



MINISTRY OF SOCIAL DEVELOPMENT

Te Manatū Whakahiato Ora

11 JUL 2012

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

Chris Miller

fyi-request-360-7a81b6e1@requests.fyi.org.nz

Dear Mr Miller

Thank you for your email of 14 June 2012 requesting, under the Official Information Act 1982, the following information:

'...any documentation or guidelines you have on the process for considering "special circumstances" that would exempt a student from the 200 week limit on student allowances in the new policy starting in 2013. This should include, if possible, who is responsible for making such decisions, eg whether there is a set person or persons, and how much weight is given to medical documentation when the reason for application is due to disability that qualifies a student for limited full-time status and thus increases the length of time a qualification takes to obtain.'

As you are aware from my letter to you dated 14 June 2012, all current exemptions to the 200 week limit for Student Allowance will be removed from 1 January 2013, except for special circumstances. Students with an exemption approved for study that starts prior to 1 January 2013 will continue to be eligible for the period approved. Students can only apply for an exemption in 2012 if their 200 week limit will be reached in 2012.

Students who have been approved limited full-time status due to an illness or disability may still qualify for an extension to the 200 week limit, under the special circumstances provision. Each application is considered on its own merits as some students with disabilities are still able to study full-time.

Students approved to study part-time with limited full-time status due to a disability are not guaranteed an extension. A student may have other reasons why they did not complete their studies within 200 weeks, such as changing their study programme part way through. While this does not guarantee approval, if an application for limited full-time status due to a student's particular disability or circumstances is approved, this would be taken into account when assessing a future application of an extension of the 200 week limit.

The Chief Executive of the Ministry of Social Development or anyone delegated by the Chief Executive is responsible for making decisions regarding extensions. Delegation is given to StudyLink staff to make a decision on behalf of the Chief Executive. As at 30 April 2012 there were 329 students receiving a Student Allowance with an approved 200 week extension.

If a decision is made to decline an application for an extension under special circumstances, this decision would be subject to a statutory right of review. This means the student can ask StudyLink for an internal review, and if they were not satisfied with the outcome, they could then appeal the decision to the Student Allowance Appeal Authority.

Documents and guidelines on the process of considering special circumstances that would exempt a student from the 200 week limit on Student Allowances in the new policy starting 1 January 2013 are currently being drafted. I am therefore refusing your request under section 9(2)(f)(iv) of the Official Information Act as they are under active consideration. While I understand that there is a significant public interest in the functions of the Ministry, I believe that in this case the public interest does not outweigh the necessity to protect the policy development process. The release of this information would likely prejudice the quality and impartiality of reports and advice generated, and the wider public interest of effective government would not be served.

The current guidelines for staff when considering decisions for limited full-time study and 200-week limit extensions can be found on the Work and Income website at http://www.workandincome.govt.nz/manuals-and-procedures/students/student_allowance/content.htm.

I hope you find the information I have been able to provide helpful. 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 Ombudsmen
PO Box 10-152
WELLINGTON 6143

Yours sincerely



Iona Holsted
Deputy Chief Executive