



05 MAR 2020

Glenn Collis  
[fyi-request-12170-2e2dfea6@requests.fyi.org.nz](mailto:fyi-request-12170-2e2dfea6@requests.fyi.org.nz)

Dear Mr Glenn Collis

On 6 February 2020, you contacted the Ministry of Social Development (the Ministry) requesting, under the Official Information Act 1982, the following information:

1. *How many reviews of decisions are submitted per month, per region, broken down by:*
  - *The number of reviews of decisions applications submitted?*
  - *The number of decisions that were overturned in favour of the beneficiaries before a review of decision hearing?*
  - *The number of review of decision hearings that were in favour of the Ministry?*
2. *How many review of decision hearings ruled in favour of the Ministry went onto the Social Security Appeal Authority?*
3. *How many Social Security Appeal Authority hearings are ruled in favour of the Ministry of Social Development?*
4. *How many Social Security Appeal Authority hearings, that were ruled in favour of the Ministry, went onto Court action?*

Work and Income administers benefits and pensions entitlements for over 1 million people. The Benefits Review process is designed to ensure people have access to an independent review of benefit entitlement decisions.

Approximately five million decisions per year have review rights attached. Of these, there are approximately 4,500 requests for a formal Review of Decision (ROD) each year. This represents 0.1 per cent of the total number of benefit and pension entitlement decisions made by the Ministry.

The Benefits Review Committee is a review body that is established under the Social Security Act. It enables people to ask for a review of a decision that has been made about an application for income support or a pension.

A 'Review of Decision' is an application for the decision to be heard by the Benefits Review Committee.

There are three stages to the review and appeals process.

- Stage 1, Internal Review  
When a client applies for a 'Review of Decision' the Ministry carries out an internal review to examine any new information, review the information based on which the original decision was made and to verify that the decision made was in accordance with the appropriate legislation. A client may also withdraw a case before a Benefits Review Committee hearing.
- Stage 2, Benefits Review Committee  
When the internal review outcome is not favourable ('upheld') or only favourable in part ('upheld in part') to the client, the decision must be heard by a Benefits Review Committee without any further request from the client.
- Stage 3, Social Security Appeal Authority  
Should the client who submitted the ROD disagree with the Benefits Review Committee decision, the client can appeal to the Social Security Appeal Authority. You can find out information relating to appeals to the Social Security Appeal Authority here: [www.justice.govt.nz/tribunals/social-security-appeal-authority/](http://www.justice.govt.nz/tribunals/social-security-appeal-authority/)

Further information regarding the ROD process can be found on the following web-link: [www.workandincome.govt.nz/about-work-and-income/complaints/review-of-decisions.html](http://www.workandincome.govt.nz/about-work-and-income/complaints/review-of-decisions.html).

For the period 1 July 2018 to 30 June 2019, there were a total number of 4294 Review of Decision cases resolved. Of these resolved cases, 1623 cases (38%) were withdrawn prior to a Benefits Review Committee hearing; 1487 (34%) were overturned at the internal review; 1055 (25%) were upheld at the Internal Review; 123 (3%) were partially upheld at the internal review; and six were overturned at the internal review, however, the client requested for the case to be processed by the Benefits Review Committee. This response provides more information about these resolved cases in the attached tables.

Please find enclosed Tables One to Five, which provide the following information:

- Table One provides the number of Review of Decisions received per month and region for the Financial year ending 30 June 2019.
- Table Two provides the number of decisions that were overturned internally before a Review of Decision hearing by the Benefits Review Committee, for the financial year ending 30 June 2019.
- Table Three provides the number of Review of Decisions that were partially upheld prior to the Benefits Review Committee, for the financial year ending June 2019.
- Table Four provides the number of Reviews of Decisions that were partially upheld by a Benefit Review Committee, for the financial year ending 30 June 2019.
- Table Five provides the number of Reviews of Decisions that were upheld in favour of the Ministry, for the financial year ending 30 June 2019.

In order to protect client privacy, some values are suppressed and are 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 and public interest in the information.

In the financial year ending 30 June 2019 there were a total 135 Review of Decision applications in which the Benefits Review Committee upheld the Ministry's decision and subsequently went to the Social Security Appeal Authority. Of the RODs that went to the Social Security Appeal Authority, 53 hearings were fully upheld in favour of the Ministry, two were partially upheld in favour of the Ministry. Ten of those cases were subject to appeals to a higher court.

