



20 August 2025

Tēnā koe

Official Information Act request

Thank you for your request of 4 June 2025 regarding information referred to as information pertaining to the Ministry of Social Development's (the Ministry) *"internal appeals process."*

Thank you for your email of 12 June 2025, in which you clarified your request. The Ministry has now interpreted your request as information pertaining to the outcomes of Review of Decision (RoD) applications that were overturned i.e. ruled in favour of Ministry clients during the RoD process, referred to in your request as the internal appeals process.

In clarifying your request, you specifically wanted decisions that involved certain items that were applied for but declined and against which a RoD would have been lodged. We have refined the requested information as follow:

- Furniture
- Food
- Rent Arrears
- Student Loan
- Course related Costs
- Training Incentive Allowance
- Job interview assistance
- Business Training Grant

Before I respond to your request, I have provided you some with context on the RoD process, including relevant outcomes relative to the numbers received and progressed, for your information, below.

Review of Decision Process – An Overview

A RoD application is an opportunity for Ministry clients to challenge the Ministry regarding decisions that clients do not agree with, pursuant to section 391 of the Social Security Act 2018 (the Act). The process starts with an administrative review generally referred to as an internal review, and can progress through to a Benefits Review Committee (BRC) hearing. The RoD process can be ended before a determination is made by a client voluntarily withdrawing their RoD application.

A summary of the benefit review process can be found below:

- In general, decisions the Ministry makes about benefits and superannuation entitlement can be formally reviewed, for example a decision to cancel a benefit or set a particular rate.
- Approximately thirteen million decisions per year have review rights attached; of these there are approximately 6200 requests each year for a formal review of decision received over the last three years, which equals less than 0.05% of the decisions made by the Ministry.
- The first step in the process is an internal administrative review. Around 35% of cases are overturned at the Internal Review stage and around 40% are withdrawn by the client prior to a BRC hearing. Approximately 25% of the cases received proceed to a formal BRC hearing. The number overturned at the Internal Review stage, demonstrates that the Ministry's internal review process is working well, and that incorrect decisions are being corrected at the earliest opportunity.
- During the fiscal year 2024/2025, the Ministry received 7,534 review of decisions and resolved 7,068 applications. Of the review of decisions resolved, 5,268 (75%) were resolved prior to the BRC stage of which 2987 (42%) were withdrawn and 2,281 (32%) were overturned at the internal review stage.
- 1,716 Review of Decisions were resolved by a BRC in the period 1 July 2024 to 30 June 2025. Of these 1418 (83%) confirmed (upheld) the original decision by the Ministry; 137 (7%) varied (partly upheld) the original decision by the Ministry and 157 (9%) were revoked (overturned). Five were outside the jurisdiction of the BRC.

Post-BRC Appeal Process

I note any appeal against Ministry decisions that have been either confirmed, varied or revoked by a BRC must be made to the Social Security Appeal Authority (SSAA), which is under the Tribunal division of the Ministry of Justice.

I have included below the SSAA¹ contact details in the event you wish to seek appeals on items similar to those that you have requested in the RoD process as listed in the second paragraph of this letter.

1. The total number of applications declined by MSD over the past 24 months that were subsequently referred to the internal appeals process.

Please refer to **Appendix I** of this letter for this information in response to the above part of your request. The information is specific to the types of items you requested information on but were declined and is for the fiscal years 2023/2024 and 2024/2025 (24 months), in line with your request.

¹ tribunals@justice.govt.nz

The table in **Appendix I** contains information on the number of applications received where the items sought were declined and against which a RoD had been lodged.

Information on Student Loan reviews

Students Loans do not have formal review rights. Objections can be made if a borrower wishes to object to the details of a loan advance made or charged to them, as set out in a notification they receive, i.e., they can object to a transaction on their Student Loan statement from Inland Revenue. This does not apply to declined applications, only amounts advanced or charged on a loan.

