



MINISTRY OF SOCIAL DEVELOPMENT

Te Manatū Whakahiato Ora

Bowen State Building, Bowen Street, Wellington 6011, PO Box 1556, Wellington 6140 • Telephone: 0-4-916 3300 • Facsimile: 0-4-918 0099

10 APR 2013

Mr David Burgess
fyi-request-747-c01eaacf@requests.fyi.org.nz

Dear Mr Burgess

Thank you for your email of 1 February 2013 requesting, under the Official Information Act 1982, the following information:

- *Has your agency ever released personal information to any agency like a private investigator, credit agency, etc.?*
- *If information has been released, who has the information been released to?*
- *What personal information has been disclosed?*
- *On how many occasions has this occurred?*

Please note that as no timeframe was provided for in your request, I am providing information relating to the last two financial years only.

The Ministry does not usually use private investigators and I can confirm that during this period the Ministry has not contracted services to any private investigators.

As part of the Ministry's business as usual activities, regular contact is made with both credit and debt collection agencies for a variety of purposes. These purposes include: general enquiries, detecting fraud, recovering debt and pre-employment checking. Contact with debt collection and credit agencies enable the Ministry staff to carry out their work more efficiently.

The following departments within the Ministry use debt collection and credit agencies as follows:

- The National and Internal Fraud Investigation Units make enquiries with credit agencies in order to detect fraud. The following client details are provided to credit agencies – name, date of birth, and social welfare number ("SWN") – in order to match their data to the correct client record.
- The Collections Unit provides several debt collection agencies, with the following client details to recover debt owed to the Crown – name, date of birth, last known contact details, and social welfare number. These agencies attempt to locate the person and recover the debt owed to the Ministry.
- Payroll provides the details of former employees who have failed to set-up payment plans to recover salary overpayments – name, last known contact address, the debt total, amount owing, and copies of all debt letters sent to the former employee by the Ministry. The agency attempts to locate the person and recover the debt owed to the Ministry.

When the Ministry contacts either a credit agency or finance company, the letter of

engagement requests that all information regarding the client be kept confidential. All companies who receive requests for information from the Ministry have their own Code of Conduct regarding client confidentiality and are bound by the Privacy Act 1993.

The Collections and Payroll Units have contracts in place with each of the agencies they use. These contracts include provisions on confidential information, permitted disclosure and data provision and protection. All interactions between the Collections and Payroll Units and the debt collection agency; and the debt collection agency and its partners, must comply with the Privacy Act 1993.

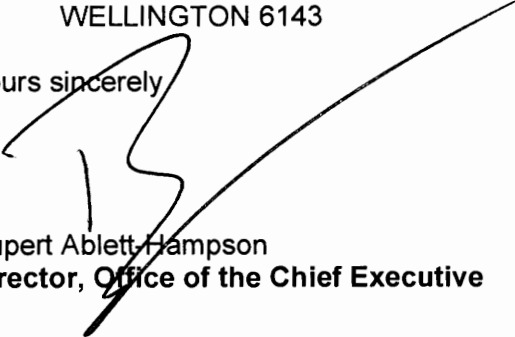
I am unable to provide you with the number of occasions where the Ministry has provided the personal details of a client or former staff member to a debt collection or credit agency, as this information is held in notes on individual case files and staff files. In order to provide you with this information Ministry staff would have to manually review thousands of files. As such I refuse your request under section 18(f) of the Official Information 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.

I'm sorry that I cannot be more helpful at this time. 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,



Rupert Ablett-Hampson
Director, Office of the Chief Executive