



John Luke

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8 February 2022

Tēnā koe John Luke

On 12 January 2022, you emailed the Ministry of Social Development (the Ministry) requesting, under the Official Information Act 1982 (the Act), the following information:

- *The current term of appointments for all the Benefits Review Committee members and are you intend to call for public expression of interest of any role this year?*
- *Besides, Benefits Review Committee, would that be any Ministerial appointments roles that you intend to call for public expression of interest this year 2022?*

I will address each of your questions in turn.

- *The current term of appointments for all the Benefits Review Committee members and are you intend to call for public expression of interest of any role this year?*

The Ministry has interpreted your request for Benefit Review Committee (BRC) members to mean all Community Representatives. Please see **Table One** below which shows the current term of appointments for all Community Representative members of the BRC.

The BRC consists of three members, two Ministry staff members and one Community Representative. The BRC reviews decisions made by the Ministry in relation to benefit entitlements.

Community Representatives are Ministerial appointees who provide a community perspective for the decision-making process of the BRC. Once appointed, Community Representatives hold office as the Minister sees fit under clause 3(2) Schedule 7 of the Social Security Act 2018.

Recruitment of BRC Community Representatives will be dependent on whether any of the Community Representatives resign from their roles or if the Ministry believes that more Community Representatives are required. Community Representatives are appointed for a fixed term of five years.

They can re-apply after the end of their tenure but are not rolled over automatically.

The Ministry accepts nominations at any time so that a pool of community representatives is available as and when vacancies arise. Nomination databases are common for many government agencies, and appointment information can be found on their respective websites.

Note the Ministry will advertise for Community Representatives through each regional office if and when the need exists to ensure that there is sufficient cover of BRC Community Representatives panellists for BRC hearings. Regions will be provided with the list of their BRC Community Representatives whose tenures end during the course of 2022 to look at recruiting more Community Representatives.

Due to the inability to predict the timing of vacancies, your request for this information is refused under 18(e) of the Act as this information does not exist.

- *Besides, Benefits Review Committee, would that be any Ministerial appointments roles that you intend to call for public expression of interest this year 2022?*

The Ministry has recently sought expressions of interest for a number of appointments to the Social Security Appeal Authority (SSAA). The SSAA is the body that reviews cases after they have progressed through the BRC. The Ministry does not currently intend to call for further expressions of interest in the near future for the SSAA. During the process of running appointments for the SSAA, the Ministry seeks the involvement of the Ministry of Justice as much as possible. The Ministry of Justice comments on candidates and the necessary skills and experience required for the role.

Please also note that in addition to appointments to the Social Security Appeal Authority, the Minister also makes appointments to the Student Allowance Appeal Authority, the Social Workers Complaints and Disciplinary Tribunal and three Crown entities (the Children's Commissioner, the New Zealand Artificial Limb Service and the Social Workers Registration Board).

When the Ministry seeks to fill a vacancy in a Ministerial appointment role, the role will be publicly advertised where appropriate. When an existing member is not reappointed to the role and a new appointment is required, the Children's Commissioner and the Social Workers Registration Board will publicly advertise the vacancy. The New Zealand Artificial Limb Service, however, will not usually publicly advertise vacancies, as appointments are made based on the nominations of bodies/individuals as specified in its legislation.

Due to the inability to predict the timing of vacancies, your request for this information is refused under 18(e) of the Act as this information does not exist.

The principles and purposes of the Official Information Act 1982 under which you made your request are:

- to create greater openness and transparency about the plans, work and activities of the Government,
- to increase the ability of the public to participate in the making and administration of our laws and policies and
- to lead to greater accountability in the conduct of public affairs.

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 this response regarding appointments to the BRC or other Ministerial roles, 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



Diane Anderson
Manager
Client Advocacy and Review

Table One: Appointment terms of all current Community Representatives for the Benefit Review Committee.

Region	Number of Community Representatives	Date Appointed	Date Tenure Ends
Auckland Services	1	8/08/2017	8/08/2022
Auckland Services	1	8/08/2017*	8/08/2022
Auckland Services	2	18/07/2018	18/07/2023
Auckland Services	2	7/08/2019	6/08/2024
Auckland Services	2	7/08/2019*	6/08/2024
Bay of Plenty	1	8/08/2017	8/08/2022
Bay of Plenty	4	5/11/2018	4/11/2023
Bay of Plenty	5	6/07/2021	5/07/2026
Bay of Plenty	1	6/07/2021*	5/07/2026
Canterbury	1	8/08/2017*	8/08/2022
Canterbury	1	8/08/2017*	8/08/2022
Canterbury	3	2/09/2019*	1/09/2024
Canterbury	2	6/07/2021	5/07/2026
Central	1	28/05/2018*	28/05/2023
Central	1	8/08/2017	8/08/2022
Central	1	8/08/2017*	8/08/2022
Central	1	28/05/2018*	28/05/2023
Central	1	21/08/2018	21/08/2023
Central	1	6/07/2021	5/07/2026
East Coast	1	7/10/2019	6/10/2024
East Coast	1	13/06/2021*	12/06/2026

East Coast	3	13/06/2021	12/06/2026
East Coast	1	13/06/2021*	12/06/2026
Nelson	1	8/08/2017	8/08/2022
Nelson	2	13/06/2017	13/06/2022
Nelson	1	18/07/2018	18/07/2023
Nelson	2	2/09/2019*	2/09/2024
Nelson	1	1/09/2019	30/08/2024
Northland	1	8/08/2017*	8/08/2022
Northland	2	21/08/2018	21/08/2023
Northland	1	21/08/2018*	21/08/2023
Southern	1	8/08/2017*	8/08/2022
Southern	4	8/08/2017	8/08/2022
Southern	1	8/08/2017*	8/08/2022
Southern	3	21/08/2018	21/08/2023
Southern	1	21/08/2018*	21/08/2023
Southern	1	2/09/2019	2/09/2024
Taranaki, King Country & Whanganui	1	7/07/2016	7/07/2021
Taranaki, King Country & Whanganui	1	9/02/2017	9/02/2022
Taranaki, King Country & Whanganui	1	21/08/2018*	21/08/2023
Taranaki, King Country & Whanganui	1	2/11/2021	1/11/2026
Taranaki, King Country & Whanganui	1	2/11/2021*	2/11/2026
Waikato	2	8/08/2017	8/08/2022

Waikato	1	6/07/2017*	6/07/2022
Waikato	1	6/07/2017*	6/07/2022
Waikato	3	7/10/2019	6/10/2024
Wellington	1	24/05/2019*	23/05/2024
Wellington	2	18/07/2018	18/07/2023
Wellington	1	7/10/2019	6/10/2024

Notes for Table One:

- Where appointment dates have an * this indicates a reappointment.
- The date the tenure ends does not necessarily indicate when expressions of interest will be sought, as it depends on a number of factors including whether a representative is reappointed to their role, or whether they may resign from their role before the end of the tenure.