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20 December 2021

Tēnā koe Chris Dolmeth

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 applications for any COVID-19 Wage Subsidy payment by an individual identified as being in receipt of assistance from the Ministry of Social Development (MSD).*
- *The number of investigations made into such applications to determine entitlement.*
- *The number of beneficiaries who received any COVID-19 Wage Subsidy payment and were not entitled to receive it.*
- *The number of beneficiaries who made a false application for any COVID-19 Wage Subsidy payment.*
- *The total number of refunds requested from beneficiaries who were not entitled to any COVID-19 Wage Subsidy payment, including total dollar value.*
- *The total number of refunds requested from beneficiaries who made false applications to any COVID-19 Wage Subsidy payment, including total dollar value.*
- *The total number of refunds received and total dollar value.*
- *The total number of prosecutions that have commenced against a beneficiary for making any false application for any COVID-19 Wage Subsidy payment.*

For the sake of clarity, your questions will be grouped as appropriate.

- *The number of applications for any COVID-19 Wage Subsidy payment by an individual identified as being in receipt of assistance from the Ministry of Social Development (MSD).*

As part of its post-payment reviews for the original and consolidated Wage Subsidy Schemes which occurred during the period March 2020 to October 2020, the Ministry matched application information against information held in relation to benefits and entitlements paid under the Social Security Act 2018. The Ministry initially identified approximately 21,000 clients in receipt of Jobseeker Support, 8,638 clients in receipt of Supported Living Payment, and 4,816 clients in receipt of Sole Parent Support, who were included as employees in Wage Subsidy applications. The Ministry also identified approximately 4,000 self-employed applicants who were in receipt of a main benefit.

Regular matching with the benefit system occurred from 10 June 2020 with the introduction of the Wage Subsidy Extension and Wage Subsidy Resurgence payments. This matching identified a further 24,700 clients named as employees in wage subsidy applications. Approximately 4,700 self-employed applicants for the Wage Subsidy Extension, and approximately 1,300 self-employed applicants for the Wage Subsidy Resurgence also indicated they were receiving either Jobseeker Support, Supported Living Payment or Sole Parent Support as part of their Wage Subsidy application.

Out of those that were matched, the Ministry prioritised reviewing the entitlement of those employees that were identified as full-time workers by their employers and had full time work obligations for Job Seeker Support. As a result of those reviews (including follow up directly with clients), in the majority of cases there was no change to a client's entitlement, in some the additional income from employment was added to a client's record and in some cases a debt was created.

Clients may be able to receive a wage subsidy and retain entitlement to a full or partial benefit, and a client's benefit can be adjusted depending on the amount of income they earn. Client obligations by benefit type can be found on the Work and Income website at the following link: www.workandincome.govt.nz/on-a-benefit/obligations/index.html.

- *The number of investigations made into such applications to determine entitlement.*
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- *The number of beneficiaries who made a false application for any COVID-19 Wage Subsidy payment.*
- *The total number of refunds requested from beneficiaries who were not entitled to any COVID-19 Wage Subsidy payment, including total dollar value.*
- *The total number of refunds requested from beneficiaries who made false applications to any COVID-19 Wage Subsidy payment, including total dollar value.*

Allegations, including internal file suspicions, relating to someone receiving both a benefit and a Wage Subsidy would be treated as an allegation of benefit fraud.

The Ministry is unable to report on how many benefit fraud investigations may have included Wage Subsidy allegations, integrity checks, investigations, or refund requests which included benefit recipients. This information would be held on individual client files, and in order to provide you with this information, Ministry staff would have to manually review thousands 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 given extra time, or the ability to charge for the information requested. I have concluded that, in either case, the Ministry's ability to undertake its work would still be prejudiced.

- *The total number of refunds received and total dollar value.*

Wage Subsidy repayments received by the Ministry are reported on each week on the Ministry's website at www.msd.govt.nz/about-msd-and-our-work/publications-resources/statistics/weekly-reporting/index.html. As such, your request for this information is refused under section 18(d) of the Act on the basis that the information requested is publicly available.

- *The total number of prosecutions that have commenced against a beneficiary for making any false application for any COVID-19 Wage Subsidy payment.*

I can advise that, to date, the Ministry has filed separate criminal charges against two people in relation to multiple Wage Subsidy applications. These charges were filed in the Auckland District Court on 29 September 2021. Details of these proceedings are withheld under section 6(c) of the Act where making that information available would be likely to prejudice the maintenance of the law, including the prevention, investigation and detection of offences.

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



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