



2 June 2026

Tēnā koe

Official Information Act request

Thank you for your email of 14 April 2026 requesting information about Reviews of Decision (RoD) received in the last six months.

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

- *Please provide number of the requests for review of decision received in last 6 months with details including positive or negative outcomes with time frame of min & max time taken & number of declines which went for further before review committees with details on outcomes. Please advise time frames of min & max time taken from the date of initiation to final disposal.*

In general, decisions the Ministry of Social Development (the Ministry) makes about benefit and superannuation entitlement can be formally reviewed, such as a decision to cancel a benefit or to set a particular rate.

Approximately thirteen million decisions per year have review rights attached; of these are approximately 6,200 requests for a formal review of decision received each year, which equals less than 0.07% of the decisions made by the Ministry.

The first step in the process is an internal administrative review, known as a Review of Decision (RoD). If a client disagrees with a decision made by the Ministry, they can ask for a formal review of the decision. The Ministry will then look over the decision that was made to determine whether it should be overturned or upheld. If a decision is upheld, the Ministry will send a report to the Benefit Review Committee (BRC) to ask them to take a fresh look over the case.

You can read more about the RoD process here: <https://www.workandincome.govt.nz/about-work-and-income/complaints/review-of-decisions.html>.

The BRC is a review body that is established by legislation but is internal to the Ministry. The characteristics of a review body include the composition of its members being internally provided, or, in the case of the Community Representative, appointed by the Minister and being administratively managed internally by the Ministry. A review body such as the BRC takes a "fresh eyes" approach and it may only confirm, vary, or revoke the original decision. It does not have the trappings of a tribunal-type body, such as independent tenure, the

right of review for both parties, the ability to compel evidence, to order costs or to take any necessary steps to carry into effects its decision.

Please refer to **Table One** in the attached **Appendix**, which provides the number of RoD cases received between 1 November 2025 and 30 April 2026, broken down by the month in which they were lodged.

Please refer to **Table Two** in the attached **Appendix**, which outlines the number of resolved RoD cases received within the same period, including a breakdown of outcomes, as well as the minimum and maximum number of working days taken to resolve them. Please find below an explanation of the terminology used in **Table Two** in the **Appendix**, which may assist in understanding the data.

Outcomes

Withdrawn - If the applicant no longer wishes to pursue their ROD they may withdraw their application. This officially ends the process and there are no further review rights.

Overtured - It is important that if the Ministry sees that a decision has been incorrectly made, they will take steps to correct the decision. This may be because of new information being received which alters the Ministry's position. If the original decision has been changed for whatever reason this is overturned.

Overtured – client wants to continue to BRC – Where a decision has been overturned by the Ministry, however the Applicant still wishes to continue to a benefit review committee hearing.

Partially upheld - This is similar to an overturned decision but only part of the decision has changed. For example, if a Temporary Additional Support review concerns the inclusion of two items and after a second look it is found that one of these items should be included while the other should not this decision has been upheld in part.

Upheld - When a second look has been taken and the decision is confirmed as lawful and correct this decision is upheld.

Does not lie - The Ministry will receive Review of Decisions where the decision may be outside the jurisdiction of the BRC.

Examples:

- Not a decision listed in Section 397, 398 or 399 of the Social Security Act 2018
- Medical Appeals Board
- Lapsed applications
- The matter has been heard previously by the BRC or another judicial body (res judicata)
- The review is outside the three-month review period, and the committee decides there is no good reason for the delay.

The report to the BRC will note that the decision is outside the jurisdiction of the Benefits Review Committee, and the Applicant is aware of this, but may still wish to proceed with the Review of Decision to the hearing stage. The outcome of these cases by the panel, will be 'Does not lie' (does not hold any jurisdiction to review the original decision). Applicants may contact the independent Office of the Ombudsman if they wish to take the matter further.

The outcomes which proceed to a BRC Hearing after an internal review are, Upheld, Partially Upheld and Overturned client wants to continue to BRC.

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
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