



3 October 2022

Tēnā koe

On 5 September 2022, the Department of Internal Affairs transferred in full your request under the Official Information Act 1982 (the Act) to the Ministry of Social Development (the Ministry) for the following information:

1. What is the usual process when someone who is receiving a benefit dies or moves overseas, in regards to cancelling their benefit?

1a. How long of a delay is usually between someone's death or emigration, and their benefit stopping? For instance, does DIA (or any relevant agency) have any goal (e.g., under one week) to complete the stopping of a benefit?

2. What estimates does DIA (or the appropriate agency) have of the total number of people who have received benefits after dying or moving overseas?

For the sake of clarity, the Ministry will respond to your request in turn.

1. What is the usual process when someone who is receiving a benefit dies or moves overseas, in regards to cancelling their benefit?

Moving overseas:

All clients receiving a main benefit must advise the Ministry before they leave New Zealand. Clients may be able to keep receiving their payments for up to 28 days while they are absent from New Zealand if they have an approved travel reason. You can find more information about approved travel reasons on the Ministry's website, here: <https://www.workandincome.govt.nz/on-a-benefit/tell-us/overseas-travel.html>.

If a client or their partner does not advise the Ministry that they will be absent from New Zealand, their benefit will be suspended immediately from the day after they left New Zealand. The Integrity Intervention Centre will determine whether there has been an overpayment. If there has been an overpayment due to absence from New Zealand, a debt will be established, and the client will be notified.

Some clients may qualify for their entitlement to continue if they are intending to reside in a country that the Ministry has a Reciprocal agreement with. This will need to be arranged with the Ministry prior to the client's intended departure from New Zealand. Clients who may qualify in this scenario are recipients of Sole Parent Support payments (widow/widower with dependent children under 14), and Supported Living Payments (health condition, disability, totally blind, severely disabled). You can find more information about Reciprocal agreements on the Ministry's website, here: www.workandincome.govt.nz/map/to-or-from-overseas/reciprocal-agreements/index.html.

Client Dies:

In some cases, benefit payments can continue for up to 28 days after the date of a client's death. This is referred to as Terminal Benefit. Terminal Benefit is paid for 28 days following the death of a client when there is a surviving spouse/partner and/or child or children, for up to 28 days for single clients where there are exceptional circumstances or to avoid a debt. Where the benefit is being paid to a couple, both the deceased client's and the surviving partner's portion of the benefit should be paid (where the surviving partner or child is not receiving a survivor's grant from ACC). You can read more about this here: www.workandincome.govt.nz/map/income-support/main-benefits/jobseeker-support/changes-and-reviews-jobseeker-support/death-of-a-client-01.html

If a client is single and does not have any children, we will stop their payments as soon as we know they have died. If the client still has expenses to be paid, we may be able to keep making their payments for 28 days. A family member or the executor of the client's estate can ask us to do this.

We might not find out the client has died until after 28 days of death. In this case we may have to recover any payments we have made after the 28 days from their estate (if they have one).

We will continue payments for 28 days after death if the client who died was single and: had a dependent child in their care or; paid child support for a child or; was getting Orphan's Benefit or Unsupported Child's Benefit for a child in their care. If the client was paying child support through a private arrangement, we might not know about their child. In this case, we may not keep paying the client for 28 days

If the client who died has a partner, we'll keep paying the client for 28 days. The only time we won't do this is if the partner gets a survivor's grant from ACC. However, the survivor's grant can take a while to be approved. If this happens, we can still make payments for 28 days, but the partner will need to pay it back once ACC approve the grant.

You can read more about the process followed when a client dies on the Ministry's website, here: www.workandincome.govt.nz/map/income-support/main-benefits/jobseeker-support/changes-and-reviews-jobseeker-support/death-of-a-client-01.html

1a. How long of a delay is usually between someone's death or emigration, and their benefit stopping? For instance, does DIA (or any relevant agency) have any goal (e.g., under one week) to complete the stopping of a benefit?

Death of client:

The Department of Internal Affairs provides the Ministry's Integrity Intervention Centre with notifications of death on a daily basis. The Ministry uses this information to identify active client records to determine whether the Ministry has been advised of the client's death.

Where the Ministry does not have a record of being notified of the death, the Integrity Intervention Centre will take the appropriate actions to end the client's entitlement based on the information received.

The matched client's estate, or caregiver where the deceased client is a child, will receive a 'First Notice' letter. This letter will advise of all active client records required to be closed.

The Integrity Intervention Centre will work with the Ministry's business units to ensure that all actions are completed in a timely manner, and to ensure that the appropriate assistance is provided to any surviving spouse, partner, and/or dependents.

Left NZ:

The Ministry has an Approved Information Sharing Agreement with New Zealand Customs Service to identify any clients receiving a main benefit who have left New Zealand. New Zealand Customs records all individual travel movements to and from New Zealand. This information is matched against the Ministry's SWIFTT and SAL databases each day.

If a client receiving a main benefit does not advise the Ministry that they are travelling overseas, they will be identified by the New Zealand Customs. The Ministry will use this information to determine whether the client is eligible to receive their payments while overseas.

You can read more about the process when a client fails to advise the Ministry that they will be absent from New Zealand on the Ministry's website, here: www.workandincome.govt.nz/map/income-support/core-policy/current-client-debt/client-fails-to-advise-of-absence-overseas-01.html.

2. What estimates does DIA (or the appropriate agency) have of the total number of people who have received benefits after dying or moving overseas?

I am unable to provide you with this information as it is held in notes on individual case files. In order to provide you with this information, Ministry staff would have to manually review a substantial number of files. As such, I refuse your request under section 18(f) of the Act. The greater public interest is in the effective and efficient administration of the public service.

I have considered whether the Ministry would be able to respond to your request given extra time, or the ability to charge for the information requested. I have concluded that, in either case, the Ministry's ability to undertake its work would still be prejudiced.

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 and any attached documents available to the wider public. The Ministry will do this by publishing this letter on the Ministry'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 regarding the Ministry's processes when someone who is receiving a benefit dies or moves overseas, 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

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