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Dear Mr Seebach,

### **Review of the Disability Support Pension (DSP) Impairment Tables**

Anglicare Australia appreciates the opportunity to provide input to the Department of Social Service's review of the Disability Support Pension Impairment Tables. The legislative instrument that gives effect to these tables is the Social Security (Tables for the Assessment of Work-related Impairment for Disability Support Pension) Determination 2011, which is a determination under the *Social Security Act 1991*.<sup>i</sup>

We have recently provided a comprehensive submission to the Senate Community Affairs Committee's Inquiry into the Disability Support Pension (DSP), and this letter draws and builds on that work.<sup>ii</sup>

Anglicare Australia believes that a fair society is one where everyone can live a dignified life and participate in their community. People need adequate support if they have a disability or illness that means they can't work.

The DSP is a crucial component of Australia's income support system. There have been several major changes to the eligibility and administration of the DSP over recent decades. In 2006, Welfare to Work changes lowered the number of hours that a DSP applicant can be assessed as being able to work and still be eligible for the DSP. In 2014 the Australian Government introduced participation requirements that affected many DSP recipients under 35 years of age.<sup>iii</sup>

The most significant change to the architecture of the DSP, however, was the introduction in 2011 of new assessment criteria for DSP applicants in the form of revised Impairment Tables and the associated Program of Support (PoS), which forces some DSP applicants into mutual obligation activities for at least 18 months before they are eligible to submit their claim for a DSP.

Although the Program of Support and the participation requirements for people under 35 are not within the scope of this review, we would like to take this opportunity to reinforce Anglicare Australia's strong opposition to both. They do little to improve employment outcomes for people with disability. People who have been medically assessed as meeting the criteria for the DSP should not be required to participate in mutual obligation requirements for a minimum period before they can claim the DSP.

The introduction of the new Impairment Tables resulted in an immediate decline in the number of new claims for the DSP being assessed as eligible. The proportion of claims approved compared to those that are rejected dropped from an average of 63 percent to 43 percent between 2011-12 to 2015-15.<sup>iv</sup>

The decline was not unexpected. When the draft tables were tested for useability prior to their introduction, 32 percent of the sample tested moved from being eligible under the old tables (rating 20 points or more) to ineligible under the new tables (rating less than 20 points).

## Recommendations

### **Remove the requirement for conditions to be “fully” diagnosed, treated, and stabilised**

Section 6 of the Impairment Tables Determination relates to how the Tables must be applied. Anglicare Australia recommends that the terminology used in sections 6(4), 6(5), and 6(6) of the Determination be changed to remove the need for a condition to be “fully diagnosed, fully treated, and fully stabilised”. These criteria sit at odds with the way that the Impairment Tables themselves are structured, which is to focus on a person's capacity to work, not their diagnosis.

Section 6(7) of the Determination does provide information about the scope of “reasonable” treatments. This includes that treatment must be available, and not prohibitively expensive or risky. These caveats do not, however, alleviate our concerns about the use of the word “fully” in each of the three preceding subsections of the Determination.

People with degenerative or episodic disabilities or conditions may be ineligible because their condition never “fully stabilises”. In particular, the qualifier of “fully” can be problematic for people with psychiatric conditions, because while their inability to work might not change, their diagnosis may. For young people, it can take years to receive a settled diagnosis. “Full” stabilisation cannot always be achieved because people's symptoms change, and their illness is episodic.

### **Recognise multiple disabilities or illnesses**

People with multiple disabilities or illnesses, that in combination limit or impair their ability to work are being excluded from the support they need. Anglicare Australia recommends the DSP be granted to people who receive 20 or more points across multiple Impairment Tables.

The existing system requires a person to receive more than 20 impairment points in a single impairment table. If they receive more than 20 impairment points across multiple tables, they are required to meet the Program of Support rules and wait at least 18 months longer before they are eligible to submit a claim for the DSP.

### **Introduce an Impairment Table for pain**

Anglicare Australia support Economic Justice Australia's call for a specific pain table to be reintroduced to the Impairment Tables. People's experience of pain, and its impact on their ability to work, is not sufficiently covered in the other tables.

### **Review the Impairment Tables in the context of a broader review of the DSP**

Finally, although we understand that the Impairment Tables expire on 1 April 2022, and there is therefore a need for a new Determination to be tabled before then, Anglicare Australia is concerned that the current process will lock in changes to the Impairment Tables in isolation of any other changes to the architecture of the DSP.

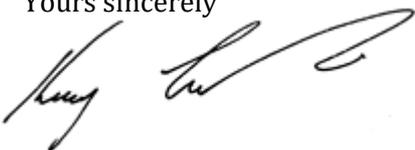
The Senate Inquiry into the DSP is due to report by 30 November.<sup>v</sup> The submissions to this Inquiry, and its report, will likely provide valuable suggestions for reform to the DSP, whether these are structural or just minor policy changes.

Because of the way that other legislative and policy-based components of the DSP interrelate with the Impairment Tables, as well as the need to provide time to properly consider any recommendations from the Senate Inquiry into the DSP, Anglicare Australia believes that it would be sensible to review the DSP more broadly before proceeding to develop and adopt new Impairment Tables.

One way to achieve this would be to renew the current Impairment Tables for one year, rather than ten, and take the opportunity to review the DSP in a more holistic way before a new, longer-term, set of Impairment Tables are tabled and adopted.

Anglicare Australia appreciates the opportunity to provide feedback on this review. We would welcome the opportunity to discuss the matters raised in this letter further or answer any questions that you or other DSS staff conducting the review may have.

Yours sincerely



Kasy Chambers  
Executive Director

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- <sup>i</sup> Australian Government (2011) [Social Security \(Tables for the Assessment of Work-related Impairment for Disability Support Pension\) Determination 2011](#).
  - <sup>ii</sup> Anglicare Australia (2021) [Submission to the Senate Inquiry into the Disability Support Pension](#).
  - <sup>iii</sup> Services Australia (2021) [Disability Support Pension: How to manage your participation requirements](#).
  - <sup>iv</sup> Parliamentary Budget Office (2018) [Disability Support Pension – Historic and Projected Trends](#).
  - <sup>v</sup> Standing Senate Committee on Community Affairs (2021) [Inquiry into the purpose, intent and adequacy of the Disability Support Pension](#).