



Social Security
Appeals Tribunal

ANNUAL REPORT 2013 / 2014

SOCIAL
SECURITY
APPEALS
TRIBUNAL

fair
just
economical
informal
quick

© Commonwealth of Australia 2014

ISSN: 1035-7750

This work is copyright. Apart from any use as permitted under the *Copyright Act 1968*, no part may be reproduced by any process without prior written permission from the Commonwealth. Requests and inquiries concerning reproduction and rights should be addressed to the

Commonwealth Copyright Administration
Attorney General's Department
National Circuit
Barton ACT 2600

or posted at <http://www.ag.gov.au/cca>

Design: giraffe.com.au

31 October 2014

The Hon. Kevin Andrews MP
Minister for Social Services
Parliament House
Canberra ACT 2600

Dear Minister,

In accordance with clause 25(1) of Schedule 3 of the *Social Security (Administration) Act 1999*, I present to you the Annual Report of the Social Security Appeals Tribunal covering the Tribunal's operations for the year ended 30 June 2014.

Yours sincerely,



Jane Macdonnell

Principal Member

TABLE OF CONTENTS

CHAPTER 1 THE YEAR IN REVIEW

Principal Member's overview 2

CHAPTER 2 OVERVIEW OF THE SSAT

Role and functions 5

Organisation of the SSAT 6

CHAPTER 3 PERFORMANCE

Overview 9

Outcomes of applications for review 9

Performance measures and results 12

Complaints 22

CHAPTER 4 MANAGEMENT AND ACCOUNTABILITY

Governance 24

External scrutiny 24

Human resource management 24

Purchasing 27

Consultants 27

Contracts 27

Other information 27

CHAPTER 5 FINANCIAL STATEMENTS 30

CHAPTER 6 APPENDICES

APPENDIX 1 – Members of the SSAT as at 30 June 2014 47

APPENDIX 2 – SSAT staffing as at 30 June 2014 51

APPENDIX 3 – Application processing statistics 52

APPENDIX 4 – Application outcomes 55

APPENDIX 5 – Workplace health and safety 58

APPENDIX 6 – Environmental performance reporting 59

APPENDIX 7 – Legal services expenditure statement 60

APPENDIX 8 – Corrections to last year's report 61

APPENDIX 9 – Decisions of interest 62

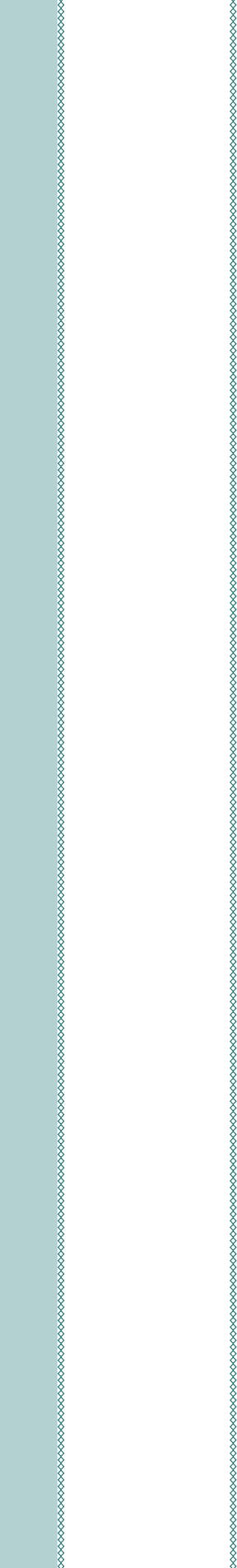
APPENDIX 10 – Access to justice activities 67

APPENDIX 11 – Contact details 69

GLOSSARY 71

LIST OF REQUIREMENTS 72

INDEX 75



CHAPTER 1

THE YEAR IN REVIEW

PRINCIPAL MEMBER'S OVERVIEW

The 2013-14 year was another busy year for the Social Security Appeals Tribunal (**SSAT**).

The number of applications for review by the SSAT again increased in the reporting period (by 2%) to 12,489. The average cost of finalisation of an application for review again fell slightly to \$2,176.

As some applications for review by the SSAT cover multiple decisions, the SSAT finalised applications for review of 14,013 decisions. In so doing, the SSAT held 703 directions hearings and 10,205 hearings. These figures do not include further hearings of applications which were adjourned to accord fairness to a party.

The SSAT was constituted by a single member for 90% of the hearings of reviews in the reporting period (up from 86% in the previous year). It continued to be more common for the SSAT to be constituted by two members to hear reviews of child support decisions than of other decisions.

Applications for review of decisions made by officers employed in the Department of Human Services' Centrelink offices rose by 3% whereas applications for review of decisions of delegates of the Child Support Registrar fell by 5%.

There were changes in the profile of applications to the SSAT for review of Centrelink decisions of which the most material was an increase in the number of applications for review of decisions about family tax benefit.

The SSAT's average time for finalisation of an application for review of a Centrelink decision fell from 8.3 weeks to 7.5 weeks, and for child support reviews from 12.7 weeks to 12.5 weeks. The number of statutory appeals against decisions of the SSAT made on reviews about child support rose from 38 to 46. However, the success rate fell from 17%¹ the previous year to 5%.

These achievements are due to the dedication of members and staff of the SSAT and I commend them for it.

The SSAT continues to pursue ways to further enhance attainment of its statutory objective of providing a mechanism of review that is fair, just, economical, informal and quick and to enhance awareness and understanding of that mechanism.

In September-October 2013, the SSAT launched a new intranet site to assist members and staff, and a new internet site to assist persons to make applications for review and to prepare for a hearing. Visitors to the SSAT's internet site can view a mock directions hearing and a mock hearing of a child support review. They can also view comparative data on the SSAT's performance for each quarter from 1 July 2013.

Since 28 May 2014, an application for review by the SSAT can be lodged online via the SSAT's website. The SSAT expects that this option will become increasingly popular and increase the efficiency of case management.

The Department of Human Services was unable to commence sending the relevant papers for reviews of Centrelink decisions to the SSAT by electronic transfer during the reporting period (as I had foreshadowed in last year's report) but such transfer of papers in an indexed and fully searchable electronic form is now in the test phase.

During the reporting period, the SSAT continued its community education activities about the right of review by the SSAT and the review process. However, there has been no increase in the number of applications for review made to the SSAT by persons identifying as indigenous.

At 1 July 2014, the SSAT had 127 members of which seven part-time members are inactive but have not resigned. Eighty-eight per cent of the SSAT's members are part-time and akin to sessional members.

¹ The success rate was reported as 20% last year but was 17% due to the SSAT being notified outside the last reporting period of some judgments delivered in 2012-13.

In the course of 2013-14, the SSAT farewelled the following members with gratitude for their contribution to the SSAT's achievements:

Rhonda Bradley
(Deputy Principal Member WA/SA)

Glynis Bartley (Senior Member NSW/ACT)

Karen Peacock (Senior Member NSW/ACT)

Troy Barty (Full-time member VIC)

David Barker, Linda Blue, Meredith Boroky,
Moira Brophy, Jane Deamer, William
Kennedy, Maxine Lacey, Wayne Mitchell,
Linda Rogers, Kim Rosser, Gregory Tillett
(Part-time members NSW/ACT)

Stavros Georgiadis (Part-time member SA)

Clare-Maree O'Brien
(Part-time member VIC)

Robert Fitzgerald (Part-time member WA)

No appointments were made to the SSAT during the reporting period, other than the two appointments made shortly after the end of the last reporting period as reported in last year's annual report.

Next year marks the 40th anniversary of the establishment of the SSAT. In that time, the SSAT and the law which it must apply has experienced much change but the SSAT has never lost sight of the fact that it exists for its users who include some of Australia's most disadvantaged people.

The most significant challenge for the SSAT in 2014-15 is continuing to build on its performance while preparing for the tribunal amalgamation and policy changes announced by Government in its recent Budget. The SSAT is responding to that challenge by progressively moving from management of its workload on a geographic basis to a national subject matter basis. Reviews will be classified into three streams each of which will be headed by a Deputy Principal Member. This management

model offers increased specialisation and thereby increases in efficiency and consistency of decision-making. It is realisable through the commitment and leadership displayed by the three Deputy Principal Members and the Registrar throughout the reporting period.

As the SSAT is not an Executive Agency pursuant to the *Public Service Act 1999* (nor a prescribed agency under the *Financial Management and Accountability Act 1997*), the "Requirements for Annual Reports" issued under the former Act do not apply to the SSAT. However, in preparing this Annual Report, the SSAT has had regard to the "Requirements for Annual Reports" (particularly to the principles underlying annual reporting requirements) and followed those requirements where practicable.

CHAPTER 2

OVERVIEW OF THE SSAT

ROLE AND FUNCTIONS

Establishment

The Social Security Appeals Tribunal (**SSAT**) was established by Ministerial Instruction in 1975 and by the *Social Security Act 1947* in 1988. The SSAT's existence was continued by the *Social Security Act 1991* and then by the *Social Security (Administration) Act 1999*.

The SSAT's role is to undertake merits review of those decisions in respect of which jurisdiction is conferred on the SSAT. Merits review requires the SSAT to make the legally correct decision and, where more than one decision would be legally correct, the preferable decision on the evidence and material which is before the SSAT.

In carrying out its statutory functions, the SSAT is required to pursue the objective of providing a mechanism of review that is fair, just, economical, informal and quick.

The SSAT is within the portfolio of the Minister for Social Services, in the Department of Social Services (**DSS**). The Principal Member is required to give the Minister a report of the operations of the SSAT during the year.

Jurisdiction

The SSAT reviews decisions made under the *Social Security Act 1991*, *Social Security (Administration) Act 1999*, *A New Tax System (Family Assistance) Act 1999*, *A New Tax System (Family Assistance) (Administration) Act 1999*, *Paid Parental Leave Act 2010*, *Student Assistance Act 1973*, and the *Farm Household Support Act 1992*.

The SSAT also reviews decisions about entitlement to health care cards, and decisions regarding the amount of arrears of service pension payable under the *Veterans' Entitlements Act 1986* where the veteran's partner was receiving a social security payment.

The reviewable decisions made under these Acts are made by officers of the Department of Human Services (**DHS**) employed in Centrelink offices. These decisions are referred to in this report as "Centrelink decisions". Except where otherwise indicated in this

Annual Report, decisions under the *Paid Parental Leave Act 2010* are included in "Centrelink decisions".

The SSAT also reviews decisions made under the *Child Support (Assessment) Act 1989* and the *Child Support (Registration and Collection) Act 1988* by officers of DHS employed in offices known as the Child Support Agency (**CSA**). These decisions are referred to in this Annual Report as "child support decisions".

The SSAT cannot review a Centrelink decision unless that decision has been reviewed by an authorised review officer (**ARO**). It is the practice of Centrelink to treat an application to the SSAT for review of a decision, which has not been reviewed by an ARO, as a request for review by an ARO.

