

In this issue

Increase to fees for Community Representatives

Recruitment of Community Representatives

Procedure during BRC hearings

Chairing a BRC hearing

Te Pai Tawhiti – Our Future

Te Pae Tata

Pacific Prosperity

Our latest annual report

Increase to fees for Community Representatives

The Minister has approved an increase in fees for Community Representatives for the payment rates for up to three hours and for three hours or more work.

From 1 January 2020, the daily rate for more than three hours work will increase from the existing rate of \$233.35 to \$245.02. This increase of \$11.67 is a 5% increase of the existing rate.

There will be a further increase from 1 January 2021, of \$11.67 of the daily rate for more than three hours work from \$245.02 to \$256.69.

There will be a final increase from 1 January 2022, of \$5.83 of the daily rate for more than three hours work from \$256.69 to \$262.52.

The total increases represent a 12.5% increase over the current rate. The following table shows the changes of the fees over the next three years:

| Date of increase | Daily Rate | % increase | New Rate |
|------------------|---------------------|------------|----------|
| 1 January 2020 | Payment 0 – 3 hours | 5% | \$122.51 |
| 1 January 2020 | Payment 3 + hours | 5% | \$245.02 |
| 1 January 2021 | Payment 0 – 3 hour | 5% | \$128.35 |
| 1 January 2021 | Payment 3 + hours | 5% | \$256.69 |
| 1 January 2022 | Payment 0 – 3 hours | 2.5% | \$131.26 |
| 1 January 2022 | Payment 3 + hours | 2.5% | \$262.52 |

There has also been an increase for the mileage allowances for travel to and from Benefits Review Committees. The reimbursement rate which is based on the standard IRD rate has increased to 79 cents per kilometre for all categories of vehicles.

Recruitment of Community Representatives

Welcome to our new Community Representatives who have recently been recruited.

New Community Representatives have now been appointed in the Auckland, Canterbury, East Coast, Nelson, Southern, Waikato and Wellington regions to replace those whose tenures have ended.

Training for both new and current Community Representatives in the Auckland region was completed on 14 November. The Nelson region has also completed training of their new Community Representative.

We are also working with other regions on this to ensure that training would be delivered at the best possible convenience for our Community Representatives.

Procedure during BRC Hearings

A reminder, that while BRC Panel members have a duty to act fairly in its conduct of the hearing, the perception of impartiality and fairness is also important. At hearings, where both the Applicant and Ministry presenter are attending, the Chairperson of the BRC Panel should ensure that both the Applicant (and Advocate/Support people) and Ministry presenter are invited into the room where the hearing is to take place, simultaneously. Also, both parties should be present for the duration of the hearing and should leave the room together. It is not acceptable for the Panel to have any discussion with either party separately without the other party being present. This procedure is important as it does not give rise to any perception that the Panel is colluding with one party to the detriment of the other.

Also, the importance of 'fair process' and 'transparency' during a BRC Hearing cannot be overstressed. Both the Applicant and the Ministry's presenter must have the chance to prepare a response to any information presented at a Hearing. For this reason, it is not acceptable for Panel Members to access any information about an applicant, which does not form part of the Ministry's presentation at the Hearing. This includes accessing the Applicant's personal or computer records available with the Ministry. In other words, the Panel can only make a determination of a case on the basis of the law and the facts of the case as have been presented to them at the Hearing.

If the BRC requires further information in order for it to make a decision on a case, it may adjourn the hearing, and ask for more information from the Ministry or the applicant (or both). It may also seek submissions on any aspect of the law. If this is the case, both parties will be asked to provide submissions. A decision to adjourn may be taken while both parties are still present at the hearing or after both parties have left. If the decision to adjourn is taken after the Ministry and the applicant have left the hearing, the Chairperson will write to both parties through the BRC Co-ordinator, requesting the further information required and setting down a new date for the panel to reconvene. It is up to the panel to decide whether or not the attendance of the applicant and the Ministry at this further reconvened meeting is necessary.

