



12 December 2022

Tēnā koe

On 1 November 2022, your request for information was transferred from the Office of the Hon Minister Carmel Sepuloni to the Ministry of Social Development (the Ministry), as the questions 12 (bullet point 2), 14, 15 and 16 are believed to be more closely connected to the functions of the Ministry. Your request for information under the Official Information Act 1982 (the Act), is for the following information:

12. *When there is a court ordered parenting order in place stating the separated/divorced parents have 50/50 custody of their children, can you please explain MSD policy or legislation that enables them to remove the status of the parent by designating them as a single person with no dependents when legally only a court judge is able to change or remove parental rights and guardianship?*
 - *How many separated/divorced parents are designated by MSD as single people with no dependents despite having children recorded on their file? How many of these are as a result of 50/50 custody? How many of these have provided MSD with a copy of their court ordered parenting order stipulating they share 50/50 care?*
14. *According to MSD client records, what is the number of married/defacto parent situations who receive childcare subsidy, and child disability allowance, compared to the number of separated/divorced parents who also receive these benefits, as well as the number of separated/divorced parents who do not?*
15. *How many separated/divorced parents are currently not entitled to childcare subsidy, child disability allowance, or other benefits married/defacto parents are entitled to, as a result of having 50/50 shared care?*
16. *What is the ethnic break down of those affected by this legislation? Is this something that affects particular ethnicities disproportionately compared to others or does this impact all cultures?*

On 29 November 2022, the Ministry emailed you to advise that more time was required to respond to your request. The reason for the extension is that consultations necessary to make a decision on the request are such that a proper response to the request could not reasonably be made within the original time limit.

Childcare Subsidy (CCS) is a non-taxable payment that aims to assist clients with dependent children to undertake and remain in employment, education, or training. It also assists with client access to pre-school care if they or their child are seriously disabled or ill. You can find more information regarding CCS at the following link: www.workandincome.govt.nz/map/income-support/extra-help/childcare-assistance-programme/childcare-subsidy.html.

Child Disability Allowance (CDA) is a non-taxable allowance that is available to the principal caregiver of a dependent child who has a disability. It is paid because of the extra care that may be needed by a child who has a physical, sensory, psychiatric or intellectual disability. You can find more information regarding CDA on the following link:

www.workandincome.govt.nz/map/income-support/extra-help/child-disability-allowance/index.html.

For the sake of clarity, the Ministry will respond to your requests in turn.

- *How many separated/divorced parents are designated by MSD as single people with no dependents despite having children recorded on their file? How many of these are as a result of 50/50 custody? How many of these have provided MSD with a copy of their court ordered parenting order stipulating they share 50/50 care?*

16. *What is the ethnic break down of those affected by this legislation? Is this something that affects particular ethnicities disproportionately compared to others or does this impact all cultures?*

I am unable to provide you with this information as the Ministry do not report on whether clients are separated or divorced. If this information is held it would be held on notes in individual case files.

In order to provide you with this information, Ministry staff would have to manually review a substantial number of files. As such, I refuse your request under section 18(f) of the Act. The greater public interest is in the effective and efficient administration of the public service.

I have considered whether the Ministry would be able to respond to your request through consultation, or given extra time, or the ability to charge for the information requested. I have concluded that, in any case, the Ministry's ability to undertake its work would still be prejudiced.

14. *According to MSD client records, what is the number of married/defacto parent situations who receive childcare subsidy, and child disability allowance, compared to the number of separated/divorced parents who also receive these benefits, as well as the number of separated/divorced parents who do not?*
15. *How many separated/divorced parents are currently not entitled to childcare subsidy, child disability allowance, or other benefits married/defacto parents are entitled to, as a result of having 50/50 shared care?*

As advised above the Ministry does not report on separated or divorced clients, however, please see **Table One** which shows the current number of children included in split custody relationships as at the end of September 2022, broken down by parents on working age main benefits receiving Child Care Subsidy (CCS), Child Disability Allowance (CDA) and those receiving both CCS and CDA.

Table One: Number of children included in split custody relationships as at the end of September 2022, broken down by parents on a working age main benefit receiving Child Care Subsidy or Child Disability Allowance, and those parents receiving both Child Care Subsidy and Child Disability Allowance.

Number of children in split custody	Number of parents on Main Benefit	Number of Split Custody Children receiving CCS	Number of Split Custody Children receiving CDA	Number of Split Custody Children both CCS and CDA
22,599	6,465	930	702	54

Notes:

- This report only counts main benefits that are being paid to working age clients.
- Working Age is defined as 18 to 64 years.
- CDA is Child Disability Allowance.
- CCS is Child Care Subsidy.
- CCS consists of Early Childhood and Out of School Care and Recreation.
- Main Benefits exclude NZ Superannuation, Veteran's Pension, Non-Beneficiary assistance, Orphan's Benefit and Unsupported Child's Benefit.
- The CCS or CDA reported here are only those paid on behalf of a split custody child.

- An adult may receive CCS or CDA for several other children, but they will not be counted under the CCS / CDA columns unless they are split custody children.
- A child receiving both CCS and CDA will appear in the 'both' category, and also in the CCS and CDA separately.
- To protect confidentiality the Ministry uses processes to make it difficult to identify an individual person or entity from published data.
- These data tables have had random rounding to base three applied to all cell counts in the table.
- Random rounding does not round down to zero, a value of one or two will be rounded to three.
- The impact of applying random rounding is that columns and rows may not add exactly to the given column or row totals.
- The published counts will never differ by more than two counts.

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 about separated/divorced parents receiving childcare subsidy, 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

Bridget Saunders
Manager
Issue Resolution