

# Veterans' Independence Programme

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# Policy

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## 1. Purpose

- 1.1 This policy provide guidance on administering **veterans'** eligibility under the Veterans' Support Act 2014 (the Act) to services under the Veterans' Independence Programme.

## 2. Legislative Reference

- 2.1 The relevant legislation:
- sections 7, 138 to 144, clauses 6, 12 and 13 of Part 2 of Schedule 1 of the Act
  - regulations 26F and 26G of the Veterans' Support Regulations 2014
  - section 42 of the Police Act 1958
  - section 110 of the Policing Act 2008.

## 3. The Purpose of the Programme

- 3.1 The purpose of the Veterans' Independence Programme is to provide services and support to veterans who are unable to undertake activities necessary for them to live independently in their **home**.

*Section 139 of the Veterans' Support Act 2014*

### 3.2 "Home"

- means residential premises in which the veteran lives and that are owned, rented, or otherwise lawfully occupied by the veteran or the veteran's parent, guardian, spouse, or **partner**; and
- includes residential premises in which the veteran proposes to live after they are built and that will be owned, rented, or otherwise lawfully occupied by the veteran or the veteran's parent, guardian, spouse, or partner; and
- includes any other premises [for example, a mobile home or boat] in which the veteran lives and for which the veteran is solely responsible for home maintenance; but
- does not include any hotel or motel, or any hospital, hostel, rest home, or other institution.

*Section 7 of the Veterans' Support Act 2014*

- 3.3 A veteran who receives treatment in a hospital or hospital care in another institution but who ordinarily resides in a home is not considered to be living in that hospital or hospice. **See also Spouse/Partner section.**

## 4. Intent and Scope of the Programme

- 4.1 Services and support that will be provided under the Veterans' Independence Programme are not essential to health or survival but support activities the veteran should be able to do to live independently, such as shopping, meal preparation, housework, bill paying, gardening and using forms of private or public transportation.
- 4.2 Services and support may include:
- short-term attendant care (e.g. for basic foot care such as nail clipping, or for feeding)
  - **home help** (e.g. for housework)
  - house and section maintenance (e.g. lawn-mowing)
  - home adaptations (for ramps or rails)
  - travel (other than transport related to assessments, treatment and rehabilitation), including an escort if a veteran is unable to travel alone
  - allowance to contribute to the cost of adaptive clothing and footwear
  - medical alarm.

*Section 140(2) and 27(1)(c) of the Veterans' Support Act 2014*

- 4.3 **See Reimbursement section below for more details on these.**

## 5. Eligibility for services under the Programme

- 5.1 Veterans entitled to **impairment compensation** are entitled to apply for all types of services and support under the Programme.
- 5.2 Veterans who are not entitled to impairment compensation may also apply for services and support under the Programme, but the provision of the services and support is at the discretion of Veterans' Affairs.
- 5.3 Veterans in receipt of a War Disablement Pension are deemed to be entitled to impairment compensation for the purposes of determining their access to services and support under the Programme.
- 5.4 A New Zealand police officer who is receiving a War Disablement Pension or Disablement Pension based on their service in the New Zealand Police between 1958 and 1972 can apply for the support set out in this policy.

*Section 42 of the Police Act 1958, section 110 of the Policing Act 2008 and section 7 and Schedule 1 clause 6 of the Veterans' Support Act 2014*

- 5.5 Services and support under the Veterans' Independence Programme will be provided in accordance with needs assessments (**see section 6 and Appendix**) made by Veterans' Affairs on receiving the veteran's application.

*Section 140(1) of the Veterans' Support Act 2014 and regulation 26F of the Veterans' Support Regulations*

- 5.6 In addition to considering the veteran's level of impairment and/or frailty, Veterans' Affairs will also consider:

- whether the veteran is working
- whether the veteran is living alone
- the geographical location of the veteran's residence
- ease of access to services
- what support and assistance is available to the veteran at home
- what support Veterans' Affairs is already providing to the veteran
- whether any services sought are or should be covered under social rehabilitation
- whether the veteran is already receiving or is entitled to services provided by another agency and whether Veterans' Affairs will top up the other agency's coverage (e.g. if a veteran has a Veteran's Pension and a Community Services Card their needs may already be covered by the DHB).

