



MINISTRY OF SOCIAL DEVELOPMENT

Te Manatū Whakahiato Ora

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27 SEP 2012

Mr Mike Gendall
fyi-request-537-ac7953a8@requests.fyi.org.nz

Dear Mr Gendall

Thank you for your email of 1 September 2012 requesting, under the Official Information Act 1982, the following information:

According to your records, how many requests under the Official Information Act are subject to Ombudsman complaint as at the date of this request? What was the wording of the request that become subject of an Ombudsman complaint? According to your records, what is the age of the complaint?

The Ministry of Social Development is New Zealand's largest public service department employing more than 9,000 staff to provide services to over one million New Zealanders each year. The Ministry's Ministerial and Executive Services team supports and assists Ministers, the Ministry's Leadership Team and staff when responding to public interest in the Ministry's work. Its key role is to ensure accountability and transparency of the Ministry and accurately convey Ministry information to the public in a timely manner.

The Ministry replied to more than 366 formal Official Information Act requests for information in the 2011/12 financial year, in addition many informal requests by clients are managed at frontline offices everyday.

I can advise that as at the date of your request, the Ministry had nine open investigations regarding formal Official Information Act complaints notified by the Ombudsman. The oldest complaint was received 15 June 2011.

Of the nine open investigations I can advise that:

- Five complaints relate to Privacy and Official Information requests that have been received by Child, Youth and Family, where information has been withheld about a particular child/ren in order to protect their privacy or where there was a delay in providing the information
- Four complaints are being considered by the Ombudsman where information was withheld by the Ministry following:
 - a person's application to be a caregiver being declined
 - information being withheld regarding a care and protection notification that was received by Child, Youth and Family
 - the refusal of a request for information regarding Military Activity Camps
 - the decision to withhold some paragraphs from the Regulatory Impact Statements on the Youth Payment and the Welfare Reform: Phase One – Social Security Amendment Bill (No.1).

In all of the nine cases, the Ministry has responded to the complaint and is awaiting a follow-up response from the Ombudsman's Office.

I am withholding further information relating to these complaints, including the names of the complainants, under section 9(2)(a) of the Official Information Act to protect the privacy of natural persons. This section of the Act allows me to withhold information where the release would prejudice their right to privacy. I believe the greater public interest in this instance is in the ability of these people to make a complaint to the Ombudsman's Office without their details being released publicly before a final decision has been made.

I hope you find this information helpful. You have the right to seek an investigation and review of my response by the Ombudsman, whose address for contact purposes is:

The Ombudsman
Office of the Ombudsman
PO Box 10-152
WELLINGTON 6143

Yours sincerely



David Shanks
Deputy Chief Executive Corporate and Governance