The SSAT cannot review a child support decision unless that decision has been the subject of an objection and a decision on the objection has been made by the Child Support Registrar. It is not the practice of the CSA to automatically treat the application to the SSAT for review of a decision, which has not been reviewed by an objections officer, as an application for review by an objections officer.

The CSA sometimes rejects an objection on the basis that it is not "valid", and adopts the view that the SSAT has no jurisdiction. However, the SSAT may decide to conduct a hearing for the purpose of deciding whether it has jurisdiction.

Powers

The powers exercisable by the SSAT, or its Principal Member, for the purposes of a review are set out in the *Social Security (Administration) Act 1999*, the *A New Tax System (Family Assistance) (Administration) Act 1999*, the *Child Support (Registration and Collection) Act 1988* and the *Paid Parental Leave Act 2010*.

In reviewing a decision, the SSAT is not bound by legal technicalities, legal forms or rules of evidence and must act as speedily as a proper consideration of the review allows. In determining what a proper consideration requires, the SSAT must have regard to its

TABLE 1 TRIBUNAL MEMBERSHIP, 30 JUNE 2014

| Category of member | Full-time | Part-time | Total | (Women) |
|--------------------------|-----------|------------|------------|-------------|
| Principal Member | 1 | - | 1 | (1) |
| Deputy Principal Members | 3 | - | 3 | (2) |
| Senior Members | 1 | - | 1 | (0) |
| Members | 11 | 113 | 124 | (73) |
| TOTAL | 16 | 113 | 129 | (76) |

statutory objective of providing a mechanism of review that is fair, just, economical, informal and quick.

The SSAT may exercise the powers and discretions of the decision-maker (subject to some exceptions).

Unless an application for review by the SSAT is discontinued, withdrawn or dismissed, the SSAT must make a decision to affirm, vary or set aside the reviewable decision.

Where the SSAT sets aside a decision, the SSAT may either substitute a new decision or send the matter back to Centrelink or the CSA (as the case may be) for reconsideration in accordance with any directions or recommendations of the SSAT.

ORGANISATION OF THE SSAT

Membership

The SSAT is composed of its members who are appointed by the Governor-General on a full-time or part-time basis (with the exception of the Principal Member who must be appointed on a full-time basis). Appointments are usually made for a term of five years. Members may be reappointed. Appointments and reappointments usually take effect from 1 January or 1 July each year.

At 30 June 2014, the SSAT comprised the Principal Member, three full-time Deputy Principal Members, one full-time Senior Member, 11 full-time members and 113 part-time members, seven of whom were not available to hear reviews.

The names and qualifications of the members of the SSAT are listed in Appendix 1.

Principal Member

The Principal Member of the SSAT is responsible for the overall operation and administration of the SSAT.

The Principal Member is required to monitor the operations of the SSAT and to take reasonable steps to ensure that decisions of the SSAT are consistent and that the SSAT efficiently and effectively performs its functions. The Principal Member may give directions to increase the efficiency of the operations of the SSAT and as to the arrangement of business of the SSAT.

Deputy Principal Members

Deputy Principal Members assist the Principal Member in the operation and administration of the SSAT. On expiry of the appointment of the Deputy Principal Member responsible for the operations of the SSAT in Western Australia and South Australia on 31 March 2014, the Deputy Principal Member in Queensland took on that responsibility.

TABLE 2 DEPUTY PRINCIPAL MEMBERS AT 30 JUNE 2014

| State | Deputy Principal Member |
|--------------------|-------------------------|
| NSW / ACT | Suellen Bullock |
| VIC / TAS | Irene Tsiakas |
| QLD / NT / WA / SA | Jim Walsh |

Senior Members

Since the expiry on 31 March 2014 of the appointments of the two Senior Members in New South Wales, the SSAT has had only one Senior Member who is located in South Australia.

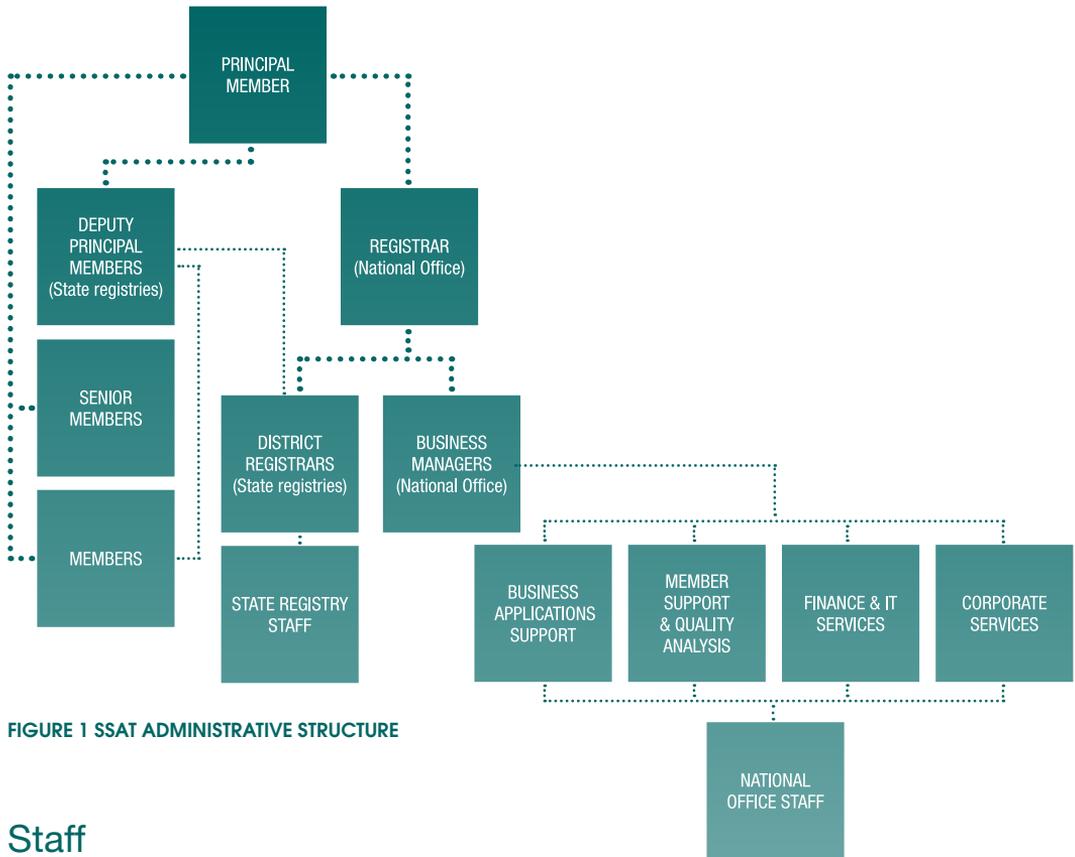


FIGURE 1 SSAT ADMINISTRATIVE STRUCTURE

Staff

Registrar

The Registrar of the SSAT is not a statutory office and is a Senior Executive Service Band 1.

Clause 24 of Schedule 3 to the *Social Security (Administration) Act 1999* stipulates that any staff required to assist the SSAT are to be persons appointed or employed by the Secretary (to DSS) under the *Public Service Act 1999* and made available for that purpose to the SSAT. In practice, employees are engaged in exercise of power delegated by the Secretary to the Registrar.

See Appendix 2 for staffing information.

Registries

The Registrar is located in the SSAT’s National Office in Melbourne. The National Office is responsible for management of finances, premises, assets, information technology, and related services. The National Office also houses a member support unit which provides research assistance, case law and legislative amendment alerts, conference papers and materials to members.

The SSAT has a registry in the capital city of each State. The District Registrars report to the Registrar.

Funding of the SSAT

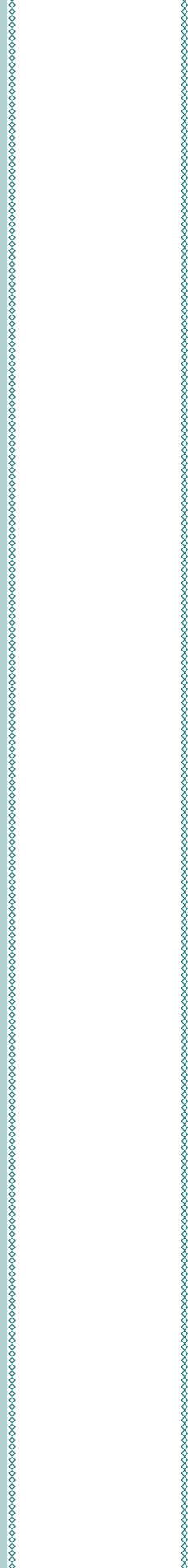
Funding for the SSAT’s operational costs (member remuneration, staff salaries, property, information technology and other administrative expenses) and capital costs is provided by DSS. The SSAT is subject to annual productivity dividends.

Administrative arrangements

Subsection 10(1) of the *Social Security (Administration) Act 1999* permits the Secretary of DSS and the Principal Member to agree on administrative arrangements to further the objectives of Part 4 of that Act (“Review of Decisions”). No arrangements are in place in relation to the SSAT’s review of decisions. However, in carrying out administrative functions delegated by the Secretary, SSAT staff use DSS’s payroll and financial systems.

CHAPTER 3

PERFORMANCE



The SSAT is not an agency for the purposes of the *Financial Management and Accountability Act 1997*. For that reason, the DSS Portfolio Budget Statement does not contain an “outcome” for the SSAT.

The SSAT’s output is the finalisation of applications for review. Most applications for review by the SSAT are finalised by a hearing.

OVERVIEW

The SSAT finalised more applications for review than it received during the year.

TABLE 3 APPLICATIONS BY TYPE, 2013-14

| | Centrelink | Paid parental leave | Child support | Total |
|------------------------|------------|---------------------|---------------|--------|
| Applications received | 10,454 | 157 | 1,878 | 12,489 |
| Applications finalised | 10,649 | 153 | 1,936 | 12,738 |
| Decisions reviewed* | 11,920 | 157 | 1,936 | 14,013 |

* Some applicants seek review of multiple decisions in the one application.

The total number of applications for review made to the SSAT in 2013-14 was 206 (2%) more than in 2012-13.

OUTCOMES OF APPLICATIONS FOR REVIEW

The outcomes of applications for review are summarised below, and the outcomes for the previous two years are included to allow comparison. Further details are included in Appendix 4.

Centrelink reviews (excluding paid parental leave)

The SSAT received 10,454 applications for review of Centrelink decisions in 2013-14. This is a small increase (2.5%) over the number of applications received in the previous reporting period.

TABLE 4 OUTCOMES OF CENTRELINK REVIEWS

| Applications for review of Centrelink decisions | 2011-12 | 2012-13 | 2013-14 |
|---|------------------|------------------|------------------|
| Applications received | 9,988 | 10,199 | 10,454 |
| Applications finalised | 9,530 | 10,389 | 10,649 |
| Decisions reviewed* | 10,633 | 12,507 | 11,920 |
| Decisions affirmed [^] | 55% | 60% | 59% |
| Decisions varied/set aside [^] | 23% | 20% | 22% |
| Not reviewable / withdrawn / dismissed [^] | 22% ¹ | 20% ² | 19% ³ |
| On hand at 30 June | 1,745 | 1,585 | 1,463 |

* Some applications in this jurisdiction include more than one decision.

