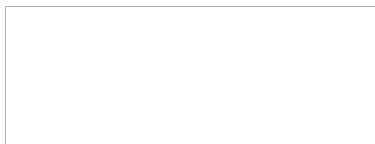




**MINISTRY OF SOCIAL
DEVELOPMENT**

TE MANATŪ WHAKAHIATO ORA

29 JUN 2017



Dear

On 8 May 2017, you emailed the Ministry requesting information, under the Official Information Act 1982, which was later refined to:

- *The number of pre-employment drug test referrals for beneficiaries in Wairarapa in 2014, 2015 and 2016, broken down by Masterton, Carterton and South Wairarapa region. Of these, the number of drug related obligation failures, the drugs that were present in the failed results and the job positions or employers that may require a pre-employment drug test?*

Clients with work obligations are required to take and pass a drug test where an employer asks for one as part of the application process for a suitable job. The only requirement of the Ministry is that a client who has work obligations must be able to take any appropriate employment opportunity including those that are drug tested.

In most cases a drug test is deemed a recruitment cost for the employer, not prospective employees. The drug testing policy for clients with work obligations allows the employer to be reimbursed for the test if a person fails, as long as the employer has informed Work and Income at the time of lodging the vacancy that the job requires a pre-employment drug test.

The Ministry is only informed by an employer when a client is unsuccessful in the employment opportunity due to drug test failure. The Ministry is not informed of what drugs were present in a failed test. As such, request for the type of drugs that were present in a failed result is refused under section 18(g) of the Official Information Act as the information you have requested is not held by the Ministry and I have no grounds to believe that the information is held by another Department or Minister of the Crown or Organisation.

The information that a drug test is a requirement for a job application is recorded on individual job listings. As such, your request for the job positions or employers that may require a pre-employment drug test is refused under section 18(f) of the Official Information Act, as it would require substantial collation to collect this information. 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 requests 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.

Further information about the obligations beneficiaries are required to meet and pre-employment drug testing is available at the following web-links:

- www.workandincome.govt.nz/on-a-benefit/obligations/index.html
- www.workandincome.govt.nz/on-a-benefit/work-obligations/pre-employment-drug-testing.html

Below are two tables that show the number of referrals to paid employment opportunities in the Wairarapa Community Link, where a drug test was potentially required by the employer, for the calendar years ending 2014 to 2016, and the number of obligation failures in the Wairarapa Community Link, for a drug test related reason, for the calendar years ending 2014 to 2016. Please note that this is a count of referrals and obligation failures not clients, and the same client may have been referred or had an obligation failure more than once in the period. The Wairarapa Community Link is a Ministry catchment which includes Masterton, Carterton, and the South Wairarapa districts.

The Ministry reports information about referrals to employment opportunities with a drug testing component by office location as this ensures that the data published is accurate and reliable. The Ministry does not produce reports for ad-hoc one-off requests for specific areas as this is not an efficient use of the Ministry's resources.

In order to protect client privacy a value below six is suppressed and is represented by 'S'. The Ministry is unable to provide you with the exact number as releasing this information is likely to risk identifying the individuals concerned. As such, this information is withheld under section 9(2)(a) of the Act. The need to protect the privacy of these individuals outweighs any public interest in this information.

Table One: Number of referrals to employment opportunities with a drug testing component in the Wairarapa Community Link, for calendar years ending 2014 to 2016.

Calendar year ending	Number of referrals
2014	265
2015	246
2016	285

Notes:

- Drug tests are administered by the employer not by the Ministry.
- Referrals are to positions where the employer has asked for a drug test as part of an application. The drug test may not necessarily be undertaken by the employer.

Table Two: Number of obligation failures in the Wairarapa Community Link, for a drug test related reason, for the calendar years ending 2014 to 2016.

Calendar year ending	Number of obligation failures
2014	0
2015	0
2016	S

Notes:

- An obligation failure may be for a combination of reasons, and a drug test related reason is only one component.

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 available to the wider public shortly. The Ministry will do this by publishing this letter 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 regarding pre-employment drug tests, 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



Ruth Bound
Deputy Chief Executive, Service Delivery