It is important to note that it is not appropriate for the Chairperson of a BRC panel or a panel member to approach the Ministry or any of the Ministry's specialist teams (e.g. Legal team or

the Financial Determination team) directly without the knowledge of the Applicant or vice-versa for an opinion or suggestion. This is because in keeping with the rule of natural justice both parties have a right to know everything that has been presented to the BRC and be given a fair opportunity to respond to it if need be. If, however the BRC panel has a purely process question, it is welcome to contact the Complaints Management Team at National Office for clarification. Panels may want to contact the team, for example, if the panel is unsure if they have jurisdiction to hear a case.

Chairing a BRC hearing

As a Community Representative you may be asked to chair a Benefits Review Committee hearing. Please remember when concluding the hearing to advise the applicant:

- if there are any closing comments
- that no verbal decision will be made. A written decision will be provided as soon as practicable, usually within five working days.
- and that if you are not satisfied with the outcome of the committee's decision you have the right of appeal to the Social Security Appeal Authority. Further details of this will be provided with the written decision.

The Ministry has introduced three new strategies Te Pae Tawhiti, Te Pae Tata and Pacific Prosperity.

Te Pae Tawhiti – Our Future

Te Pae Tawhiti – Our Future is MSD's strategic direction. It sets out how we are going to bring about positive changes in the wellbeing of the people, whānau, families and communities we serve.

To make the biggest difference we can for New Zealanders, we are focusing on three areas:

Mana manaaki – A positive experience every time

Helping people, whānau, families and communities is at the centre of what we do. Mana manaaki is about looking after the dignity of people with warmth, listening, respect, compassion, openness and fairness.

Kotahitanga – Partnering for greater impact

Kotahitanga is about unity and collective action, because we know we are stronger when we work together with whānau, families, hapū, iwi, providers, communities and other government agencies.

Kia takatū tātou – Supporting long-term social and economic development

Kia takatū tātou underpins our intention to prepare ourselves and those we serve for future realities. We are taking a long-term approach to community, regional and economic development.

Further information can be found on the following link:

<https://www.msd.govt.nz/about-msd-and-our-work/about-msd/strategies/te-pae-tawhiti/index.html>

Te Pae Tata – Māori Strategy and Action Plan

Te Pae Tata is our Maori Strategy and Action Plan and sets out how we will work to achieve better outcomes for Māori.

Further information can be found on the following link:

<https://www.msd.govt.nz/about-msd-and-our-work/about-msd/strategies/te-pae-tata/index.html>

Pacific Prosperity – Our People, Our Solutions, Our Future

Pacific Prosperity places our Pacific peoples, families and communities at the heart of the development, thinking and decision making.

Further information can be found on the following link:

<https://www.msd.govt.nz/about-msd-and-our-work/about-msd/strategies/pacific-strategy/index.html>

Our latest annual report

Demand for our services has increased over the past year and we are providing direct financial support to one in four New Zealanders. Our latest Annual Report shows that as at 30 June 2019 we were providing support to 1.25 million people – including working-age people, whānau, families, students and seniors.

Our latest annual report can be found on the following link:

<https://www.msd.govt.nz/about-msd-and-our-work/newsroom/2019/demand-increasing-for-our-services.html>

Handy references

The following page has useful links and information about the ROD/BRC process including the expense claim form, information packs and the HIYU newsletter:

<https://www.msd.govt.nz/about-msd-and-our-work/contact-us/complaints/review-of-decision.html>

Feedback

Please let us know if you find these newsletters useful or if there is other information that you would like included in these. The Complaints Management Team welcomes any feedback from you. The team's contact details are below.



For more details contact

Janet Davis 04 916 3079

Raj Menon 04 916 3648

Uiti Pelenato 04 916 3857

Christina Price 04 931 2389

Kate Simons 04 913 3252

Steve Rowell 04 916 3759

Email: Review_Client_Rep_Team@msd.govt.nz