[^] Figures are given as a percentage of decisions of which review sought (rather than of applications for review).

¹ Not reviewable 10%; withdrawn 8%; dismissed 4%.

² Not reviewable 4%; withdrawn 4%; dismissed 12%.

³ Not reviewable 10%; withdrawn 6%; dismissed 3%.

Figure 2 shows the main reasons for setting aside or varying Centrelink decisions.

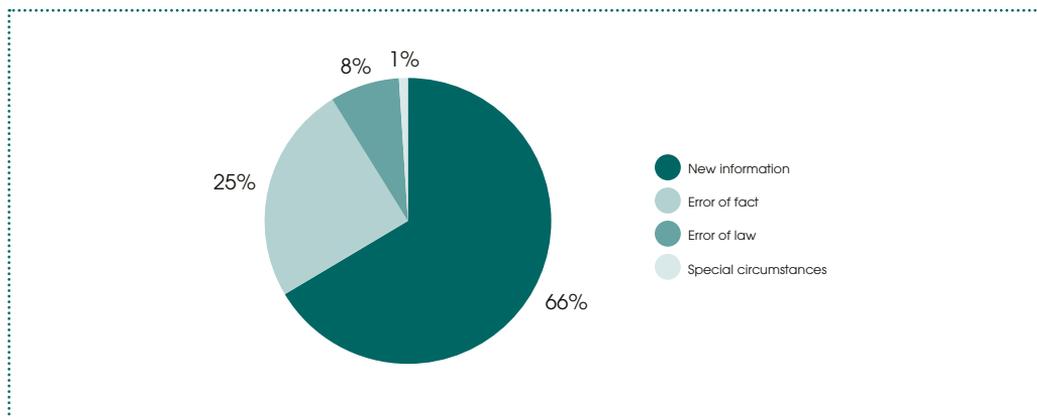


FIGURE 2 REASONS FOR CHANGE OF CENTRELINK DECISIONS (EXCLUDING PPL)

Paid parental leave (PPL) reviews

The SSAT received 157 applications for review of PPL decisions by claimants.

The SSAT finalised 153 applications relating to 157 PPL decisions during the reporting period, and affirmed the reviewable decision in 71% of the reviews.

TABLE 5 OUTCOMES OF PPL REVIEWS

| Applications for review of PPL decisions | 2011-12 | 2012-13 | 2013-14 |
|---|------------------|------------------|------------------|
| Applications received | 106 | 113 | 157 |
| Applications finalised | 87 | 123 | 153 |
| Decisions affirmed [^] | 76% | 75% | 71% |
| Decisions changed (varied/set aside) [^] | 6% | 11% | 11% |
| Not reviewable / withdrawn / dismissed / not categorised [^] | 18% ¹ | 14% ² | 18% ³ |
| On hand at 30 June | 24 | 13 | 17 |

[^] Figures are given as a percentage of decisions reviewed.

¹ Not reviewable 5%; withdrawn 13%.

² Not reviewable 1%; withdrawn 4%; dismissed 9%.

³ Not reviewable 12%; withdrawn 4%, dismissed 2%.

Child support reviews

The SSAT received 1,878 applications for review of child support decisions in 2013-14, a decrease of 5% on applications received in the previous reporting period.

The SSAT finalised more applications (1,936) than it received.

TABLE 6 OUTCOMES OF CHILD SUPPORT REVIEWS

| Applications for review of child support decisions | 2011-12 | 2012-13 | 2013-14 |
|---|------------------|------------------|---------|
| Applications received | 2,060 | 1,972 | 1,878 |
| Applications finalised | 2,227 | 1,900 | 1,936 |
| Decisions affirmed [^] | 24% | 24% | 27% |
| Decisions changed (varied/set aside) [^] | 40% | 41% | 44% |
| Not reviewable / withdrawn / dismissed [^] | 36% ¹ | 35% ² | 29% |
| On hand at 30 June | 414 | 423 | 327 |

[^] Figures are given as a percentage of decisions reviewed.

¹ Not reviewable 19%; withdrawn 10%; dismissed 7%.

² Not reviewable 13%; withdrawn 6%; dismissed 16%.

³ Not reviewable 11%; withdrawn 13%; dismissed 5%.

The percentage of decisions affirmed by the SSAT is a little higher than in previous years. The fall in the number of applications for review which were withdrawn or dismissed (because the decision was not reviewable or for one of the other grounds in subsection 100(1) of the *Child Support (Registration and Collection) Act 1988*) resulted in the slight increase in the percentage of decisions which were set aside or varied.

Figure 3 shows the main reasons why the SSAT varied or set aside decisions of the Child Support Registrar.

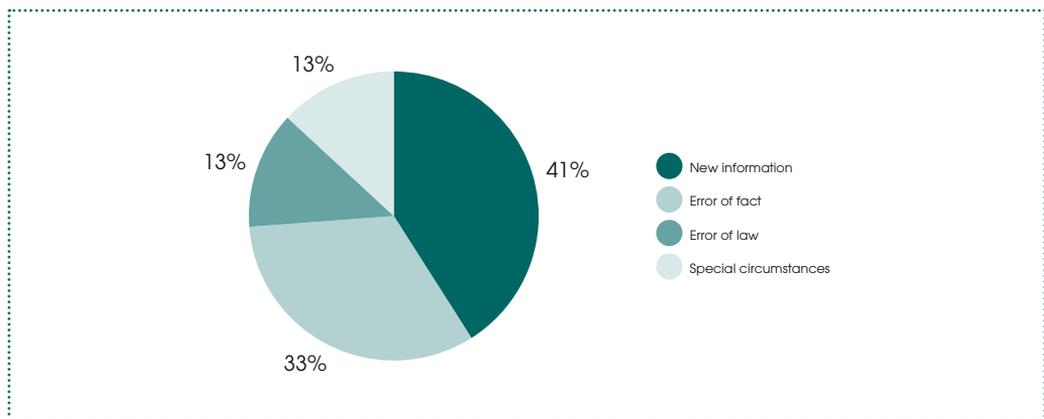


FIGURE 3 REASONS FOR CHANGE OF CHILD SUPPORT DECISIONS

The main reason why decisions were not reviewable by the SSAT was that the applicant had not lodged an objection to the decision so that there had been no review of the decision by the Child Support Registrar. Of the remaining decisions which were not reviewed by the SSAT, the application in respect of those decisions was dismissed because it was withdrawn by the applicant, or the applicant and the other party failed to respond to correspondence from the SSAT or to attend a scheduled hearing.

PERFORMANCE MEASURES AND RESULTS

The SSAT's objective, as stated in the various Acts which confer jurisdiction on the SSAT, is to provide a mechanism of review that is fair, just, economical, informal and quick.

Economy

As there is no fee for making an application for review to the SSAT, the economy of the mechanism of review is necessarily judged from the cost of the SSAT's operations.

In addition to its base funding less efficiency dividends, funding is allocated to the SSAT for the estimated number of reviews which it will receive as a result of new policy. The SSAT received a net increase of \$193,000. This increase was less than the full year effect of increases in the remuneration of members (determined by the Remuneration Tribunal following its 2012 review of remuneration of public offices and its 2013 annual review) and of staff (under the *SSAT Enterprise Agreement 2012 to 2014*). Nevertheless, the SSAT was able to operate within its funding of \$29.117m.

Further information regarding the SSAT's operating costs is contained in the Financial Statements which commence at page 30. Excluding unfunded depreciation, the SSAT had an operating surplus (\$1.4m excluding depreciation and amortisation).

Cost of a review

The SSAT's cost per application for review is calculated by dividing the SSAT's expenditure of \$27.717m (excluding depreciation and

amortisation) by the number of applications finalised (12,738). The result is \$2,176 per application for review (which is a 2% decrease compared to 2012-13).

However, this method of calculating the cost of a review results in an understatement of the costs of applications that are finalised by a hearing because the average cost is skewed by the number of applications which were finalised without a hearing.

The method also results in a substantial understatement of the costs of applications for review of decisions about child support (particularly of decisions on applications for a determination to depart from administrative assessment), which consume much more time from both SSAT members and staff than most Centrelink decisions.

While most reviews of Centrelink decisions are heard by a single member, the SSAT is more frequently constituted by two members for reviews of child support decisions (31% of reviews), particularly those involving an application for departure from administrative assessment. A directions hearing is also usual in such reviews.

The Department of Human Services (Centrelink) continued to work on ways to improve its provision of relevant documents to the SSAT and electronic transfer of indexed documents in an electronically searchable form is now being tested. A reduction in document handling and in the number of cases in which incomplete documentation is provided to the SSAT will improve the cost and timeliness of reviews.

Timeliness

The SSAT must pursue a mechanism of review that is quick (among other things).

The Secretary of DHS must "send" the Principal Member a statement about the decision under review, and the documents which are relevant for the purposes of the review, within 28 days of receipt of the SSAT's notification of receipt of the application for review.

In reviewing a decision, the SSAT is required to act as speedily as proper consideration of the review allows. The SSAT must give its reasons for decision within 14 days of making the decision.

TABLE 7 PERFORMANCE AGAINST TIME STANDARDS

| Step | Standard | 2011-12 | 2012-13 | 2013-14 |
|---|----------------------|------------------|---------|---------|
| Acknowledgement letter to applicant | 5 days | 100% | 100% | 100% |
| Receipt of documents from DHS (Centrelink) | 28 days ¹ | 97% | 99% | 99% |
| Receipt of documents from the Child Support Registrar | 28 days ¹ | 74% | 96% | 98% |
| Receipt of documents to directions hearing (child support reviews) | 2 weeks ² | 4.6 | 3.6 | 3.9 |
| Directions hearing to hearing (child support reviews) | 6 weeks ³ | 8.9 | 7.5 | 7.1 |
| Receipt of documents to hearing (Centrelink reviews) | 2 weeks ² | 5.9 | 4.4 | 4.1 |
| Last day of hearing/date of receipt of further material to making of decision (child support reviews) | 1 week | 3.1 ⁴ | 0.42 | 2.0 |
| Last day of hearing/date of receipt of further material to making of decision (Centrelink reviews) | 1 week | 1.6 ⁴ | 0.04 | 1.3 |
| Making of decision to giving reasons for decision | 14 days | >99% | >99% | >99% |
| Registration to finalisation (Centrelink reviews) | 10 weeks | 8.2 | 8.3 | 7.5 |
| Registration to finalisation (Child support reviews) | 15 weeks | 14.2 | 12.7 | 12.5 |

1 The Secretary must "send" the documents within 28 days.

2 These are the minimum times for steps in a review in which the applicant (and any other party) is ready to proceed and fully complies with any directions.

3 This time can be abridged if the parties fully comply with directions given at the directions hearing.

4 These times wrongly included the time taken to give reasons for the decision.

The SSAT is seeking to achieve an average time of eight weeks from registration to finalisation by hearing for Centrelink reviews, and an average time of 14 weeks from registration to finalisation for child support reviews. Earlier receipt of relevant documents from the Department of Human Services and the more frequent delivery of oral decisions would enable reviews to be completed more quickly.