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 and any attached documents 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](mailto:OIA_Requests@msd.govt.nz).

If you are not satisfied with this response regarding Reviews of Decisions, 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](http://www.ombudsman.parliament.nz) or 0800 802 602.

Yours sincerely



Diane Anderson  
**Manager, Complaints Management Insights and Improve**

**Table One: Number of Reviews of Decisions received by the Ministry during the Financial year ending 30 June 2019, broken down by month and region.**

REGIONS	July 2018	August 2018	September 2018	October 2018	November 2018	December 2018	January 2019	February 2019	March 2019	April 2019	May 2019	June 2019	Total
Auckland Services	85	83	79	75	60	77	56	68	91	69	74	68	<b>885</b>
Bay of Plenty	14	10	13	11	19	9	11	15	11	12	23	8	<b>156</b>
Canterbury	16	22	19	19	24	11	9	15	13	18	24	20	<b>210</b>
Central	16	14	9	19	15	S	9	10	16	7	8	6	<b>134</b>
Central Processing Unit	19	33	13	11	21	16	9	7	S	14	12	18	<b>175</b>
Centralised Services	54	48	52	51	72	42	49	63	83	64	81	71	<b>730</b>
Contact Centre	0	0	0	0	0	0	0	0	S	0	0	S	<b>S</b>
East Coast	17	9	13	7	11	14	10	12	12	8	10	8	<b>131</b>
National Debt Unit	0	S	0	0	0	0	0	0	0	0	0	0	<b>S</b>
National Fraud	0	0	0	S	0	0	0	0	0	0	0	0	<b>S</b>
National Fraud Investigation Unit Central North Hub	S	S	S	0	S	0	S	0	S	S	0	0	<b>9</b>
National Fraud Investigation Unit Central South Hub	0	S	S	S	S	S	S	0	0	S	0	0	<b>11</b>
National Fraud Investigation Unit Northern Hub	S	S	0	S	S	S	S	S	S	0	0	S	<b>19</b>
National Fraud Investigation Unit Southern Hub	S	0	0	0	S	S	S	S	S	S	0	S	<b>15</b>
National Office	S	S	S	S	S	0	0	0	S	S	0	S	<b>19</b>
National Programmes Centre	11	13	6	11	7	8	10	11	12	22	10	14	<b>135</b>
Nelson	6	S	S	S	7	S	6	7	S	S	S	S	<b>53</b>
Remote Client Unit	S	S	0	S	0	0	0	0	0	S	S	0	<b>11</b>
Northland	9	14	10	7	13	13	8	11	12	6	22	18	<b>143</b>
Senior Services	52	68	44	44	67	49	50	70	62	56	73	65	<b>700</b>
Southern	17	14	12	11	11	7	S	6	9	12	13	10	<b>127</b>
StudyLink	13	23	10	15	14	16	12	12	16	13	23	10	<b>177</b>
Taranaki	6	6	S	7	6	S	S	7	9	S	6	S	<b>70</b>
Waikato	18	13	12	17	12	15	14	14	11	9	19	10	<b>164</b>
Wellington	15	17	16	34	23	25	20	24	14	24	20	14	<b>246</b>
<b>Total</b>	<b>383</b>	<b>407</b>	<b>318</b>	<b>347</b>	<b>393</b>	<b>321</b>	<b>287</b>	<b>356</b>	<b>382</b>	<b>350</b>	<b>425</b>	<b>355</b>	<b>4324</b>

**Notes:**

- Reviews of Decisions are normally assigned to the region where the decision under review was made.
- Some business units in the Ministry (for example, Centralised Processing Unit, Centralised Services, Contact Centre, National Fraud investigation units, National Programmes Centre, National Office, Remote Client Unit, Studylink, and Senior Services) are centralised units that make decisions for clients throughout New Zealand.
- Seniors Services include all clients receiving the New Zealand Superannuation.
- Review of Decisions processed by National Office include decisions made by contracted providers (e.g. course and training providers) and by staff who are employed in the Ministry's National Office.
- Some regions may be excluded from this table as there were no decisions overturned in that region prior to a Benefits Review Committee hearing in the financial year ending 30 June 2019.

