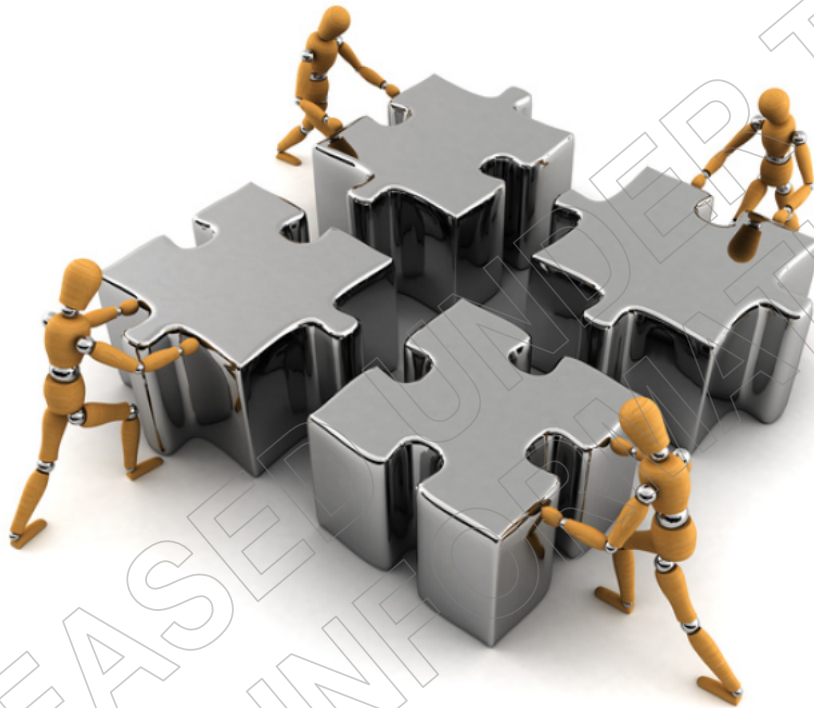


# Report Writing Team



## Guide to Best Practice

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# Acknowledgement Letters

## What are acknowledgement letters?

When we receive a review of decision or complaint letter we need to acknowledge receipt of this correspondence and advise the student that their issues will be investigated/reviewed. The letter is sent after the correspondence has been screened.

## How do we manage them?

Action	Responsibility
<p><b>Database</b> Details of all RODs/complaints received need to be entered into the RWT database.</p>	Database Administrator
<p><b>Timeframe</b> All acknowledgement letters must be sent to students within 24 hours of receipt unless they are being screened. Notes must be left in SAL explaining this.</p>	
<p><b>Student Allowance and Loans</b> Determine what type of correspondence you have received as there are four different acknowledgement letters.</p> <ul style="list-style-type: none"> <li>• ROD is for a Student Allowance decision that has been made (debt/non debt)</li> <li>• Complaints could be about service, a Loan or a Student Allowance decision that has no approved or declined outcome, or where no application has been received</li> <li>• General Manager correspondence is where a student has specifically written directly to the General Manager wanting a response from them</li> <li>• Loan Disputes are where the student is disputing the loan balance provided in the statement from Inland Revenue. If the loan statement from IR is not provided or the case is outside of 31 days, these are treated as Loan Correspondence.</li> </ul> <p>Once the type of correspondence has been identified, the appropriate acknowledgement letter (found in Doogle via the Template Gallery under <i>Complaints and Reviews</i> needs to be sent. There are four templates:</p> <ul style="list-style-type: none"> <li>• General Manager Acknowledgment letter</li> <li>• Loan – General Acknowledgement letter</li> <li>• ROD Acknowledgment letter – Current Debt Deductions</li> <li>• ROD Acknowledgment letter – No Debt Deductions</li> </ul> <p>The loan dispute acknowledgement letter is found in the Template Gallery under the Loan Disputes heading.</p> <p>These letters can be updated to reflect the type of correspondence received and should detail what the student is reviewing. You must use the student's name that was written on the ROD form, not the name in SAL. If there is a difference in the name i.e. new surname, we need to confirm the reason for the difference and request evidence if necessary. It is the responsibility of the Report Writer who has been allocated this piece of work to follow up on the name change so please leave a note</p>	Report Writer

on the ROD file for when it is allocated.

- Third party – If a third party has signed the review form you will need to contact the student to confirm receipt of the review and confirm who to send the response to. If the third party is a nominated agent, an acknowledgement letter will need to be sent to the agent and cc'd to the student.
- If they are not an agent, an acknowledgement letter is to be sent to the student advising the receipt of the ROD, an agent's form needs to be included if agency is required. An acknowledgement letter is also sent to the third party confirming receipt of the review detailing that all responses will be sent to the student, unless otherwise stated.

Please check the student's address and contact details and ensure these are current and up to date in SAL and SCMS.

- Once you have printed and signed the letter – photocopy and attach it to the correspondence and put in the SA box for allocation, send the original to the student.  
Paste acknowledgement letter into SAL.

#### **Benefit and/or Non Beneficiary decisions**

- Social Security Act (SSA) RODs need to be entered onto the RWT database and they also need to be entered into the HIYA system. All acknowledgement letters must be sent to students within 24 hours of receipt.
- Before the acknowledgement letter can be sent you must determine who has made the decision. If the decision was made by Work and Income you must scan the review and email it to the relevant Case Manager and 'cc' the Assistant Service Centre Manager. If Work and Income want the original review form send this via courier pack otherwise batch this.
- For StudyLink decisions, follow the instructions on HIYA to send out an acknowledgment letter to the student. For SSA debt reviews, Collections Unit Hamilton Site must be entered into the 'interested debt site' field in HIYA and <sup>s 9(2)(a) - Privacy</sup> and <sup>s 9(2)(a) - Privacy</sup> as the 'Interested party' (names relevant as at 12/1/2018).
- Paste acknowledgement letter into SAL and add note to CMS.

#### **Debt reviews**

- All debt reviews where the debt was created by the Integrity Intervention Centre must be forwarded to them to complete. Any debts created by StudyLink due to a Customs or Marriage match are completed by the Report Writing Team. You will need to scan a copy of the review and email it to the Integrity Intervention Centre and forward the original via courier pack – please note the tracking number in the email.

Any reviews that are received in relation to debt MUST have the debt

deductions stopped while the debt is under review. This can be done in SAL by setting the Active flag to No in the Customer Details screen in SAL.

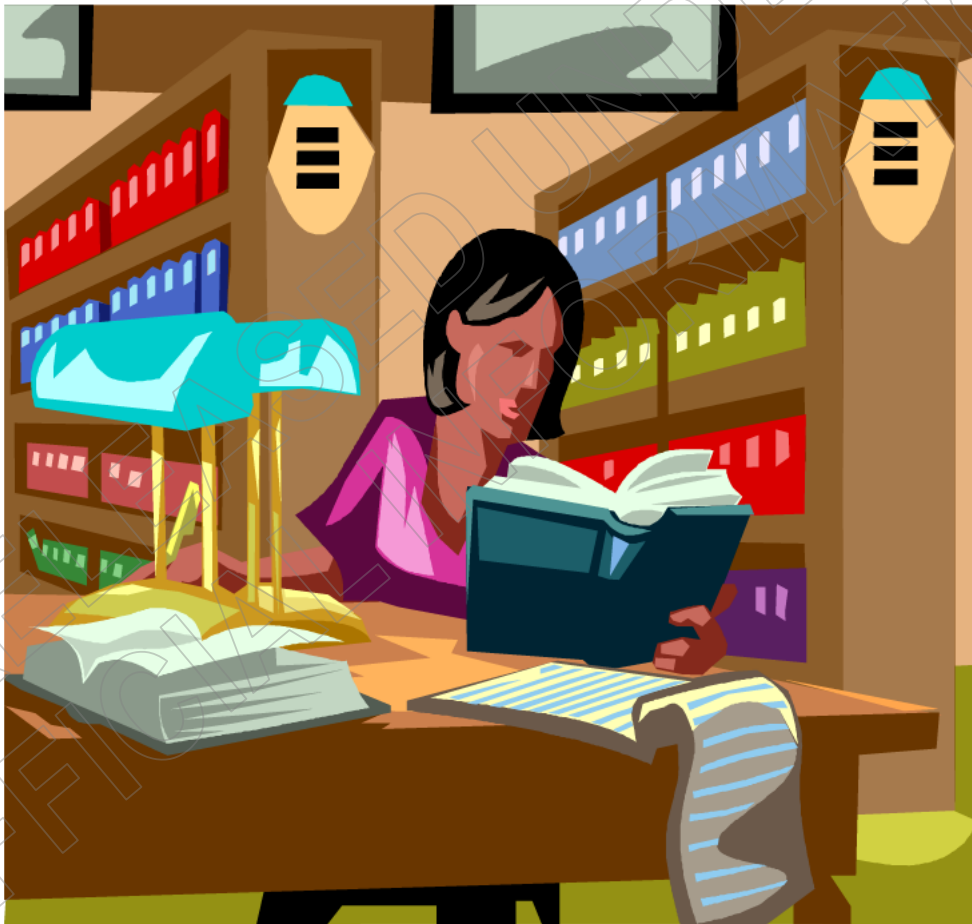
The screenshot shows a form titled 'Debits' with a 'Benefit' field. The 'Active' flag is set to 'No'. A green arrow points to the 'Active' field.