Informality

In reviewing a decision, the SSAT is not bound by legal technicalities, legal forms or rules of evidence.

The SSAT conducts its hearings in rooms which do not have the formality of a court room. SSAT members elicit evidence by asking questions of applicants and any other parties. The Secretary and Child Support Registrar do not participate in hearings unless ordered by a delegate of the SSAT Principal Member to provide oral submissions. Such orders are made infrequently and such participation is limited to the making of submissions. The representative of the Secretary or the Child Support Registrar is not permitted to question a party.

Fairness

The SSAT ensures that parties have received a copy of all of the material which is before the SSAT at the hearing, or which is received by the SSAT (and to be taken into account) after the hearing.

In child support reviews, it is common for a party to object to the other parent being given a copy of his or her material. The SSAT *Child Support Review General Directions 2012* require that a copy of a relevant document given to the SSAT by a party be given to the other party but permit a party to request the SSAT not to disclose information in a document. The request must be refused if withholding the information from the other party could adversely affect the fairness of the review.

A copy of documents obtained by the SSAT in exercise of powers of the SSAT Principal Member must also be given to the parties to a child support review but require the obliteration of further information in some cases (such as tax file number and certain other numbers) and further information (such as a party's residential address and other contact details if there is a family violence

order to protect that party or the information is not publicly available and there is a history of family violence).

The SSAT ensures that the parties to a child support review get an equal opportunity to present their case at the hearing irrespective of whether one of the parties is legally represented. The representative is not permitted to question a party or witness but may ask the SSAT to put a particular question to the party or witness.

Where necessary to afford a fair hearing, the SSAT arranges the services of an interpreter (usually qualified at NAATI Level 3) to assist an applicant or other party at no cost to that person. The SSAT engaged an interpreter on 693 occasions at a cost of \$157,853 in the reporting period compared to \$175,319 in the previous year. The most common languages in which interpreting services were required were Arabic and Turkish. Interpreting was also provided in AUSLAN for hearing impaired parties.



FIGURE 4 (L-R) Ian Phillips, SSAT; Mark Shepley and Amanda Tsoundarou, Welfare Rights Centre; Jennifer Lock, AAT; David Thomas, DHS; Roula Karzis-Wyatt, SSAT; Amy Abagtsheer, Brain Injury Network SA; and Karen Leon, DHS meet in the Anangu Pitjantjatjara Yankunytjatjara Lands, South Australia.

TABLE 8 INTERPRETER STATISTICS 2013-14

| Hearing location | Interpreters used | Cost |
|------------------|-------------------|------------------|
| NSW & ACT | 389 | \$87,654 |
| QLD & NT | 23 | \$1,544 |
| WA & SA | 69 | \$11,393 |
| VIC & TAS | 212 | \$57,261 |
| TOTAL | 693 | \$157,853 |

Justice

Access to justice

The SSAT seeks to improve access to justice through meetings, presentations, and other activities to raise awareness of the availability of review by the SSAT. A list of these activities on a State by State basis is included as Appendix 10.

During 2013-14, the SSAT particularly focussed on presentations to providers of services to indigenous persons in light of the low number of applications for review by the SSAT from persons identifying as indigenous. However, there has been no increase in the number of such applications for review.

The SSAT's redeveloped internet site, which was designed to better inform prospective applicants of the way in which the SSAT conducts a review, 'went live' in October 2013. The SSAT created videos to illustrate key aspects of a typical directions hearing and a hearing in a review of a decision about child support, which are accessible from the website.

During the reporting period, Legal Aid NSW increased its duty lawyer service in the SSAT's Sydney registry from one to two mornings a week. Appointments for the service are made through the SSAT which must receive authorisation from the party to make available the hearing papers to the duty lawyer. The authorisation is necessary because a hearing by the SSAT is private and the SSAT's file is not accessible by a non-party (unlike most courts and tribunals). Due to the limited availability of the legal aid service, the SSAT notifies persons most in need of advice of that service. In



FIGURE 5 (L-R) Rachelle Johnston, Solicitor, Legal Aid NSW; Suellen Bullock, Deputy Principal Member NSW/ACT; Catherine Cudmore, District Registrar NSW/ACT; and Jackie Finlay, Solicitor, Legal Aid NSW meet to discuss the legal advice service in the Sydney registry.

this respect, the SSAT follows the approach of courts under pro bono legal assistance schemes.

During the reporting period, at the invitation of the SSAT, Victoria Legal Aid and Legal Aid Queensland respectively commenced a weekly duty lawyer service in the SSAT's Melbourne and Brisbane registries.

In 2014-15, the SSAT will invite the legal aid bodies in South Australia, Tasmania and Western Australia to provide such a duty lawyer service in its registries in those States. National Welfare Rights has expressed interest in working with its members and the SSAT to provide greater access to advice for applicants seeking review of Centrelink decisions.

All of the SSAT's premises are wheelchair accessible. The SSAT provides teletypewriter and hearing loop services as well as AUSLAN interpreting on request. Applicants and other parties are invited to advise the SSAT of any special needs.

In addition to its hearings in all capital cities, the SSAT held hearings in Newcastle, Wollongong, Canberra, Mount Gambier and Bunbury.

The SSAT also held hearings via video conference with parties in Albury, Armidale, Batemans Bay, Bathurst, Bega, Bridgetown, Broome, Bunbury, Bundaberg, Burdekin, Byron Bay, Cairns, Campbelltown, Cannonvale, Casino, Coffs Harbour, Condoblin, Cooktown, Cooma, Cootamundra, Darwin, Deniliquin, Dubbo, Finley, Forbes, Forster, Geraldton, Gilgandra, Gladstone, Gosford, Grafton, Griffith, Gunnedah, Hervey Bay, Kempsey, Kingaroy, Lismore, Lithgow, Mackay, Maryborough, Moruya, Mudgee, Mullumbimby, Muswellbrook, Nyngan, Orange, Parkes, Port Macquarie, Rockhampton, Tamworth, Taree, Toowoomba, Townsville, Tumut, Ulladulla, Wagga, Wauchope, West Wyalong and Yeppoon.

Apart from facilitating access to the duty lawyer service, the SSAT does not arrange legal assistance but provides details of community legal centres to those seeking legal assistance.

Correct and preferable decision

A "mechanism of review" that is fair and just assists the SSAT to make the legally correct decision, and the preferable decision where more than one decision would be legally correct. The SSAT makes its decision on the evidence and material which is before the SSAT. It is not limited to the evidence and material which was before the decision-maker.

There are no objective and quantitative measures of whether the SSAT's decisions are correct or preferable on the information before the SSAT. However, the SSAT monitors the outcome of judicial review and further merits review as an indication of whether it is making the correct or preferable decisions.

The avenues for further review depend on the Act under which the reviewable decision was made.

Further merits review – Centrelink decisions

The decision of the SSAT on the review of a Centrelink decision can be the subject of a further application for merits review by the Administrative Appeals Tribunal (AAT). Having risen by 30% in 2012-13, the number of applications for review by the AAT of decisions of the SSAT rose by 7% in 2013-14.

The AAT changes some decisions of the SSAT to give effect to an agreement between the parties. These are referred to as decisions set aside or varied by consent in Table 9. As that table shows, the percentage of decisions of the SSAT which are set aside or varied after the AAT has reviewed the decision (which is referred to as "on review") remained constant in the reporting period.

Decisions of the AAT are published on AustLII. Of the 92 published decisions in which the AAT reviewed a decision of the SSAT and then varied or set aside the SSAT's decision in the reporting period, the SSAT has identified nine decisions as involving an error in interpretation or application of the law by the SSAT. Those nine decisions amount to 2% of the 449 decisions of the SSAT reviewed by the AAT.

TABLE 9 APPLICATIONS TO THE AAT FOR REVIEW OF SSAT DECISIONS IN CENTRELINK CASES

| Number and outcomes of applications to the AAT | 2011-12 [^] | 2012-13 ^{^^} | 2013-14 ^{^^^} |
|---|----------------------|-----------------------|------------------------|
| Number of applications to the AAT | 1,435 | 1,874 | 2,004 ¹ |
| Applications finalised by the AAT | 1,433 | 1,684 | 1,966 |
| Decisions set aside/varied by consent (as % of total applications finalised) | 21% | 16% | 17% |
| Decisions affirmed on review ² (as % of Centrelink decisions reviewed) | 75% | 80% | 80% |
| Decisions set aside/varied on review ² (as % of Centrelink decisions reviewed) | 25% | 20% | 20% |
| Decisions set aside/varied on review ² (as % of total applications finalised) | 6% | 4% | 5% |

Source: The AAT.

[^] Includes 3 applications for review of PPL decisions (which were withdrawn or dismissed).

^{^^} Includes 20 applications for review of PPL decisions (which were withdrawn or dismissed).

^{^^^} Includes 1 application for review of a PPL decision which was affirmed and 16 which were withdrawn or dismissed.

1 The increase was in applications for review of decisions about DSP and overpayments/debt recovery.

2 "On review" means by a decision of the AAT other than a decision by consent.

TABLE 10 OUTCOMES OF APPLICATIONS BY THE SECRETARY TO THE AAT FOR REVIEW OF SSAT DECISIONS IN CENTRELINK CASES

| Outcomes in 2013-14 | Year lodged | | | | TOTAL |
|-------------------------------|-------------|----------|-----------|------------|------------|
| | 2010-11 | 2011-12 | 2012-13 | 2013-14 | |
| Withdrawn | 1 | 1 | 9 | 11 | 22 |
| Dismissed by consent | 0 | 0 | 0 | 1 | 1 |
| Dismissed by operation of law | 0 | 0 | 0 | 2 | 2 |
| Set aside by consent | 0 | 1 | 3 | 2 | 6 |
| Set aside after hearing | 0 | 0 | 3 | 6* | 9* |
| TOTAL | 1 | 2 | 15 | 22* | 40* |

* These figures are inflated because the Secretary lodged 5 applications in respect of 2 decisions of the SSAT.

In the remainder of the cases in which the AAT set aside or varied a decision of the SSAT (after review), the AAT took a different view of the evidence or was given evidence by a party which had not been provided to the SSAT. In cases involving disability support pension (DSP), the applicant or the Secretary frequently obtain further medical evidence for the purposes of the review by the AAT.

The SSAT has previously reported that it received no information about its decisions which were varied or set aside by the AAT with the consent of the parties. On occasions, applicants for review by the SSAT of decisions about debts have told the SSAT that they have sought review by the SSAT for the sole purpose of being able to apply for review by the AAT where they expect Centrelink will reduce the debt. From information provided by the AAT, there was an increase in the reporting period of the number of applications for review by the AAT of decisions about debts (24%). The majority of these applications for review (59%) were settled by the Secretary.

In early 2013, the President of the AAT put in place a procedure whereby if the Secretary (through DHS) conceded that the SSAT made an error of law, the Department would lodge a statement of the error of law with the proposed consent orders and a copy of that statement would be given to the SSAT. To date, the SSAT has not received such a statement.

