

Work and Income

Work and Income is part of the Ministry of Social Development (the Ministry). It provides financial assistance and employment services throughout New Zealand. The Ombudsman can investigate complaints about Work and Income's administrative conduct under the Ombudsmen Act (OA), and its decisions on requests for official information under the Official Information Act. This fact sheet focuses on the Ombudsman's role under the OA.

What types of complaints can't the Ombudsman investigate?

The Ombudsman can't usually investigate decisions made by Work and Income on a benefit entitlement, such as whether to:

- grant or review a benefit or allowance
- provide an advance
- establish an overpayment.

This is because there is a right of review to the Benefit Review Committee and a further right of appeal to the Social Security Appeal Authority, from any decision made by Work and Income. Medical decisions relating to invalids benefits may be appealed to the Medical Appeal Board. Student allowance decisions can be challenged by review and there is a further right of appeal to the Student Allowance Appeal Authority. Details of how to access these rights are provided in Work and Income decision letters.

The Ombudsman is not normally authorised to investigate Work and Income decisions that may be appealed to a court or tribunal, whether or not the right of appeal has been exercised.

What types of complaints can the Ombudsman investigate?

The Ombudsman can investigate Work and Income actions that are not related to a decision on a benefit entitlement. For example:

- delays in processing an application for a benefit, advance, allowance, or a review
- delays in responding to correspondence

- the standard of service by a case manager
- failure to respond to telephone calls
- delays in obtaining an appointment.

What to do before making a complaint to the Ombudsman

Before complaining to the Ombudsman you should try to resolve your concerns with Work and Income. The Ombudsman may decide not to investigate your complaint unless you have attempted to do this.

[Work and Income's complaints process is explained here.](#)

Work and Income suggests contacting the manager of the particular office first. Alternatively, you can make a complaint:

- by phone (0800 559 009)
- by submitting an online enquiry at www.workandincome.govt.nz
- by writing to:

The Chief Executive
Ministry of Social Development
PO Box 1556
Wellington

Making a complaint to the Ombudsman

If you're not satisfied with Work and Income's response to your complaint you can approach the Ombudsman. Try to include the following details when making your complaint:

1. A clear indication of the specific act or decision by Work and Income that concerns you.
2. Full details of your concerns about that act or decision. In particular, why you consider Work and Income's conduct is unfair or unreasonable.
3. The outcome you're seeking.
4. The steps you've already taken to try and resolve your concerns.
5. Copies of relevant correspondence and documents.

Need more information?

Visit our website www.ombudsman.parliament.nz or call us on 0800 802 602.

Ends