Debt	Arrangement?	Capital Balance	Outstanding Bal	Deduction/Week Established	Debt Recovery Start Date	Stopped	Active	Auto
	No						Yes	No

- An email to the appropriate DMO at the Collections Unit needs to be sent to let them know that we have received a ROD. The email must detail what debt is currently under review as this allows the Collections Unit to stop enforcement.
- For Student Allowance reviews email the Collections Unit at SSIS\_student\_debt\_collections(MSD)
- For SSA reviews, the contact staff are s 9(2)(a) or s 9(2)(a), Collections Unit

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# Student Allowance Reviews



When a Student Allowance Review of Decision is received you must first determine what

## Student Allowance Reviews

# Statutory Review

### What is a Statutory Review?

A Statutory review is one where a student disagrees with a Student Allowance decision covered by Section 305 of the Education Act 1989. Statutory reviews are reviewable by the Secretary and can be appealed to the Student Allowance Appeal Authority.

Statutory reviews must be received within three months.

### How do we manage them?

Action	Responsibility
<p><b>Review received</b> A Review of Decision application is received and it is forwarded to the RWT to respond.</p> <p>All SA reviews must be in writing from the client; this can be an email, letter or completed review form. The review must stipulate what decision the client is reviewing.</p>	Student
<p><b>Registration</b> The review is registered on the RWT database and an acknowledgment letter is sent to the student. A photocopy of the letter is kept with the original correspondence.</p>	Database Administrator/ Report Writer
<p><b>Timeframe</b> An acknowledgment letter is issued within 24 hours of the review receipt and the report and 14 day letter are to be issued within eight working days.</p>	Report Writer
<p><b>Investigation</b> Once the review is allocated to a Report Writer contact with the student must be attempted to acknowledge allocation of the review and to get further information if necessary.</p> <p>A full investigation of the student's situation is undertaken and the issues raised by the student need to be addressed.</p> <p>If further information or evidence is needed in order to complete the review, you need to contact the student and request this information from them. Contact with the student should form part of the investigation process. Allow the student two weeks to provide this evidence or the review will continue based on the information currently held. You also need to send a letter or email to the student. , The letter is found in Doogle via the Template Gallery under 'ROD further information required'.</p>	Report Writer

<p>Make sure that you photocopy/print any original documents relevant to the case and hold them with the review file – this includes requesting batches from recall if necessary. This saves time later on if the documents are required for further investigations. Print letters from SAL and save any recorded phone calls where appropriate.</p> <p>If any service issues have been identified please acknowledge and apologise in the review submission and provide feedbacks to the relevant staff. This is done through the feedback register in the SSC Shared drive.</p>	
<p><b>Withdrawals</b> At any time during the review process the student may withdraw their review of decision.</p> <p>To accept the withdrawal from the review process we must receive confirmation from the student. This can be through a recorded call in the IDA, an email or a letter. In all instances a withdrawal letter is to be sent to the student confirming the withdrawal decision.</p>	Report Writer
<p><b>Recommendations</b></p>	
<p><b>Overturns</b> Where you have identified that the decision made was incorrect, corrective actions are taken in the file, overturn notes are left in the student's file explaining why the original decision was wrong and an overturn letter is issued to the student.</p> <p>If you are unsure of the decision, you can complete an overturn submission and have this signed off by the RWT Team Coach or Manager.</p> <p>The overturn report can be found under tools in Doogle under 'Internal decision overturn report'. The overturn letter is found in the same place under 'Internal decision overturned letter.'</p> <p>In situations where the decision was overturned due to discretion or error, please ensure that feedbacks are raised.</p>	
<p><b>Partially upheld</b> The report is written on the template found in Doogle under the Internal documents and other heading as 'ROD submission'.</p> <p>Follow the below 'upheld' process for the portion of the decision that did not change, but also explain the part of the decision that has changed.</p> <p>Should the student agree with the partial change, then it would become a partial uphold, or they may wish to withdraw.</p>	
<p><b>Upheld</b> When recommending a decision to be upheld or upheld in part, you must prepare a review submission detailing StudyLink's</p>	



recommendation.

When writing the case for StudyLink, make reference to, and include the appropriate policy and legislation used to make StudyLink's decision.

Once the report has been completed, you must also draft a recommendation letter. The submission is found in Doogle under Internal documents and other and the recommendation letters are found under Statutory Review documents:

- Internal review 14 day letter
- Internal review 14 day part changed letter

Once the report and letter have been drafted, the Report Writer signs the report and covering letter (printed on StudyLink letterhead). Print, and attach the 14 day review check list found under the Statutory Review documents to the review file for the delegated person to complete at sign off.

**Signoff**

A Team Leader or Service Manager has delegation to sign off Student Allowance reviews at the internal stage. Please ensure that the staff member signing off the recommendation has not been involved with the case.

The delegated authority must complete and sign the cover sheet agreeing that based on the current information we hold, the correct decision has been made.

The sign off must be returned to the Report Writer within 24 hours with any feedback about the case/report.

**14 Day report**

Once the report has been signed off, you need to make a copy of both the report and 14 day letter, to be held with the review file, and send the originals to the student. This should be sent by trackpak and the trackpak number recorded in SAL notes.

At this stage the student is given 14 days to provide information or comment on the report. The student is also given the option of either attending a Student Allowance Review (SAR) hearing or have the Secretary alone make the final decision for the student's review.

During the 14 day period you must attempt contact with the student at least three times to confirm receipt of the report and to determine how they want their review to proceed (Secretary alone or SAR hearing).

If contact is made and the student advises that they want the final decision to be heard by either the Secretary alone or a SAR hearing, please refer to the relevant sections of this document for the required actions.

### **Further Information**

If further information is received from the student as a result of the 14 day report, this must be considered and included on an Extra Information Sheet. Any phone conversations should also be recorded on the Extra Information Sheet so that the Secretary can make an informed final decision on the review issue.

If the student provides information that changes the original recommendation the overturn process needs to be followed. If the information provided does not change the recommendation, a copy of the Extra Information Sheet will be sent to the student with a covering letter advising that all information has been forwarded to the Secretary for their final decision.

Once the 14 days has expired and no further information has been provided, you need to check notes, Vretrieve and tracking to see if any further information was received from the student. If no further information/evidence has been provided and contact cannot be made with the student, refer the review to the Secretary alone to make the final decision. Make sure the trackpak was actually delivered to the student before sending for Secretary decision.

There will be occasions when the student will have to be allowed more than 14 days to provide comment or further information on their review of decision. If the 14 day letter and submission is returned to StudyLink and we have a further address we need to re-send this, and allow an additional 14 days for the student to respond.