If a client writes to us disagreeing with their loan and it does not meet the objection criteria, this is treated as a Loan Correspondence and is investigated and responded to.

Please refer to the table below in **Appendix II** of this letter which provides the total number of Student Loan Correspondence and Objections received from June 2023 – May 2025.

It should be noted that Course-related costs are one of the components of the Student Loan and the data provided in the appendix is the overall Student Loan information. While one of the dispute codes is specifically course-related costs, any decision that affects the Student Loan can affect the course-related costs component.

Review of Decision applications

For the purpose of your request, we have provided all different types of assistance that are available under the Employment and Work Readiness Assistance Programme (EWRAP). We are unable to break this down into the categories you have requested because the data is not recorded this way.

The EWRAP provides a wide range of employment and work-related assistance to clients such as assistance with transitional costs into employment, employment related training, assistance to enter self-employment and transition into employment. This includes Self-Employment Start-up payment but excludes Flex-Wage for Self-Employment.

RoD overturned outcomes for other items listed in the third paragraph of this letter are also included in the table in **Appendix I** of this letter.

2. Of those referred to appeal, how many were ultimately determined to have met all eligibility criteria and relevant policy requirements?

Please refer to the tables in **Appendices I and II** of this letter for information on RoDs and Student Loans respectively. These will be cases that were overturned either pre-BRC or by BRCs.

3. Any internal policy documents, staff guidelines, or memos that relate to the use of the appeal process, particularly in cases where eligibility is clearly met.

The information you have requested on Student Loan is publicly available at the following links:

- www.studylink.govt.nz/about-studylink/complaints/student-loan-objection.html.

- www.workandincome.govt.nz/map/students/student-loan/objections-01.html.

I have also found an internal document which contains information on staff best practice for Loan Correspondence. I have attached this document as **Appendix III**.

Information about the review of decision process is publicly available and can be found at the following link: www.msd.govt.nz/about-msd-and-our-work/contact-us/complaints/review-of-decision.html.

4. A breakdown by office or region of declined applications sent to appeal, to determine whether there are specific patterns of concern within MSD operations.

Please refer to the table in **Appendix I** of this letter for this information.

I will be publishing this decision letter, with your personal details deleted, on the Ministry's website in due course.

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 my decision on your request, 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

p.p. 

Anna Graham
General Manager
Ministerial and Executive Services

Appendix I

Review of Decisions Outcomes from 1 July 2023 to 30 June 2025		
Region	Total Received	Total RoDs ² overturned
Auckland Metro	2,302	671
Bay of Plenty	604	196
Canterbury	1,006	50
Central	443	163
Centralised Services ³	5,705	1,841
East Coast	375	119
Fraud and Debt	304	106
Nelson	230	56
Northland	317	94
Southern	532	133
Taranaki	323	119
Waikato	597	152
Wellington	518	228
Total	13,256	4,228

² Includes the following items: Furniture, Food, Rent Arrears, Student Loan, Course related Costs, Training Incentive Allowance, Job interview assistance and Business Training Grant

³ Includes all Ministry of Social Development Centralised Services such as Centralised Processing Centres in Whangarei, Mangere, Call Centres, Remote Services, Studylink and Senior Services

Appendix II

Correspondence Type	Total
Loan Correspondence	253
Loan Objection	3
Grand Total	256

Loan Correspondence best practice

RELEASED UNDER THE
OFFICIAL INFORMATION ACT

Loan Disputes

What is a Loan Dispute?

A Loan Dispute is where the Student Loan borrower disputes the loan balance given in the loan statement (statement of balance) that is issued by Inland Revenue. These statements are issued to borrowers once a year (predominantly online) and students have 31 days from the issued date to lodge an objection/dispute and **MUST** provide a copy of the loan statement. If the loan statement is not provided, these are treated as Loan Correspondence.

