



**MINISTRY OF SOCIAL
DEVELOPMENT**

TE MANATŪ WHAKAHIATO ORA

18 JAN 2019



Dear 

On 11 October 2018, you emailed the Ministry requesting, under the Official Information Act 1982, the following information:

- *In the period of 1 July 2017 to 31 June 2018, how many applications to the Benefits Review Committee for a review of a decision were declined on the basis that the application was filed out of time?*

If a client applies for a Review of Decision (ROD) three months after a decision was made, they will need to advise the Ministry of the reasons for the delay in applying for the review. The Benefit Review process in Out of Time cases is slightly different where the Ministry first completes an 'Out of Time Report to the Benefit Review Committee (BRC)'. This report does not contain any details regarding the substantive issue and highlights only the reasons, if any, for the delay in applying for a ROD more than three months after the original decision was made.

The BRC will have an initial hearing to decide whether or not to hear the case. At this hearing the BRC will consider whether there was any justification for the delay in applying for a ROD and can decide to allow or to decline a further hearing regarding the substantive issue.

If the BRC declines to hear the case, then the case is closed and the matter ends here. If a client is not satisfied with this decision, they can contact the Office of the Ombudsman, whose details are provided to clients in the letter conveying the decision.

If the BRC allows the hearing then a report to the BRC will be completed by the Ministry and the BRC would meet again for a hearing regarding the substantive issue.

Please find overleaf a table outlining the number of Out of Time Review of Decisions that were declined and allowed between 1 July 2017 and 30 June 2018, broken down by month.

During this period a total of 1,507 BRC hearings regarding substantive issues were held.

Number of Out of Time Review of Decisions that were declined and allowed between 1 July 2017 and 30 June 2018, broken down by month.

Month	Out of Time Decision		Total
	Allowed	Declined	
July 2017	12	11	23
August 2017	8	8	16
September 2017	20	11	31
October 2017	13	9	22
November 2017	23	9	32
December 2017	14	9	23
January 2018	6	3	9
February 2018	11	8	19
March 2018	16	10	26
April 2018	7	8	15
May 2018	14	9	23
June 2018	7	4	11
Total	151	99	250

Notes:

- This data is based on the date that the Out of Time Review Decision was recorded as 'Declined' or 'Allowed' in the Ministry's system.

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, 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



Cassandra Wise
Manager, Issue Resolution, Service Delivery