

[2016] NZSSAA 011

Reference No. SSA 143/15

**IN THE MATTER**

of the Social Security Act 1964

**AND**

**IN THE MATTER**

of an appeal by **XXXX** of  
Stratford against a decision of a  
Benefits Review Committee

**BEFORE THE SOCIAL SECURITY APPEAL AUTHORITY**

Ms M Wallace - Chairperson  
Mr K Williams - Member  
Lady Tureiti Moxon - Member

**HEARING** at WELLINGTON on 11 February 2016

**APPEARANCES**

The appellant in person  
Mr G Moore for Chief Executive of the Ministry of Social Development

**DECISION**

**Introduction**

[1] The appellant appeals against a decision of the Chief Executive upheld by a Benefits Review Committee to make a non-recoverable Special Needs Grant for food of \$100 rather than a greater amount.

[2] The issue in this case is whether or not a grant for an amount greater than \$100 should have been made to the appellant.

## **Background**

[3] The appellant is in receipt of Supported Living Payment, Accommodation Supplement, Disability Allowance and Temporary Additional Support.

[4] On 24 February 2015 she applied for a Special Needs Grant for food. The appellant says she made the application because she had had to pay an unexpected doctor's bill of \$42 and pay for non-subsidised prescription items and pharmaceuticals amounting to \$101.36. We understand that no particular amount was sought at the time of the appellant's application. At the hearing of this matter, submissions prepared by her advocate suggest that the amount should have been \$143.36; that being an amount equivalent to the unexpected expenses she had incurred. The appellant herself said she wanted \$200 as that was what would be required to cover the cost of a special diet recommended to her by a dietician.

[5] At the time of her application the maximum amount available to the appellant for a non-recoverable Food Grant was \$200.

[6] A decision was made by the Chief Executive that \$100 would be sufficient to meet the appellant's food requirements until her next benefit payment of \$432.23 which was due on 3 March 2015.

[7] The appellant sought a review of decision. The matter was reviewed internally and by a Benefits Review Committee. The Benefits Review Committee upheld the decision of the Chief Executive. The appellant then appealed to this Authority.

## **Decision**

[8] There is specific provision for the payment of food grants in clause 11.2 of the Special Needs Grant Programme. The Programme provides that in the case of a single person with no dependent children, grants of up to \$200 in a 26-week period can be made where:

- (a) the applicant has an immediate need to purchase food;
- (b) the applicant has no resources to meet that need and would otherwise have to rely on a food bank to meet that need; and
- (c) the need for the lack of resources to meet it was caused by an essential expense that had to be met which left insufficient money to buy food.

[9] The Chief Executive has accepted the appellant had a need to purchase food. The only issue in this case is whether or not the amount granted was sufficient to meet the appellant's need for food.

[10] The Otago University Food Cost Survey for 2015 is a useful tool in determining what the cost of a person's weekly food requirements might be. The survey does not specifically give figures for Taranaki, but figures for the nearest city (Hamilton) indicate that in 2015 the cost of a basic diet for a woman was \$57, a moderate diet cost \$74 and a liberal diet cost \$89. These figures are not significantly different from the figures for the two other North Island centres surveyed, namely Auckland and Wellington. On the basis of this information a grant of \$100 should have been more than adequate to meet the appellant's food costs until her next benefit payment.

[11] The appellant says, however, that she has a need for special food and the cost of her special diet is significantly more than the cost of a standard diet.

[12] We note the following:

- (i) No special foods are included in the assessment of the appellant's Disability Allowance.
- (ii) The appellant referred to a recommendation from a dietician that she follow a FODMAP diet, although she did not produce confirmation of this on this occasion. Nor did she produce evidence of the cost of this diet.
- (iii) She did not produce any independent confirmation that she was, in fact, following a FODMAP diet. The appellant said that she cannot follow the diet because she does not have sufficient funds to do so.
- (iv) The appellant did not give evidence that she went without food as a result of the payment to her of \$100.

[13] The Otago University information suggests that the \$100 the appellant received amounts to \$43 more than the cost of a basic diet. This suggests that if the appellant had a genuine need for special food (and we are not satisfied that this is the case) she had the ability to purchase some special foods in any event.

[14] We are not persuaded that the grant of \$100 to the appellant to meet her food needs until her next benefit payment was insufficient to meet her need.

[15] The appeal is dismissed.

**DATED** at WELLINGTON this 2<sup>nd</sup> day of March 2016

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Ms M Wallace  
Chairperson

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Mr K Williams  
Member

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Lady Tureiti Moxon  
Member

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