Applications to the AAT made by the Secretary

Each year, DHS publishes the number and success rate of applications made by the Secretary for review by the AAT of a decision of the SSAT.² From the AAT's decisions published on AustLII, it appears that only a small fraction of the number of these reported applications by the Secretary are decided by the AAT after a review. The SSAT has been unaware of which of its decisions were changed without a hearing by the AAT.

In 2012-13, the AAT's decisions on seven applications by the Secretary (out of the 48 applications reported by DHS) were published. In 2013-14, the Secretary lodged 54 applications for review by the AAT of decisions of the SSAT and the AAT finalised 40 such applications for review as set out in Table 10.³

Of the six decisions of the SSAT which were set aside by the AAT after a hearing in 2013-14, only two turned on an issue of statutory interpretation (the meaning of the expression "living with" for the purposes of the Baby Bonus): *Secretary, Department of Social Services v McGee* (2014) AATA 53; *Secretary, Department of Social Services v Lwin* (2014) AATA 332. These two decisions of the AAT determined five applications for review by the Secretary.

² *DHS Annual Report 2012-13*, Tables 61 and 62, page 199.

³ Information provided by the AAT.

In the third case, the SSAT was constituted by a medically qualified member who found that the impairment of the applicant for DSP attracted the requisite 20 points. The Secretary obtained a specialist report and, on that new evidence, the AAT found that the person had 10 points: *Secretary, Department of Social Services v Bunworth* (2014) AATA 348.

In the fourth case, the advice given to the person by Centrelink about a compensation preclusion period was a significant issue and the Secretary called four customer service officers to refute the person's account: *Secretary, Department of Social Services v Muir* (2013) AATA 831.

In the fifth case, part of a debt was waived by the SSAT on the basis of special circumstances and the AAT took a different view of the evidence: *Secretary, Department of Social Services v Ruzicka* (2014) AATA 341.

In the remaining case, the AAT found that arrears of totally and permanently incapacitated pension paid by a superannuation fund to the applicant and spent by her in the purchase of a house prior to her claim for DSP, should have been treated as income over the 52 weeks from the date of their receipt: *Cole & Anor v Secretary, Department of Social Services & Anor* (2013) AATA 536.

As decisions made by the AAT by consent are not published, the SSAT ascertained from the AAT details of the six cases in which the decision of the SSAT was set aside by consent and a decision was substituted. Those cases are summarised below:

- Case 1: Centrelink refused Ms B's claim for DSP lodged, on 2 July 2012, on the basis that one medical condition was not fully treated and stabilised and the other attracted 5 points. The SSAT, constituted by two members one of whom was a medical practitioner, found on the basis of the medical evidence before it that both of the applicant's medical conditions were fully treated and stabilised, and attracted a total of 25 impairment points under Tables 2, 3 and 4. The SSAT found that Ms B had a continuing inability to work because of her impairments as she had undertaken

a program oversighted by Interwork Inc. commencing on 11 March 2009 and that program met the guidelines in section 6 of Part 3 of the *Social Security (Requirements and Guidelines – Active Participation for Disability Support Pension) Determination 2011*. Interwork Inc. had advised Ms B to apply for DSP. On 13 February 2013, the SSAT set aside the reviewable decision and sent the matter back to the Chief Executive Centrelink for reconsideration in accordance with the direction that Ms B satisfied paragraphs 94(1)(a), (b) and (c) of the *Social Security Act 1991* and had done so since the date of claim.

On 4 April 2014, the AAT set aside the SSAT's decision as "the parties agree that the decision of the ARO was the correct and preferable decision, that is, the respondent was not qualified for DSP on, or within 13 weeks of, 2 July 2012".

- Case 2: Centrelink refused Ms D's claim for DSP lodged, on 19 June 2012, on the basis that her medical conditions did not attract 20 points or more. The SSAT, constituted by a medical practitioner, found on the basis of the medical evidence, the applicant's evidence and the opinion of the job capacity assessor (a physiotherapist) that Ms D's back condition affected her lower limb function and mobility. Her condition attracted 10 points under each of Tables 3 and 4, total 20 points. Ms D's referral to a Disability Employment Service was finalised on 26 July 2012 when she exited from that service on the basis that further participation was not likely to be of any benefit. The SSAT found that the requirements of subsection 5(4) of the *Social Security (Requirements and Guidelines – Active Participation for Disability Support Pension) Determination 2011* were met. Applying clause 4 of Schedule 2 to the *Social Security (Administration) Act 1999*, the SSAT reasoned that Ms D's claim is taken to be made on 27 July 2012 and she therefore qualified for DSP within the 13 weeks after the day she lodged her claim. On 8 May 2013, the SSAT set aside the decision under review and sent it back to the Chief Executive Centrelink for reconsideration in accordance with the

direction that Ms B satisfied paragraphs 94(1)(a), (b) and (c) of the *Social Security Act 1991* and had done so since 27 July 2012.

On 18 December 2013, the AAT set aside the decision of the SSAT on the basis that “the parties agreed that the Respondent did not satisfy s 94(1)(c) of the Social Security Act on the relevant claim date⁴ and that she therefore did not qualify for DSP”.

- Case 3: Mr E’s claim for DSP, made on 30 September 2010, was rejected on the basis that his medical conditions were not fully diagnosed, treated and stabilised. The SSAT was constituted by a medical practitioner who found on the report of the treating doctor (dated 24 September 2010) and the evidence of the applicant that he had chronic injuries to the neck and lumbar spine which had reduced his range of movement of the neck by 50% and the lumbar spine by 50%; the conditions were fully diagnosed, treated and stabilised; his impairment attracted a rating of 10 points under Table 5.1 and 10 points under Table 5.2; his functional capacity was most likely to remain unchanged over the next two years; and his medical conditions prevented him from doing any work or training of 15 hours a week or more for at least the next two years. On 20 April 2011, the SSAT set aside the reviewable decision and sent the matter back to the Chief Executive Centrelink for reconsideration in accordance with the direction that Mr E’s claim be reassessed on the basis that he satisfies paragraphs 94(1)(a), (b) and (c) of the *Social Security Act 1991* and had done so since the date of claim.

On 19 June 2014, the AAT set aside the decision of the SSAT by consent because “the parties agreed that the Respondent did not satisfy paragraphs 94(1)(b) and (c) of the *Social Security Act 1991* as at the date of

his claim for DSP of 30 September 2010 (or within 13 weeks of that date); and was not qualified to receive DSP in the period from 30 September 2010 to 26 July 2013”.

- Case 4: Mr P’s claim for DSP on 25 January 2013 was rejected on the basis that he was subject to a compensation preclusion period from 14 April 2004 to 22 May 2018. Mr P had accepted an amount assessed by the Claims Assessment and Resolution Service for the purposes of section 95 of the *Motor Accidents Compensation Act 1999* (NSW). The SSAT characterised the payment as a settlement to which paragraph 17(3) (a) of the *Social Security Act 1991* applied so that the compensation part of the lump sum was limited to 50% even though the assessment contained a larger amount for economic loss. This meant that the preclusion period had ended when Mr P lodged his claim for DSP.

By consent, on 20 August 2013, the AAT set aside the decision of the SSAT and in substitution decided that:

(a) *the applicant is subject to a lump sum preclusion period running from 14 April 2004 to 22 May 2018;*

(b) *special circumstances warranting exercise of the discretion under section 1184K of the Social Security Act 1991 exist such that the compensation preclusion period ends on 1 January 2013.*

- Case 5: Centrelink decided that payment of DSP to Ms J was precluded from 11 April 2007 to 16 January 2018. The SSAT found that there were special circumstances which warranted the discretion in section 1184K of the *Social Security Act 1991* being exercised to allow part of the compensation payment to be disregarded. On 20 March 2013, the SSAT set aside the reviewable decision and substituted a decision to treat the compensation payment as not having been made for the period that would allow Ms J to be paid DSP from 14 February 2013.

⁴ The expression “relevant claim date” is defined in s 3 of the *Social Security (Requirements and Guidelines – Active Participation for Disability Support Pension) Determination 2011* as “in relation to a person and his or her claim for disability support pension, means the date on which the claim is made or is taken to have been made by the person”.

By consent, on 20 August 2013, the AAT set aside the SSAT's decision and substituted the following decision:

Pursuant to section 1184K of the Social Security Act 1991, so much of the compensation payment made to (Ms J) is to be disregarded so as to allow (Ms J) to be paid a compensation affected payment such as disability support pension from 1 July 2015.

- Case 6: Centrelink cancelled Ms R's parenting payment with effect from 27 March 2012 on the basis that she was a member of a couple with Mr G (whose income and assets affected her eligibility to be paid parenting payment even at the partnered rate). Ms R applied to the Secretary for review of that decision on 15 March 2012 and the decision was affirmed on 18 May 2012. Ms R applied to the SSAT for review on 3 April 2013. The SSAT set aside the decision and substituted a decision "that Ms Rae's parenting payment was incorrectly cancelled on 9 March 2012 and that she continued to be entitled to parenting payment from this date on the basis that she was not a member of a couple".

On 28 August 2013, the AAT set aside the decision of the SSAT "that the decision takes effect from 9 March 2012 and substituted a decision that the decision takes effect from 3 April 2013 consistent with s 152(4) of the *Social Security (Administration) Act 1999*".

Further merits review – child support (care percentage)

The decision of the SSAT on the review of most child support decisions cannot be the subject of further merits review by the AAT. The only exception is a decision which involves the percentage of care which each parent (or the parent liable to pay child support and the non-parent carer) provides to the child or children.

Additionally, if the Principal Member refuses to grant an extension of time to apply for review by the SSAT of a child support decision, the applicant has the right to apply to the AAT for review of this decision. The Principal Member has delegated this power to full-time members of the SSAT.

Table 11 shows the outcome of applications to the AAT for review of decisions of the SSAT about the percentage of care, and for review of refusals by a delegate of the Principal Member of an extension of time in which to seek review by the SSAT of a child support decision.

TABLE 11 APPLICATIONS TO THE AAT FOR REVIEW OF SSAT DECISIONS IN CHILD SUPPORT CASES

| AAT Applications | Extension of time decisions | | | Percentage of care decisions | | |
|--|-----------------------------|---------|---------|------------------------------|---------|---------|
| | 2011-12 | 2012-13 | 2013-14 | 2011-12 | 2012-13 | 2013-14 |
| Applications to the AAT for review of SSAT child support decisions | 10 | 3 | 8 | 27 | 27 | 34 |
| Applications finalised by the AAT | 15 | 4 | 5 | 26 | 32 | 31 |
| – SSAT decision affirmed | 4 | 1 | 0 | 7 | 1 | 6 |
| – SSAT decision set aside/varied | 3 | 2 | 1 | 6 | 8 | 5 |
| – SSAT decision withdrawn or dismissed | 8 | 1 | 4 | 13 | 23 | 20 |

Source: AAT.

