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New team group

Following a review of the Ministry's corporate services, the Review Secretariat that supports the Chief Executive's Advisory Panel on CYF complaints has joined the Review and Client Representative Team. This aligns our functions so that we can promote feedback and learning within the organisation. Our new group is called Complaints Management Insights and Improvement.

Community representative appointments

The Minister has recently appointed new community representatives to the Benefits Review Committees in the following regions for a fixed term of five years.

Region Number

Bay of Plenty
3

East Coast
5

Waikato
1

Transitional arrangements for community representatives appointed before November 2015

As advised in the December 2015 issue of HIYU, the Minister made a decision that all new appointments of Benefits Review Committee community representatives will be for a fixed term of five years effective from November 2015.

For existing community representatives, this means that those of you who have served more than five years, you need to be transitioned to align your tenure in line with new appointees.

To reduce the impact of the introduction of the five year tenure on Benefits Review Committee's capacity to review decisions, the transition phase will be over a period of three years from 30 June 2016 to 30 June 2019.

Regions will need to recruit before June of every transition year so that the new community representatives can become familiar with the role before those ending their tenure finish. This should guarantee continuation of service. Your continued support throughout the transition is very much appreciated.

Our team is currently looking at ways to streamline the recruitment process and align it to the new fixed term tenure.

Ministerial Appointments - Expressions of Interest sought

The Ministry of Social Development is seeking a number of Ministerial appointments that are currently advertised on the Ministry website.

The link below will take you to the web page:

<http://www.msd.govt.nz/about-msd-and-our-work/about-msd/ministers/appointments.html>

1 April Changes

Child Material Hardship Package

As part of Budget 2015, the government has committed \$790 million over four years to support children and families living in hardship.

The aim of the Child Material Hardship package is to address child hardship. It will help families, and their children, who are struggling financially. This package provides for increased benefit rates along with additional support to help people move into employment, or into education and training to help them prepare for work.

Increase in benefit payment rates

On 1 April 2016 benefit payments to low-income families increased.

- Benefit rates for families with dependent children go up \$25 a week after tax (per family). NOTE: not all clients will receive the same increase. The exact amount will depend on any other assistance they get such as Accommodation Supplement and Temporary Additional Support.

- Student Allowance rates for families with children will increase by \$25 a week. Students receive a net rate of Student Allowance based on their individual tax code. The exact amount of the increase will depend on their tax code and any other income.

- Low-income families will be eligible for a higher rate of Childcare Assistance (\$5 an hour) for pre-school and out-of-school care. This starts on 4 April 2016.

Changes to work obligations

On 1 April 2016, changes were introduced to some benefits to encourage and support more people into work. Paid work can provide a better future for more New Zealanders and will help them become financially independent.

- Clients on Sole Parent Support are expected to re-apply for their benefit each year.
- Sole parents, and partners of main beneficiaries, are expected look for part-time work when their youngest child turns three.
- Part-time work is now defined as 20 hours a week although the Ministry always takes clients' circumstances into account when asking them to accept work. This new obligation applies to Sole Parent Support clients, partners of clients on Jobseeker Support and Supported Living Payments, and clients on emergency benefits. Clients with a health condition, injury or disability who have a part-time work obligation will still only need to look for work of 15 hours a week and there'll be no change to medical deferrals.

Increased Childcare Assistance

On 4 April 2016 Childcare Assistance rates increased.

From 4 April 2016, there will be a higher rate of Childcare Assistance, \$5 an hour, clients will be eligible for this rate if their income before tax is less than:

- \$800 for one child
- \$920 for two children
- \$1030 for three or more children.

Minimum wage

The adult minimum wage, the starting-out wage, and the training minimum wage have increased.

See: <http://www.workandincome.govt.nz/map/deskfile/minimum-wage/minimum-wage-current.html>

Parental leave payments

The maximum entitlement for parental leave payments has increased from 16 weeks to 18 weeks. See: <http://www.workandincome.govt.nz/map/income-support/core-policy/income/types-of-income/parental-leave-payments-01.html>

<http://www.ird.govt.nz/yoursituation-ind/parents/parents-paid-parental-leave.html>

4 April Changes

Sole Parent Support reapplication

The 52-week re-application process has been extended to Sole Parent Support clients.

Sole Parent Support is paid to help clients support their family while they are looking for or preparing for work. If the client still requires Sole Parent Support after 52 weeks they will be asked to complete the 52 week reapplication process.