**Table Two: Number of decisions that were overturned prior to a Benefits Review Committee hearing during the financial year ending 30 June 2019, broken down by region and month**

REGIONS	July 2018	August 2018	September 2018	October 2018	November 2018	December 2018	January 2019	February 2019	March 2019	April 2019	May 2019	June 2019	Total
Auckland Services	21	38	17	14	21	26	22	22	22	29	33	19	<b>284</b>
Bay of Plenty	S	S	7	S	8	S	S	S	S	S	S	8	<b>47</b>
Canterbury	11	10	8	10	10	S	7	7	S	S	9	8	<b>88</b>
Central	S	6	7	S	S	S	S	S	S	0	0	0	<b>32</b>
Central Processing Unit	7	21	14	S	13	S	S	S	S	S	6	6	<b>84</b>
Centralised Services	20	24	17	24	25	18	23	24	24	18	49	47	<b>312</b>
East Coast	6	6	S	S	S	7	S	S	7	S	6	7	<b>61</b>
National Fraud Investigation Unit Northern Hub	0	0	S	0	0	S	0	0	0	0	0	0	<b>S</b>
National Office	6	S	S	0	0	0	0	0	0	0	0	0	<b>12</b>
National Programmes Centre	S	S	S	S	S	S	S	S	S	6	S	S	<b>33</b>
Nelson	S	S	0	0	S	S	S	S	S	0	0	S	<b>11</b>
Remote Client Unit	0	S	0	0	0	0	0	0	0	0	S	0	<b>S</b>
Northland	S	S	S	0	S	S	S	S	S	S	6	6	<b>41</b>
Senior Services	16	28	14	13	13	14	9	17	16	15	26	8	<b>188</b>
Southern	S	S	S	0	S	S	0	S	0	S	S	S	<b>22</b>
StudyLink	S	10	S	6	11	7	9	S	9	6	7	6	<b>83</b>
Taranaki	S	S	S	S	6	S	S	S	S	S	S	0	<b>29</b>
Waikato	S	S	S	S	S	S	S	S	S	S	7	S	<b>44</b>
Wellington	8	8	S	9	15	18	10	7	9	11	10	8	<b>117</b>
<b>Total</b>	<b>122</b>	<b>172</b>	<b>115</b>	<b>103</b>	<b>145</b>	<b>113</b>	<b>100</b>	<b>106</b>	<b>111</b>	<b>107</b>	<b>167</b>	<b>132</b>	<b>1493</b>

**Notes:**

- Some regions may be excluded from this table as there were no decisions overturned in that region prior to a Benefits Review Committee hearing in the financial year ending 30 June 2019.
- Review of Decisions are normally assigned to the region where the decision under review was made.
- Some business units in the Ministry (for example, Centralised Processing Unit, Centralised Services, Contact Centre, National Fraud investigation units, National Programmes Centre, National Office, Remote Client Unit, Studylink, and Senior Services) are centralised units that make decisions for clients throughout New Zealand.
- Seniors Services include all clients receiving the New Zealand Superannuation.
- Review of Decisions processed by National Office include decisions made by contracted providers (e.g. course and training providers) and by staff who are employed in the Ministry's National Office.
- This table includes cases that were overturned but still proceeded to a Benefits Review Committee.

**Table Three: Number of decisions that were partially upheld prior to a Benefits Review Committee hearing during the financial year ending 30 June 2019, broken down by region and month**