Judicial review – child support

In the reporting period, statutory appeals were filed in the Federal Circuit Court of Australia against 42 of the SSAT's decisions and in the Family Court of Western Australia against 4 of the SSAT's decisions. This was an increase of 26% in the number of statutory appeals against decisions of the SSAT (following a fall of 18% in the previous year). However, the success rate of appeals fell markedly.

Proceedings were also commenced (but discontinued) in the Federal Circuit Court in relation to two decisions made by delegates of the Principal Member.

In the reporting period, the Federal Circuit Court finalised 35 appeals and set aside two decisions of the SSAT with the consent of the parties. One of the two appeals is reported as the parties could not agree on one of the orders: *Stark & Sherman & Anor (SSAT Appeal)* (2014) FCCA 685.

The Family Court of Western Australia (or the Magistrates Court of Western Australia) finalised four appeals, all of which were disallowed.

The percentage of statutory appeals which resulted in the decision of the SSAT being set aside fell to 5%.

Also, the Full Court of the Family Court allowed two appeals by the Child Support Registrar against orders of the Federal Circuit Court and the Federal Magistrates Court of Australia (as the former was then known) which had set aside decisions of the SSAT.

In the first of these two appeals, the Full Court concluded "that the Federal Magistrate was wrong in concluding that he was entitled to interfere with the SSAT's decisions that the financial arrangements between Mr Crabbe and Ms W were a sham, and that accordingly, Mr Crabbe should be treated as entitled to a 50 per cent share of the company's profit for purposes of calculating his adjusted taxable income for child support purposes": *Child Support Registrar v Crabbe* (2014) FamCAFC 10 at (112).

The question of law before the Full Court in the second appeal was whether "the SSAT can, when reviewing a decision of the Registrar on an objection to a departure decision for a particular period, make a decision with

TABLE 12 STATUTORY APPEALS AND JUDICIAL REVIEW APPLICATIONS

| Number and outcomes of statutory appeals and judicial review (JR) applications | 2011-12 | 2012-13 | 2013-14 |
|--|-------------------------------|-------------------------|-----------|
| Number of appeals & applications to the FamCA or FMCA | 43 | 35 | 44 |
| Number finalised by the FamCA or FMCA/FCCA | 48 | 44 ^{^^} | 35 |
| Number discontinued or dismissed | 40 | 39 ^{^^} | 33 |
| Number allowed by consent | 0 | 4 | 2 |
| Number allowed after a hearing | 13 (15 [^]) | 2 | 0 |
| Number and outcomes of statutory appeals (WA) | | | |
| Number of appeals to the Family Court of WA (FCWA) | 3 | 3 | 4 |
| Appeals finalised by the FCWA or Magistrates Court WA | 3 | 3 | 4 |
| Appeals allowed by the FCWA or Magistrates Court WA | 0 | 2 | 0 |
| Success rate of appeals & JR applications all courts | 25% (27%^{^^}) | 17%^{^^} | 5% |

[^] One statutory appeal involved 6 decisions of the SSAT made over the period 2007 to 2010. Three of these decisions were set aside.

^{^^} Calculated by counting the statutory appeal covering 6 decisions as 6 appeals and therefore the number of appeals & JR applications to the FMCA as 56 appeals.

^{^^^} These figures are different to those published in last year's report due to the SSAT being notified belatedly of some appeals having been finalised in the previous reporting period.

respect to a period other than the period to which the Registrar's decision related": *Child Support Registrar v Ahern* (2014) FamCAFC 105 at (38). The Full Court answered that question in the affirmative.

The outcome of these appeals means that, in retrospect, the success rate of statutory appeals against decisions of the SSAT was overstated in previous reporting periods. The ultimate success rate was 15% rather than a 17% success rate in 2012-13, and 23.5% rather than 25% in 2011-12.

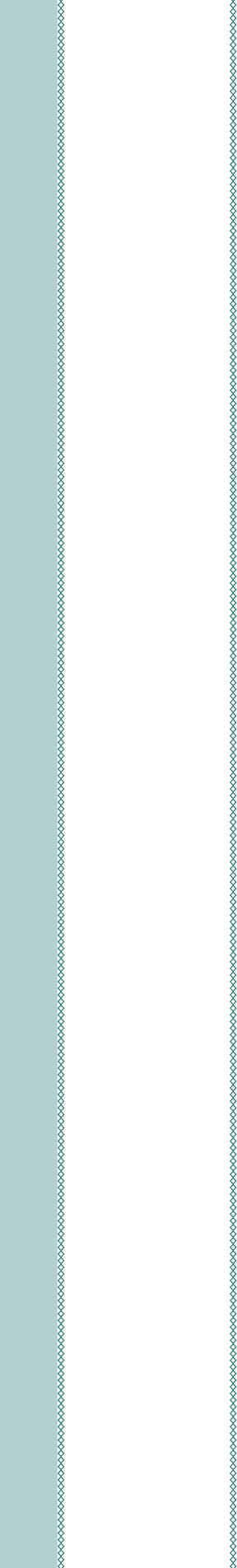
COMPLAINTS

The registries received 118 complaints during the reporting period.

Most complaints were about decisions made by the SSAT to which District Registrars or Deputy Principal Members responded by reiterating the avenues for further review available to a person dissatisfied with a decision of the SSAT. Some of the complaints were answered by the Principal Member.

The National Office received 10 complaints. Most of these complaints were also about decisions of the SSAT and some complainants had already received a response from Deputy Principal Members that the SSAT would not (and could not) change its decision.

The SSAT also received complaints that a party to a child support review had breached a non-disclosure direction made by the Principal Member (or a delegate of the Principal Member) under the *Child Support (Registration and Collection) Act 1989*. In most cases, it was apparent that what was alleged to have been disclosed was not a breach of the direction. On referral by the Principal Member, DSS investigates any *prima facie* breaches of non-disclosure directions.



CHAPTER 4

MANAGEMENT AND ACCOUNTABILITY

GOVERNANCE

The Principal Member is responsible for the overall management and administration of the SSAT.

Each mainland State registry was led by a Deputy Principal Member and a District Registrar until 2012-13 when the South Australian and Western Australian registries were brought under one Deputy Principal Member and a District Registrar. The Deputy Principal Members assist the Principal Member in the management of applications for review and of issues relating to members.

Since late 2013-14, the South Australian and Western Australian registries have been led by the Deputy Principal Member who is responsible for the operations of the SSAT in Queensland and the Northern Territory.

In 2014-15, the SSAT is moving to management of applications for review on a national list basis rather than a geographic basis. There will be three lists managed by the three Deputy Principal Members.

The Registrar assists the Principal Member in the management of the SSAT's resources. The Registrar works with the Deputy Registrar – Tribunal Services, the District Registrars, and the Business Managers (located in the National Office) to develop nationally consistent procedures and adopt best practice in resource management.

The Principal Member, Deputy Principal Members and the Registrar comprise the SSAT's leadership group and usually meet monthly (mostly by means of teleconference).

Members of the leadership group also chair or participate in committees responsible for specific issues or projects.

Committees

The SSAT has a Health and Safety Committee whose primary focus is fulfilment of the functions prescribed for such a committee by the *Work Health and Safety Act 2011*.

Some registries have a Wellness Committee to encourage healthy practices in the workplace and organise some social activities.

The leadership group plans continuing education activities for members.

The Audit and Risk Committee is chaired by Mr Robert Cornall AO.

EXTERNAL SCRUTINY

The SSAT was not the subject of any report by the Auditor-General, a Parliamentary Committee, the Commonwealth Ombudsman or of an agency capability review during 2013-14.

The SSAT made submissions to the Commission of Audit, the Productivity Commission and the Parliamentary Inquiry into the Child Support Program in response to aspects of the terms of reference of their respective inquiries. The submissions to the Productivity Commission and the Parliamentary Inquiry have been published on their websites.

The SSAT participated in a collaborative audit by Comcare and the recommendations arising from that audit have been implemented to the satisfaction of the SSAT, the Secretary of DSS (as the employer of the SSAT's staff) and Comcare.

The outcomes of reviews of decisions of the SSAT on applications for review are addressed in Chapter 3. In addition, the Information Commissioner affirmed a decision of the SSAT on an application under the *Freedom of Information Act 1982*.

HUMAN RESOURCE MANAGEMENT

Employer of staff

Staff required to assist the SSAT are engaged by the Secretary of DSS under the *Public Service Act 1999* and made available to the SSAT in accordance with clause 24 of Schedule 3 to the *Social Security (Administration) Act 1999*. In practice, employees are engaged by the Registrar in exercise of power delegated by the Secretary.

Profile of staff

The number of employees at the SSAT, their gender and other equal employment opportunity data, and salary ranges is set out in Appendix 2.

The SSAT welcomed a trainee under the 12 month long APS Indigenous Traineeship Program which provides a structured introduction to a career in the APS.

The full-time equivalent of staff at 30 June 2014 was 82.39 (including two persons on long term paid leave) compared to 91.56 (which included three persons on long term paid leave) at 30 June 2013.

Workforce planning, staff retention and turnover

DHS' provision of the papers relevant to a review, rather than of files from which SSAT staff must extract relevant papers, means that the SSAT no longer needs to confine its recruitment of case managers to Centrelink or the Child Support Agency.

Staff turnover (exclusive of expiry of non-ongoing contracts) was 10.9%. Turnover includes two staff who have transferred from DSS to other agencies in the Australian Public Service.

Workplace arrangements

The *Social Security Appeals Tribunal (SSAT) Enterprise Agreement 2012 to 2014* was in force for the duration of the reporting period. That agreement expired on 30 June 2014 but continues to have effect until a new agreement is negotiated and approved by Fair Work Australia. The agreement did not provide for any increases in remuneration after 1 July 2013.

The SSAT's staff will be covered by the agreement being negotiated for all staff employed by the Secretary of DSS.

Training and development

Enhancement of skills of staff is a goal in the SSAT's *Strategic Plan for 2012-14*.

In the last reporting period, the SSAT expressed its hope that DSS would offer places on its training and leadership development activities to the SSAT's staff. This hope was not realised but DSS did run a "DSS Information Session" for SSAT staff.

Since the end of the reporting period, DSS has given SSAT staff a number of licenses to access the e-learning Foundation Course in Aboriginal and Torres Strait Islander Cultures and Societies.

The SSAT is a party to a Memorandum of Understanding (**MOU**) on Learning and Development with other large Commonwealth merits review tribunals. The MOU requires the tribunals to consult about joint training activities and programs and offer training places where appropriate. The SSAT's training officer is also a member of the Australasian Committee of Court Education network.

Through those networks, AAT staff attended training hosted by the SSAT on "Dealing with threats to harm", and SSAT staff attended training hosted by the AAT on "Protective Security and the *Public Interest Disclosure Act 2013*".

In addition to such training, SSAT staff attended external training activities covering a broad range of topics such as:

- Privacy and Freedom of Information
- Prevention and management of bullying, harassment and discrimination
- Business analysis and project management
- Management and leadership skills
- Communicating, influencing and presentation skills
- Time management skills
- Specialist software and IT application skills

Work health and safety (WHS) performance

During the course of the year there were fifteen recorded workplace incidents. None of these was considered to be notifiable incidents and none was reported to Comcare. The SSAT did not have any claims for workers' compensation during the reporting period.