Remember the 14 day timeframe is an internal timeframe and not legislated so we can always allow students further time to consider our submission or to gather further evidence.

Prepare the final uphold report for the Secretary. The sign off must be returned to the Report Writer within five working days. Once this is signed off a copy of the Secretary report and the original letter are trackpaked to the student. Add template notes to SAL advising the decision has been upheld, paste a copy of the letter into SAL and update the Database.

### **System notes**

SAL - All contacts, delay reasons and outcomes are to be documented here. Paste outcome letters; this includes Secretary letters.

CMS - It is not necessary to document contact or decisions here, however, if this is pertinent info for Work and Income a note should be entered i.e. Student Allowance declined due to part-time study; have recommended the client approach Work and Income for assistance.

**Student Allowance debts**

Any information you are needing to update/advise or get Collections across (i.e. have finished the ROD and the debt is recoverable) is sent to the email address - [SSIS Student Debt Collections@msd.govt.nz](mailto:SSIS_Student_Debt_Collections@msd.govt.nz)

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# Administrative Review

## What is an Administrative Review?

An Administrative Review is a review of decision that is not covered by Section 305 of the Education Act 1989. These decisions are reviewed using an administrative process that mirrors the purpose and intent of the statutory process. Decisions not covered by Section 305 of the Education Act 1989 cannot be appealed to the Student Allowance Appeal Authority. An example of a decision that is not subject to a statutory review is the collection of a debt.

Statutory reviews covered by Section 305 of the Education Act must be received within three months of being notified of the decision being reviewed. There is no such timeframe for Administrative reviews. Administrative reviews must be reviewed regardless of when the original decision was made.

## How do we manage an administrative review?

Action	Responsibility
<p><b>Review received</b> A Review of Decision application is received and it is forwarded to the RWT to respond.</p>	Student
<p><b>Registration</b> The review is registered on the RWT database and an acknowledgment letter is sent to the student. A photocopy of the letter is kept with the original correspondence.</p>	Database Administrator/ Report Writer
<p><b>Timeframe</b> An acknowledgment letter is to be issued within 24 hours of review receipt and the report and 14 day letter are to be issued within eight working days.</p>	Report Writer
<p><b>Investigation</b> Once the review is allocated to a Report Writer contact with the student must be attempted to acknowledge allocation of the review and to get further information if necessary.  A full investigation of the student's situation is undertaken and the issues raised by the student need to be addressed.  If further information or evidence is needed in order to complete the review, you need contact the student and request this information from them. Allow the student two weeks to provide this evidence or the review will continue based on the information currently held. You also need to send an email or letter to the student. This letter is found in Doogole under the Internal documents heading as 'ROD further information required'.  Make sure that you photocopy/print any original documents relevant to the case and hold them with the review file – this includes requesting batches from recall if necessary. This saves time later on if the documents are required for further investigations.</p>	Report Writer

<p>If any service issues have been identified please acknowledge and apologise in the review submission and provide feedbacks to the relevant staff.</p>	
<p><b>Withdrawals</b>  At any time during the review process the student may withdraw their review of decision.</p> <p>To accept the withdrawal from the review process we must receive confirmation from the student – this can be through a recorded call in the IDA, an email or a letter. In all instances a withdrawal letter is to be sent to the student confirming the withdrawal decision.</p>	<p>Report Writer</p>
<p><b>Recommendations</b></p>	
<p><b>Overturns</b>  Where you have identified that the decision made was incorrect, corrective actions are taken in the file, overturn notes are left in the student's file explaining why the original decision was wrong and an overturn letter is issued to the student.</p> <p>If you are unsure of the decision, you can complete an overturn submission and have this signed off by the RWT Team Coach or Manager.</p> <p>The overturn report can be found under tools in SLKBase under 'Internal decision overturn report'. The overturn letter is found in the same place under 'Internal decision overturned letter.</p> <p>In situations where the decision was overturned due to discretion or error, please ensure that feedbacks are raised.</p>	
<p><b>Partially upheld</b>  The report is written on the template found in SLKbase under the Internal documents and other heading as 'ROD submission'.</p> <p>Follow the below 'upheld' process for the portion of the decision that did not change, but also explain the part of the decision that has changed.</p>	
<p><b>Upheld</b>  When recommending a decision to be upheld or upheld in part, you must prepare a review submission detailing StudyLink's recommendation.</p> <p>When writing the case for StudyLink, make reference to, and include the appropriate policy and legislation used to make StudyLink's decision.</p> <p>Once the report has been completed, you must also draft a recommendation letter. The submission is found in Doogle</p>	

under Internal documents as 'ROD submission' and the recommendation letters are found under Administration review documents:

- Administration review 14 day letter
- Administration review 14 day part changed letter

Once the report and letter have been drafted, the Report Writer signs the report and covering letter. Print, attach the 14 day review check list found under Statutory Review documents and give to the delegated person to complete at sign off.

### **Signoff**

A Team Leader or Service Manager has delegation to sign off Student Allowance reviews at the internal stage. Please ensure that the staff member signing off the recommendation has not been across the case.

The delegated authority must complete and sign the cover sheet agreeing that based on the current information we hold, the correct decision has been made.

The sign off must be returned to the Report Writer within 24 hours with any feedback about the case/report.

### **14 Day report**

Once the report has been signed off, you need to make a copy of both the report and 14 day letter, to be held with the review file, and send the originals to the student.

At this stage the student is given 14 days to provide information or comment on the report.

Once the 14 days has expired you need to check notes, Vretrieve and tracking to see if any further information was received from the student. If no further information/evidence has been provided and contact cannot be made with the student, the review can be referred to a Service Manager to make the final decision.

There will be occasions when the student will have to be allowed more time than 14-days to provide comment or further information on their review of decision. If the 14 day letter and submission is returned to StudyLink and we have a further address we need to re-send this, and allow an additional 14 days for the student to respond.

Remember the 14 day timeframe is an internal timeframe and not legislated so we can always allow students further time to consider our submission or to gather further evidence.

### **Further Information**

If further information is received from the student as a result of the 14 day report, this must be considered and included on an

Extra Information sheet. Any phone conversations should also be recorded on the Extra Information sheet so that the Service Manager can make an informed final decision on the review issue.

If the student provides information that changes the original recommendation the overturn process needs to be followed. If the information provided does not change the recommendation, a copy of the Extra Information summary will be sent to the student with covering letter advising that all information has been forwarded to the Service Manager for a final decision.

**Final decisions**

For Administrative reviews the Service Manager makes the final decision.

You will need to prepare the Admin review signoff report and letter (both found in Doogle). The Report Writer completes the 'consideration of information received' and 'final recommendation' sections of the report and attaches the Administrative review signoff sheet. (There will be occasions where Service Managers will also request that the report be emailed to them.)

**Signoff**

The final outcome letter and sign-off sheet needs to be signed by a Service Manager. This can be the same Service Manager that checked the review at the 14 day stage. The sign off must be returned to the Report Writer within five working days. Paste the letter into SAL notes and courier the report by trackpak (see comments above).

Once the report has been signed off, make a copy of the final outcome letter and send to the student. The report is not sent to the student. Also send relevant legislation and a 'Ways to Pay' form if required.

**System notes**

SAL - All contacts, delay reasons and outcomes are to be documented here. Paste outcome letters; this includes Secretary letters.

CMS - It is not necessary to document contact or decisions here, however, if this is pertinent info for Work and Income a note should be entered i.e. Student Allowance declined due to part-time study; have recommended the client approach Work and Income for assistance.

**Debts**

If the review is in relation to an overpayment, please remember to recommence enforcement of the debt once the Service Manager has made a final decision. A letter is available in Doogle under Internal documents, debt enforcement letter, to confirm recommencement of debt enforcement.

# Out of Time Reviews

## What are Out of Time reviews?

Out of time reviews are statutory reviews where a student disagrees with a decision made by StudyLink in relation to their Student Allowance that was not received within three months of the student being notified of the decision.

