

Senate Finance and Public Administration Legislation Committee

ANSWERS TO QUESTIONS ON NOTICE

Finance and Administration Portfolio

ComSuper

Supplementary Estimates Hearings – 1 November 2005

Question: F51

Outcome: ComSuper

Topic: In reference to a DFRDB pension recipient, Mr Shaun Hunt who had his pension downgraded in 2004.

Written Question on Notice: 1 November 2005

Senator Nick sherry asked:

1. What is the current status of the appeals board hearing for Mr Shaun Hunt?
2. What is the average time taken for members to have an appeal heard by the appeals board?
3. In Mr Hunt's case it took over a year from when his pension was downgraded for an appeals board hearing, is this considered acceptable?
4. Why are lengthy delays occurring?
5. Is the Government decision to reassess all classifications last year a contributing factor to the lengthy delays Mr Shaun Hunt has endured?
6. When will the situation of lengthy delays be rectified?

Answer:

1. The Defence Force Retirement Death Benefits (DFRDB) Authority finalised its consideration of this matter on 23 September 2005.
2. During the period 1 January 2005 to 31 December 2005, the average time taken to have matters referred to the DFRDB Authority to review decisions was 5 months.
3. Mr Hunt requested reconsideration of a decision in a letter dated 19 February 2005 which was received on 28 February 2005. The matter was reviewed by the DFRDB Authority on 23 September 2005.

The current agreed service timeframes for processing reconsideration cases is:

60% of cases within 8 months;

100% of cases within 12 months; and

An average time of 6 months for all reconsideration matters.

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These service timeframes reflect the work involved in researching, reviewing and documenting reconsideration cases in accordance with the requirements of the legislation. Mr Hunt's matter was resolved within the timeframes set out in the service standards.

4. Generally, there are no lengthy delays in referring matters for reconsideration. A preliminary investigation is undertaken when a request for review of a primary decision is made by a delegate of the DFRDB Authority, with the reconsideration process normally involving the assembly of information additional to that available to the primary decision-maker. As indicated in response to question 3, the time taken to refer cases for reconsideration is impacted by the level of research, review and documentation required to satisfy the requirements for review set out in the legislation.
5. The legislation provides that the DFRDB Authority may from time to time review the classification of invalidity pensioners either of its own volition or at the request of pensioners. Decisions by the DFRDB Authority to classify members as Class A or Class B are reviewable at intervals determined by the Authority. A member who believes that his or her classification has altered since it was last considered may request that the classification be reviewed.

The DFRDB Authority is not aware of any Government decision to reassess classifications last year.

6. See response to question 4.