



22 May 2025

Tēnā koe

Official Information Act request

Thank you for your email of 30 April 2025, requesting information about the processing timeframes for Review of Decisions (RODs).

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.

- *Please provide me with a copy of any guidance/process/policy that MSD uses to determine how to prioritise reviews of decisions. For example, I imagine a review of decision for emergency housing might be prioritised (i.e. an internal review might be actioned more quickly) over a review of decision for an application for back payment.*

The Ministry does not have a process for prioritising RODs. As such, your request for this information is refused under section 18(e) of the Act as this document does not exist or, despite reasonable efforts to locate it, cannot be found.

- *Please also provide any estimate or target timeframes for the different types of reviews of decisions.*

The timeframes for processing RODs are the same for any type of ROD. These timeframes are found in the Ministry's National Standards. National Standards have been developed to assist Ministry staff with improving the quality of ROD and Benefits Review Committee (BRC) processes.

I have provided you with copies of the National Standards, please see these attached as appendices 1-4. For information related to timeframes, please refer to the timeliness section of the document.

I also recommend you read through the Ministry's ROD and BRC flowchart which you may find useful. The flowchart is publicly available on the Ministry's website and can be found at the following link: www.msd.govt.nz/documents/about-msd-and-our-work/contact-us/complaints/rod-flowchart.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

National Standards and Measures Internal Review

Performance Standards – Review of Decision Internal Reviews	
Transparency of decision <ul style="list-style-type: none">• Being able to see how a decision was made by the Ministry including the legislation that applied in the case and making sure that the decision is justified.	
Fair Process (Access to Natural Justice) <ul style="list-style-type: none">• Ensuring that the applicant is being fairly represented throughout the process and that the case is being progressed in a timely manner.	
Professionalism <ul style="list-style-type: none">• Ensuring that the standard of professionalism is kept safeguarding the Ministry's reputation.	
Measures – Review of Decision Internal Reviews	
Transparency of decision <ul style="list-style-type: none">• Details of the decision as well as the date the decision was have been included.• Correct legislation referenced• Correct policy referenced• Relevant Regulations, Ministerial Direction or Welfare Programme referenced (if applicable)• Key reasons for the decision have been noted• The applicant's points have been addressed• Conclusion clearly states the desired outcome (e.g. it is upheld, overturned or partially upheld)	
Fair Process (Access to Natural Justice) <ul style="list-style-type: none">• Full copy of the applicant's review of decision has been attached• Internal decision has been implemented and the resolution in HIYA is appropriate• Delay reasons have been fully documented	

<p><i>Timeliness:</i></p> <ul style="list-style-type: none"> • Acknowledgement letter sent within 24 hours of receipt of ROD • Internal Review completed within 5 working days 	
<p>Professionalism</p> <ul style="list-style-type: none"> • Final versions of letters sent, and Internal Review are saved in HIYA templates or files so that information can be accessed Ministry-wide • Decision dates in HIYA and the internal review match • MSD Style Guide followed 	

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National Standards and Measures Report to the Benefits Review Committee

Performance Standards – Report to the Benefits Review Committee	
Transparency of decision <ul style="list-style-type: none">• Reports to the Benefits Review Committee (selected by sample survey) show how a decision was made by the Ministry including the legislation that applied in the case and making sure that the decision is justified.	
Fair Process (Access to Natural Justice) <ul style="list-style-type: none">• Ensuring that the applicant is being fairly represented throughout the process that the case is being progressed in a timely manner.	
Professionalism <ul style="list-style-type: none">• Ensuring that the standard of professionalism is kept to safeguard the Ministry's reputation.	
Measures – Report to the Benefits Review Committee	
Transparency of decision <ul style="list-style-type: none">• Decision being reviewed is detailed• A full summary of facts has been stated• Correct legislation quoted• Correct policy quoted• Relevant Ministerial Direction or Welfare Programme quoted (if applicable)• Facts of case have been applied to correct policy and legislation and reasons for decision made are clear – full explanation of decision given• Conclusion clearly states the desired outcome• No new information (not previously referred to) included within the conclusion	
Fair Process (Access to Natural Justice) <ul style="list-style-type: none">• Details of the applicant's circumstances and income support included• Summary of reasons given by applicant for reviewing decision have been included	

