

Reviews and appeals

We want to resolve things fairly and quickly when there is a disagreement about a decision we've made that affects your income support. That's why we have a review process.

This is a general guide to the review process. Please call us on 0800 559 009 if you have any questions.

If you are deaf or find it hard to communicate by phone, please send us a message on our free-fax 0800 621 621, text 029 286 7170 or e-mail MSD_Deaf_Services@msd.govt.nz.

We'll make sure you get a quick reply.

Putting things right

If we've made a decision that you don't understand or disagree with, please talk to your case manager first. They'll be pleased to explain the decision and put things right if there has been a mistake.

If you still disagree with our decision, you can apply for a formal review. You need to do this within 3 months of the original decision, unless there is a good reason that you were unable to apply within this time.

To apply for a Review of Decision

You can either complete a Review of Decision form or write us a letter or e-mail. You don't have to use legal language. Just state what decision you disagree with and why, and what you think should have happened. Please tell us if there's anything else you think we should know.

Send your form, letter or e-mail to your local office. We'll write to you to confirm we have received it.

Remember: in most cases you need to apply within 3 months of the decision, to get a review.

What happens to your application?

When we get your review application we will complete an internal review, where we check the original decision. If we agree the decision is incorrect, we'll put things right.

If we think the original decision or part of the decision is correct and we don't change it, we will send your review application to the Benefits Review Committee.

When do we tell you the outcome of the internal review?

We aim to write to you with the outcome of your internal review within 2 weeks of having received your review application.

If we agree with your application

If we agree with your review application, we may ask you to confirm some details so that we can change the arrangements we had put in place.

If we think the decision should stay the same

We will send your review application and a report to the Benefits Review Committee. The Committee co-ordinator will send you a copy of the report and ask you to contact them to arrange a time for the review hearing. You will also have the opportunity to provide extra information to the Committee.

What does the Committee do?

The Committee considers all the information and makes a decision about your review application. It takes your individual circumstances into account.

Who is on the Committee?

The Committee is made up of three people who have not been involved with the original decision. One will be a person from the community that the Minister for Social Development has appointed. The other two are usually experienced staff from the Ministry of Social Development.

What is a review hearing?

A review hearing is an informal meeting where the Committee meets to consider your review application. It usually lasts about 40 minutes and is held in a private room.

You are encouraged to attend the review hearing so that you can answer any questions or, if you would like to, present information. If you decide not to attend the Committee will still discuss your application.

If you applied for a Review of Decision more than 3 months after the decision was made, the Committee will hold an initial hearing to decide whether it should hear your review application. If it decides to hear your review application, a second hearing will be arranged.

Can you take someone along?

Yes. You are welcome to have a support person, client representative or lawyer with you. You can also ask a lawyer or client representative to go in your place. (You must arrange and pay for your own lawyer if you do this.) A list of client representatives is available from agencies like the Citizens Advice Bureau.

What happens at a hearing?

Usually, the staff member who conducted the internal review of the original decision will present their report and answer any questions from the Committee. You will be

asked for your understanding of the issue and to answer any questions from the Committee.

We recommend you try to give the Committee all the information you think they need before the hearing. This gives the Committee more time to consider your information before you meet.

When is a decision made?

The Committee does not make a decision at the review hearing. The Committee chairperson will write to you soon after your review hearing to tell you their decision.

You may be asked to come into one of our offices to complete some of the relevant forms, and so the Ministry can explain to you the changes they are making.

What if you still disagree?

If you disagree with the decision the Committee makes you can appeal to the Social Security Appeal Authority. The Committee will explain your right to appeal when it writes to you with its decision.

The Authority is an independent judicial tribunal made up of people who do not work for the Ministry of Social Development.

[More information about the Social Security Appeal Authority](#)

Reviews for medical reasons

There are separate review provisions for decisions made on medical grounds relating to the Supported Living Payment, Child Disability Allowance or Job Seeker Support – Deferred, Disability Allowance (and sometimes the Veterans Pension). Please call us on 0800 559 009 if the decision you want reviewed relates to a medical assessment of one of these types of payments.

[More information about the Medical Appeals Board](#)

What if you want to cancel your review application?

You can cancel your application for a Review of Decision by writing to the Ministry. You can do this any time.

If you have any questions about the Review of Decision process or want to know more about the hearings please call us on 0800 559 009.