*Regulation 26G of the Veterans' Support Regulations 2014*

## **6. Services and support during COVID-19 alert levels**

- 6.1 Veterans' Affairs will be guided by government guidelines under each of the prevailing alert levels that may affect the provision of services to veterans in their home.
- 6.2 If the alert level guidelines allow discretion in urgent or extreme cases, the veteran's GP (for home help) or health provider (for podiatry) is to determine whether the veteran's condition meets the discretionary criteria for 'urgent or extreme' in the guidelines. For the guidelines see <https://www.business.govt.nz/covid-19/operating-at-alert-levels/>
- 6.3 Veterans' Affairs will communicate with veterans and providers responsible for staff delivering services about any temporary discontinuation of services or specific conditions under which the services should be delivered. Veterans have the right to discontinue a service if they are not comfortable with the conditions applying to any of the services they receive.

## 7. Applications for services and support

- 7.1 An eligible veteran will become entitled to services and support under the Veterans' Independence Programme after Veterans' Affairs has received any supporting evidence or information required from the veteran, has assessed the veterans' needs and received the veteran's completed and signed application form.

*Section 142 and of the Veterans' Support Act 2014 and Regulation 26F(1) & (3)(a) of the Veterans' Support Regulations 2014*

- 7.2 Short term services and support may be considered.
- 7.3 The veteran's needs to enable them to live in their own home will be assessed against the support or service sought (**see Appendix**). Veterans' Affairs will meet the cost of the needs assessment and associated travel costs. Travel costs will be reimbursed in accordance with the Travel for Treatment and Rehabilitation policy.
- 7.4 Reassessments will be conducted once every year after the application is accepted and may be conducted more frequently at Veterans' Affairs discretion if it is considered that the veteran's ability to undertake activities in order to live independently in their home is likely to change within the following year.

*Regulation 26F(4) of the Veterans' Support Regulations 2014*

- 7.5 The veteran's assistance under the Veterans' Independence Programme will be entered into the veteran's Your Plan along with other assistance that the veteran is receiving from Veterans' Affairs such as treatment and rehabilitation.

*Section 142 of the Veterans' Support Act 2014*

## 8. Spouse or Partner

- 8.1 For the 12-month period commencing the day after the death of a veteran living at home, the surviving spouse or partner may be provided with VIP services if:

- the veteran was receiving the services before their death; or
- Veterans' Affairs received an application from the veteran for the services before the veteran's death and it is determined that the veteran was entitled to services under the Programme before the veteran's death.

*Section 143 of the Veterans' Support Act 2014.*

- 8.2 For the 12-month period commencing the day after a veteran enters long-term residential care the surviving spouse or partner may be provided with VIP services if:

- the veteran was receiving the services before entering long-term residential care; or
- Veterans' Affairs received an application from the veteran for the services before entering long-term residential care and it is determined that the

veteran was entitled to services under the Programme before entering long-term residential care.

- 8.3 A spouse or partner who is entitled to services under section 7.2 continues to be entitled to services under that section if the veteran dies within 12 months after going into long-term residential care. The spouse or partner is not entitled to services under section 7.1.

