



03 DEC 2020

Shane Gibson
fyi-request-13231-c94231a3@requests.fyi.org.nz

Dear Shane Gibson

On 3 July 2020 the Ministry for Social Development (the Ministry) received your request, made under the Official Information Act 1982 (the Act), for the following information:

- *Copies of all Memorandum of Understanding signed in the last five years related to the sharing of data to organisations outside your organisation.*

On 8 July 2020, you refined your request to be for the following information:

- *Copies of all active Memorandum of Understanding between the Ministry of Social Development and core government agencies, signed in the last five years.*

On 4 August 2020, the Ministry extended the timeframe of your request until 5 November 2020. This was due to the extensive research and consultation that had to be undertaken in order for the Ministry to provide a complete response.

On 4 November 2020, the Ministry advised you of our decision to grant your request however, advised it would take some more time to prepare the material for release. The Ministry advised that you would receive a response to your request no later than 3 December 2020.

When agencies intend to regularly share information they will often enter into an Memorandum of Understanding (MOU). An MOU is a form of information sharing agreement that sets out:

- The parties involved
- The information that will be shared
- The legal basis for sharing
- The purposes for which the information can be used
- The retention period for the information

The Ministry undertook extensive searches for the relevant information and located 14 MOUs and 3 variations to MOUs that were signed in the last five years and are shared between the Ministry and a number of other core government agencies.

The following documents have been compiled and are released to you under the Act:

1. MOU - Information Sharing: NGO Accreditation Information. Shared between the Ministry and the Ministry for Business, Innovation and Employment. Signed by the Ministry on 29 August 2017.

Page 1 of 4

2. MOU – Supply of Ministry of Social Development Data to the Integrated Data Infrastructure Memorandum of Understanding between Statistics New Zealand (Stats NZ) and the Ministry of Social Development. Signed by the Ministry on 8 October 2018.
3. MOU – Memorandum of Understanding for Child Support and Domestic Maintenance between Inland Revenue (IRD) and the Ministry of Social Development. Signed by the Ministry on 28 February 2019.
4. MOU – Memorandum of Understanding between Inland Revenue and the Ministry of Social Development: Supplying information to assist the Ministry of Social Development to reduce benefit and subsidy overpayments. Signed by the Ministry on 23 May 2018.
5. MOU – Memorandum of Understanding between Inland Revenue and the Ministry of Social Development: A limited share between the Parties for updating customer contact information. Signed by the Ministry on 25 September 2020.
6. MOU – Memorandum of Understanding between Inland Revenue and the Ministry of Social Development: COVID Income Relief Payments. Signed by the Ministry on 2 July 2020.
7. MOU – Memorandum of Understanding between Inland Revenue and the Ministry of Social Development: Commencement/Cessation of Benefits and Student Allowances. Signed by the Ministry on 23 May 2018.
8. MOU – Memorandum of Understanding between the Ministry of Social Development and the Inland Revenue Department for the Supply of Information for Working for Families Tax Credits Administration. Signed by the Ministry on 23 May 2018.
9. MOU – Memorandum of Understanding between Inland Revenue and the Ministry of Social Development for Working for Families Tax Credit and Benefit Double Payment May 2018. Shared between the Ministry and IRD. Signed by the Ministry on 23 May 2018.
10. MOU – Memorandum of Understanding between Inland Revenue and the Ministry of Social Development: Sharing information to assist the Ministry of Social Development in providing financial assistance to those affected by the COVID-19 Virus. Signed by the Ministry on 9 June 2020.
11. MOU – Memorandum of Understanding between Inland Revenue and the Ministry of Social Development: Student Loan Programme. Signed by the Ministry on 3 August 2017.
12. MOU – Memorandum of Understanding between the Ministry of Justice (MOJ) and the Ministry of Social Development: Electronic file transfer and processing of Attachment Orders and Allotments to Benefit. Signed by the Ministry on 9 May 2016.
13. MOU – Memorandum of Understanding between the Ministry of Social Development and the Department of Internal Affairs (DIA) Relating to the Sharing of Birth Registration Data. Signed by the Ministry on 6 February 2017.
14. MOU – Memorandum of Understanding for Sharing of Information to Support the Alcohol and Other Drug Treatment Court Outcome Evaluation. Shared between the Ministry and MoJ. Signed by the Ministry on 11 September 2018.

