



**MINISTRY OF SOCIAL
DEVELOPMENT**

TE MANATŪ WHAKAHIATO ORA

30 SEP 2016

Dear

On 5 September 2016 you emailed the Ministry requesting information regarding your review of decision application. Your request for the following was addressed under the Official Information Act, 1982:

- *What was paid to for his time – how long did he spend on my case.*
- *Please provide what is the costs incurred by MSD or WINZ etc for the review of my case so far.*

The Ministry has decided to grant this request in part, namely the rate was paid for his time.

is a Community Representative who serves as a panel member for Benefit Review Committee Hearings. I can advise that Community Representatives on Benefit Review Committee hearings are paid a flat rate of \$116.67 for zero to three hours or \$233.35 for three or more hours. Time spent in preparation for hearings is included in the hours calculated for payment. For example, if three hearings are heard in a day and they take a total of three hours to complete with one and a half hours preparation time, payment would be made at the rate of \$233.35.

As you are aware, if a person is not happy with a decision made by the Ministry they can apply for a review by a Benefits Review Committee under the Social Security Act 1964, Part 1 of the New Zealand Superannuation and Retirement Income Act 2001, or the relevant regulations. Within 24 hours of receiving a request for review the applicant is sent a letter acknowledging their request for a review.

The Ministry conducts an administrative review generally known as an Internal Review where the Ministry looks at the decision again. If the Ministry believes the original decision was correct, the case then goes before the Benefits Review Committee. This is a three person committee made up of two Ministry staff and a Community Representative. A Benefits Review Committee has powers to confirm, vary, or revoke the decision under review.

Benefit Review Committees are a review body that were established to make correct and fair decisions with regard to procedure and law. Benefit Review hearings are a chance for a review panel to take a fresh look at decisions made by the Ministry.

Ministry staff who are panel members or coordinators for Benefit Review Committees and staff involved in Internal Formal Reviews perform a variety of other tasks within the Ministry. These staff do not track the proportion of their time that they spend on this work. As such, your request for the amount of time spent on your case and the costs incurred by the Ministry for your case is refused under section 18(g) of

the Official Information Act as the information you have requested is not held by the Ministry. I have no grounds to believe that the information is held by another department or Minister of the Crown or organisation.

The remainder of your request for all correspondence including, text, email, verbal/written communications between all the parties regarding your review of decision application is being addressed under the Privacy Act. You will receive a response in due course, on or before 4 October 2016.

If you wish to discuss this response with us, please feel free to contact OIA_Requests@msd.govt.nz.

You have the right to seek an investigation and review by the Ombudsman of this response. Information about how to make a complaint is available at www.ombudsman.parliament.nz or 0800 802 602.

Yours sincerely

A handwritten signature in black ink, appearing to read 'Rachel Sutherland', written in a cursive style.

Rachel Sutherland
General Manager, Ministerial and Executive Services.