

Advocating for You and Your Right to Financial Support



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Eligibility for the Unsupported Child's Benefit

- A person who is a principal caregiver in respect of a dependent child shall be entitled to receive an unsupported child's benefit in respect of the child if—
- (a) that person is not the natural parent, adoptive parent, or step-parent of the child; and
- (b) because of a breakdown in the child's family, no natural parent, adoptive parent, or step-parent of the child is able to care for the child or to provide fully for the child's support; and
- (c) the applicant is likely to be the principal caregiver in respect of the child for at least **1 year** from the date of application for the benefit; and
- (d) the applicant is aged 18 years or over; and
- (e) either—
 - (i) the child is both resident and present in New Zealand; or
 - (ii) the applicant has been both resident and present in New Zealand for a continuous period of 12 months at any time.

Ref: Social Security Act 1964 , S29

Eligibility for an Orphans Benefit

- A person who is a principal caregiver in respect of a dependent child shall be entitled to receive an orphan's benefit in respect of that child if—
- (a) each of the child's natural or adoptive parents is dead, or cannot be found, or suffers a serious long-term disablement which renders him or her unable to care for the child; and
- (b) the applicant is likely to be the principal caregiver in respect of the child for at least 1 year from the date of application for the benefit; and
- (c) the applicant is aged 18 years or over; and
- (d) either—
 - (i) the child is both resident and present in New Zealand; or
 - (ii) the applicant has been both resident and present in New Zealand for a continuous period of 12 months at any time.

Other Income Support and Benefits Potentially Available

- ▶ Extra help provides extra income support for specific purposes.
- ▶ This includes help with accommodation, childcare and disability costs as well as other areas of assistance.
- ▶ Many areas of extra help are available to main benefit clients and people not receiving a main benefit from Work and Income.

Child Disability Allowance

- ▶ Child Disability Allowance is a non-taxable allowance that is available to the principal caregiver of a dependent child who has a serious disability.
- ▶ It is paid because of the extra care that may be needed by a child who has a physical, sensory, psychiatric or intellectual disability.
- ▶ The client may also be able to receive a [Disability Allowance](#) to meet any additional costs the child has because of their disability.
- ▶ There is no income and asset test for Child Disability Allowance.

Disability Allowance

- ▶ Disability Allowance provides non-taxable assistance to people who have ongoing, additional costs because of a disability.
- ▶ Disability Allowance can be paid to any person whose income, including their partner's income, is below the appropriate [income limit](#).
- ▶ If the person with a disability is a dependent child, the non-beneficiary income test is applied to their parents or guardians.
- ▶ **Note** that New Zealand Superannuation clients and Veterans pensioners must also meet the appropriate [income limit](#).

Disability Allowance Qualifications

To be able to receive a Disability Allowance a client must:

- ▶ meet an income test
- ▶ have a disability which is likely to last at least 6 months
- ▶ have ongoing, additional costs arising from that disability
- ▶ be a New Zealand citizen or permanent resident (ie not be in New Zealand unlawfully, here on a temporary entry class visa or a temporary permit) **or**
- ▶ deemed to hold a residence class visa in New Zealand under the Immigration Act 2009 (eg Australian citizens or residents) **and**
- ▶ generally be ordinarily resident in New Zealand

Childcare Subsidy

A client may be able to receive assistance for subsidised childcare of up to 9 hours a week if:

- ▶ they are the principal caregiver of a dependent child
- ▶ they meet an income test
- ▶ the child is under 5 years old **or**
- ▶ under 6 years old and is eligible for Child Disability Allowance **or**
- ▶ aged 5 years old but not yet attending a school (Childcare Subsidy payable for 4 weeks after the child turns 5 years old)

Child Care Subsidy

- ▶ The Childcare Subsidy is for children under five years old except for children for whom a Child Disability Allowance is paid. These children can receive the Childcare Subsidy until they are 6 years of age.
- ▶ Childcare Subsidy may be paid for up to 50 hours a week if the [qualifications](#) are met (except the requirement that the child is under five years old) and
- ▶ the child is under 6 years old **and**
- ▶ the child is one for whom Child Disability Allowance is paid

Siblings of a Child Who Receives the Child Disability Allowance

Childcare Subsidy may be paid for up to 50 hours per week where the [eligible child](#) has a sibling:

- ▶ for whom a Child Disability Allowance is paid
- ▶ The subsidy will cease when:
- ▶ the child can no longer receive Child Disability Allowance **or**
- ▶ the sibling turns 5 years of age
- ▶ **whichever is the earliest.**

ECE 20 hours Free Childcare

Children aged 3, 4 and 5 years old attending teacher-led Early Childhood Education services

- (kindergartens, centre based, home-based, kohanga reo and playcentres)
- offering 20 hours Early Childhood Education,
- may be able to receive up to 6 hours per day, 20 hours per week of free childcare.

Caring for a Child/Person

A client applying for Supported Living Payment on the grounds of caring for a person must provide full-time care and attention to a person (other than their spouse or partner), at home who would otherwise need:

- ▶ hospital care
- ▶ rest home care
- ▶ residential disability care
- ▶ care of the kind referred to in section 141 of the Children, Young Persons and Their Families Act 1989, which is extended care services provided for severely disabled children and young persons
- ▶ care of an equivalent kind

Caring for a Child

- ▶ The Supported Living Payment can be paid to a parent who is required to provide full-time care and attention at home to their dependent child who has a significant disability and as a result has high care needs
- ▶ This is not meant to be paid to parents for children who need only the levels of care required for children typical of their age.

Review of Decisions

- ▶ A client can apply for a Review of Decision when they have received formal notification of (and do not agree with) a decision which has been made.

Who can apply for a review or appeal

- ▶ the client
- ▶ the client's partner - when the decision is in relation to the partner **or**
- ▶ an agent with appropriate authorisation from the client

Review of Decision

Three stage process

- Stage 1 - Internal review
- Stage 2 - Benefits Review Committee
- Stage 3 – Social Security Appeals Authority Hearing

Stage 1: Review of Decision

Internal Review

This is an administrative process only.

When a client applies for a Review of Decision, it is appropriate for the Ministry of Social Development to take another look at the decision, review any new information, as well as that which was available at the time of the decision, and check the decision was in accordance with legislation.

Stage 2: Benefit Review Hearing

- An application for a Review of Decision is an application for the decision to be heard by the Benefits Review Committee.
- **Note** when the internal review outcome is not favourable or only favourable in part for the client, the decision must go before the **Benefits Review Committee** without any further request from the client.

Stage 3: Social Security Appeals Authority Hearing

- When the original decision is upheld (or partially upheld) by the Benefit Review Committee, the client can appeal to the Social Security Appeal Authority.
- These are held by the Ministry of Justice through the District Courts.

Medical Review

Note if a client disagrees with a decision on medical grounds the client may appeal the decision to the Medical Appeals Board.



Advocating for You

For assistance please contact:

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