

## Senate Community Affairs Legislation Committee

### ADDITIONAL ESTIMATES – 11 FEBRUARY 2016 ANSWER TO QUESTION ON NOTICE

#### Department of Human Services

**Topic:** ANAO Report – *Qualifying for the Disability Support Pension*

**Question reference number:** HS 26

**Senator:** Siewert

**Type of question:** Written

**Date set by the committee for the return of answer:** 4 April 2016

**Number of pages:** 2

#### **Question:**

In relation to the ANAO's report *Qualifying for the Disability Support Pension*

- a) Of the 18 per cent of decisions set aside in an internal review (p. 36), does this mean that the person receives DSP, who would otherwise have been denied?
- b) The ANAO report refers to reviews being 'withdrawn, varied or dismissed due to lack of jurisdiction' (pp. 36-37). What information are applicants typically lacking?
- c) How many applications for DSP did DHS reject in each of the financial years 2011-12 to 2014-15, inclusive?
- d) Of the 15 per cent of decisions set aside by the SSAT (p. 38), how many involve a complete reversal – providing the DSP to an applicant who would otherwise not have received it? Please provide a breakdown by financial year from 2011-12 to 2014-15 inclusive.

#### **Answer:**

- a) In an internal review, the decision to *set aside* means the original decision to reject a claim is overturned and substituted with a new decision is made to grant payment. The primary reason to set aside a Disability Support Pension (DSP) claim rejection, and substitute with a new decision to grant, is because the claimant has provided new medical evidence not available at the time of the original determination.
- b) The comment regarding new information on page 37 of the ANAO report relates to internal decisions *set aside* (see response to question a).  
The term *withdrawn* means the claimant, who has requested the review of the decision, has voluntarily withdrawn their request for a review.  
The term *varied* means the original decision has been changed or altered.  
The term *dismissed* is not applicable in the department's internal review process. The Administrative Appeals Tribunal can dismiss an application if, for example, an applicant fails to comply with a direction made by the Tribunal or fails to proceed with the application.

c) Table 1: DSP claim rejections 2011-12 to 2014-15:

<b>DSP Claim Rejection Volumes</b>	
<b>Financial Year</b>	<b>Volume</b>
2011-12	69,108
2012-13	72,081
2013-14	83,829
2014-15	71,611

d) In an Administrative Appeals Tribunal (AAT) review of a DSP decision, a *set aside* decision does not always provide DSP to an applicant who would not otherwise have received the payment. For example, the AAT may instruct the department to consider new medical evidence as part of a reassessment of the DSP claim. The outcome of the reassessment may be that the claimant still does not satisfy the medical eligibility criteria for DSP, or does not meet other requirements such as income or assets.

To provide a detailed breakdown would involve extracting and analysing each individual customer record. To attempt to provide this level of detail would involve an unreasonable diversion of departmental resources.