



14 October 2022

Mr David Dahya

fyi-request-20269-075b0443@requests.fyi.org.nz

Tēnā koe David Dahya

On 18 August 2022, you emailed the Ministry of Social Development (the Ministry) requesting, under the Official Information Act 1982 (the Act), the following information:

1. *Your Jobseeker Support benefit*
 - a. *I would like to know why the JS Benefit, in this case, was not suspended following week?*
 - b. *Why was a 'manual' letter generated as opposed to a 'standard' letter in this case?*
 - c. *What will MSD do in such instances, where the beneficiary has followed the correct process but the system has failed and created an 'unjustified' debt?*
 - d. *More importantly, how many other times has this occurred to other MSD beneficiaries unaware of this apparent failing in MyMSD who don't have the nous or inclination to question it because it is too much hassle and who don't bother to question it as it is performed by the MyMSD system?*
 - e. *Does MSD have the resources and ability to find out when such instances have occurred for all beneficiaries?*
 - f. *Is MSD able to find out how many times this has occurred in the past and what will they do in those cases?*
 - g. *Can MSD find out when the income was declared via MyMSD and whether the JS allowance was paid when it shouldn't have been?*
 - h. *Is there any other disadvantages/losses, apart from the unjustified debt, that such instances would incur for the MSD beneficiaries?*
 - i. *Does MSD consider their MyMSD system fit for purpose in such instances?*
2. *Questions about MyMSD*
 - a. *Why hasn't it been resumed/unsuspended as Thursday is the day the JS benefit is usually paid?*
 - b. *What is the process a JS beneficiary should follow, in such cases, and at what stage should the job seeker do so?*

c. Has there been any system changes to the MyMSD system recently?

On 13 September 2022, in accordance with section 15(1) and 15A of the Act, your request was extended to 13 October 2022. The reason for the extension was that consultations necessary to make a decision on the request were such that a proper response to the request could not reasonably be made within the original time limit.

Jobseeker Support is a temporary benefit paid for up to 52 weeks while clients look for work, are in training for work or unable to work due to a health condition, injury or disability. If a client still requires Jobseeker Support after 52 weeks, they must complete the 52-week reapplication process. You can find more information regarding Jobseeker Support and qualifications at the following link: www.workandincome.govt.nz/map/income-support/main-benefits/jobseeker-support/introduction.html.

Jobseeker Support is available to people who can usually work full-time. It also includes people who can only work part-time or can't look for work at the moment, for example because they have a health condition, injury or disability.

In general terms, it would appear your issues are with the delays that happen between income being declared through MyMSD and your payments being updated, and regrettably there can be delays with debts/arrears being created as reviews are being done.

I will firstly address the series of questions you raised about your Jobseeker Support benefit, before addressing your questions about MyMSD.

- a. I would like to know why the JS Benefit, in this case, was not suspended following week?*
- b. Why was a 'manual' letter generated as opposed to a 'standard' letter in this case?*

The Ministry's systems generally allow for benefit rates to update automatically in response to self-declared income changes through MyMSD. Where exceptions are raised, the update must be done manually. In this case because you declared income twice for the same period, it went to the Ministry's Central Processing Unit for manual process. Income is charged for the week it is earned, regardless of when the Ministry receives the declaration.

The Ministry uses templated letters for a variety of situations, however where a templated letter is not applicable a manual letter can be used instead. This allows the staff member to ensure the information included is tailored to reflect the actions taken and outcome.

- c. *What will MSD do in such instances, where the beneficiary has followed the correct process but the system has failed and created an 'unjustified' debt?*

Debts established as the result of Ministry error may be subject to write off under Regulation 208 (debts caused wholly or partly by errors to which debtors did not intentionally contribute) of the Social Security Regulations 2018. For a debt to be written off that has been established as a result of processing an income declaration, it must meet the criteria set out in Regulation 208, otherwise it is recoverable.

- d. *More importantly, how many other times has this occurred to other MSD beneficiaries unaware of this apparent failing in MyMSD who don't have the nous or inclination to question it because it is too much hassle and who don't bother to question it as it is performed by the MyMSD system?*
- e. *Does MSD have the resources and ability to find out when such instances have occurred for all beneficiaries?*
- f. *Is MSD able to find out how many times this has occurred in the past and what will they do in those cases?*
- g. *Can MSD find out when the income was declared via MyMSD and whether the JS allowance was paid when it shouldn't have been?*

I am unable to provide you with this information as it is held in notes on 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 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.

- h. *Is there any other disadvantages/losses, apart from the unjustified debt, that such instances would incur for the MSD beneficiaries?*

If a client disagrees with a debt established by the Ministry, they need to contact us to discuss this. A client can submit a Review of Decision to have the decision to establish a debt reviewed, or they can call the Ministry to talk about it over the phone. More information about client debt can be found on the Ministry's website, here: www.workandincome.govt.nz/on-a-benefit/debt/index.html.

- i. Does MSD consider their MyMSD system fit for purpose in such instances?*

It is regrettable you had an unfortunate experience with the MyMSD system in this instance. The Ministry is always looking for ways to improve our services for best experience.

I will now address your three further requests about your experience with MyMSD.

- a. Why hasn't it been resumed/unsuspended as Thursday is the day the JS benefit is usually paid?*

It may be useful to clarify how the Ministry's system works. Benefits are assessed for the Monday to Sunday week, so its preferable for clients to let us know by Sunday evening how many hours they have worked and the gross amount of their earnings in order for it to be applied before the payment is sent from our system.

If a client declares their income after the Ministry has processed their weekly payment, the Ministry needs to calculate whether they were under or overpaid. In the event of an overpayment, a debt will be established.

If you believe there are issues with your benefit, please contact Work and Income's MyMSD and Online Applications help on 0800 559 009 and say "**online help**" when the voice recording asks you how we can help.

- b. What is the process a JS beneficiary should follow, in such cases, and at what stage should the job seeker do so?*

Please see the answer to your previous query. I invite you to contact Work and Income's MyMSD and Online Applications if you believe there are issues with your benefit.

- c. Has there been any system changes to the MyMSD system recently?*

There have not been any recent system changes to My MSD.

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'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 your experience with MyMSD, 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

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**Manager – Issue Resolution
Service Delivery**