

WINZ's Obligations and Commitments to Clients

Per the Social Security Act 2018, WINZ must make sure you know:

- What your obligations are
- What the consequences will be if you fail to comply with an obligation
- That you have the right to appeal a decision WINZ makes

On their website, WINZ commits to:

- Getting to know you, your situation and what you need
- Using feedback to improve their service
- Making sure you understand everything you need to know
- Respecting your privacy and being clear about how they will use your information, and who they will share that information with
- Letting you know about everything you may be eligible for
- Giving you information that is accessible and consistent, regardless of how you get in touch with them
- Helping you however they can, as soon as they can
- Being honest about their mistakes and putting them right
- Respecting you
- Letting you know about your options, rights and obligations
- Working together to achieve shared goals
- Doing what they say they will do

Solving Problems at WINZ

- Always take someone else with you to meetings at WINZ
- Ask to record the conversation
- Ask WINZ to send you a copy of their notes from the meeting
- If you are unhappy about a decision, speak to them again to see if you can get the decision changed
- It can be helpful to refer to things like your right to reasonable accommodation, the 'our commitments to you' page, and the Social Security Act
- If needed, you can ask for a decision to be formally reviewed

Review of Decision	Review of a Medical Decision
For all other decisions	For decisions made on medical grounds
Complete the form 'Review of decision application form' or write a letter	Complete the 'Medical Appeals Board application form'
Post/take your application to your nearest service centre	
You must apply within 3 months of the decision being made. Later applications are only accepted if you have a good reason.	
WINZ completes their own review of the decision:	
'internal review'	'administrative review'
You will hear the outcome of this review within two weeks	
If the decision does not change, your case will be sent to the:	
Benefits Review Committee	Medical Appeals Board

Benefits Review Committee	Medical Appeals Board
Three people: two from WINZ, one from the community	Three independent health practitioners
Held in person or via Zoom or teleconference – you decide	Normally in person, but you can attend via phone or video call if needed
You can bring a lawyer, advocate or support person with you, or your lawyer can attend on your behalf	
	You might be asked to undertake an additional medical examination – WINZ pays
Notified of decision within:	
Two weeks	Three to four weeks
Can appeal to the Social Security Appeal Authority within 60 working days	No right of appeal

Emergency Accommodation

To access emergency accommodation, you must:

- Have nowhere to stay tonight or for the next seven nights (but WINZ can consider whether you contributed to your situation when assessing your application)
- Meet income and asset criteria
- Meet residency criteria
- Agree to meet your responsibilities (including contributing to the cost, if you stay eight or more nights)

Emergency accommodation is a last resort – WINZ will try to find another way to help before moving you into emergency accommodation.

When you are in emergency accommodation, you have the same rights as anyone else staying in the accommodation (e.g., the right to be free from discrimination).

If you have a problem whilst staying in emergency accommodation, you can:

- Ask the person who runs the accommodation to fix the problem
- Ask WINZ for help
- File a formal complaint with WINZ – they will investigate

Resources

Aotearoa Disability Law

<https://www.aotearoadisabilitylaw.org.nz/>

Phone: 09 257 5140

Text: 027 457 5140

Email: info@adl.org.nz

Community Law Centres

<https://communitylaw.org.nz/our-law-centres/>

Find a Lawyer (New Zealand Law Society)



<https://www.lawsociety.org.nz/for-the-public/find-a-lawyer/>

Te Kāhui Tika Tangata | Human Rights Commission

<https://tikatangata.org.nz/>

Phone: 0800 496 877

Text: 021 0236 4253

Email: infoline@hrc.co.nz

Removing Barriers: A Guide for Reasonable Accommodation of Disabled People in Aotearoa

<https://www.ombudsman.parliament.nz/resources/removing-barriers-reasonable-accommodation-disabled-people-aotearoa>

WINZ

<https://www.workandincome.govt.nz/>

Phone: 0800 559 009

Address for complaints: Ministry of Social Development, PO Box 1556, Wellington

Commitments to clients: <https://www.workandincome.govt.nz/about-work-and-income/our-services/our-commitment.html>

Review of decision: <https://www.workandincome.govt.nz/about-work-and-income/feedback-and-complaints/review-of-decisions.html>

Review of a medical decision: <https://www.workandincome.govt.nz/about-work-and-income/feedback-and-complaints/review-of-a-medical-decision.html>

Online complaints form:

https://services.workandincome.govt.nz/online_forms/complaint_form/new