Out of Time reviews are covered by Section 305 of the Education Act 1989 and are determined by the Secretary. They are received outside of three months and cannot be appealed to the Student Allowance Appeals Authority.

Action	Responsibility
<p><b>Review received</b> A Review of Decision application is received and it is forwarded to the RWT to respond.</p>	Student
<p><b>Registration</b> The review is registered on the RWT database and an acknowledgment letter is sent to the student. A photocopy of the letter is kept with the original correspondence.</p>	Database Administrator/ Report Writer
<p><b>Timeframe</b> An acknowledgment letter is to be issued within 24 hours of the review receipt and the report and 14 day letter to be issued within eight working days.</p>	Report Writer
<p><b>Investigation</b> Once the review is allocated to a Report Writer, contact with the student must be attempted to acknowledge allocation of the review.</p> <p>Before consideration is made on whether to accept a review out of time, an investigation of the student's situation needs to be undertaken. If it is determined that the incorrect decision was made in relation to the student's review, correct the applicant's record and follow the overturn process.</p> <p>If the correct decision was made and the recommendation will be to uphold the substantive decision, you must confirm with the student the reasons for the delay in reviewing the decision outside of three months.</p> <p>If further information or evidence is needed in order to consider an out of time review and contact cannot be made with the student, send a letter/email requesting the information from them. Allow the student 14 days to provide this evidence or the out of time consideration will continue based on the information currently held. This letter is found in Doogle under the Internal documents heading as 'ROD further information required'.</p> <p>Make sure that you photocopy/print any original documents relevant to the case and hold them with the review file – this</p>	Report Writer



<p>includes requesting batches from recall if necessary. This saves time later on if the documents are required for further investigations.</p> <p>If any service issues have been identified please acknowledge and apologise in the review submission and provide feedbacks to the relevant staff.</p>	
<p><b>Withdrawals</b></p> <p>At any time during the review process the student may withdraw their review of decision.</p> <p>To accept the withdrawal from the review process we must receive confirmation from the student – this can be through a recorded call in the IDA, an email or a letter.</p> <p>Once a withdrawal has been accepted, you must send a withdrawal letter to the student.</p>	<p>Report Writer</p>
<p><b>Recommendations</b></p>	
<p><b>Decision to hear substantive</b></p> <p>Where you have identified that the student has circumstances that prevented the review being received in time, an out of time ROD submission needs to be completed outlining why you believe the substantive decision should be heard. This is given to the Secretary who, if they agree, will complete an overturn letter confirming that the substantive decision will be heard. The sign off must be returned to the Report Writer within five working days</p> <p>The overturn letter can be found under tools in SLKBase under 'Complaints and Review Letters', 'Reviews of Decision', 'Out of Time Secretary Overturn Letter'. The overturn letter is found in Doogle under Resources &amp; Tools, Helping Clients, Forms &amp; Templates, Student Allowance Review Hearing, OOT review documents, OOT Secretary Overturn letter.</p> <p>If you are unsure if the overturn decision is correct, you can discuss the details of the case with RWT Service Manager or Team Coach.</p> <p>In situations where the decision to hear the substantive was due to discretion or error, please ensure that feedbacks are raised.</p> <p>Once this has been signed off, you need to follow the Statutory Review process for the substantive decision.</p>	
<p><b>Decision to not hear substantive</b></p> <p>When recommending to not hear the substantive decision out of time, you must prepare a review submission (found in Doogle) detailing StudyLink's recommendation.</p> <p>When writing the case for StudyLink, make reference to, and</p>	

include the appropriate policy and legislation used to make StudyLink's decision.

Once the report has been completed, you must also draft a recommendation letter. The submission is found in Doogle under other Resources & Tools, Helping Clients, Forms & Templates, Student Allowance Review Hearing, OOT review documents, OOT RoD submission. Complete the following letter:

- Out of Time 14 day letter

Once the report and letter have been drafted, the Report Writer signs the report and covering letter. Print, attach the 14 day review check list found under Statutory Review documents and give to the delegated person to sign off.

### **Signoff**

A Team Leader or Service Manager has delegation to sign off Student Allowance reviews at the internal stage. Please ensure that the staff member signing off the recommendation has not been across the case. It is preferable to have a Team Leader sign check this report as this frees up the managers to be the Secretary.

The delegated authority must complete and sign the cover sheet agreeing that based on the current information we hold, the correct decision has been made.

The sign off must be returned to the Report Writer within 24 hours with any feedback about the case/report.

### **14 Day report**

Once the report has been signed off, you need to make a copy of both the report and 14 day letter, to be held with the review file, and send the originals to the student.

At this stage the student is given 14 days to provide information or comment on the report. The student is also given the option of either attending a Student Allowance Review hearing, having a hearing with the Secretary, or have the Secretary alone make the final decision for the student's review.

During the 14 day period you must attempt contact with the student at least three times to confirm receipt of the report and to determine how they want their review to proceed (Secretary or SAR hearing).

If contact is made and the student advises which option they want refer to the relevant sections of this document for the required actions.

Once the 14 days has expired you need to check notes, Vretrieve and tracking to see if any further information was

received from the student. If no further information/evidence has been provided and contact cannot be made with the student, refer the review to the Secretary alone to make the final decision.

There will be occasions when the student will have to be allowed more time than 14 days to provide comment or further information on their review of decision. If the 14 day letter and submission is returned to StudyLink and we have a further address we need to re-send this, and allow an additional 14 days for the student to respond.

Remember the 14-day timeframe is an internal timeframe and not legislated so we can always allow students further time to consider our submission or to gather further evidence.

**Further Information**

If further information is received from the student as a result of the 14 day report, this must be considered and included on an Extra Information sheet. Any phone conversations should also be recorded on the Extra Information sheet so that the Secretary can make an informed final decision on the review issue.

If the student provides information that changes the original recommendation the overturn process needs to be followed. If the information provided does not change the recommendation, a copy of the Extra Information summary will be sent to the student with a covering letter advising that all information has been forwarded to Secretary for a final decision.

**Sign Off – Out Of Time Secretary Uphold**

A Secretary report does not need to be completed, just an uphold Secretary letter which states the reason the substantive will not be heard, that Out of Time reviews cannot be appealed, and that the next steps for students are the Ombudsman’s Office or Chief Executive MSD. This letter can be found in Doogle or SLKbase with the OOT review documents. The sign off must be returned to the Report Writer within five working days.

**System notes**

SAL - All contacts, delay reasons and outcomes are to be documented here. Paste outcome letters; this includes Secretary letters.

CMS - It is not necessary to document contact or decisions here, however, if this is pertinent info for Work and Income a note should be entered.

# Secretary decision

## What is a Secretary decision?

When an applicant reviews a decision, covered by Section 305 of the Education Act 1989, and StudyLink makes a recommendation that the decision is upheld or partially upheld, the Secretary alone (if the applicant has not opted into a Student Allowance Review hearing or a Secretary hearing) makes the final review decision.

How do we manage these?

Action	Responsibility
<p>Following the 14 day process, the student confirms or is opted into having the Secretary alone make the final decision for their review.</p> <p>Prior to forwarding the student's review to the Secretary, you must prepare the Secretary Decision report and draft the Secretary decision letter.</p> <p>Once this has been completed you need to forward the submission, the letter, the student's review, any further information and covering letters to the Secretary for signoff. You also need to send a soft copy of the report and letter to the Secretary.</p> <p>The Secretary needs to make a decision on the review and is required to complete a Secretary Decision Report on their findings of the review recommendation and any extra information, and give a final outcome for the review of decision.</p>	<p>Report Writer</p>
<p><b>Signoff</b> The final outcome letter and Secretary Decision Report needs to be signed off by the Secretary. The Secretary has five working days to complete the full review and signoff.</p> <p><b>Please note – the Service Manager who signed off the 14 day report and the Secretary cannot be the same staff member.</b></p>	<p>Report Writer Service Manager</p>
<p><b>Debts</b> If the review is in relation to an overpayment, please remember to recommence enforcement of the debt once the Secretary has made a final decision. A letter is available in Doogle under Internal documents, debt enforcement letter, to confirm commencement of debt enforcement.</p>	

# Secretary Hearing

## What is a Secretary hearing?

When an applicant reviews a decision covered by Section 305 of the Education Act 1989 and StudyLink makes a recommendation that the decision is upheld or partially upheld, the applicant can choose to have a hearing with the Secretary. The applicant can put their case forward in person and a decision will be made by the Secretary. A staff member from the Ministry will also attend to present a report on behalf of the Ministry and answer questions from the Secretary.

