



5 March 2024

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Tēnā koe Sarah Brodrick

### **Official Information Act request**

Thank you for your email of 27 January 2024, requesting information about the Ministry's Confirming your Circumstances Form.

I have considered your request under the Official Information Act 1982 (the Act).

The Ministry periodically reviews benefits paid to its clients to ensure they remain eligible, are receiving the correct benefit, and are receiving the correct rate of payment. This is done through a periodic review process called a Review of Circumstances. A Review of Circumstances is completed 26 weeks after a benefit is granted, and every 52 weeks thereafter. There are a few clients that will not need a Review of Circumstances.

Clients receiving the following benefits may be required to undergo a Review of Circumstances:

- Supported Living Payment
- Emergency Benefit
- Emergency Maintenance Allowance
- Orphans Benefit and Unsupported Child's Benefit
- New Zealand Superannuation and Veteran's Pension.

Non-beneficiary clients receiving supplementary assistance will also have a periodic review.

As part of the Review of Circumstances process, clients are sent either an Annual Circumstances Letter or a Confirming your Circumstances form.

The following clients are required to complete a Confirming your Circumstances form:

- All clients receiving Supported Living Payment on the ground of caring for a person
- Sole parents who have previously received a married rate of benefit
- Any client who was first granted a benefit while under the age of 18
- Reason for grant was separation
- Deliberate debt established at any point in time
- Debt level above \$5,000 at any point in time
- Prosecution, warning, or penalty at any point in time
- Suspended due to lack of representation in the past 52-week period
- Suspended due to leaving New Zealand in past 52-week period

- Low Trust Client Management clients.

The Confirming your Circumstances form is automatically sent to clients 25 working days before their Review of Circumstances is due. Clients are required to return their completed form and any necessary verification, otherwise their benefit will be suspended. In exceptional circumstances the 25-working day period can be extended.

The Confirming your Circumstances form is not available on the Ministry's website because the form is system generated based on the information we hold about each individual client. There is no need for a client to access the form online outside of this process. Should a client misplace the form then Ministry staff can provide them with a manual PDF copy.

For policy information regarding the Review of Circumstances in relation to the Supported Living Benefit, please see the following link to the Map page on the Ministry's website:

[www.workandincome.govt.nz/map/income-support/main-benefits/supported-living-payment/changes-and-reviews-supported-living-payment/review-of-circumstances-01.html](http://www.workandincome.govt.nz/map/income-support/main-benefits/supported-living-payment/changes-and-reviews-supported-living-payment/review-of-circumstances-01.html).

Map provides operational policy guidelines to staff based on the legislation administered by the Ministry of Social Development, and I consider the above link to be the policy most relevant to your request.

You may also be interested in the legislation that relates to the Review of Circumstances. Section 304 of the Social Security Act 2018 states that "MSD may review a benefit that has been granted to ascertain all or any of the following:

- a) Whether the beneficiary is, or remains, entitled to receive the benefit, or rate of benefit, that is being paid to the beneficiary
- b) Whether the beneficiary was not entitled to receive the benefit, or rate of benefit, that was paid to the beneficiary."

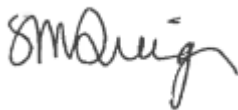
You can find further information on section 304 of the Social Security Act 2018 here: [www.legislation.govt.nz/act/public/2018/0032/latest/DLM6783774.html](http://www.legislation.govt.nz/act/public/2018/0032/latest/DLM6783774.html).

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](mailto: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](http://www.ombudsman.parliament.nz) or 0800 802 602.

Ngā mihi nui

pp. 

Magnus O'Neill  
**General Manager**  
**Ministerial and Executive Services**