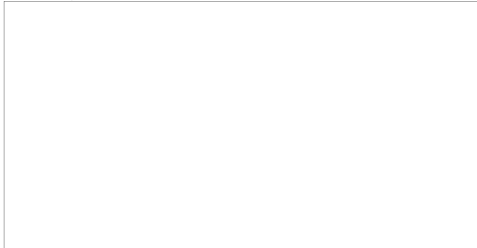




18 AUG 2016



On 25 May 2016 the Ministry received your request, under the Official Information Act 1982, for the following information:

- *How many declined applications for the Student Allowance Independent Circumstances and Youth Payment Family Breakdown were put to a formal review in the past 12 months?*
- *How many of these applications which were formally reviewed in the last 12 months were ultimately approved?*

To qualify for the Independent Circumstances Allowance or Youth Payment, applicants must meet special criteria relating to family circumstances. An applicant for the Independent Circumstances Allowance may be eligible if he or she cannot live with or be supported by:

- a parent; or
- someone considered to be acting in the place of a parent, due to a family breakdown or another reason.

An applicant for Youth Payment may be eligible if they are aged 16 or 17 years old, have no dependent children and be one of the following:

- single and in exceptional circumstances; or
- single because they are divorced, have a dissolved civil union or are separated from their de facto partner; or
- married, in a civil union or de facto relationship and not be married to, or in a civil union or de facto relationship with a specified beneficiary.

An applicant who disagrees with a decision to decline an Independent Circumstances Allowance or Youth Payment application has the right to apply for a Review of Decision. A declined application may be overturned and subsequently approved if an investigation reveals further evidence in support of the application.

Further information about application criteria and the review process is available on at: www.studylink.govt.nz/student-allowance/index.html and www.workandincome.govt.nz/products/a-z-benefits/youth-payment.html

For clarity, this response will address Independent Circumstances Allowance and Youth Payment reviews separately.

Independent Circumstances Allowance

The Ministry processed a total of 3,149 applications for the Independent Circumstances Allowance from 1 June 2015 to 31 May 2016.

There were 15 Reviews of Decision relating to declined Independent Circumstances Allowance applications, of which 7 resulted in the decision being overturned and the application being subsequently approved. This is because new information was provided at review.

Youth Payment

Section 159(1)(b) of the Social Security Act 1964 provides the statutory basis for Youth Payment entitlement under "exceptional circumstances".

159 Youth payment: single young persons

...

- (2) For the purposes of subsection (1), a young person is in exceptional circumstances if—
- (a) each of his or her parents (and guardians (if any)) is unable to support him or her financially; or
 - (b) his or her relationship with his or her parents (and guardians (if any)) has broken down, and none of them is prepared to support him or her financially; or
 - (c) he or she has ceased to be subject to—
 - (i) an agreement under section 140 of the Children, Young Persons, and Their Families Act 1989; or
 - (ii) an order under section 78, 101, or 283(n) of that Act; or
 - (iii) a sole guardianship order under section 110 of that Act; or
 - (d) the chief executive is satisfied that (for some other good and sufficient reason) the young person cannot reasonably be expected to be financially dependent on his or her parents or any other person.

As your request asks specifically for the number of declined "Youth Payment Family Breakdown" applications put to review, I have interpreted your request to be for the number of applications under section 159(2)(b). Declined applications are reported as "does not meet service qualification", which can include not only a family breakdown but any of the other service qualification criteria set out above.

The Ministry processed a total of 4,155 applications for Youth Payment for the 12 months from 1 June 2015 to 31 May 2016.

There were 70 Reviews of Decision relating to Youth Payment applications, of which 48 resulted in the decision being overturned and the application being subsequently approved. This is because new information was provided at review.

I cannot, however, provide a breakdown specifically relating to family breakdown, as that information is held on individual files. Staff would be required to manually review each individual file. As such I refuse your request under section 18(f) of the

Official Information Act as the greater public interest is in the effective and efficient administration of the public service.

I hope you find this information regarding Independent Circumstances Allowance and Youth Payment reviews helpful. You have the right to seek an investigation and review of my response by the Ombudsman, whose address for contact purposes is:

The Ombudsman
Office of the Ombudsman
PO Box 10-152
WELLINGTON 6143

Yours sincerely

A handwritten signature in cursive script, appearing to read 'Ruth Bound', written in dark ink.

Ruth Bound
**Deputy Chief Executive
Service Delivery**