## How do we manage a Secretary hearing?

Action	Responsibility
<p><b>Check Sheet</b> – use this before commencing the hearing process as this is a tick sheet that goes through the Secretary hearing process.</p> <p><b>Applicant confirms SAR option</b> The student has confirmed by phone that they want a Secretary hearing.</p> <p><b>Database Administration</b> You must also notify the database administrator that the review has been 'upheld – rec'. This is so the administrator knows to register the hearing in the RWT Database.</p>	Report Writer
<p><b>Timeframe</b> The report to the Secretary is to be written and issued within 13 days of being registered.</p>	Report Writer
<p><b>Report</b> When completing the report to the Secretary check that the internal review recommendation is correct. Remember that the Secretary can only rule on decisions covered by section 305 of the Education Act 1989.</p> <p>If you find that an incorrect decision has been made, this decision can be overturned meaning a hearing is not required to be held.</p> <p>If the decision is correct, complete the report to the Secretary found in Doogle under Student Allowance Review Hearing reports – Report to the Secretary.</p> <p>A copy of any relevant application that is held by StudyLink must be attached to the report. Other supporting documents may also be attached.</p>	Report Writer
<p><b>Attachments</b> In your report, you will refer to documents that will be attached to support StudyLink's position. Attachments include copies of original application/s, letters, the file notes, information sent to the student, the ROD submission and letters.</p>	Report Writer

<p>Each attachment should have an attachment stamp with the correlating attachment number in the report.</p>	
<p><b>Sign off</b> The completed report is given to a Service Manager to be checked and signed-off. The Service Manager signs the check sheet included in the Report to the Secretary.</p> <p>When signing the check sheet they are confirming that the correct decision has been made, and all relevant aspects of the report have been completed.</p>	<p>Service Manager</p>
<p><b>Administration</b> One copy of the Report to the Secretary and all supporting documents is to be made. The copy of the report and original supporting documents is kept with the Report Writer and the original review file is sent to the Hearing Co-ordinator.</p>	<p>Report Writer</p>
<p><b>Hearing Co-ordinator</b> The Co-coordinator contacts the student to arrange a date and time for the hearing. Once this is confirmed, the Co-coordinator makes three copies of the report.</p> <p>A hearing invitation letter is sent to the student along with a copy of the Report to the Secretary. Invitation letters are also sent to the Secretary and Ministry presenter along with copies of the report. A copy of the Secretary checklist is sent to the Secretary. Copies of these letters must be saved by the Co-coordinator to be returned to the Report Writer with all documents once the hearing process is complete.</p> <p>The Hearing Co-coordinator must update the SAL record should there be delays in organising the hearing.</p>	<p>Hearing Co-ordinator</p>
<p><b>Secretary hearing</b> After the hearing, the Co-coordinator ensures the Report of the Secretary is completed by the Secretary. The original hearing outcome letter and a copy of the Report of the Secretary are sent to the student. A copy of the hearing outcome letter and the original Report of the Secretary should be sent to the Report Writer who completed the internal report along with all documents pertaining to the case. The outcome letter should be pasted into the client's SAL record.</p>	<p>Secretary and Co-ordinator</p>
<p><b>Further requests for information</b> In some circumstances the Secretary will request further information about a review from the Ministry via the Hearing Co-ordinator to the Report Writer.</p> <p>In these circumstances a formal response is required to be completed by the Report Writer.</p> <p>An 'Extra Information Summary' (found in Doogle) is compiled</p>	<p>Report Writer</p>

<p>addressing the queries made by the Secretary in full and provided to the RWT Service Manager for review or Team Coach.</p> <p>Once the Manager/Team Coach is satisfied with the report it is sent to the Hearing Co-ordinator who then distributes the Ministry's response accordingly to the Secretary and the student.</p>	
<p><b>Administration</b></p> <p>The Report Writer will advise the database administrator of the outcome, notes and actions will be made accordingly and the file will be batched.</p> <p>The Report Writer must let the database administrator know that this is a Secretary hearing as opposed to a SAR hearing.</p> <p>The Report Writer needs to ensure outcome notes and the Secretary outcome letter are entered into SAL.</p>	<p>Report Writer</p>
<p><b>Debts</b></p> <p>If the review is in relation to an overpayment, please remember to recommence enforcement of the debt once the Secretary has made a final decision. A letter is available in SLKbase under Internal documents, debt enforcement letter, to confirm commencement of debt enforcement.</p>	

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# Student Allowance Review Hearings

## What is a Student Allowance Review Hearing (SAR)?

When an applicant reviews a decision covered by Section 305 of the Education Act 1989 and StudyLink makes a recommendation that the decision is upheld or partially upheld the applicant can choose to attend a SAR hearing. The applicant can put their case forward in person and a decision will be made by the SAR panel.

## How do we manage a SAR hearing?

Action	Responsibility
<p><b>Check Sheet</b> – use this before commencing the SAR process as this is a tick sheet that goes through the SAR process.</p> <p><b>Applicant confirms SAR option</b> The student has confirmed by phone that they want a SAR hearing. The Report Writer needs to advise student they must sign and return the NZUSA waiver to the Report Writer within 14 days or their case will be heard by the Secretary alone. If the student advises they will not be able to meet this deadline, negotiate a deadline with them.</p> <p><b>Database Administration</b> You must also notify the database administrator that the review has been 'upheld – rec'. This is so the administrator knows to register the hearing in the RWT Database.</p>	Report Writer
<p><b>Waiver not received</b> If the waiver has not been received at the 14 day deadline and the Report Writer has not been able to contact the student regarding this, a letter is sent to the student advising them the decision will proceed to the Secretary alone. (The student has one week from this date to supply the waiver before the decision passes to the Secretary alone. This allows a total of 21 days for the waiver to be received.) There is discretion to extend this timeframe if the student has genuine reasons for the delay.</p>	Report Writer
<p><b>Waiver received</b> The SAR will be registered on the RWT database.</p> <p>The Report Writer also needs to lodge the SAR in the SAR database.</p>	Database Administrator Report Writer
<p><b>Timeframe</b> The SAR report is to be written and issued within 13 days of being registered.</p>	Report Writer
<p><b>Report</b> When completing the report to the SAR, check that the internal review recommendation is correct. Remember that the SAR</p>	Report Writer



<p>can only rule on decisions covered by section 305 of the Education Act 1989.</p> <p>If you find that an incorrect decision has been made, this decision can be overturned meaning a formal report is not required to be heard by SAR.</p> <p>If the decision is correct, complete the SAR report found in Doogle under Student Allowance Review Hearing reports – Report to the Secretary.</p> <p>A copy of any relevant application that is held by StudyLink must be attached to the report. Other supporting documents may also be attached.</p>	
<p><b>Attachments</b></p> <p>In your report, you will refer to documents that will be attached to support StudyLink’s position. Attachments include copies of original application/s, letters, the file notes, information sent to the student, the ROD submission and letters.</p> <p>Each attachment should have an attachment stamp with the correlating attachment number in the report.</p>	Report Writer
<p><b>Sign off</b></p> <p>The completed report is given to a Service Manager to be checked and signed-off. The Service Manager signs the check sheet included in the Report to the Secretary.</p> <p>When signing the check sheet they are confirming that the correct decision has been made, and all relevant aspects of the report have been completed.</p>	Service Manager
<p><b>Administration</b></p> <p>One copy of the SAR report and all supporting documents to be made. The copy of the report and original supporting documents is kept with the Report Writer at StudyLink and the original review file is sent to the SAR Co-coordinator.</p> <p>The SAR database is to be updated by the Report Writer whose case has been referred for a SAR hearing.</p>	Report Writer
<p><b>Documents to Hearing Co-ordinator</b></p> <p>The original SAR report, with the photocopies of all other documents is sent to the Hearing Co-coordinator. You may also need to email a copy of the report to the Co-ordinator.</p>	Report Writer
<p><b>Hearing Co-ordinator</b></p> <p>The Co-coordinator contacts the student to arrange a date and time for the hearing and asks if they are going to attend or if the hearing is to be held on papers only. Once this is confirmed, the Co-coordinator makes four or five copies of the report (four if the student is not attending, five if they are).</p>	Hearing Coordinator

