

OFFICIAL



## Australian Government

Australian Government Response to the  
Community Affairs References Committee report:

### Inquiry into the purpose, intent and adequacy of the Disability Support Pension

October 2024

OFFICIAL

## **Acknowledgement**

The Australian Government would like to thank the Community Affairs References Committee (the Committee) for its report into the purpose, intent and adequacy of the Disability Support Pension. The Government also thanks those individuals and organisations who have contributed to the Inquiry.

## **Introduction**

On 13 May 2021, the Senate referred an inquiry into the purpose, intent and adequacy of the Disability Support Pension (DSP) to the Senate Community Affairs References Committee for inquiry and report.

The Committee received 134 submissions and held four public hearings between September and November 2021. The Department of Social Services, Services Australia, the National Disability Insurance Agency, the Department of Education, Skills and Employment, the Australian National Audit Office, the Australian Human Rights Commission, and the Office of the Commonwealth Ombudsman appeared at hearings of the Inquiry.

## **Response**

The Government is committed to providing a strong safety net for people with disability who are unable to work through the Disability Support Pension.

Pensions, including the Disability Support Pension, are generally paid at the highest legislated rate of income support in the Australian social security system. Disability Support Pension is indexed twice a year in March and September to the higher of the increase in the Consumer Price Index and the increase in the Pensioner and Beneficiary Living Cost Index. The Pensioner and Beneficiary Living Cost Index basket of goods and services is weighted to recognise that pensioners spend more of their income on essentials. Pensioners can also receive a range of concessions including assistance for people who rent in the private rental market, subsidised prescription medicines, and subsidised health care and related products.

The Government continues to work to better support people with disability who are unable to work. On 1 April 2023, the Social Security (Tables for the Assessment of Work-related Impairment for Disability Support Pension) Determination 2023 (the Impairment Tables) came into effect, replacing the previous Impairment Tables. The updated Impairment Tables are a result of a comprehensive review of the legislative instrument, including extensive stakeholder consultation with disability peak bodies and advocacy groups, medical professionals and people with lived experience of the DSP process. The revised Impairment tables addressed a number of recommendations made by the Committee in their report.

The Government has also established a range of mechanisms to support vulnerable Australians, including the Economic Inclusion Advisory Committee, which provides advice ahead of every Budget on ways to boost economic inclusion and tackle disadvantage. The Committee will look at options to reduce barriers and disincentives to work, including in relation to social security and employment services. It will also explore options for tailored responses to address barriers to economic inclusion for long-term unemployed and disadvantaged groups, including place-based approaches at the local level.

The Government will continue to work toward creating a more inclusive society and improving the lives of people with disability in Australia, in line with its commitments under Australia's Disability Strategy 2021–2031.

### Recommendations made by the Committee

No	Recommendation
1	The committee recommends that the Australian Government investigates how the requirement that a condition be 'fully diagnosed, treated and stabilised' is preventing people with conditions that are complex, fluctuating, or deteriorate over time, from accessing the Disability Support Pension, and could be modified to ensure people get the support they need.
2	The committee recommends that the Australian Government considers reforming the approach taken to determine whether a claimant has a 'severe impairment', so as to allow the accumulation of 20 points across any number of impairment tables to meet the definition of a severe impairment.
3	The committee recommends that the Australian Government undertake an in-depth, clinical review of the impairment tables in totality, that recognises comorbidity and draws on the lived experience of people with disability; with a view to working towards a social model of disability.
4	The committee recommends that the Australian Government introduces a discretion which would allow for Disability Support Pension claims to be approved if medical eligibility is established after the existing 13-week qualification period.
5	The committee recommends that the Australian Government considers revising the evidentiary requirements to allow evidence provided by registered psychologists.
6	The committee recommends that the Department of Social Services and Services Australia work with Aboriginal community controlled health organisations to review the claims process and evidentiary requirements for First Nations claimants to ensure that the process is culturally safe.
7	The committee recommends that the Australian Government consider reintroducing the treating doctors report, with wide consultation on how best to provide targeted resources to support general practitioners, specialists, and psychologists to identify, compile, and summarise evidence relevant to a patient's Disability Support Pension claim or appeal.

