

Our ref 44-3 (Complaint ground: 44-2)  
Contact L  
15 March 2018

Mr  
By email: \_\_\_\_\_@yahoo.co

Dear Mr

**Official Information Act investigation**  
**Ministry of Social Development**  
**WINZ services for clients with mental health conditions**

I refer to your complaint under the Official Information Act 1982 (OIA) about the decision of the Ministry of Social Development on your request of 27 September 2016 for:

- The number of clients approached to consider a referral to Work to Wellness services and Mental Health Employment Services, and the number who agreed/refused such a referral (items 4 and 7 of your request);
- Information on whether WINZ clients with mental health conditions suffered any medical problems upon being referred to Work to Wellness providers, what these problems were and what measures were taken by WINZ to support any such individuals (item 5 of the request);
- A list of WINZ 'designated doctors' (item 11 of the request); and
- A copy of the 'Guide for Designated Doctors' (item 12 of the request).

Following notification of my investigation, the Ministry provided you with item 12, and so I have not considered that aspect of your complaint further.

I have however now had an opportunity to consider a report from the Ministry on its decision on the remainder of your request.

I have formed a provisional opinion, subject to your further comment, that the Ministry was entitled to refuse your request for items 4 and 7 on the basis of section 18(e) of the OIA, as other than some limited information already supplied by the Ministry, the information you have requested does not exist. I have however formed a provisional opinion that the Ministry should not have refused your request for items 5 and 11. I have today written to the Ministry advising of my provisional opinion and inviting comments in response.

Further details of my provisional opinion on items 4 and 7, are set out below, together with an invitation to comment.

## Your request for items 4 and 7

You requested:

4. *Information on how many beneficiaries having 'moderate' – or more significant – diagnosed mental health conditions, have to this date been referred to 'Work to Wellness' services? Also how many were approached to consider being referred, how many agreed to be referred, how many refused to be referred, how many have so far been successfully placed into employment? How many have had to terminate their efforts working with providers of 'Work to Wellness' services, and of them, for what reason did they do so?*

And:

7. *Information in broken down detail, on how many beneficiaries having moderate – or more significant – mental health conditions, were during the earlier trials in the form of 'Mental Health Employment Services' being referred to such services? Also how many had been approached to consider being referred, how many agreed to be referred, how many refused to be referred, and how many were successfully placed in employment for more than 3 months, more than 6 months and more than 12 months? How many have had to terminate their efforts working with providers of 'Mental Health Employment Services', and of them, for what reason did they do so?*

The Ministry provided you with the number of referrals to, and participants in, the Work to Wellness programme, as at 23 November 2016, and a report on the Mental Health Employment Services trial, 'Effectiveness of Contracted Case Management Services on Off Benefit Outcomes: Mid Trial Report' that contains a breakdown of participation in that programme. The balance of your request was refused under section 18(e) of the OIA. This section provides a reason to refuse a request where information requested does not exist or, despite reasonable efforts to locate it, cannot be found.

The Ministry explained that the Work to Wellness service commenced at the end of August 2016, and that as it was a six month programme, there were no employment outcomes available at the time of your request on 27 September 2016. The Ministry also advised that as it was a voluntary programme, no information was recorded as to the total number of clients approached to consider a referral. In its response to notification of my investigation, the Ministry clarified that the number of clients who refused a referral was also not recorded.

In the circumstances, I consider that the Ministry was entitled to rely on section 18(e) to refuse your request for items 4 and 7.

## Comments

I invite you to comment before I form a final opinion on the Ministry's decision on your request for items 4 and 7. Please provide any comments by no later than **28 March 2018**.

I am also providing the Ministry with an opportunity to comment on my provisional opinion on its decision on your request for items 5 and 11 before I decide whether to confirm my opinion as final. I have today written to the Ministry in that respect.

Following receipt of your comments, and any comments received from the Ministry, I will write to you again to confirm my final opinion.

Yours sincerely

A handwritten signature in black ink that reads "L. Donnelly." The signature is written in a cursive style with a large initial "L" and a period at the end.

Leo Donnelly  
Ombudsman