<p>A hearing invitation letter is sent to the student along with a copy of the SAR report. Invitation letters are also sent to the panel along with copies of the SAR report. A copy of the Chairperson checklist is to be sent to the Chairperson (Secretary). Copies of these letters must be saved by the Co-ordinator to be returned to the Report Writer with all documents once the hearing process is complete.</p> <p>The Hearing Co-ordinator must update the SAL record should there be delays in organising the SAR hearing.</p>	
<p><b>SAR hearing</b> After the hearing, the Co-ordinator ensures the Report of the Secretary is completed by the Secretary. The original hearing outcome letter and a copy of the Report of the Secretary are sent to the student. A copy of the hearing outcome letter and the original Report of the Secretary should be sent to the Report Writer who completed the internal report along with all documents pertaining to the case.</p>	Review Panel
<p><b>Further requests for information</b> In some circumstances a SAR panel will request further information about a review from the Ministry via the Hearing Co-ordinator to the Report Writer.</p> <p>In these circumstances a formal response is required to be completed by the Report Writer.</p> <p>An 'Extra Information Summary' (found in Doogee) is compiled addressing the queries made by the panel in full and provided to the RWT Service Manager or Team Coach for review.</p> <p>Once the Manager/Team Coach is satisfied with the report it is sent to the Hearing Co-ordinator who then distributes the Ministry's response accordingly to the panel and the student.</p>	Report Writer
<p><b>Administration</b> The Report Writer will advise the database administrator of the outcome, notes and actions will be made accordingly and the file will be batched.</p> <p>The Report Writer must update the SAR database with the panel details, date of the hearing and hearing outcome.</p> <p>The Report Writer needs to ensure outcome notes and the Secretary outcome letter are entered into SAL.</p>	Report Writer
<p><b>Debts</b> If the review is in relation to an overpayment, please remember to recommence enforcement of the debt once the Secretary has made a final decision. A letter is available in SLKbase under Internal documents, debt enforcement letter, to confirm commencement of debt enforcement.</p>	

### **Who forms the SAR panel?**

A SAR panel is made up of two staff from MSD, one in the capacity of Secretary, the other in the capacity of MSD advisor and a NZUSA (New Zealand Union of Students) Advisor. The role of the NZUSA and MSD advisor is to provide independent advice to the Secretary. All members of the body are independent of the original decision made by StudyLink. The Secretary will make the final decision on the review issue.

### **MSD Presenter's role**

Report Writers undertake the role of MSD Presenter at SAR Hearings.

If the student is attending the hearing, a Ministry presenter will attend. The presenter will state the Ministry's position in the hearing. This person is not a member of the Review Panel.

The presenter needs to review the student's file and summarise the decision the Review Panel is about to hear. The presenter will need to know the relevant facts, the application of the relevant legislation, and the Ministry's initial position on the decision under review.

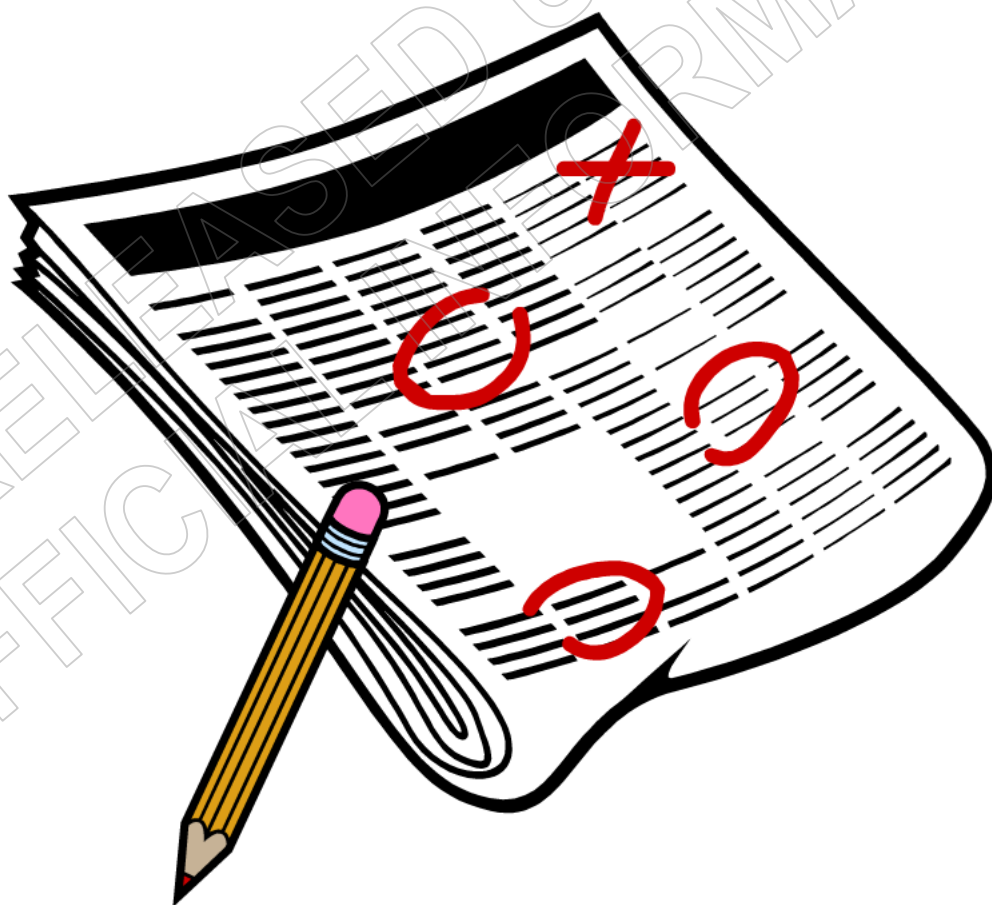
It is often usual practice for the Ministry to present first to the Review Panel as the Ministry has written the report. The Review Panel may ask questions. If it is necessary for the presenter to take leave to source this information, the hearing will need to be adjourned while this takes place. If the presenter is not the Report Writer, they may need to contact the Report Writer for this information.

The Hearing is an informal procedure. There is no "right" of cross-examination.

Where the student seeks clarification of the report or aspects of the decision these should be put to the Ministry presenter to answer. Likewise, in some cases it will be appropriate for the Ministry presenter to question the student directly or through the Review Panel, particularly if the student presents new information at the hearing.

The Secretary sets the process and if necessary can set rules for such interchanges between the student and the Ministry, so long as they comply with the rules of natural justice.

# Social Security Act Reviews



# Internal Review Submission

## What is an Internal Review Submission?

An Internal Review submission is the first part of the formal review process against decisions made by StudyLink under the Social Security Act 1964/2018. A review is defined as reconsideration with a view to correction of any error in the original decision.

All SSA Reviews must be in writing from the client; this can be an email, letter or completed review form. The review must stipulate what decision the client is reviewing.

All Social Security Act reviews are completed in the HIYA (Here Is Your Answer) system. The following link will take you to the HIYA system training pack.