All clients receiving Sole Parent Support must reapply and complete a Comprehensive Work Assessment, regardless of their personal situation or current work obligations.

If a client is transferring to Sole Parent Support from another benefit, they may have to complete the reapplication process earlier than 52 weeks.

The 52 week reapplication process ensures that clients are still eligible for their benefit.

Note clients receiving Emergency Benefit, where the analogous benefit is Sole Parent Support, are not required to complete the 52 week reapplication process.

Incentive payment - \$3k to Work

\$3k to work is a payment to encourage applicants who have secured sustainable, full-time employment to relocate.

See: <http://www.workandincome.govt.nz/map/employment-and-training/employment-and-work-readiness-assistance/incentive-payment-3k-to-work-01.html>

Social Security Legislation Rewrite Bill

The Social Security Act 1964 Legislation Rewrite Bill has been passed by Cabinet and will come into force on 3 July 2017.

This Bill:

- repeals and replaces the Social Security Act 1964 and the Social Welfare (Reciprocity Agreements, and New Zealand Artificial Limb Service) Act 1990
- provides an improved legislative structure
- reduces the level of detail in primary legislation, to enhance clarity, coherency, and consistency.

A small number of policy changes are included to support service delivery.

<http://www.legislation.govt.nz/bill/government/2016/0122/latest/DLM6783115.html>

MyMSD

MyMSD is a new way for clients to check payments and debt details; view, change or cancel select appointments; and declare weekly wages online, anytime.

http://www.workandincome.govt.nz/online-services/mymsd/?utm_source=MyMSD&utm_medium=banner&utm_campaign=sign_up

Health and Safety at Work Act 2015

The Health and Safety at Work Act 2015 came into force on 4 April 2016. The Act replaces the existing Health and Safety in Employment Act 1992, and is a key part of a reform package to New Zealand's health and safety system.

The main purpose of the Act is to provide a balanced framework to secure the health and safety of workers and workplaces. The Act recognises that a well-functioning health and safety system relies on leadership, participation and accountability of government, business and workers.

You may want to check with your regional coordinators what this may mean for you.

Commencement date/Stand-Down RoDs received after 8 Jan 2016 process

The Social Security (Commencement of Benefits) Amendment Act 2015 amended the Social Security Act 1964 with effect from 3 June 1998 to provide that benefits commence on the day after a stand down period ends (instead of the day on which the stand down period ends).

The change in law allowed the reassessment of any commencement date(s) of benefit(s) from 20 May 2014 if an application for review was received by 8 January 2016.

Reviews received after 8 January 2016 are being handled by individual regions rather than being centralised at National Office.

The Ministry is unable to complete an assessment of eligibility for these reviews as the legislation has been changed.

Due to the change of legislation the Benefits Review Committee has no power to review the decision in the client's favor or make any "one day" after stand-down payment(s) in accordance with Section 5 (2) (d) of the Amendment Act.

BRC panel queries

If the BRC panel has a process question, it is welcome to contact the Review and Client Representative Team. Panels may want to contact the team, for example, if the panel is unsure if they have jurisdiction to hear a case.

Presenting at BRC hearings

The National Beneficiaries Advocacy Consultative Group regularly met with Ministry officials including the Manager of the Review and Client Representative Team. At the last meeting held in March, the Group passed on an observation that they are increasingly seeing Ministry presenters reading verbatim from the report to the BRC.

Generally the Chair of the BRC will give the Ministry an indication of how they would like the Ministry to present its case. This could include reading verbatim from the report or giving a summary of the facts of the case and how legislation has been applied. If no indication is given then just give the summary version and the panel (who will have read the report before the hearing) will ask any necessary clarifying questions.

The report of the BRC

We have recently been noticing a trend that legislation is not being applied to the facts of the case in the Committee findings. This is concerning as this part of the report is to demonstrate why the decision is legally correct. If you are struggling to find legislation to support your case please refer to the Ministry Manuals and Procedures (MAP) as this has links to the relevant legislation.

Reminder new team e-mail address

The RoD/Review and Client Representative team has a new team e-mail address which is Review_Client_Rep_Team@msd.govt.nz. The old email address was shut down due to the commencement date issue.

Feedback

The RCR 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
Lai Qetaki	04 978 4167

Email: Review_Client_Rep_Team@msd.govt.nz

