should deal with the people we work alongside and the people we work for, to help make sure we all:

- work with honesty, integrity and respect
- provide the best possible service and advice to the Government, public and clients, and gain their trust and confidence in what we do
- do the best we can do and be the best we can be – every day.

When the Ministry is made aware of a situation that breaches our Code of Conduct, we will conduct a formal investigation of the complaint raised, or will work with any external agencies investigating this, such as the Police. The Ministry's zero tolerance policy covers both staff fraud and misuse of client information.

For the sake of clarity, I will respond to your question in turn. It is important to note that the timeframe of this information is from June 2013 to March 2021. During this timeframe Child, Youth and Family who became Oranga Tamariki is included up to April 2017.

1. *Of the 140 investigations of employees for releasing or distributing information of a sensitive or confidential nature, can you please specify the outcome of each of those investigations: staff member dismissed, no wrongdoing found, staff member resigns, staff member warned.*

Please see below **Table One** which shows the outcomes from investigations of employees for the “release of information” and “Unauthorised accessing/ releasing client information” broken down by outcome.

**Table One: The outcomes from investigations of employees for the “release of information” and “Unauthorised accessing/ releasing client information” broken down by outcome.**

<b>Outcome</b>	<b>Release of information</b>	<b>Unauthorised accessing/releasing client information</b>
Case in progress (outcome not determined)	1	0
1st Written Warning	16	4
2nd Written Warning	1	0
Dismissal	0	3
Final Written Warning	5	9
Letter of Caution	12	0
Letter of Expectation	8	2
No Action	25	3
Not Substantiated	13	14
Resignation	4	4
Retirement	1	0
Verbal Warning	14	1
<b>Total</b>	<b>100</b>	<b>40</b>

**Notes:**

- Employment cases are recorded in the Ministry’s HR system by high-level categories and sub-categories. Where more than one category applies to an employment case, the case is recorded by the highest order category. The information provided in this response was identified using the high-level category Inappropriate Use of Information, and sub-categories Release of Information and Unauthorised accessing/releasing of client information.
- Note that a broad interpretation of the term “Investigations” has been used. The information provided reflects concerns raised with the Ministry’s HR team, and not necessarily formal investigations.
- Up to April 2017 the cases include those for Child, Youth and Family who became Oranga Tamariki. Also note that some historical cases were migrated into the HR system when it was implemented, but not all cases that were opened in 2013 were captured in the HR system in 2013.

2. *Of the staff members investigated for falsifying information please specify and quantify the information: the staff member's own personal details, a client's details or details of a client's case, other (please specify). Please specify the outcomes of each of those investigations (see above).*

See below the following tables to answer question two of your request:

- **Table Two:** The number of investigations for Ministry staff falsifying information broken down by the type of information that was falsified.
- **Table Three:** The number of investigations for Ministry staff falsifying information broken down by the outcome.

**Table Two: The number of investigations for Ministry staff falsifying information broken down type of information that was falsified.**

<b>Categorisation of investigations for falsifying information</b>	
Staff member's own personal details	<b>9</b>
Client's details or details of a client's case	<b>5</b>
Other (Conduct/Unprofessional behaviour)	<b>10</b>
<b>Total</b>	<b>24</b>

**Notes:**

- Staff member's own personal details, a client's details and details of a client's cases have not been provided to protect the privacy of a natural person.
- Note that a broad interpretation of the term "Investigations" has been used. The information provided reflects concerns raised with the Ministry's HR team, and not necessarily formal investigations.
- Up to April 2017 the cases include those for Child, Youth and Family who became Oranga Tamariki. Also note that some historical cases were migrated into the HR system when it was implemented, but not all cases that were opened in 2013 were captured in the HR system in 2013.

**Table Three: The number of investigations for Ministry staff falsifying information broken down by the outcome.**

<b>Outcome of investigations for falsifying information</b>	
1st Written Warning	2
2nd Written Warning	1
Final Written Warning	6
Letter of Caution	1
Letter of Expectation	2
Medical Retirement	1
No Action	2
Not Substantiated	0
Resignation	8
Performance Improvement Plan	1
<b>Total</b>	<b>24</b>

**Notes:**

- The information provided in this response was identified in MSD's HR System using ER Case Types Falsification of medical certificate, Falsifying client records/notes and Falsifying information as well as using a text search across the Subject, Description and Disciplinary fields for "fals".

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 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 in response to the outcome of investigations taken for falsifying information, 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.

Ngā mihi nui



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