



**MINISTRY OF SOCIAL
DEVELOPMENT**

TE MANATŪ WHAKAHIATO ORA

04 DEC 2020

David Dahya

fyi-request-14135-8c973e3f@requests.fyi.org.nz

Dear David Dahya

On 16 November 2020, you emailed the Ministry of Social Development (the Ministry) requesting, under the Official Information Act 1982 (the Act), information relating to the Ministry's employment process and website Careers Portal. For the sake of clarity your questions are addressed in turn:

- 1. What was wrong with the careers portal that warranted a redesign of it- it was functioning well prior to the redesign and which retained the entire history?*
- 2. Why has MSD deleted some of the job application histories from the careers portal and not retained all of it after the redesign?*
- 3. Why has MSD deleted some of the job application histories from the careers portal without prior notification to the registered portal users?*
- 4. Why has MSD deleted some of the job application histories from the careers portal without giving the registered portal users the opportunity to save a copy?*
- 5. Why has MSD deleted job application histories of registered portal users knowing that this information is required by MSD registered job seekers as part of their obligations to MSD- MSD being an organisation you engage in data matching with?*
- 6. If this is my information - why have you deleted it without my permission? Perhaps this was a question for the Privacy Commission during Privacy week last week?*
- 7. Why would MSD delete job application history knowing that MSD registered job seekers are required to produce that information as part of their obligations to MSD?*

The Ministry implemented a new recruitment system in November 2016 as part of a project to update and upgrade a wide range of Ministry systems.

On 22 September 2020, a letter from the Ministry was provided to you in regard to your job application history. This letter also provided an explanation of the changes to the Careers Portal and contains the information relevant to this aspect of your request. The letter also outlines the Ministry's actions and responsibilities under the Privacy Act (1993) in regard to the Careers Portal.

- 8. Who did you consult with prior to redesigning the portal i.e. which people, groups, subject matter experts?*

The Ministry did not redesign the Careers Portal. Before November 2016, it was maintained by Saphire (an external applicant tracking system provider). The Ministry then upgraded the Human Resources systems with a package that included an in-house recruitment process.

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When the Ministry introduces changes to systems and processes organisation wide, it is the current practice to ensure consultation occurs with all relevant groups within the Ministry and with partner agencies, such as Oranga Tamariki, and any key stakeholders that support our staff, such as unions.

9. How many unemployed people were consulted prior to the redesign of the careers portal -as they are, obviously the portion of the population most likely to use it?

Generally, the Ministry undertakes internal consultation as well as engaging with key stakeholders when making changes of this kind. The Ministry does not hold specific records on whether each person that was consulted with in regard to the Careers Portal were employed or unemployed at the time of consultation. As such, this part of your request is refused under section 18(g)(i) of the Act, as the information requested is not held by the department and the persons dealing with the request has no grounds for believing that the information is held by another department or Minister of the Crown or organisation.

10. If this is the first time this particular issue has been raised why has it taken an MSD registered unemployed person to do so - despite all the skilled and knowledgeable professionals in your organisation?

The queries relating to changes to the Careers Portal that you have submitted are the only queries the Ministry has received on this matter.

11. Of the applicants that were hired how many of them (& what percentage) were long term unemployed at the time of application for year ending 2019 & 2018? Could you provide individual statistics for each respective year.

The Ministry does not collect the information you have requested. When hiring employees, it is not mandatory for the Ministry to ask whether the candidate is in current employment or not. Therefore, this part of your request is refused under section 18(e) of the Act, as this information is not recorded and therefore does not exist.

12. Does MSD generally hire applicants currently in employment or unemployed at time of application?

13. Will MSD's/HR's tendency to hire applicants that are currently in employment, allow the rich to get richer and the poor to stay poor and will it not cause and sustain long term unemployment? Refer to point 12.

14. Because, an MSD registered unemployed person, who somehow lacks the skills to be employed(through lack of a reference, or not having 'recent' experience) can't have been the only one to raise this issue whereas, the currently employed skilled professionals, most likely have, and so I ask for confirmation of this - 'confirmation', being key word in this FYI request. Refer point 11 & 12. Why haven't MSD's knowledgeable and skilled professionals addressed this issue, acknowledged it, or even be aware of it? Refer Q8,9,10 & 11 also.

The Ministry's recruitment practices adhere to New Zealand's human rights legislation. Section 21(1)(k) of the Human Rights Act states that a person cannot be discriminated against on the grounds of their employment status. This includes any discrimination relating to whether they are employed or not.

In line with the Human Rights Act, the Ministry does not have any specific policies in regard to former beneficiaries gaining employment at the Ministry or its Service Centres. Whether a person receives a benefit is not part of the hiring decision-making at the Ministry.

15. Why hasn't MSD ensured that IRD themselves be able to provide this information in case MSD require it from job seekers in future -especially since they engage in data matching with each other.

The Ministry manages its own recruitment processes and is not associated or involved with the Inland Revenue Department's recruitment processes. The two departments do not specifically share information on how long persons have been unemployed when applying for roles at either agency.

16. Was MSD aware of the requirement by MSD from MSD registered job seekers to be able to provide historical job application history prior to deleting some of the job application history?

17. If MSD have deleted career portal histories, without notification, they need to be able to produce a copy of the deleted history on request from portal users, especially from those that are MSD registered job seekers, for any potential MSD/SSA appeals hearings that may require historic information. Can MSD restore the deleted job application histories from their careers portals and, if not, why not?

Please refer to the letter dated 22 September 2020, as noted previously.

18. Did a representative of MSD/HR attend last week's Wellington Privacy seminar during Privacy Week and, if not, why not? Refer Q6 above.

I can confirm that staff members from the Ministry attended the Wellington Privacy seminar on 5 November 2020 during Privacy Week 2020.

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 changes to the Careers Portal of the Ministry website, 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



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Human Resources Operations