*Section 143A of the Veterans' Support Act 2014*

- 8.4 The services that may be provided to the spouse or partner are those that are of mutual benefit to both a veteran and spouse or partner (e.g. lawn mowing, gardening, gutter cleaning, window cleaning, etc.). The spouse or partner is not eligible for services and support specific to the veteran (e.g. podiatry services, medical alarm, Clothing Allowance, Travel Concession, etc.).
- 8.5 If a veteran was not receiving services under the Programme the services the spouse or partner may receive are to be determined based on what activities the veteran could not undertake at the time the application is received.
- 8.6 Once the 12-month period has passed the spouse or partner is no longer eligible. This means, for example, that
- if a spouse or partner applies more than 12 months after a veteran entered residential care or died, there is no eligibility
  - if an application is received six months after a veteran enters long-term residential care, a spouse or partner may receive services to the end of the 12-month period commencing the day after the veteran entered residential care
  - if a veteran in long-term residential care dies within the 12-month period, the spouse or partner can keep getting the services to the end of that period (but has no additional entitlement in respect of the veteran's death).

*Section 142-143A of the Veterans' Support Act 2014*

- 8.7 If the veteran has not applied for VIP services before entering long-term residential care, or before their death, the spouse or partner is not eligible to receive them.
- 8.8 When a veteran receiving support under the Programme enters a hospice, services may be continued.

## **9. Reimbursement for services and support**

- 9.1 Veterans' Affairs may pay or contribute to the costs of services and support under the Veterans' Independence Programme as set out from paragraph 8.4 on the basis of a needs assessment (**see Appendix**).
- 9.2 Veterans' Affairs has secured agreements with trusted providers who work in partnership with us to provide professional, high-quality services. It is expected

that these providers will be used to supply services under the Veterans' Independence Programme.

- 9.3 If one provider is not able to provide all of the services a veteran requires, Veterans' Affairs will engage as many providers as are necessary. In the first instance providers with whom Veterans' Affairs has a master agreement are to be used.

### Attendant Care

- 9.4 Attendant Care will ordinarily be provided under social rehabilitation (**See separate papers on Social Rehabilitation Attendant Care and Rehabilitation Services Eligibility**) if it is not provided by ACC or a DHB. However, there may be occasions when the Veterans' Independence Programme may provide for Attendant Care on a short-term basis to help a veteran live independently in their home, such as for:

- Feeding
- Movement in bed
- Personal hygiene
- Bill paying
- OR
- For longer term needs such as podiatry for basic foot maintenance (nail clipping, i.e. not specialist foot care).

- 9.5 If, for basic foot maintenance, the veteran is obliged to travel to their designated podiatrist under the Master Agreement because the podiatrist is not present in the veteran's community, Veterans' Affairs will reimburse the travel costs at the following rate:

Commuter rail, bus and ferry services	Fare paid
Private vehicle	\$0.62 per kilometre for the first 200km
	\$0.27 per kilometre for any travel over 200km

Payment for other forms of travel will be assessed on a case-by-case-basis.

- 9.6 Temporary assistance with personal care will be provided for short periods to support a veteran on occasions such as when they are recuperating from non service-related treatment or are no longer able to live independently in their home and need help while arranging to move into residential care.



## Home Help

- 9.7 Home help covers up to a maximum of 2 hours weekly, when doing normal household chores has become difficult for the veteran (this can include interior window cleaning). Further support may be provided at the discretion of the Manager, Veterans' Services.
- 9.8 As indicated in section 5.5, Veterans' Affairs will consider what services the veteran is already receiving, or is entitled to receive from other agencies before providing support from the Veterans' Independence Programme. VIP support would then top up any support from the other agencies in order that the veteran can get the maximum help available to them from all sources.

## House and section maintenance

- 9.9 House and section maintenance includes:
- window cleaning (exterior)
  - house washing
  - gutter cleaning
  - lawns
  - garden maintenance (except tree maintenance).

## Home Adaptations

- 9.10 Under the Veterans' Independence Programme home adaptation is for ramps and rails only.

## Medical alarm

- 9.11 For a medical alarm.