<http://doogle.ssi.govt.nz/working-here/learning-development/coaching-mentoring/review-decisions/>

The following link will take you to the Report Writer information pack and example reports contained in Doogle. Please note that this document is aimed towards Work and Income decisions but can still be used to assist StudyLink reviews.

<http://doogle.ssi.govt.nz/resources/helping-staff/procedures-manuals/review-decisions/report-writers.html>

## How do we manage them?

Action	Responsibility
<p><b>Registration</b></p> <p>The review is registered on the RWT database. The ROD is then passed to the appropriate Report Writer to screen to determine if the review belongs to StudyLink. If not, the review must be scanned and sent to the appropriate office. The Report Writer will lodge StudyLink reviews on the HIYA system and an acknowledgment letter is sent. This letter must be pasted into SAL.</p>	Report Writer
<p><b>Timeframe</b></p> <p>The timeframes for each review stage is recorded in the HIYA system in the review file. In general the timeframes are:</p> <p>Acknowledgement – 1 working day            Internal review submission – 2 working days            Internal review signoff – 2 working days</p>	Report Writer
<p><b>Investigation</b></p> <p>Once the review is allocated to a Report Writer contact with the student must be attempted to acknowledge allocation of the review and to get further information if necessary.</p> <p>A full investigation of the student's situation is undertaken and the issues raised by the student need to be addressed.</p> <p>If further information or evidence is needed in order to complete the review, you need to contact the student via phone in the first instance. If phone contact cannot be made you must leave a message and send an email or letter requesting the required information. There is no specific</p>	Report Writer

<p>timeframe that information is required by, but if you experience any delays the reason for the delay and an estimated follow up date must be recorded in HIYA and SAL. The follow up date must have the follow up actions completed on that date.</p> <p>Make sure that you photocopy/print any original documents relevant to the case and hold them with the review file – this includes requesting batches from recall if necessary. This saves time later if the documents are required for further investigations.</p> <p>If any service issues have been identified please acknowledge and apologise in the review submission and provide feedbacks to the relevant staff.</p> <p>If you are unsure if your recommendation is correct, you can discuss the details of the case with Manager Report Writing or Team Coach.</p>	
<p><b>Withdrawals</b> At any time during the review process the student may withdraw their review of decision.</p> <p>To accept the withdrawal from the review process we must receive confirmation from the student – it is preferred that a withdrawal is confirmed in writing, either by email or letter, but if that is not possible a recorded call in the IDA is sufficient.</p> <p>Once a withdrawal has been accepted, you must send a withdrawal letter to the student.</p>	Report Writer
<b>Recommendations</b>	
<p><b>Overtuns</b> Where you have identified that the original decision made by StudyLink was incorrect a new decision needs to be made.</p> <p>If you are unsure of your recommendation and believe a report is necessary for Manager or Team Coach signoff, you need to complete an 'Extra Info Summary' found in Doogle and explain why you believe the decision to be incorrect and your recommendations. Do not attach this report to HIYA.</p> <p>Do not complete the stage 3 report in HIYA as this is not required. Generally full notes in HIYA/SCMS and SAL are sufficient when overturning an SSA decision. Your notes must confirm the new decision and reasons for overturning it. They must also state that 'stage 3' has been on-ticked in HIYA and is not required.</p> <p>In situations where the decision was overturned due to discretion or error, please ensure that feedbacks are raised.</p>	Report Writer
<p><b>Partially upheld</b> These are circumstances where you have identified that part of</p>	Report Writer

<p>the original decision is correct and part was wrong.</p> <p>You need to complete the internal review template held in HIYA. This report is a brief overview of the decision but you still need to detail the reasons why part of the original decision was wrong and what the new outcome is and explain why the other part of the decision was correct. You also need to outline what legislation governs this decision.</p>	
<p><b>Uphold</b> Where you have identified that the original decision made by StudyLink was correct.</p> <p>This report is a brief overview of the decision but you still need to detail the reasons why the original decision is correct, outlining what legislation governed it.</p>	Report Writer
<p><b>Signoff</b> A Team Leader or Service Manager has delegation to sign off Social Security Act reviews at the internal stage.</p> <p>The review must be returned to the Report Writer within 48 hours with any feedback about the case/report.</p> <p>Once an outcome has been agreed, the delegated authority completes and signs the internal review submission.</p>	Team Leader Service Manager
<p><b>Outcome</b> Once the report has been signed off you must update HIYA and complete the relevant template letter and send this (without the report) to the student.</p> <p>You must also notify the database administrator that the internal review has been completed. If the review is upheld (in full or part) you must also advise the administrator that the report to the BRC must be registered in the RWT Database.</p>	Report Writer
<p><b>System notes</b> SAL - all contact notes, delay reasons and outcomes will be recorded here. HIYA - note, date and time frame any requests for extra information here as this may affect your timeliness. List delay reasons. If overturning the decision, add notes here regarding why an internal review is not required. CMS - add notes regarding benefit review outcomes. Add information that is relevant to Work and Income staff.</p>	

# Report to the Benefits Review Committee

## What is a Report to the Benefits Review Committee (BRC)?

Where the internal review outcome is not favourable or only favourable in part for the student, the decision must go before the Benefits Review Committee. Where a decision is to go to the Benefits Review Committee for a hearing, a Report to the Benefits Review Committee needs to be completed. The information used in the review of decision submission will generally form part of the Benefits Review Committee report.

## Out of Time

How do we manage them?

Action	Responsibility
<p><b>Registration</b> When a benefit ROD is upheld (in part or full) at the internal review stage, the BRC is loaded into the RWT Database and full review report is completed.</p>	Report Writer/ Database Administrator
<p><b>Timeframe</b> The timeframes for each review stage are recorded in the HIYA system in the review file and the timeframe to complete the Report to the BRC is five working days.</p>	Report Writer
<p><b>Report</b> A full investigation into the reasons the student submitted the review out of time must occur. If you are unsure if your recommendation is correct, you can discuss the details of the case with the Manager Report Writing or Team Coach.</p> <p>Please note that this report must only contain information relating to the student's reasons for applying for a review outside of the three month timeframe. The substantive decision is only addressed if the BRC panel opt to hear the substantive decision.</p> <p>If further information or evidence is needed in order to complete the out of time report, you need contact the student via phone in the first instance. If phone contact cannot be made you must leave a message and send an email or letter requesting the required information. There is no specific timeframe that information is required by, but if you experience any delays, the reason for the delay and an estimated follow up date must be recorded in HIYA.</p> <p>In your report, you will refer to documents that will be attached. Attachments could include copies of original application/s,</p>	Report Writer



letters, file notes, information sent to the student, the ROD submission and letters.	
<p><b>Withdrawals</b></p> <p>At any time during the review process the student may withdraw their review of decision.</p> <p>To accept the withdrawal from the review process we must receive confirmation from the student – it is preferred that a withdrawal is confirmed in writing, either by email or letter, but if that is not possible a recorded call in the IDA is sufficient.</p> <p>Once a withdrawal has been accepted, you must send a withdrawal letter to the student.</p>	Report Writer
<b>Recommendations</b>	
<p>All out of time decisions (either to hear or not hear the substantive decision) must be made by the BRC Panel.</p> <p>The required report is found in HIYA and must confirm all relevant 'summary of events' and explain in detail why the Ministry should or should not hear the substantive decision in line with the relevant legislation and policy.</p>	Report Writer
<p><b>Signoff</b></p> <p>Only a Service Manager has delegation to sign off Social Security Act reviews.</p> <p>The Service Manager must complete and sign the BRC report and check sheet.</p> <p>The sign off must be returned to the Report Writer within 24 hours with any feedback about the case/report.</p>	Service Manager
<p><b>Sending</b></p> <p>Once the BRC report has been signed off, update HIYA and complete the template letter in HIYA. Five copies of the report and all attachments must be made.</p> <p>Three of the copies and the original report with all attachments are collated and sent to the Service Delivery region BRC co-ordinator via trackpak. The trackpak number is then recorded in HIYA.</p> <p>One copy of the report including all attachments is sent via trackpak to the student with the appropriate covering letter from HIYA. The address for the trackpak must be confirmed with the student. The BRC letter must be printed on MSD letterhead and a different Report Writer must sign the letter on behalf of the Co-ordinator and must check the following details of the letter:</p> <ul style="list-style-type: none"> <li>- Correct co-ordinator based on region</li> <li>- Co-ordinator's contact details</li> </ul>	Report Writer