REGIONS	July 2018	August 2018	September 2018	October 2018	November 2018	December 2018	January 2019	February 2019	March 2019	April 2019	May 2019	June 2019	Total
Auckland Services	S	S	S	S	S	S	0	S	S	S	S	S	<b>29</b>
Bay of Plenty	S	0	0	0	0	S	S	0	S	0	0	0	<b>S</b>
Canterbury	0	0	S	0	S	S	S	0	0	S	S	0	<b>11</b>
Central	S	S	S	S	0	S	S	0	S	0	S	0	<b>10</b>
Central Processing Unit	S	S	0	0	S	0	0	0	S	0	0	0	<b>S</b>
Centralised Services	S	0	S	S	S	S	S	S	S	0	S	S	<b>12</b>
East Coast	0	S	S	0	S	S	0	0	0	0	0	S	<b>7</b>
National Office	S	0	0	0	0	0	0	0	0	0	0	0	<b>S</b>
National Programmes Centre	S	S	S	S	S	S	S	S	S	S	S	S	<b>30</b>
Nelson	0	S	S	0	0	0	0	0	0	0	0	S	<b>S</b>
Northland	0	S	0	0	0	0	0	S	0	0	0	0	<b>S</b>
Senior Services	7	S	S	S	S	S	S	S	S	S	S	S	<b>36</b>
Southern	0	0	S	0	0	0	0	S	0	0	0	0	<b>S</b>
StudyLink	0	0	0	0	S	S	0	0	0	S	0	0	<b>S</b>
Taranaki	0	0	S	0	0	0	S	0	S	0	0	0	<b>S</b>
Waikato	S	0	0	S	S	S	0	0	0	0	S	0	<b>9</b>
Wellington	S	0	S	S	0	S	0	S	S	0	S	S	<b>15</b>
<b>Total</b>	<b>23</b>	<b>14</b>	<b>24</b>	<b>19</b>	<b>18</b>	<b>15</b>	<b>9</b>	<b>16</b>	<b>16</b>	<b>10</b>	<b>15</b>	<b>9</b>	<b>188</b>

**Notes:**

- Regions may be excluded from this table as there were no decisions partially upheld prior to a Benefits Review Committee hearing in that region for the financial year ending 30 June 2019.
- Some business units in the Ministry (for example, Centralised Processing Unit, Centralised Services, Contact Centre, National Fraud investigation units, National Programmes Centre, National Office, Remote Client Unit, Studylink, and Senior Services) are centralised units that make decisions for clients throughout New Zealand.
- Seniors Services include all clients receiving the New Zealand Superannuation.
- Review of Decisions processed by National Office include decisions made by contracted providers (e.g. course and training providers) and by staff who are employed in the Ministry's National Office.
- Review of Decisions are normally assigned to the region where the decision under review was made.

**Table Four: Number of decisions that were partially upheld by a Benefits Review Committee for the financial year ending 30 June 2019, broken down by region and month**

REGIONS	July 2018	August 2018	September 2018	October 2018	November 2018	December 2018	January 2019	February 2019	March 2019	April 2019	May 2019	June 2019	Total
Auckland Services	S	0	S	6	S	S	0	S	S	S	S	0	<b>23</b>
Canterbury	S	S	0	0	0	0	0	0	0	S	0	S	<b>S</b>
Central	S	0	0	S	0	S	0	S	S	0	0	0	<b>S</b>
Central Processing Unit	0	0	0	0	0	S	0	S	S	0	0	0	<b>S</b>
Centralised Services	0	0	S	S	0	S	0	S	0	0	S	S	<b>6</b>
East Coast	0	0	0	0	0	S	S	0	S	0	0	S	<b>S</b>
National Fraud Investigation Unit Central South Hub	S	0	0	0	0	0	0	0	0	0	0	0	<b>S</b>
National Office	0	S	0	S	0	0	0	0	0	0	0	0	<b>S</b>
National Programmes Centre	S	S	S	S	0	S	S	S	S	S	S	S	<b>19</b>
Nelson	0	S	S	0	0	0	0	0	0	0	0	S	<b>S</b>
Remote Client Unit	0	0	S	S	0	0	0	0	0	0	0	0	<b>S</b>
Senior Services	S	S	S	S	S	S	0	S	S	7	S	S	<b>41</b>
Southern	0	0	0	S	0	0	0	0	0	0	0	0	<b>S</b>
StudyLink	0	0	0	S	0	S	0	0	0	0	0	S	<b>S</b>
Taranaki	S	0	0	0	0	0	S	0	0	0	0	0	<b>S</b>
Waikato	0	0	0	0	S	0	0	0	0	0	0	0	<b>S</b>
Wellington	S	0	S	0	0	S	0	S	S	0	S	0	<b>10</b>
<b>Total</b>	<b>11</b>	<b>S</b>	<b>12</b>	<b>18</b>	<b>6</b>	<b>14</b>	<b>S</b>	<b>13</b>	<b>16</b>	<b>10</b>	<b>11</b>	<b>9</b>	<b>130</b>