## Travel Allowance

- 9.12 The Travel Allowance is a fortnightly payment (or four-weekly payment if paid into an overseas bank account. Its purpose is to assist veterans who incur additional day to day travel costs (e.g. for errands such as shopping or bill paying) because they are limited in how they undertake that travel. This may include an escort if the veteran is unable to travel alone.
- 9.13 A veteran may be eligible for a Travel Allowance if in receipt of either one of the following:
- a permanent War Disablement Pension at 100% or permanent impairment entitlements under the Act at 75% whole-person impairment;

OR

- a temporary War Disablement Pension at 100% or temporary Disablement Pension under the Act at 75% whole-person impairment that have been received continuously during the last 3 years

AND who in either of the two cases above meets at least one of the following conditions:

- is totally blind (i.e. 100% vision loss); or
- receives all or part of their entitlement in respect of the amputation of all or part of a limb; or
- has otherwise been medically certified in writing by the veteran's **health practitioner** as unfit or unable to travel alone (this does not have to be as the result of an accepted service-related injury, illness or condition).

### Travel Concession

- 9.14 **See separate paper for *Travel Concession under the Veterans' Independence Programme*.**

### Allowance to contribute to cost of adaptive clothing and footwear

- 9.15 For veterans who require adaptive clothing or footwear due to wear and tear on the clothing or footwear, or soiling on the clothing due to medically related condition connected to an **accepted disability** an allowance may be paid to a veteran who:
- has suffered the loss in whole or in part of 2 limbs;
  - has suffered the loss in whole or in part of a leg;
  - has suffered the loss in whole or in part of an arm;
  - is obliged to use any mechanical or other appliance (other than an artificial leg or arm);
  - is suffering from a disability which causes or leads to soiling of their clothing.

## 10. Living Overseas

- 10.1 The policy for the Veterans' Independence Programme applies equally to all New Zealand veterans irrespective of their country of residence. However, Veterans' Affairs does not hold Master Services Agreements with other countries. Veterans can therefore make their own arrangements and seek reimbursement from Veterans' Affairs at a rate no higher than that which a New Zealand based veteran would receive.
- 10.2 Overseas entitlements do not affect the payment of New Zealand entitlements or services. However, other countries may view New Zealand payments or grants as income which could impact on payments received from those

countries. Recipients may also be required to pay tax on payments received. Veterans' Affairs is to advise recipients of the need to contact the appropriate local agency to ascertain what, if any, impact the receipt any payments under the Veterans' Independence Programme will have at the time the service or support funding is granted.

## 11. Second Opinion

- 11.1 Veterans' Affairs may reserve the right to seek a second opinion on any assessment of the veteran's needs.
- 11.2 If the veteran seeks a second opinion they do so at their own cost and Veterans' Affairs may take that opinion into consideration.

## 12. Reviews, Appeals and Complaints

- 12.1 If a veteran or surviving spouse or partner disagrees about a decision concerning eligibility for an entitlement or service **see separate policies on Reviews and Appeals**. If a veteran or surviving spouse or partner is concerned about Veterans' Affairs' administration of an entitlement or service **see separate policy on Complaints**.

## 13. Resolution of claims after death

- 13.1 Where Veterans' Affairs has received a claim and it has not been resolved prior to the claimant's death, the claim will be considered and determined based on the available information. If funding for service or support is granted any payment is to be made to the claimant's estate.

## **Appendix I: Criteria for assessing a veteran's needs under the Veterans' Independence Programme**

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**No formal full needs assessment required if:**

- **Veterans' Affairs already hold medical evidence or a full needs assessment that supports the need for the services that the veteran has requested, and/or**
- **Support Centre Officer, Case Manager and/or Rehabilitation Advisor are satisfied that assistance with only a few tasks is required to enable the veteran to continue to live independently in their home.**

**Full needs assessment by occupational therapist and the relevant health practitioners required where there are indications that:**

- **the veteran has very limited capacity to undertake several routine domestic tasks, and/or**
- **there may be a risk to the veteran in continuing to live in their current home, or**
- **assistance in the home will not enable the veteran to live there independently.**

**Veteran's needs are reassessed on a regular basis as determined by Veterans' Affairs.**

## Glossary

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### **accepted disability** [policy definition]

Means an injury, illness or condition that Veterans' Affairs accepts as being service-related.