The IR statement advises the client to contact StudyLink if they disagree with the balance and directs them to the StudyLink website. The StudyLink website explains what a student can do if they disagree with their loan balance.

How do we manage them?

Action	Responsibility
Dispute received An objection letter to the Loan Manager is received from the student, disputing the loan balance held with Inland Revenue. The database administrator is notified of its receipt, and it is loaded into the database and an acknowledgement letter is sent to the student. It is then allocated to a Report Writer for completion.	Database Administrator Report Writer
Timeframe Final outcome for Loan Disputes are due 10 working days following receipt of the objection.	Report Writer
Investigation and reporting Contact with the student must be made or attempted to acknowledge allocation of correspondence and to get further information if necessary. A full investigation of the student's situation is undertaken, and the issues raised need to be resolved. You may need to have discussions with education providers or other staff as required, for example Operational Policy. The report is written with the recommendation and an outcome letter drafted. These are both found in the template gallery under Complaints and Review letters – Loan Disputes.	Report Writer
Sign-off The report writer forwards the final draft report and letter to the Manager Client Reviews to check the details of the investigation and the recommendation.	Manager Client Reviews
Administration	Report Writer

- Enter notes into SAL regarding actions and resolution - Note templates for disputes are W-DMSD/SMSD-OTD. Paste outcome letters.

If the Loan has been **Halted** an email must be sent to IR to advise of the dispute outcome and for the halt to be removed. StudyLink will only request that a halt be placed on a particular account in cases where there is a *serious dispute* or where an investigation needs to be undertaken on a particular account (e.g. investigation into possible fraud). The decision to halt a Loan Dispute may be made during the screening or investigation process and must view notes must be entered into SAL confirming that the Loan has been halted at IR.

The charging of interest or charging of course fees when the student has withdrawn from study are not instances where a halt is required.

The halt email must be sent to Inland Revenue and a copy added to SAL notes. We will also inform Inland Revenue when the halt can be lifted – this would be after all relevant actions (including where necessary reversal of transactions by StudyLink) have been undertaken.

A halt will prevent all new correspondence going to the Borrower and other processes such as access to the Borrower's account via the Inland Revenue portal may be suspended. Inland Revenue will manually confirm to StudyLink that the halt has been set. Halts last for one year.

If the client disagrees

If the client still disagrees, they must write to MSD within 21 days of the ruling. This must be addressed to the Chief Executive, Ministry of Social Development, PO Box 12136, Wellington 6144. This is handled by the CE's office. StudyLink will be asked to provide information to the CE so they can respond to the client.

Loan Correspondence

What is Loan Correspondence?

Any correspondence received from a student about their Student Loan that is not a Loan Dispute – please refer to Loan Disputes for clarification.

How do we manage them?

Action	Responsibility
Complaint Received The student sends a letter/email to StudyLink regarding their Student Loan and it is forwarded to the RWT to respond.	StudyLink Officer
Registration The Loan Correspondence is registered on the RWT database. It is screened and an acknowledgment letter is sent to the student if required. A photocopy of the letter is kept with the original correspondence.	Database Administrator
Timeframe Response is due 21 days from date of receipt.	Report Writer
Investigation Contact with the student must be made, or attempted, to acknowledge allocation of correspondence and to get further information if necessary. A full investigation of the student's situation is undertaken, and the issues raised need to be resolved or explained. You may need to have discussions with other staff as required, for example Operational Policy, education providers etc. An investigation is undertaken, a report is written (if required) and an outcome letter compiled. Template documents are found in the template gallery under Complaints and Review letters – Complaints – Summary report and response letter. If service issues have been identified an apology letter must be drafted; sign off from the Manager Client Reviews may be required. Feedbacks must be lodged for the relevant staff.	Report Writer
Sign-off If manager sign off is required, the report writer forwards the final draft report and letter to the Manager Client Reviews to check the details of the investigation and sign off if satisfied. Add notes to SAL along with outcome letter.	Report Writer