



20 OCT 2014

Ms Tracey McLeod
[REDACTED]

Dear Ms McLeod

Thank you for your email of 22 September requesting, under the Official Information Act 1982, information regarding the 90 day trial rule and its impact on beneficiaries. I will answer each of your questions in turn.

- *Please advise how many people who were receiving a benefit from 2009 to June 2014 and who found work, were subsequently released from work by an employer implementing the 90 day trial rule.*
- *How many people unemployed were terminated under the 90 day trial?*

Your request for the number of people who secured employment and then subsequently had their job terminated by an employer under the 90 day trial rule is refused under section 18(f) of the Official Information Act as this information is held in notes on individual case files. To provide you with this information, the Ministry would have to manually review thousands of files. 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 have included the table below, which I hope you find helpful. It shows the number of cancelled benefits with the reason code "obtained work" and the number of benefits granted within 91 days of a cancellation, from the end of March 2009 to the end of March 2014. Please note that the data in this table cannot be directly attributed to 90 day trial terminations as people can gain employment for short periods of time due to temporary and seasonal employment.

Year ending March	Total number of working age main benefits cancelled by reason, "Obtained Work"	Total number of working age main benefits granted within 91 days of cancellation
2009	55,053	9,868
2010	73,948	12,413
2011	84,332	13,842
2012	87,576	15,324
2013	79,733	13,778
2014	85,208	14,585

Please note that the table shows the number of grants not individuals as the same person may have been granted a benefit more than once. This is a count of cancellations of benefits.

- *What was the length of time people remained in work after leaving the unemployment benefit?*

The Ministry reports the number of people who have exited benefit for the reason 'obtained worked' (which is shown in the earlier table). However, the Ministry is not required to report how long they stayed in employment in a particular role. Therefore, your request for this information is refused under section 18(e) of the Official Information Act as this information does not exist.

- *Please provide the reasons given for the termination of that employment when it ended?*

The reason why a person's employment is terminated is recorded on individual case files. In order to provide you with this information, the Ministry 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.

- *How many moved into contract work rather than as employees?*

Case managers can record an employers' name on an individual case file. However, people are under no obligation to tell Work and Income who their new employer is.

The Ministry is not required to record whether a person who obtains work is employed as a contractor or has secured PAYE employment. Therefore I am refusing your request for the number of people employed in contract roles under section 18(e) of the Official Information Act as this information does not exist.

I am sorry that I could not be more helpful in this case. 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


Debbie Power
Deputy Chief Executive, Work and Income