



7 March 2023

Tēnā koe

On 1 February 2023, you emailed the Ministry of Social Development (the Ministry) requesting, under the Official Information Act 1982 (the Act), the following information:

- 1. I notice that on the qualifications page for SPS MAP indicates that if you still live in the same house as your ex-partner, then you won't be able to get SPS as this is not considered to be 'living apart' ([SPS definition of living apart here](#)). However, in the core policy definition of 'living apart' it has a less strict test, saying that generally it can't be paid if you live in the house as your ex, but also makes it clear that it is possible to be 'living apart' while in the same home, particularly if this is for a transitional period ([core policy definition here](#)).*
- 2. the term 'living apart'. This is not defined anywhere in leg. What is the reason for the stricter test for 'living apart' to be applied for SPS applicants? Note that if a client meets the definition of section 8(2) they are regarded as single, and thus would be able to meet the SPS requirement of 30(a)?*
- 3. what evidence MSD requires to be 'clear the relationship' has ended? What are the minimum processing standards for this? Is there any guidance for staff on what evidence is appropriate to ask for and what isn't?*
- 4. what the process is for assisting someone who does not have any form of ID but is in extreme hardship (e.g. sleeping rough). In these circumstances, what are the clients options for getting ID? Is there any ability to provisionally grant financial assistance while the client acquires the relevant ID? Is there hardship available for the client to get the ID?*

In the interests of clarity, I will respond to each question separately.

1. *I notice that on the qualifications page for SPS MAP indicates that if you still live in the same house as your ex-partner, then you won't be able to get SPS as this is not considered to be 'living apart' ([SPS definition of living apart here](#)). However, in the core policy definition of 'living apart' it has a less strict test, saying that generally it can't be paid if you live in the house as your ex, but also makes it clear that it is possible to be 'living apart' while in the same home, particularly if this is for a transitional period ([core policy definition here](#))*
2. *the term 'living apart'. This is not defined anywhere in leg. What is the reason for the stricter test for 'living apart' to be applied for SPS applicants? Note that if a client meets the definition of section 8(2) they are regarded as single, and thus would be able to meet the SPS requirement of 30(a)?*

This answer addresses questions 1 and 2. We cannot see any reason why the guidance for living apart in the Sole Parent Support manual in Map differs to that in the section on Relationship Status for benefit in the core policy manual. Thank you for bringing this to our attention. We will review and update Map to ensure accuracy and consistency across both manuals.

Whilst there is no 'higher test' in relation to living apart for applicants for Sole Parent Support, relationship status is a key part of the eligibility criteria. It is not part of the eligibility criteria for any other main benefit; however, it is relevant when determining the rate payable.

For a person to be entitled to Sole Parent Support, the Ministry must be satisfied that the applicant meets all the eligibility criteria, including the sole parent requirement set out in section 29(a) of the Social Security Act 2018 (SSA) as prescribed in section 30.

Section 30(d) of the SSA specifically refers to living apart, confirming that a person meets the sole parent requirement if they are living apart from and have lost the support of, or is being inadequately maintained by their spouse or partner.

3. *what evidence MSD requires to be 'clear the relationship' has ended? What are the minimum processing standards for this? Is there any guidance for staff on what evidence is appropriate to ask for and what isn't?*

Since 15 July 2013, benefit application forms (including online) contain the definition of a relationship for benefit purposes.

When confirming their relationship status as part of the application process, applicants are asked to read and confirm that they have understood the

definition. There is an option for applicants to discuss their relationship status with the Ministry if they have questions or if they're not sure their situation means they are in a relationship for benefit purposes.

Additionally, applicants for Sole Parent Support, except for those who apply for reasons of bereavement following the death of a partner or their partner is in prison, are asked to nominate a third party who has known them for at least two years and is willing to verify their relationship status if requested.

