

Prioritised settlement payments for sensitive claimants who are terminally ill

A prioritised settlement payment is an option available to people who are terminally ill and at serious risk of dying before their claim can be reviewed. Under this option, people suffering from a terminal illness can settle their claim early without the need to have their claim reviewed under the Ministry's normal process.

Prioritised settlement payments are made on compassionate grounds, recognising that it can take us a long time to resolve a claim because of the large number of claims we have in our queue. We can prioritise reviews for claimants who are aged over 70 or who are seriously unwell (including with a terminal illness), but the process can still take a long time.

Eligibility criteria

You are eligible for a prioritised settlement payment if:

- your claim has been accepted by the Ministry for review under its sensitive claims full review pathway and is currently in the queue waiting to be reviewed; and
- you can provide a medical certificate confirming that you have been diagnosed with a terminal illness with a life expectancy of no more than 12 months regardless of any available treatment.

If you meet these criteria, we will search our records to confirm you attended the school your allegations are about. If we can't locate your attendance records, you may be able to make a statutory declaration to confirm your enrolment at the school.

If you do not have a current claim lodged with us, we will need to check we are the right place for your claim before proceeding.

Settlement offered

The settlement offered under the prioritised settlement pathway is a financial payment, payment of any actual and reasonable legal fees, and an apology from the Secretary for Education.

Under our usual review process, we collect your allegations and respond to them. We won't do this under the prioritised settlement process due to the time this can take. Instead, prioritised settlement payments are a one-off payment of \$10,000 provided on compassionate grounds to eligible claimants who are terminally ill. To get this payment you will need to sign an agreement settling your claim with the Ministry.

Requesting a prioritised settlement payment and timeframes

If you would like to request a prioritised settlement payment, please get in touch with us to discuss your situation.

We are usually able to make a prioritised settlement payment offer within 2 weeks of receiving your claim, provided we have all the information we need.

Prioritised settlement payments are optional

You do not have to choose a prioritised settlement offer

You do not have to request a prioritised settlement payment if you are terminally ill. You can choose to wait for your claim to be reviewed under the Ministry's usual full review process.

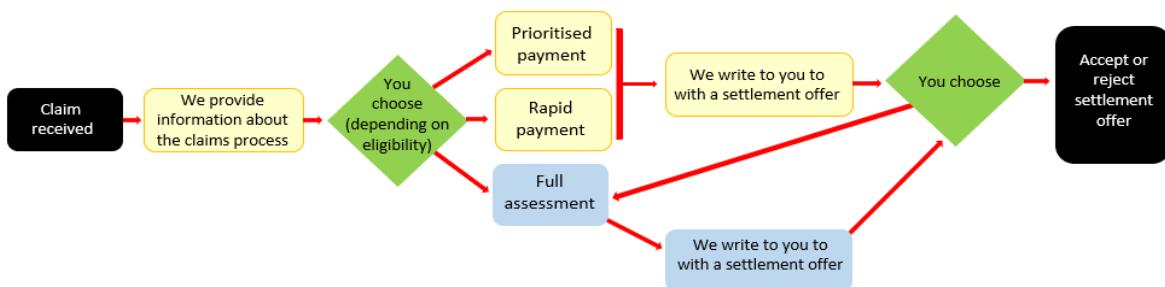
If you choose a full review, we will prioritise your claim so it is looked at as soon as possible, and your claim can still be reviewed if you pass away before the process is finished. The full review process can take some time, even when prioritised, depending on the complexity of your claim. You can read about how we review [on our website](#).

Remember, if you attended Waimokoia school you can also consider a rapid payment pathway.

If you want a full review, we will ask you for the information we will need to progress your claim after you pass away, including bank account details and the name of the person legally authorised to manage your affairs.

You can talk to a lawyer at any time to get advice on the Ministry's claims process, including on the prioritised settlement payment. Regardless of which option you choose, we can reimburse actual and reasonable legal costs you incur.

Flow chart showing the prioritised settlement payment pathway



Collecting information about possible offenders

If you request a prioritised settlement payment, we will ask you whether you can name or describe any possible offenders, so that we can make sure they are not working with children today. This is a very important step to keep tamariki and rangatahi safe.

However, you do not have to talk to us about this or provide any names or descriptions of abusers in order to receive the prioritised settlement payment.

Wellbeing support service

If you request the prioritised settlement offer you can still receive the same wellbeing support that is available to eligible claimants under the full review process.

The service provides flexible, short-term support to improve the wellbeing of you and your whānau. It can pay for things you need right now, such as counselling or support with study or job-seeking. We work with you so that you receive the things that will make a real difference to you and your whānau. You can learn more about our wellbeing support service on our website

Contact us

If you have any questions about prioritised settlement payments, or would like to talk about the wellbeing support available to claimants, you can contact our Sensitive Claims team by:

- calling **0800 663 252**
- emailing Sensitive.Claims@education.govt.nz (for claims enquiries)
OR
- emailing wellbeing.service@education.govt.nz (for wellbeing enquiries)

You can also write to us at:

Sensitive Claims
Te Pae Aronui
Ministry of Education
PO Box 166
Wellington 6140