The SSAT reinvigorated its stance against bullying and harassment with the issue of an updated policy "*Preventing and responding to workplace bullying*" and with workshops conducted over two days by Hilary Langford in each SSAT office to familiarise staff with that policy, develop communication skills to reduce unproductive interactions in the office and build a workplace culture where bullying cannot thrive.

Greater prominence was given to WHS issues on the SSAT's new intranet and both updated and new material was added. The SSAT's health and safety representatives were taken on a guided tour of the SSAT's intranet to ensure that they could assist staff to locate relevant policies, forms and other material.

PCC Worldwide conducted a session on mental health in the workplace for National Office staff, which is to be repeated in each SSAT registry, to promote staff health and safety at work. An e-learning module to equip managers and employees with knowledge and skills to effectively respond to mental illness in the workplace, has been added to the SSAT's intranet.

Under its Wellness Program, the SSAT supports several major health promotion activities including a flu hygiene program and Workplace Health Checks. Most SSAT registries have a Wellness Committee which organises activities to promote harmony.

The SSAT is not required to report on the matters set out in clause 4(2) of Schedule 2 to the *Work Health and Safety Act 2011* (the **WHS Act**) because it is not an "agency" for the purposes of the FMA Act and not a "public authority" as that expression is defined in the WHS Act. However, the SSAT has included such a report, in the same format used by DSS in 2012-13, as Appendix 5.

Productivity gains

Having brought the leadership of the SSAT in WA and SA under the one Deputy Principal Member and one District Registrar in 2012-13, the two registries were then brought under the leadership of the Deputy Principal Member who is responsible for the operations of the SSAT in Queensland and the Northern Territory.

An application for review by the SSAT may be made in writing to the SSAT or to an office of DHS, or by telephone to the SSAT. For the convenience of applicants and to avoid the need for registry staff to key application details into the SSAT's case management system, an electronic application lodgement facility commenced in May 2014. In June, 78 applications for review were made online. Usage is increasing and is expected to become the preferred means of making an application for review in due course.

The reduction in the number of SSAT staff due to recruitment restrictions has meant that fewer staff (about 10% fewer on a full-time equivalent basis) are performing registry functions in respect of a similar number of applications for review and corporate services functions. This has resulted in an increase in productivity.

The SSAT has been working with DHS on the electronic transfer of the relevant documents for each review and is now at the testing stage of an indexed and searchable electronic file. The provision of the papers needed for a hearing by the SSAT in this way to the SSAT, and to parties, will save postage and/or handling costs to both DHS and SSAT as well as making it easier for SSAT members, parties and anyone representing them to locate pertinent information in the papers.

PURCHASING

The SSAT adheres to the *Commonwealth Procurement Guidelines – January 2005* which incorporates the Free Trade Agreement. Value for money is the core principle underpinning Australian Government procurement.

The SSAT adheres to all Whole of Australian Government (WOAG) procurement contracts.

The SSAT paid 94% of its accounts (99.7% by value) by electronic funds transfer with the remaining 6% (0.3% by value) paid by cheque.

CONSULTANTS

The SSAT employed consultants to undertake work requiring specialist or professional expertise not available internally. Most consultants were engaged via open tender, or restricted tender based on previous good dealing.

During 2013-14, five new consultancy contracts were entered into involving total actual expenditure of \$104,106. In addition, three ongoing consultancy contracts were active during the 2013-14 year, involving total actual expenditure of \$98,857. The total cost of consultants in 2013-14 under all contracts was \$202,963 (GST inclusive).

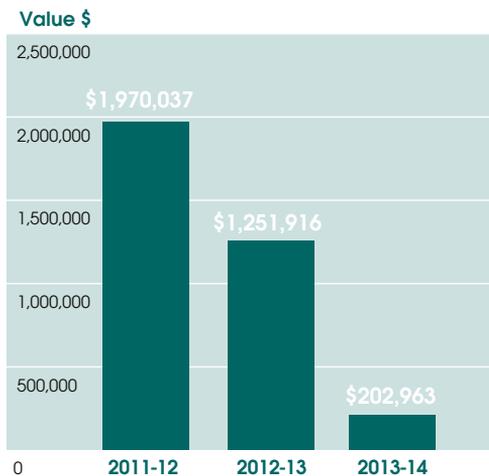


FIGURE 6 SSAT CONSULTANCY EXPENDITURE

The majority of consultancy expenses were for services in relation to the production of videos for the SSAT’s website, information technology and communication services, and legal services.

Annual reports contain information about actual expenditure on contracts for consultancies. Information on the value of contracts and consultancies is available on the AusTender website at www.tenders.gov.au.

CONTRACTS

During the reporting period, no contracts of \$100,000 or more were let that did not provide for the Auditor-General to have access to the contractor’s premises, nor were any contracts in excess of \$10,000 exempt from being published in AusTender on the basis that they would have disclosed exempt matters under the *Freedom of Information Act 1982*.

OTHER INFORMATION

As the SSAT is not a prescribed agency under the *Financial Management and Accountability Act 1997*, this report does not include an agency resource statement or Fraud Control Certificate.

As the SSAT is also not a “public authority” (as that expression is defined in the *Work Health and Safety Act 2011*), the SSAT is not required to include the matters listed in clause 4 of Schedule 2 of the *Work Health and Safety Act 2011* in its annual report. However, information regarding matters of that kind is included in Appendix 5.

Advertising and market research

As the SSAT is not an agency within the meaning of the *Public Service Act 1999*, section 311A of the *Commonwealth Electoral Act 1918* does not apply to the SSAT.

However, no advertising campaigns were undertaken by the SSAT in 2013-14. There was no expenditure on market research, polling or direct mail organisations.

The SSAT placed advertisements in major newspapers for applications for appointment as a District Registrar in either Perth or Adelaide, a Deputy Principal Member in either Perth or Adelaide, and a (medically qualified) part-time member in Perth, Melbourne and Hobart.

Environmental performance reporting

The information required by section 516A of the *Environment Protection and Biodiversity Conservation Act 1999* is included in Appendix 6.

Care reporting

The SSAT is not a public service care agency as defined in section 4 of the *Care Recognition Act 2010*.

Grants

The SSAT does not make any grants.

Changes to disability reporting in annual reports

Since 1994, Commonwealth departments and agencies have reported on their performance as policy adviser, purchaser, employer, regulator and provider under the Commonwealth Disability Strategy. In 2007-08, reporting on the employer role was transferred to the Australian Public Service Commission's *State of the Service Report* and the *APS Statistical Bulletin*. These reports are available at www.apsc.gov.au. From 2010-11, departments and agencies have no longer been required to report on these functions.

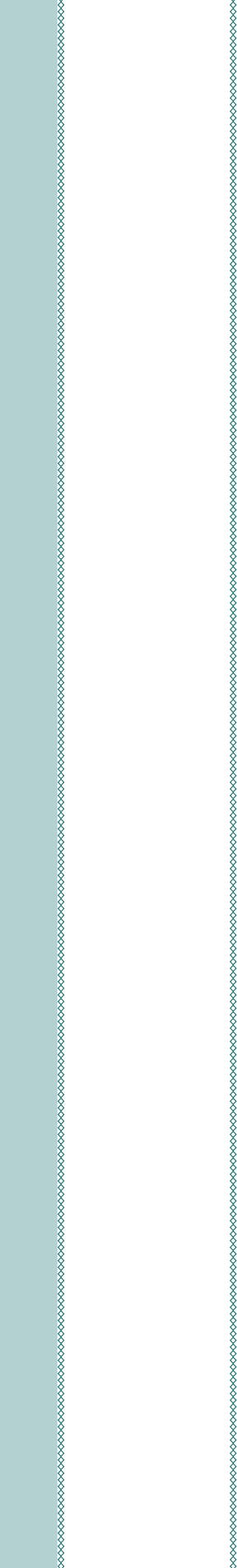
The Commonwealth Disability Strategy has been overtaken by the National Disability Strategy 2010-2020, which sets out a ten year national policy framework to improve the lives of people with disability, promote participation and create a more inclusive society. A high level two-yearly report will track progress against each of the six outcome areas of the Strategy and present a picture of how people with disability are faring. The first of these reports will be available in late 2014, and can be found at www.dss.gov.au.

Freedom of Information

Agencies subject to the *Freedom of Information Act 1982 (FOI Act)* are required to publish information as part of the Information Publication Scheme (IPS). This requirement is in Part II of the FOI Act and has replaced the former requirement to publish a section 8 statement in an annual report. Each agency must display on its website a plan showing what information it publishes in accordance with the IPS requirements. The SSAT's FOI Publication Plan is available online at <http://www.ssat.gov.au/information-publication-scheme>.



FIGURE 7 (L-R) Claire Ivory showing her certificate for 20 years as an SSAT employee with the assistance of Jobsupport, with Shelley Wilson-Brennan of Jobsupport (beside Claire) and her parents, Sue and Paul Ivory.



CHAPTER 5

FINANCIAL STATEMENTS

FINANCIAL STATEMENTS

The Secretary of DSS provides funding to the SSAT. For that reason, the SSAT's funding and expenditure is included in the audited financial statements in DSS's annual report.

However, as neither the amount of the SSAT's funding nor how the SSAT expends that funding is visible in DSS's financial statements, the SSAT includes that information in its own annual report.

To permit ready comparison with tribunals and other bodies which are agencies under the *Financial Management and Accountability Act 1997*, the SSAT uses the prescribed format for financial statements but the statements are not audited.

In 2012-13, the SSAT abandoned its previous practice of treating the fees paid to part-time members as "supplier costs" and included these fees as employee expenses. This treatment accords with that of other tribunals and properly reflects the fact that part-time members are members of the SSAT and not suppliers of services to the SSAT.

SOCIAL SECURITY APPEALS TRIBUNAL STATEMENT BY THE REGISTRAR

The attached financial statements for the year ended 30 June 2014 are unaudited.

However, the SSAT financial statements form part of the Department of Social Services (**DSS**) consolidated financial statements. These statements are audited by the Australian National Audit Office and an opinion is provided by the auditor on whether, as a whole:

- The DSS financial statements are prepared in accordance with the Finance Minister's Orders made under the *Financial Management and Accountability Act 1997*, including the Australian Accounting Standards; and
- They give a true and fair view of the matters required by the Finance Minister's Orders.

In my opinion, the SSAT has prepared the financial statements for the year ended 30 June 2014 on the same basis as the DSS audited financial statements. The financial statements have been prepared based on properly maintained financial records and give a true and fair view of the matters required by the Finance Minister's Orders made under the *Financial Management and Accountability Act 1997*, as amended.