Please note it is not mandatory for applicants to provide the details of a third party. You can read more about this here: [Verification of relationship status](#). Note that the Ministry will need to determine if we have sufficient information to determine entitlement: [Client to provide details of a nominated person - Map \(workandincome.govt.nz\)](#)

Some Sole Parent Support applicants may be asked to provide verification of their relationship status through their nominated third party based on some specific criteria being met. If an applicant meets the criteria, they are provided with a form to give to their nominated third party to complete. You can read more about this here: [Relationship Status Verification form may be required](#)

4. *what the process is for assisting someone who does not have any form of ID but is in extreme hardship (e.g. sleeping rough). In these circumstances, what are the clients options for getting ID? Is there any ability to provisionally grant financial assistance while the client acquires the relevant ID? Is there hardship available for the client to get the ID?*

As a response to COVID-19 in 2020, the Ministry put in place temporary changes to client identity processing standards. The Ministry is currently refreshing the standards for identity processing for new clients with some necessary changes to ensure safety and security of client identity.

At present, for new clients and those who don't currently have identification on file, they can choose to upload this information to the Ministry through MyMSD or they will need to present their identification at a Service Centre.

When identification is required, a client must provide:

- two forms of primary identification that is either current or no more than 2 years old (past expiry), **or**
- one form of primary identification and one form of supporting identification, if client cannot produce two primary forms of identification (non-government supporting identification must have been issued within the last 6 months).

As a last resort where the client has no primary identification, they can provide two forms of supporting identification and they have 28 days to provide primary identification. This allows extra time if primary identification is not

provided and for staff to follow up with the client. Ministry staff will ensure they have a conversation with the client, so they understand what is required and by when. Ministry staff can support clients with obtaining identification such as a birth certificate to assist them to meet Ministry requirements.

Primary identification evidence must show the client's:

- full legal name (minimum of first name and surname)
- date of birth

Examples of primary identification, which must be current or no more than 2 years old (past expiry) include:

- NZ passport
- NZ driver licence
- NZ firearm licence
- Birth certificate
- Steps to Freedom
- Overseas passport – endorsed with permanent residence in New Zealand
- Certificate of citizenship or refugee status
- Certificate of identity
- confirmation of permanent residence letter from New Zealand Immigration
- for Australian clients, full Australian birth certificate, passport (current or expired), or proof of residence
- for Cook Island, Tokelauan and Niuean clients, full birth certificate, letter of confirmation, certificate of registration, or naturalisation

Examples of supporting identification the Ministry will accept (non-government supporting identification must have been issued within the last six months) include:

- **Household accounts** – utility bills, tenancy agreement or documents from suppliers of goods and services such as: hire purchase agreements. **Note:** if the client only has an electronic version of the bill or statement in PDF format, this is acceptable as supporting identification.
- **Government issued documents** – marriage certificate, a tax summary, rates notice, birth certificate, car registration form and licenses from another country. **Note:** a SuperGold Card can only be accepted as support identification if it includes a photo of the card holder.
- **Employment related documents** - letter from employer or payslips
- **Bank/insurance company documents** – bank account statements, mortgage papers or insurance policies
- **Health/education documents** – Student identification card, school report, school leaving certificate, doctors bill, degree or trade certificate

- **Prominent community members** – support letters from people such as: New Zealand Police, Justice of the Peace, doctor, kaumatua, clergyman or Women’s Refuge coordinator. **Note:** the person providing the reference must not live at the same address, not be related to the client and must have known the client for over 12 months.
- **Hospitality industry** - Kiwi Access card (18+)

If the client has received a benefit in the past, but the Ministry doesn’t hold any primary identification on the client’s file, they will need to provide evidence of this.

In response to your question, *Is there hardship available for the client to get the ID?* The answer is yes and assistance to obtain identification can be granted as a Special Needs Grant: [Identification document fees - Map \(workandincome.govt.nz\)](http://workandincome.govt.nz).

The key advice is: “If a client meets all the qualifications for a Special Needs Grant and does not currently have any identification, they may be able to apply for assistance for the cost of an identification document where the document is reasonably required as supporting evidence for an application for benefit. The grant can cover:

- the application fee for a New Zealand birth certificate **or**
- the application fee, or any other fee, for a document of identification if the client’s birth certificate is not registered in New Zealand”

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. The Ministry will do this by publishing this letter on the Ministry’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 around the Ministry’s treatment of relationships and obtaining acceptable identification 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, 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.

Ngā mihi nui

A handwritten signature in blue ink, consisting of several loops and a long horizontal stroke extending to the right.

Dwina Dickinson

**Group GM System Performance and Improvement**