**Notes:**

- Regions may be excluded from this table as there were no decisions partially upheld by a Benefits Review Committee in that region for the financial year ending 30 June 2019.
- Some business units in the Ministry (for example, Centralised Processing Unit, Centralised Services, Contact Centre, National Fraud investigation units, National Programmes Centre, National Office, Remote Client Unit, Studylink, and Senior Services) are centralised units that make decisions for clients throughout New Zealand.
- Seniors Services include all clients receiving the New Zealand Superannuation.
- Review of Decisions processed by National Office include decisions made by contracted providers (e.g. course and training providers) and by staff who are employed in the Ministry's National Office.
- Review of Decisions are normally assigned to the region where the decision under review was made.

**Table Five: Number of Decisions upheld in favour of the Ministry of Social Development by a Benefits Review Committee during the financial year ending 30 June 2019, broken down by region and month**

Region	July 2018	August 2018	September 2018	October 2018	November 2018	December 2018	January 2019	February 2019	March 2019	April 2019	May 2019	June 2019	Total
Auckland Services	14	21	16	26	14	7	9	16	14	15	24	6	<b>182</b>
Bay of Plenty	S	S	S	S	S	S	S	S	S	6	0	S	<b>31</b>
Canterbury	6	S	S	S	9	S	8	S	S	S	S	S	<b>51</b>
Central	S	S	S	S	S	S	S	S	S	0	S	S	<b>27</b>
Central Processing Unit	6	8	S	S	S	S	0	S	S	6	S	S	<b>44</b>
Centralised Services	S	S	S	6	S	10	S	S	S	S	6	S	<b>48</b>
Contact Centre	0	0	0	0	0	0	0	0	0	0	S	0	<b>S</b>
East Coast	S	S	S	0	S	0	0	S	S	0	0	6	<b>18</b>
National Fraud	0	0	0	0	0	S	0	0	0	0	0	0	<b>S</b>
National Fraud Investigation Unit Central South Hub	0	0	S	0	S	S	0	0	0	S	0	0	<b>S</b>
National Fraud Investigation Unit Northern Hub	0	0	0	0	S	0	0	0	0	0	S	0	<b>S</b>
National Fraud Investigation Unit Southern Hub	0	0	0	0	0	S	0	S	0	0	S	0	<b>S</b>
National Office	S	8	0	S	0	S	0	0	0	0	S	0	<b>15</b>
National Programmes Centre	S	S	S	S	0	S	S	S	S	S	S	6	<b>34</b>
Nelson	0	0	S	S	0	S	0	0	S	0	S	0	<b>7</b>
Remote Client Unit	0	S	S	0	0	0	0	0	0	0	0	0	<b>S</b>
Northland	0	9	S	S	S	0	S	S	0	S	S	S	<b>31</b>
Senior Services	25	16	17	19	12	17	S	17	18	14	18	18	<b>194</b>
Southern	0	S	6	S	S	S	S	S	S	S	S	S	<b>27</b>
StudyLink	0	0	S	S	0	S	0	S	0	S	0	0	<b>6</b>
Taranaki	0	S	S	S	S	0	S	S	S	S	0	0	<b>14</b>
Waikato	S	S	S	S	S	S	S	S	S	S	S	0	<b>19</b>
Wellington	S	S	6	9	S	S	S	S	6	0	8	S	<b>44</b>
<b>Total</b>	<b>79</b>	<b>93</b>	<b>77</b>	<b>95</b>	<b>58</b>	<b>59</b>	<b>35</b>	<b>65</b>	<b>57</b>	<b>57</b>	<b>81</b>	<b>54</b>	<b>810</b>

**Notes:**

- Regions may be excluded from this table as there were no decisions upheld by a Benefits Review Committee in that region for the financial year ending 30 June 2019.
- Some business units in the Ministry (for example, Centralised Processing Unit, Centralised Services, Contact Centre, National Fraud investigation units, National Programmes Centre, National Office, Remote Client Unit, Studylink, and Senior Services) are centralised units that make decisions for clients throughout New Zealand.
- Seniors Services include all clients receiving the New Zealand Superannuation.
- Review of Decisions processed by National Office include decisions made by contracted providers (e.g. course and training providers) and by staff who are employed in the Ministry's National Office.
- Review of Decisions are normally assigned to the region where the decision under review was made.