

**Senate Standing Committee on Education Employment and Workplace
Relations**

**QUESTIONS ON NOTICE
Budget Estimates 2012-2013**

Outcome 3 – Employment

DEEWR Question No. EW0227_13

Senator Cash asked on 29 May 2012, Hansard page 17

Exemptions

Question

What is the average duration of exemptions from the activity test/participation requirements?

Answer

The Department of Human Services may, under Social Security Law, exempt an individual from the activity test or participation requirements for a specified period of time due to a range of family or personal circumstances. Exemptions are for a specified period, and depending on the type of exemption, subsequent exemptions for one or more periods may be granted. For example, exemptions for temporary incapacity can only be granted for the period stated on the medical certificate or for a maximum of 13 weeks, whichever is the lesser; however a further period of exemption can be granted, if the job seeker continues to meet all criteria for a temporary incapacity exemption. Prior to the renewal of any exemption, the job seeker's circumstances are examined to ensure that the reasons for the exemption continue and that it is appropriate to grant a further period of exemption for a specified timeframe.

The following table provides the average duration of recorded exemption periods as at 30 March 2012. The recorded exemption period is from the earliest start date of consecutive episodes for the current exemption to the exemption end/review date, so this includes any further periods of exemption which have been granted to the same job seeker.

	Median average duration (weeks)
Short term exemptions*	13 weeks
Longer term exemptions**	52 weeks
Source: DHS Administrative Data as at 30 March 2012	

*Short term exemptions include those exemptions which can be granted for up to a maximum of 16 weeks for any single period. For example where a job seeker:

- is incapacitated due to illness, injury or disability of a temporary nature
- is undertaking a rehabilitation program to assist returning to work
- has temporary unexpected caring responsibilities (caring for an adult or child)
- is experiencing a major personal crisis e.g. homelessness
- is an expectant mother
- is a refugee in their first 13 weeks in Australia
- has other special circumstances – case by case circumstances beyond the job seeker’s control
- is overseas
- has suffered a bereavement
- has suffered a major personal disruption at home e.g. fire, burglary
- is affected by a declared natural disaster
- is undertaking a community service order
- is undertaking jury duty
- has suffered a domestic violence/relationship breakdown
- is experiencing special family circumstances – case by case circumstances e.g. stressful separation
- is claiming Disability Support Pension (this is an interim status whereby recipients do not have an Activity Test or participation requirement)

** Longer term exemptions include those exemptions which can be granted for either up to a maximum of 26 or 52 weeks for any single period. For example where a job seeker:

- is incapacitated due to serious illness e.g. cancer, acquired brain injury
- is a refugee in first 6 months in Australia undertaking a preparatory program (up to 26 weeks)
- is a principal carer of a large family (four or more children 6-15 years old, or 16-18 years old and the children are still completing secondary study)
- is an emergency and respite foster carer
- is a principal carer caring for a child with high needs, however, the carer is not eligible for Carer Payment
- is a principal carer providing home schooling
- is a principal carer facilitating distance education
- is a principal carer caring for a child through the result of complying with a care plan or court order
- is receiving Special Benefit and would qualify for Carer Allowance or Carer Payment but for residence requirements or with a dependent child under 6 years (these can be a long-term exemption for the relevant period)