The Ministry located the following variations to three of the MOUs listed above. The following variations are released to you:

15. Variation to MOU – Inland Revenue and Ministry of Social Development: Variation to the Memorandum of Understanding for the Commencement/Cessation of Benefits and Student Allowances. Signed by the Ministry on 4 April 2019.
16. Variation to MOU – Inland Revenue and Ministry of Social Development: Variation to Memorandum of Understanding for the Exchange of Information for Working for Families Tax Credit and Benefit Double Payment. Signed by the Ministry on 4 April 2019.
17. Variation to MOU – Inland Revenue and Ministry of Social Development: Variation to Memorandum of Understanding for the Supply of Information for Working for Families Tax Credits Administration. Signed by the Ministry on 4 April 2019.

Please note, the names and contact details of some individuals are withheld under section 9(2)(a) of the Act in order to protect the privacy of natural persons. The need to protect the privacy of these individuals outweighs any public interest in this information.

You will also note that information is withheld under section 9(2)(k) of the Act to prevent the use of disclosure of the requested information for improper gain or improper advantage.

Inland Revenue was consulted on MOUs that relate to their agency. Some information has been withheld from those documents under section 6(c) of the Act, as the release of the information would be likely to prejudice the maintenance of the law, including the prevention, investigation and detection of offences. This has been done to uphold Inland Revenue's obligations under section 18 of the Tax Administration Act 1994.

Please note, the following documents were identified in our search, but are not included in the response as these documents have been provided to you by other agencies in response to the same request for information which you made to them directly. These MOUs have been published on the FYI.org.nz website in response to your request and are publicly available. Therefore, this aspect of your request is refused under section 18(d) of the Act.

MOU - In Relation to Child Poverty Reporting. Shared between the Ministry and Stats NZ. Signed by the Ministry on 1 March 2019.

MOU - Independent Monitoring of the Oranga Tamariki System – Phase 1 Monitoring. Shared between the Ministry and Oranga Tamariki (OT). Signed by the Ministry on 1 July 2019.

MOU – Kainga Ora: The Northland Place Based Initiative. Shared between the Ministry and the Ministry of Education (MoE). Signed by the Ministry on 20 November 2017.

MOU – Information Sharing to Support Locating Children and Young People Either Not Enrolled in School or Not Attending School Due to Exclusion. Shared between the Ministry and MoE. Signed by the Ministry on 7 August 2019.

MOU – Parties Involved in the Integrated Safety Response to Family Violence Christchurch Pilot. Shared between the Ministry and MoE. Signed by the Ministry on 27 June 2016.

The Ministry is also a party to several Approved Information Sharing Agreements (AISAs), which are an instrument for sharing personal information under Part 9A of the Privacy Act 1993. AISAs are published on the Office of the Privacy Commissioner website and can be found here: www.privacy.org.nz/privacy-for-agencies/information-sharing/approved-information-sharing-agreements/.

More information on information sharing between the Ministry and IRD can be found on the IRD website at this link: www.ird.govt.nz/about-us/information-sharing/information-sharing/msd.

Please note that some other MOUs that the Ministry is party to and that were signed in the last five years may exist. The Ministry has endeavoured to locate all documents relevant to your request, however, accepts that there may be some documentation missing. Our extensive research across the organisation only located the MOUs as noted in this letter, which are released to you under the Act.

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 and attachments 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.

If you are not satisfied with this response to your request for all active MOUs between the Ministry and core government agencies, 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



Nadine Kilmister
Deputy Chief Executive
Organisational Assurance and Communication