<ul style="list-style-type: none"> Internal decision has been implemented <p><i>Timeliness</i></p> <ul style="list-style-type: none"> Report to the Benefits Review Committee completed within 14 days of receiving it Delay reasons have been fully documented (if applicable) 	
<p>Professionalism</p> <ul style="list-style-type: none"> Final versions of letters sent and Report to the Benefits Review Committee are saved in HIYA templates or files so that information can be accessed Ministry-wide MSD Style Guide followed 	

National Standards and Measures

Report of the Benefits Review Committee

Performance Standards – Report of the Benefits Review Committee

Transparency of decision

- Benefits Review Committee (BRC) outcomes (selected by sample survey) are clear and include legislation that was applied in the case and makes sure that the decision is justified.

Fair Process (Access to Natural Justice)

- Ensuring that the applicant is being fairly represented throughout the process and that the case is being progressed in a timely manner.

Professionalism

- Ensuring that the standard of professionalism is kept to safeguard the Ministry's reputation.

Measures – Report of the Benefits Review Committee

Transparency of decision

- Decision being reviewed is detailed
- A full summary of facts have been stated
- Correct legislation quoted
- Correct policy quoted
- Relevant Ministerial Direction or Welfare Programme quoted (if applicable)
- Reasons for the decision are provided and are clear (e.g. why the client's circumstances do or do not meet the criteria)
- All evidence contributing to the decision is documented in the Findings
- The report instructs the Ministry clearly on what action is required (if applicable)

Fair Process (Access to Natural Justice)

- Details of the applicant's circumstances and income support included
- Summary of reasons given by applicant for reviewing decision have been included
- Additional information reviewed from the client or the Ministry at the hearing has been included in the report
- Decision of BRC has been implemented

<p><i>Timeliness</i></p> <ul style="list-style-type: none"> • BRC Process completed within 32 days of Review of Decision being received (including outcome letter being issued to client) • Delay reasons have been fully documented (if applicable) 	
<p>Professionalism</p> <ul style="list-style-type: none"> • Final versions of hearing letters sent and the Report of the Benefits Review Committee are saved in HIYA templates or files so that information can be accessed Ministry-wide • MSD Style Guide followed 	

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National Standards and Measures Out of Time Reports

National Standards –Out of Time Reports

Transparency of decision

- Out of Time Reports are clear and include relevant legislation.

Fair Process (Access to Natural Justice)

- Ensuring that the applicant is being fairly represented throughout the process and that the case is being progressed in a timely manner.

Professionalism

- Ensuring that the standard of professionalism is kept to safeguard the Ministry's reputation.

Measures -- Out of Time Reports

Transparency of decision

- Date the decision was made by the Ministry has been verified (decision letter attached)
- A full summary of facts has been provided
- All letters from acknowledgement letter through to Benefit Review Committee outcome letter sent out and copies attached to report
- All letters copied / sent to client representatives (hardcopy attached)
- Correct template letters used
- Section 392 has been included

Fair Process (Access to Natural Justice)

- Details of applicant's circumstances and income support included, with special attention paid to Out of Time details supplied by the client
- Summary of the applicant's reasons for delay are included and detailed without reference to the substantive issue
- The applicant has been asked for reasons of delay in lodging Review of Decision

<p>application</p> <ul style="list-style-type: none">• Conclusion states the desired outcome clearly in both reports• No new information (not previously referred to) included within the conclusion
<p>Professionalism</p> <ul style="list-style-type: none">• Final versions of letter sent and report (if applicable) are saved in HIYA templates or files so that information can be accessed Ministry-wide• MSD Style Guide followed

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