



1 MAY 2018

Mr Robert Stewart
FYI-request-7539-a0a12122@requests.fyi.org.nz

Dear Mr Stewart,

On 29 March 2018 you emailed the Ministry requesting, under the Official Information Act 1982, the following information:

- *What are the policies or guidelines for deception or lying to clients?*
- *What are the policies or guidelines for deception or lying on official forms or system notes about clients?*
- *What are the policies or guidelines when determining the consequences for staff members if they deceive or lie to clients?*
- *What are the policies or guidelines when determining the consequences for staff members if they deceive or lie on official documents or in system note about a client or incident?*
- *All information via manuals, training documents, memos, or emails about the use of deception or lying to clients? This includes when and how deception or lying can be used and what is and why deception or lying cannot be used?*
- *When faced with a complaint by a client about a security guard, who investigates the complaint, the Ministry or the company of the security guard?*
- *Are complaints about security guards investigated to the same standard and using the same provisions as investigations into complaints of the same nature about the Ministry's own staff?*

The Ministry takes all allegations about staff misconduct seriously. If you are aware of a specific incident where a staff member has deceived or lied to a client, then I urge you to contact Work and Income on 0800 559 009.

Please find attached a copy of the Ministry's Code of Conduct. Upon joining the Ministry, all staff are required to read and sign that they understand the Ministry's Code of Conduct. The Code of Conduct forms part of an employee's Employment Agreement with the Ministry, and applies to all employees of the Ministry including permanent, temporary and casual employees.

The Code of Conduct is a guide which sets out clear expectations about behaviours or conduct that will not be tolerated, and is closely aligned to the State Services Commissions' Standards of Integrity for all public servants. More information about Code of Conduct for State Services can be accessed here: www.ssc.govt.nz/code.

Line Managers hold the delegation to deal with many Human Resources matters at their own local level. The actions taken by a line manager if there was an allegation that a staff member lied or deceived a client, or lied in official documents would depend on the nature of the allegation. In addition to investigating the incident and undertaking any disciplinary action if necessary, the Manager will also look to the needs of the client. In accordance with the Privacy Act 1993, if there is incorrect information on a client's file the Ministry will correct it or put a put on the file to reflect the views of the client.

As it is not appropriate for staff to deceive or lie to clients, no policies, guidelines, manuals, training documents or memos exist regarding the use of deception and lying to clients. Your request for this information is therefore refused under section 18(e) of the Official Information Act as the information does not exist.

In order to identify any emails that may have been sent regarding the requirement for staff to act with honesty and integrity, the emails of every Ministry employee would need to be thoroughly searched. As such, your request for emails on this topic is refused under section 18(f) of the Official Information Act, as it would require substantial manual collation. 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.

Security Guards at the Ministry's sites are employed by Armourguard, and any complaints received regarding Security Guards are forwarded to Armourguard. If the complainant is uncomfortable with this, their complaint will instead be sent to the Ministry's Health, Safety, and Security team who will follow up with Armourguard in order to ensure the complaint is appropriately investigated.

Complaints received by Armourguard are subject to Armourguard's internal complaints processes. The Ministry expects all providers, including Armourguard, to follow robust procedures when investigating and responding to complaints.

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 Work and Income staff deceiving clients, 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



Elisabeth Brunt
General Manager, Ministerial and Executive Services.