8	The committee recommends that the Australian Government considers ensuring that the Medicare Benefits Schedule allows health practitioners to claim payment for providing evidence in support of Disability Support Pension claims.
9	The committee recommends that the Australian Government reviews the medical evidentiary requirements for claimants of the Disability Support Pension, to ensure that the application is fully accessible. The committee envisages that such a review would consider the specific challenges faced by individuals located in regional, rural, and remote Australia; recipients of JobSeeker and Youth Allowance; recent migrants; and First Nations people.
10	The committee recommends that Services Australia, in consultation with key stakeholders, reviews all guidance material, publicly available information, and the claim form, with the aim of making them simpler, clearer, and genuinely accessible for claimants and those who support them.
11	The committee recommends that Services Australia improves the level of information provided to Disability Support Pension claimants when it rejects their claims. The committee envisages that such information would, amongst other things, clearly and comprehensively explain why a claim was rejected and, if relevant, provide guidance on specific evidentiary requirements, as well as detailed information on the review process.
12	The committee recommends that Services Australia ensures all of its clients who are deaf or hearing-impaired have the option of accessing an Auslan interpreter, either in-person or remotely, to make sure the application process is accessible.
13	The committee recommends that Services Australia enhances the visual and/or tactile cues available in its service centres to assist people who are deaf or hearing-impaired.
14	The committee recommends that the Australian Government undertakes a review of all Services Australia service centres to ensure genuine accessibility.
15	The committee recommends that the Australian Government provides additional funding to advocacy groups and community legal services to support Disability Support Pension claimants.
16	The committee recommends that the Australian Government remove JobSeeker mutual obligation requirements for Disability Support Pension claimants while their claims are being assessed.
17	The committee recommends that the Australian Government increases funding for First Nation's advocacy services and Aboriginal community controlled health organisations to allow these organisations to better support their clients through the Disability Support Pension claims process.
18	The committee recommends that the Australian Government ensures the recommendations of the Commonwealth Ombudsman's 2016 report on access to the DSP are implemented in full.

19	The committee recommends that the Department of Social Services no longer cancels the Disability Support Pension for recipients who are in custody for more than two years.
20	The committee recommends that Services Australia consults with carers and representative organisations in order to provide additional support for carers with disability who are claiming the Disability Support Pension.
21	The committee recommends that the Department of Social Services and Services Australia, in consultation with key stakeholders, reform the Disability Support Pension to ensure that it is responsive to claimants who are experiencing, or are at risk of experiencing, family and domestic violence, and that it meets their specific needs and requirements.
22	<p>The committee recommends that the Australian Government considers reforming the income test for recipients of the Disability Support Pension to better support individuals facing structural barriers to participating in the workforce, and to better recognise the fluctuating nature of a person's ability to participate in paid employment due to their impairment.</p> <p>The committee envisages that such reforms could, amongst other things, raise the income thresholds at which the Disability Support Pension payment is reduced, and lower the rate which it is reduced once this threshold is reached.</p>
23	The committee recommends that the Department of Social Services reviews the program of support requirement and considers making participation in an employment services program voluntary for all Disability Support Pension claimants.
24	The committee recommends that the Department of Social Services and Services Australia improve the visibility of, and information on, the program of support requirement for all claimants. Amongst other things, such improvements would ensure that relevant information is provided to all claimants at the beginning of the claims process.
25	The committee recommends that the Australian Government abandon punitive compliance measures and ensures that the employment services system provides genuine support to disabled job seekers with complex needs, including focusing on providing personalised support and skills development as well as effectively engaging prospective employers.
26	The committee recommends that the Australian Government continues to extend across Australia approaches that are voluntary and provide appropriate support, such as the Individual Placement and Support Model. The Government should also consider the feasibility and effectiveness of other approaches, such as providing peer support workers, work experience opportunities, and school-to-work programs, in improving employment outcomes for people with disability by providing well-supported, voluntary programs.

27	The committee recommends that the Australian Government investigates ways to better support people on the Disability Support Pension who are at risk of poverty— particularly those in the private rental market—and ensures people can participate in their communities and cover their living costs.
28	The committee recommends that the Australian Government, in consultation with state and territory governments, improves the coordination and integration of support payments, programs, and schemes for people with disability across all levels of government.
29	The committee recommends that the Australian Government undertakes consultation and evaluation of the Disability Support Pension to align it more closely with the social model of disability.
30	<p>The committee recommends that the Australian Government establishes principles in the administration of social security, including:</p> <ul style="list-style-type: none"> <li>• proactively assisting people to access support for which they are eligible;</li> <li>• treating people with respect; and</li> <li>• making adjustments to service delivery on an individual basis to meet people’s needs and ensure equal access to social security for all.</li> </ul>

**Noted**

The Government notes these recommendations. However, given the passage of time since the report was tabled, a substantive Government response is no longer appropriate.