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**MINISTRY OF SOCIAL
DEVELOPMENT**
TE MANATŪ WHAKAHIATO ORA

WORK AND INCOME
TE HIRANGA TANGATA

Review of a decision

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Blind Low Vision NZ, Auckland

Transcriber's Note: At the top of the page are two logos: Ministry of Social Development — Te Manatū Whakahiato Ora, and Work and Income — Te Hiranga Tangata.

Note: Information about ways you can contact Work and Income are listed at the end of this information.

Review of a decision

If you don't agree with a decision we have made, you can question it, and it can be reviewed. This is called a "Review of decision".

Kinds of decisions you can challenge.

A few examples of decisions you can review are:

- declining you a payment
- stopping or cancelling your payment
- changing the amount of your payment
- the start date of your payment
- the amount of an overpayment or debt.

If you want to challenge a decision made on medical grounds, there are different rules and processes for this. More information is available at

www.workandincome.govt.nz/medical-appeals

How to apply

Before you start it is a good idea to [contact](https://tinyurl.com/3xta5ysx) (<https://tinyurl.com/3xta5ysx>) us to talk about the decision you're challenging and what you don't agree with. We may be able to fix it without it needing to go to a review.

Apply for a review of decision.

If we can't fix it for you when you contact us, you (or your agent or advocate) can apply for a Review of Decision. You need to apply within 3 months of the decision being made. This time limit can be extended if there is a good reason.

To apply, you can either:

- download and complete the Review of Decision application form located here www.workandincome.govt.nz/rod-form or
- write a letter to us with:
 - the date you heard about the decision
 - what the decision was about, and
 - why you disagree with it.

You don't have to use legal language. You can hand in or post your form or letter to your nearest service centre.

If you cannot complete the online form, or write to us, contact us and we will look at alternative options.

What happens next

After you apply, we will carry out an internal review. This is where we take another look at the original information you gave us for the decision. We will see if we missed anything or made a mistake that means the decision should be different.

We may:

- contact you if we have any questions or need more information.
- contact other people to get more information if the decision involves them.

Outcome of internal review

We will send you a letter within 2 weeks letting you know whether we have decided to change the decision or not. If we change it, we will let you know what this will mean for you. If we don't change it, we will send a report to the Benefits Review Committee.

The Benefits Review Committee

The Benefits Review Committee is made up of:

- Two Work and Income staff members who were not involved in the internal review, and
- a community representative appointed by the Minister for Social Development.

The Benefits Review Committee will receive our report and contact you to set a date for a hearing.

The hearing

You can choose whether the hearing is held either:

- at the service centre you go to
- by video call (using Zoom), or
- by teleconference.

You can bring a support person, advocate, or lawyer with you to the hearing if you want. You can also have a lawyer appear for you if you don't want to go yourself.

It is a formal process where a Work and Income representative presents their case, and then you (or your advocate or lawyer) respond. Committee members can ask questions. After the formal part, everyone except the Committee members leaves and the Committee makes its

decision. You can ask for a New Zealand Sign Language to interpret for you in this hearing.

The outcome

The Benefits Review Committee will let you know their decision by sending you a letter and copy of the Committee's report. They will send this to you about 10 working days after the hearing.

If the Committee agrees with you

If the Committee agrees with you and the decision needs to be changed, the service centre you have been dealing with will put things right.

If the Committee does not agree with you

If you're not happy with the Committee's decision, you can appeal to the Social Security Appeal Authority. The authority is made up of people who work for the Ministry of Justice. The letter attached to the Committee's report will tell you how to lodge an appeal.

If you wish to appeal against this decision, you must write to the Social Security Appeal Authority within 60 working days (approximately 12 weeks) of receiving the letter and Committee's report.

Ways to apply for an appeal

- Complete an online Notice of Appeal at [Ministry of Justice website](#). [Make an appeal | New Zealand Ministry of Justice](#) or <https://tinylink.net/nkplK>
- Contact the Social Security Appeal Authority by email at SSAA@justice.govt.nz
- Download the application from the Ministry of Justice website and send to: Social Security Appeal Authority, Tribunals Unit, DX SX 11159, Wellington

If you apply late for a review

Usually, you need to apply for a review of decision within 3 months of a decision being made. We can accept later applications if there is a good and sufficient reason for the delay.

The Benefits Review Committee will meet to consider your reasons for delay and may decide to go ahead with a

hearing. If it doesn't think your reason is good enough, the original decision will stand.

Reasons for delay could include:

- you were unwell
- your health condition, disability or stress impacted you
- problems related to language (e.g. not reading or understanding English or needing an NZ Sign Language interpreter)
- you didn't have access to the information you needed
- you didn't understand the decision before and have now got advice from an advocate or lawyer or
- waiting until a criminal prosecution related to this decision progressed.

You may have other reasons for the delay. It is important you tell us about them so we can consider it at the hearing.

If you don't want to continue with your application

If you don't want to continue with your Review of Decision application, you can withdraw it at any time.

To do this, you can either:

- contact us and we will put you in touch with the unit or person that is working on your application, or
- contact the Benefits Review Committee Co-ordinator as soon as possible. You can find their phone number on the letter we sent you about the hearing.
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Options for contacting Work and Income

You are always welcome to let us know if you have a specific communication need.

Phone call

Call our general enquiries team on 0800 559 009. Our phone line is open Monday to Friday 7am to 6pm and Saturday 8am to 1pm.

Text or Email

If **you** are deaf or disabled **and** your health condition or disability prevents you from calling us, you can text us on **4206** (charges may apply depending on your mobile provider) or email us at

MSD_Deaf_Services@msd.govt.nz More information

about what Deaf Services can help you with is at www.workandincome.govt.nz/deaf-services

NZ Relay

If you are Deaf, hard of hearing, deafblind, or have speech communications difficulties you can also use NZ Relay to connect with Work and Income via their website located here [Use NZ Relay Service — www.nzrelay.co.nz](http://www.nzrelay.co.nz) or by using the free NZ Relay App.

Finding your nearest service centre

We have many service centres around New Zealand. You can find the physical address and the postal address of a service centre near you here www.workandincome.govt.nz/service-centres

End of Review of a Decision