



26 June 2025

Tēnā koe

Official Information Act request

Thank you for your email of 23 May 2025, requesting information about claimants who passed away before receiving either a Rapid Payment Framework or Individual Claim Assessment settlement offer from the Ministry of Social Development (the Ministry).

I have considered your request under the Official Information Act 1982 (the Act). Please find my decision on each part of your request set out separately below.

- 1. The number of individuals, on MSD's assessment queue (from January 2018 until the present), who have passed away before accepting and/or receiving either a Rapid Payment Framework or Individual Claim Assessment settlement offer from MSD.*

I am advised that 82 claimants who have registered a claim since 1 January 2018 have passed away prior to accepting an offer.

We are sorry that their claims were not able to be resolved before they passed away.

This is a reflection of the time it has taken to resolve claims, and the large backlog of claims over time that has affected those who have been waiting.

A number of steps have been taken to resolve claims more quickly, and to prioritise some claimants who may be at risk of passing away before their claim is assessed (such as where a person has a terminal illness). Claimants aged 70 years or older are also automatically prioritised.

Once a claim has been prioritised, the claim is added to the top of the allocation queue and is generally allocated to the next staff member who is available to undertake an assessment.

The Government has also introduced other initiatives to help reduce wait-times for claimants. In July 2022, Cabinet agreed to the development of rapid payments, particularly for ill or elderly claimants, to address long wait times for the settlement of claims [CBC-22-MIN-0035]. The Ministry implemented rapid payments into its processes in late 2022.

Given that rapid payments can be calculated much more quickly than individualised assessments, this has enabled us to connect with more claimants and resolve their claims faster than before.

The Government has also increased funding for the Ministry to enable them to complete more assessments each year. There is funding to complete 1300 assessments in F25/26 (up from 1,090 in F24/25) with this increasing to 1700 in F26/27 and 1850 in the following two financial years.

The 82 claimants identified reflects the number of claimants who are recorded as being deceased in our records and who have registered a claim from 1 January 2018 onwards. I can advise that one claimant in this group of claimants received a Case Assessment offer. This was the type of assessment offered prior to the current Individualised Assessment model.

Usually, if a claimant is recorded as deceased, it means they passed away prior to accepting a settlement offer from the Ministry's Historic Claims Group. However, in rare circumstances the Ministry may learn that a claimant has passed away after a claim has been settled. The Ministry does not record the date of death in our data.

For this reason, further information is refused under section 18(f) of the Act, as substantial manual collation would be required to collate this information. If held, this information would only be contained within individual client files, which would each require manual review to respond to your request. 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.

2. The number of the above deceased clients for whom Cooper Legal acted.

Cooper Legal acted for 37 of the above claimants.

3. The number of unrepresented claims that MSD settled after the above individuals passed away.

Historic Claims has settled nine unrepresented claims from the above claimants since the individuals passed away. A settled claim refers to a claim where we have made a settlement payment and closed the file. For those claims where the claimant is deceased, the Ministry will enter into a settlement with the deceased whanau or estate.

4. The number of unrepresented claims that MSD closed the file of without receiving a settlement after the above individual passed away.

The answer is zero. Historic Claims does not close the files of deceased claimants prior to settlement. Rather, these files remain open and are marked as inactive. Should Historic Claims be contacted by a claimant's estate, the file will be reactivated, and we work with the estate to settle the claim.

5. The number of Cooper Legal represented claims that MSD settled after the above individuals passed away.

Historic Claims has settled 20 of the above 37 claims that were represented by Cooper Legal.

Historic Claims relies on a claimant's next of kin or searches of the Ministry's databases to learn that a claimant has passed away. There is a likelihood that other claimants who have registered a claim with Historic Claims have passed away without our knowledge. These claimants will not be included in the above numbers.

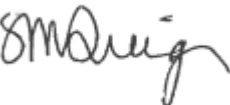
Further information on the way Historic Claims approaches deceased claimants can be found in our Deceased Claimants Policy which is available on our website: www.msd.govt.nz/documents/about-msd-and-our-work/work-programmes/historic-claims/policy-and-practice-guidance-on-deceased-claimants.pdf.

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

pp. 

Anna Graham
General Manager
Ministerial and Executive Services