<p>The final copy of the report, supporting documents and letter is kept (with the substantive decision documents) with the Report Writer until the final decision by the BRC panel has been made and the original documentation has been returned to the Report Writer.</p>	
<p><b>Outcome</b></p> <p>Once the outcome is received, the Report Writer must update the Database Administrator.</p> <p>If the BRC Panel agrees to hear the substantive issue, the Out of time BRC is resulted as an overturn decision and the case progresses to a substantive BRC.</p> <p>If the BRC Panel decline to hear the substantive issue, the review is confirmed as a decision uphold, the documents are batched and notes are left in SAL and CMS.</p>	<p>Report Writer</p>
<p><b>Debts</b></p> <p>If the review is in relation to an overpayment, please remember to recommence enforcement of the debt.</p>	

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# Substantive Decision

The Report to the BRC for the substantive decision follows the internal review process if received within time (three months of the decision date), or the agreement by the BRC Panel to hear the substantive issue.

## How do we manage them?

Action	Responsibility
<p><b>Registration</b> When a benefit ROD is upheld (in part or full) or the BRC Panel has overturned the Out of time BRC, the substantive BRC is loaded into the RWT Database and full review report in completed.</p>	Report Writer/ Database Administrator
<p><b>Timeframe</b> The timeframes for each review stage are recorded in the HIYA system in the review file and the timeframe to complete the Report to the BRC is eight working days.</p>	Report Writer
<p><b>Report</b> The initial investigation into the review has already taken place via the internal review process, but you still need to check that the internal review recommendation is correct. Remember that the BRC can only rule on decisions relating to the Social Security Act 1964/2018.</p> <p>A full investigation of the record is required. If you are unsure if your recommendation is correct, you can discuss the details of the case with the Manager Report Writing or Team Coach.</p> <p>If further information or evidence is needed in order to complete the report to the BRC, you need contact the student via phone in the first instance. If phone contact cannot be made you must leave a message and send an email or letter requesting the required information. There is no specific timeframe that information is required by, but if you experience any delays, the reason for the delay and an estimated follow up date must be recorded in HIYA.</p> <p>In your report, you will refer to documents that will be attached. Attachments could include copies of original application/s, letters, file notes, information sent to the student, the ROD submission and letters.</p> <p>If any service issues have been identified you acknowledge and either apologise in the BRC report or state that the service issues will be addressed separately from review. Please remember to provide feedbacks to the relevant staff.</p>	Report Writer
<p><b>Withdrawals</b> At any time during the review process the student may withdraw their review of decision.</p> <p>To accept the withdrawal from the review process we must</p>	Report Writer

<p>receive confirmation from the student – it is preferred that a withdrawal is confirmed in writing, either by email or letter, but if that is not possible a recorded call in the IDA is sufficient.</p> <p>Once a withdrawal has been accepted, you must send a withdrawal letter to the student.</p>	
<p><b>Recommendations</b></p>	
<p><b>Overtuns</b> Where you have identified that the original decision made by StudyLink was incorrect a new decision needs to be made.</p> <p>If you are unsure of your recommendation and believe a report is necessary for Manager or Team Coach signoff, you need to complete an 'Extra Info Summary' found in Doogle and explain why you believe the decision to be incorrect and your recommendations. Do not attach this report to HIYA.</p> <p>Do not complete the BRC report in HIYA as this is not required. Generally full notes in HIYA/CMS and SAL is sufficient when overturning an SSA decision. Your notes must confirm the new decision and reasons for overturning it.</p> <p>To update HIYA you will need to change the Internal Review Decision field to Overturned. You will need to write an overturn letter. You can preview the overturn letter in Stage 4 and use this. Once you have completed your overturn letter save this as an attachment in HIYA. Paste the overturn letter into SAL.</p> <p>In situations where the decision was overturned due to discretion or error, please ensure that feedbacks are raised.</p>	<p>Report Writer</p>
<p><b>Partially upheld</b> These are circumstances where you have identified that part of the original decision is correct and part was wrong.</p> <p>You need to complete the BRC template held in HIYA. You need to detail the reasons why part of the original decision was wrong and what the new outcome is and explain why the other part of the decision was correct.</p> <p>You must confirm all relevant summaries of events and explain in detail the decision that was made and why it was made in line with the relevant legislation and policy.</p>	<p>Report Writer</p>
<p><b>Uphold</b> These are where you have identified that the original decision made by StudyLink was correct.</p> <p>The report is found in HIYA and must confirm all relevant summary of events and explain in detail, the decision that was made and why it was made in line with the relevant legislation and policy.</p>	<p>Report Writer</p>

<p><b>Signoff</b>  Only a Service Manager has delegation to sign off Social Security Act reviews.  The Service Manager must complete and sign the BRC report and checklist.</p> <p>The sign off must be returned to the Report Writer within 24 hours with any feedback about the case/report.</p>	<p>Service Manager</p>
<p><b>Sending</b>  Once the BRC report has been signed off, update HIYA and complete the template letter in HIYA. Five copies of the report and all attachments must be made.</p> <p>Three of the copies and the original report with all attachments are collated and sent to Outreach via trackpak. The trackpak number is then recorded in HIYA.</p> <p>One copy of the report including all attachments is sent via trackpak to the student with the appropriate covering letter from HIYA. The address for the trackpak must be confirmed with the student. The BRC letter must be printed on MSD letterhead and a different Report Writer must sign the letter on behalf of the Co-ordinator and must check the following details of the letter:</p> <ul style="list-style-type: none"> <li>- Correct co-ordinator based on region</li> <li>- Co-ordinator's contact details</li> </ul> <p>The final copy of the report, supporting documents and letter is kept with the Report Writer until the final decision by the BRC panel has been made and the original documentation has been returned to the Report Writer. Add notes into SAL.</p>	<p>Report Writer</p>

# Report of the Benefits Review Committee

## Who is the Benefits Review Committee (BRC) and what do they do?

A committee has three members. Two members are Ministry of Social Development representatives and the third is a Community Representative appointed by the Minister for Social Development and Employment. The Committee must act independently of the Ministry and make a decision within the Law. The Committee will look at the relevant Law and Policy and how this should be applied in the particular situation and whether the decision was fair and reasonable in the circumstances.

Action	Responsibility
<p><b>Benefits Review Committee hearing</b>                      The BRC hearing is arranged by the BRC Co-ordinator                      The Benefits Review Committee will advise the RWT of the outcome of the BRC hearing by way of report of the BRC.</p> <p>Leave notes in CMS and SAL advising of the outcome from the hearing.</p>	BRC Co-ordinator
<p><b>Further requests for information</b>                      In some circumstances a BRC panel will request further information about a review from the Ministry.</p> <p>In these circumstances a formal response is required to be completed by the Report Writer.</p> <p>An 'Extra Information Summary' (found in Doogee) is compiled addressing the queries made by the panel in full and provided to the RWT Service Manager for review.</p> <p>Once the Manager Report Writing has perused the report it is sent to the BRC Co-ordinator who then distributes the Ministry's response accordingly.</p>	Report Writer
<p><b>Outcome</b>                      Once the outcome is received, you must update the Database Administrator with the hearing outcome.</p> <p>If the BRC Panel overturns the decision and changes are required, you must complete the required actions to implement the decision.</p> <p>In all cases you must check that notes have been added to the SAL and CMS files advising of the outcome of the BRC hearing.</p>	Report Writer
<p><b>Debts</b>                      If the review is in relation to an overpayment, please remember to recommence enforcement of the debt once the Panel has made a final decision.</p>	

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