



12 MAY 2021

Tēnā koe

On 14 April 2021, you emailed the Ministry of Social Development (the Ministry) requesting, under the Official Information Act 1982 (the Act), the following information:

- *The definition of "Lack of Representation" in regards to Hardship Application decline reasons, whether it is specific to any hardship categories and what part of the Social Security Act it relates to.*

The Ministry provides hardship assistance to help people pay for essential items or services they need urgently. Hardship assistance includes Special Needs Grants (SNGs) which provide non-taxable, one-off recoverable or non-recoverable financial assistance to people to meet an essential or emergency need, such as food.

A person does not have to be getting a benefit to qualify for an SNG, but they must meet an income and asset test. More information about SNGs for food is available on Work and Income's website at: www.workandincome.govt.nz/products/a-z-benefits/special-needs-grant.html.

A request for hardship assistance can be declined if a client does not meet the eligibility qualifications and will depend on the client's individual circumstances. As such, decisions to approve SNGs can be discretionary (and are considered on a case by case basis).

To qualify for a SNG, the applicant must:

- meet an income and cash asset test
- have an emergency or essential need
- not be able to meet the need from their own resources or through other sources
- have met any hardship obligations that have been applied to them
- be a New Zealand citizen or Permanent resident, and
- generally, be ordinarily resident in New Zealand.

Lack of Representation is one of the reasons a case manager can select when declining an application for a SNG. Lack of Representation is most often used when a client fails to provide the necessary information and/or documentation to finalise an application. It may also be used when a client has not completed an application and the application process period has lapsed. In some case, it may also be used when the client requests they no longer wish to proceed with their SNG application.

Please note, clients can seek a Review of Decision, which is a legal process that gives clients the opportunity to have the Ministry's decisions reviewed by a number of bodies including the Benefits Review Committee and the Social Security Appeal Authority. These bodies consider whether Ministry decisions have been made in line with the appropriate legislation. You can find more information about the process here: www.workandincome.govt.nz/about-work-and-income/complaints/review-of-decisions.html

The application of the SNG programme sits within the Social Security Act 2018 (Schedule 3 and Schedule 6) and captures the need for clients to meet an income and asset test to qualify for an SNG. The relevant sections of the Social Security Act 2018 can be found online here: www.workandincome.govt.nz/map/legislation/welfare-programmes/special-needs-grants-programme/clause-4-application-of-the-social-security-act.html.

More information about the eligibility criteria for the SNG and the Ministry's universal entrance criteria is available here on the Ministry's website here: www.workandincome.govt.nz/map/legislation/welfare-programmes/special-needs-grants-programme/part-2-universal-entrance-criteria.html.

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. 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.

Ngā mihi nui



Bridget Saunders
Manager
Issue Resolution, Service Delivery