SOU-25-MIN-0052

# Cabinet Social Outcomes Committee

## Minute of Decision

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## Automated Decision-Making: Further Legislative Amendments

**Portfolio** **Social Development and Employment**

On 14 May 2025, the Cabinet Social Outcomes Committee (SOU):

### Background

1 **noted** that in March 2025, SOU agreed to enact a general authorising provision for the use of Automated Decision-Making (ADM) s 9(2)(h) [redacted] [SOU-25-MIN-0013];

2 **noted** that officials from the Ministry of Social Development (MSD) have undertaken detailed design work and identified that further legislative amendments are required to remediate ADM processes;

### Mandatory review remediation

3 **noted** that in March 2025, Cabinet agreed that if a client confirms the information MSD presented is correct, their benefit will automatically continue [CAB-25-MIN-0050];

4 **agreed** to the following exceptions to the decision outlined in paragraph 3:

4.1 the client has declared no change in specific circumstances for three consecutive years in the following situations:

4.1.1 the client has been receiving Disability Allowance (DA) and has declared no change in their DA costs for three consecutive years at the time the mandatory review was returned;

4.1.2 the client has been receiving Accommodation Supplement (AS) and has declared no change in their AS costs for three consecutive years at the time the mandatory review was returned;

4.1.3 the client has declared income and has no change to their declared income amount in three consecutive years at the time the mandatory review was returned;

4.2 a non-beneficiary client has declared no income at the time their mandatory review was returned;

## Timing of mandatory reviews

5 **noted** that in March 2025, Cabinet agreed that the specified benefits a client receives will all be part of the same mandatory review [CAB-25-MIN-0050];

6 **agreed** to exclude Orphan's Benefit, Unsupported Child's Benefit, and Special Benefit from the decision referred to in paragraph 5, so that MSD is not required to review these benefits at the same time as other mandatory reviews;

## Medical review remediation

7 **noted** that in March 2025, SOU agreed to process Work Capacity Medical Certificates for clients receiving Jobseeker Support on the grounds of a health condition, injury, or disability (JS-HCID) if the client has not had any change in their health condition, injury, or disability [SOU-25-MIN-0013];

8 **agreed** to extend the decision in paragraph 7 to process Work Capacity Medical Certificates for clients receiving Supported Living Payment on the grounds of restricted work capacity (SLP-HCID), if a subsequent Work Capacity Medical Certificate shows no change to the client's health condition, injury, or disability;

9 **agreed** that MSD will require all clients receiving JS-HCID, SLP, Child Disability Allowance (CDA), and/or DA to provide a medical certificate, or other medical evidence where appropriate, on application for assistance for the purposes of determining eligibility;

10 **agreed** that new medical review settings will be introduced where MSD must review (as a 'medical review'), all clients receiving JS-HCID, SLP, CDA and/or DA when their medical coverage ends;

11 **noted** that in some circumstances, it may be appropriate for MSD to grant an extension to allow clients more time to obtain a medical certificate, or other relevant medical evidence;

12 **agreed** that clients must provide another medical certificate, or other medical evidence where appropriate, at the point of their medical review for the purposes of determining ongoing eligibility;

## Special Benefit remediation

13 **agreed** to introduce mandatory reviews for clients receiving Special Benefit with the following features:

13.1 clients will be subject to a mandatory review at least once every 26 weeks (13 weeks after commencement and every 26 weeks thereafter);

13.2 the system will automatically suspend a client's Special Benefit if they do not complete their review by their review due date;

13.3 the system will automatically cancel a client's Special Benefit after eight weeks if the client does not complete the review;

14 **agreed** that there will be no extensions, exceptions, or exemptions to a Special Benefit mandatory review;

## Implementation

15 **authorised** the Minister for Social Development and Employment to take final policy decisions to develop and implement all proposals outlined in the paper under SOU-25-SUB-0052;

16 **invited** the Minister for Social Development and Employment to issue drafting instructions to the Parliamentary Counsel Office to give effect to the decisions under SOU-25-MIN-0052.

Jenny Vickers
Committee Secretary

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**Present:**
Rt Hon Winston Peters
Hon David Seymour
Hon Nicola Willis
Hon Chris Bishop
Hon Simeon Brown
Hon Erica Stanford
Hon Paul Goldsmith
Hon Louise Upston (Chair)
Hon Judith Collins
Hon Dr Shane Reti
Hon Mark Mitchell
Hon Tama Potaka
Hon Nicole McKee
Hon Casey Costello
Hon Penny Simmonds
Hon Nicola Grigg
Hon Scott Simpson

**Officials present from:**
Office of the Prime Minister
Officials Committee for SOU
Office of the Attorney-General