### **domestic activities** [clause 7 Schedule 2]

Means cleaning, laundry, meal preparation, and associated shopping activities, in relation to the veteran's home.

### **guardian** [section 7]

Has the same meaning as in section 15 of the Care of children Act 2004.

### **health practitioner** [section 7]

Has the same meaning as in section 5(1) of the Health Practitioners Competence Assurance Act 2003.

### **home** [section 7]

- (a) means residential premises in which the veteran lives and that are owned, rented, or otherwise lawfully occupied by the veteran or the veteran's parent, guardian, spouse, or partner; and
- (b) includes residential premises in which the veteran proposes to live after they are built and that will be owned, rented, or otherwise lawfully occupied by the veteran or the veteran's parent, guardian, spouse, or partner; and
- (c) includes any other premises in which the veteran lives and for which the veteran is solely responsible for home maintenance; but
- (d) does not include any hotel or motel, or any hospital, hostel, rest home, or other institution.

### **home help** [clause 7 Schedule 2]

Means the provision of domestic activities.

### **impairment** [section 7]

Means a loss or abnormality of psychological, physiological, or anatomical function or structure.

### **impairment compensation** [section 141(4)]

Means-

- (a) the Disablement Pension payable under subpart 3 of Part 3 of the Act; and
- (b) the Independence Allowance and lump sums payable under subpart 4 of Part 4 of the Act.

### **independence** [clause 7 Schedule 2]

Includes the capacity to function in the following areas:

- (a) communication
- (b) domestic activities
- (c) educational participation
- (d) financial management
- (e) health care
- (f) hygiene care
- (g) mobility
- (h) motivation

- (i) safety management
- (j) sexuality
- (k) cognitive tasks of daily living, such as orientation, planning, and task completion
- (l) use of transport.

**long-term residential care** [section 7]

Has the same meaning as in section 11 of the Residential Care and Disability Support Services Act 2018.

**member of the armed forces** [section 7]

Means a person who is or has been a member of the New Zealand armed force raised by the Governor-General on behalf of the Sovereign,—

- (a) whether in New Zealand or elsewhere; and
- (b) whether before or after the passing of this Act.

**partner** [section 7]

Means a civil union partner or a de facto partner.

**personal care** [clause 7 Schedule 2]

Means physical assistance to move around and to take care of basic personal needs such as bathing, dressing, feeding, and toileting.

**qualifying service** [section 8]

Means—

- (a) qualifying operational service; or
- (b) qualifying routine service.

**qualifying operational service** [section 8]

Means—

- (a) service on any deployment treated as a war or emergency for the purposes of the War Pensions Act 1954; or
- (b) service on any deployment declared to be operational service under section 9.

**qualifying routine service** [section 8]

Means service in the armed forces before 1 April 1974 that is not qualifying operational service.

**service-related** [section 7]

In relation to an injury, an illness, a condition, or a whole-person impairment, means an injury, an illness, or a whole-person impairment caused by, contributed to by, or aggravated by qualifying service.

**veteran** [section 7]

Means—

- (a) a member of the armed forces who took part in qualifying operational service at the direction of the New Zealand Government; or
- (aa) a member of the armed forces who took part in qualifying routine service before 1 April 1974; or
- (b) a person—
  - (i) who has been—

- (A) appointed as an employee of the Defence Force under section 61A of the Defence Act 1990; or
- (B) seconded to the Defence Force with the permission of the Chief of Defence Force; and
- (ii) who took part in qualifying operational service at the direction of the New Zealand Government; or
- (c) a person who, immediately before the commencement of Part 3 of this Act, is eligible for a pension under the following provisions of the War Pensions Act 1954:
  - (i) section 19 (but only if the person was a member of the forces):
  - (ii) section 55 or 56:
  - (iii) Parts 4 and 5.