Louise Anderson

Registrar

31 October 2014

STATEMENT OF COMPREHENSIVE INCOME

for the period ended 30 June 2014

| | Notes | 2014 \$'000 | 2013 \$'000 |
|---|-------|-----------------|----------------|
| NET COST OF SERVICES | | | |
| Expenses | | | |
| Employee benefits | 3A | 21,918 | 20,775 |
| Suppliers | 3B | 5,752 | 6,616 |
| Depreciation and amortisation | 3C | 2,525 | 1,986 |
| Finance costs | 3D | 18 | 13 |
| Write-down and impairment of assets | 3E | 1 | 82 |
| Losses from asset sales | 3F | 1 | 6 |
| Other expenses | 3G | 27 | 183 |
| Total expenses | | 30,242 | 29,661 |
| Own-Source Income | | | |
| Own-source revenue | | | |
| Sale of goods and rendering of services | 4A | 92 | 225 |
| Total own-source revenue | | 92 | 225 |
| Gains | | | |
| Gains from sale of assets | 4B | 1 | 20 |
| Total gains | | 1 | 20 |
| Total own-source income | | 93 | 245 |
| Net cost of services | | (30,149) | (29,416) |
| Revenue from Government | 4C | 29,117 | 28,924 |
| Deficit attributable to the Australian Government | | (1,032) | (492) |
| Total comprehensive loss attributable to the Australian Government | | (1,032) | (492) |

The above statement should be read in conjunction with the accompanying notes.

STATEMENT OF FINANCIAL POSITION

as at 30 June 2014

| | Notes | 2014 \$'000 | 2013 \$'000 |
|---|-------|----------------|----------------|
| ASSETS | | | |
| Financial Assets | | | |
| Cash and cash equivalents | 5A | 131 | 76 |
| Trade and other receivables* | 5B | 8,561 | 18,680 |
| Total financial assets | | 8,692 | 18,756 |
| Non-Financial Assets | | | |
| Land and buildings | 6A | 5,085 | 6,490 |
| Property, plant and equipment | 6B | 782 | 835 |
| Intangibles | 6C | 2,663 | 3,358 |
| Other non-financial assets | 6D | 173 | - |
| Total non-financial assets | | 8,703 | 10,683 |
| Total assets | | 17,395 | 29,439 |
| LIABILITIES | | | |
| Payables | | | |
| Suppliers | 7A | 985 | 1,787 |
| Other payables | 7B | 3,062 | 3,101 |
| Total payables | | 4,047 | 4,888 |
| Provisions | | | |
| Employee provisions | 8A | 3,977 | 4,000 |
| Other provisions | 8B | 669 | 673 |
| Total provisions | | 4,646 | 4,673 |
| Total liabilities | | 8,693 | 9,561 |
| Net assets | | 8,702 | 19,878 |
| EQUITY | | | |
| Contributed equity and retained earnings prior year | | 4,013 | 14,642 |
| Reserves | | 5,721 | 5,728 |
| Retained earnings – current year | | (1,032) | (492) |
| Total equity | | 8,702 | 19,878 |

The above statement should be read in conjunction with the accompanying notes.

* Financial assets and total liabilities were adjusted by DSS by \$10,775,634.05 on 27 June 2014.

CASH FLOW STATEMENT

for the period ended 30 June 2014

| | Notes | 2014 \$'000 | 2013 \$'000 |
|---|-------|----------------|----------------|
| OPERATING ACTIVITIES | | | |
| Cash received | | | |
| Appropriations | | 29,117 | 26,299 |
| Sale of goods and rendering of services | | 163 | 240 |
| GST received | | 727 | 872 |
| Total cash received | | 30,007 | 27,411 |
| Cash used | | | |
| Employees | | 21,499 | 20,934 |
| Suppliers | | 8,668 | 6,668 |
| Total cash used | | 30,167 | 27,602 |
| Net cash from / (used by) operating activities | 9 | (160) | (191) |
| INVESTING ACTIVITIES | | | |
| Cash received | | | |
| Proceeds from sales of property, plant and equipment | | 1 | - |
| Total cash received | | 1 | 2,972 |
| Cash used | | | |
| Purchase of property, plant and equipment | | 426 | 1,507 |
| Purchase of intangibles | | - | 523 |
| Total cash used | | 426 | 2,030 |
| Net cash used by investing activities | | (425) | 2,030 |
| FINANCING ACTIVITIES | | | |
| Cash received | | | |
| Equity injections | | | |
| Departmental capital budget | | 640 | 2,240 |
| Total cash received | | 640 | 2,240 |
| Net cash from financing activities | | 640 | 2,240 |
| Net decrease in cash held | | 55 | 19 |
| Cash and cash equivalents at the beginning of the reporting period | | 76 | 57 |
| Cash and cash equivalents at the end of the reporting period | 5A | 131 | 76 |

The above statement should be read in conjunction with the accompanying notes.

TABLE OF CONTENTS – NOTES

- Note 1: Significant Accounting Policies
- Note 2: Events After the Reporting Period
- Note 3: Expenses
- Note 4: Own-Source Income
- Note 5: Financial Assets
- Note 6: Non-Financial Assets
- Note 7: Payables
- Note 8: Provisions
- Note 9: Cash Flow Reconciliation

NOTES TO AND FORMING PART OF THE FINANCIAL STATEMENTS

Note 1: Significant Accounting Policies

1.1 The financial statements have been prepared on an accrual basis and are in accordance with the historical cost convention, except for certain assets and liabilities at fair value. Except where stated, no allowance is made for the effect of changing prices on the results or the financial position.

The financial statements are presented in Australian dollars and values are rounded to the nearest thousand dollars unless otherwise specified. Unless an alternative treatment is specifically required by an accounting standard or the Finance Minister's Orders, assets and liabilities are recognised in the balance sheet when and only when it is probable that future economic benefits will flow to SSAT or a future sacrifice of economic benefit will be required and the amounts of the assets and liabilities can be reliably measured.

Unless alternative treatment is specifically required by an accounting standard, income and expenses are recognised in the statement of comprehensive income when and only when the flow, consumption or loss of economic benefits has occurred and can be reliably measured.

Certain comparative amounts have been reclassified or adjusted to conform with the current year's presentation.

Note 2: Events After the Reporting Period

There are no known events occurring after the reporting period that need to be disclosed in the financial statements.

NOTES TO AND FORMING PART OF THE FINANCIAL STATEMENTS

| | 2014 | 2013 |
|--|---------------|--------|
| | \$'000 | \$'000 |
| Note 3: Expenses | | |
| Note 3A: Employee Benefits | | |
| Wages, salaries and members' sitting fees | 18,387 | 17,501 |
| Superannuation: | | |
| Defined contribution plans | 1,559 | 1,493 |
| Defined benefit plans | 1,412 | 1,222 |
| Leave and other entitlements | 469 | 497 |
| Separation and redundancies | 91 | 62 |
| Total employee benefits | 21,918 | 20,775 |
| Note 3B: Suppliers | | |
| Goods and services supplied or rendered | | |
| Consultants and contractors | 281 | 326 |
| Stationery | 80 | 78 |
| IT and communication | 1,930 | 2,563 |
| Travel and accommodation | 365 | 268 |
| Motor vehicle expenses | 28 | 29 |
| Building expenses (excluding rental) | 335 | 347 |
| Training | 85 | 162 |
| Recruitment | 36 | 81 |
| Other | 713 | 504 |
| Total goods and services supplied or rendered | 3,854 | 4,269 |
| Goods supplied in connection with: | | |
| External parties | 380 | 302 |
| Total goods supplied | 380 | 302 |
| Services rendered in connection with: | | |
| Related parties | 46 | 95 |
| External parties | 3,428 | 3,872 |
| Total services rendered | 3,474 | 3,967 |
| Total goods and services supplied or rendered | 3,854 | 4,269 |
| Other suppliers | | |
| Operating lease rentals in connection with: | | |
| External parties: | | |
| Minimum lease payments | 1,898 | 2,347 |
| Total other suppliers | 1,898 | 2,347 |
| Total suppliers | 5,751 | 6,616 |

NOTES TO AND FORMING PART OF THE FINANCIAL STATEMENTS

| | 2014 | 2013 |
|--|---------------|--------|
| Note 3: Expenses (continued) | \$'000 | \$'000 |
| <u>Note 3C: Depreciation and Amortisation</u> | | |
| Depreciation: | | |
| Property, plant and equipment | 271 | 396 |
| Total depreciation | 271 | 396 |
| Amortisation: | | |
| Leasehold improvements | 1,558 | 1,398 |
| Intangibles: | | |
| Computer Software | 696 | 192 |
| Total amortisation | 2,255 | 1,590 |
| Total depreciation and amortisation | 2,525 | 1,986 |
| <u>Note 3D: Finance Costs</u> | | |
| Unwinding of discount | 18 | 13 |
| Total finance costs | 18 | 13 |
| <u>Note 3E: Write-Down and Impairment of Assets</u> | | |
| Impairment of plant and equipment | 1 | 82 |
| Total write-down and impairment of assets | 1 | 82 |
| <u>Note 3F: Losses from Asset Sales</u> | | |
| Property, plant and equipment: | | |
| Carrying value of assets sold | 1 | 6 |
| Total losses from asset sales | 1 | 6 |
| <u>Note 3G: Other Expenses</u> | | |
| Change in estimate of makegood provision | 27 | 182 |
| Foreign exchange loss – non speculative | - | 1 |
| Total other expenses | 27 | 183 |

NOTES TO AND FORMING PART OF THE FINANCIAL STATEMENTS

| | 2014 | 2013 |
|--|---------------|--------|
| Note 4: Own-Source Income | \$'000 | \$'000 |
| Own-Source Revenue | | |
| <u>Note 4A: Sale of Goods and Rendering of Services</u> | | |
| Rendering of services in connection with: | | |
| Related parties | 7 | - |
| External parties | 85 | 225 |
| Total sale of goods and rendering of services | 92 | 225 |
| Gains | | |
| <u>Note 4B: Gains from Sale of Assets</u> | | |
| Property, plant and equipment: | | |
| Proceeds from sale | 1 | 20 |
| Net gain from sale of assets | 1 | 20 |
| <u>Note 4C: Revenue from Government</u> | | |
| Appropriations: | | |
| Departmental appropriations | 29,117 | 28,924 |
| Total revenue from Government | 29,117 | 28,924 |

NOTES TO AND FORMING PART OF THE FINANCIAL STATEMENTS

| | 2014 | 2013 |
|--|---------------|--------|
| | \$'000 | \$'000 |
| Note 5: Financial Assets | | |
| Note 5A: Cash and Cash Equivalents | | |
| Cash on hand | 6 | 6 |
| Cash at bank | 125 | 70 |
| Total cash and cash equivalents | 131 | 76 |
| Note 5B: Trade and Other Receivables | | |
| Goods and services receivables in connection with: | | |
| Related parties | - | 18 |
| External parties | - | 69 |
| Total goods and services receivables | - | 87 |
| Appropriations receivables: | | |
| For existing programmes | 8,508 | 18,445 |
| Total appropriations receivables | 8,508 | 18,445 |
| Other receivables: | | |
| GST receivable from the Australian Taxation Office | 50 | 99 |
| Other | 3 | 49 |
| Total other receivables | 53 | 148 |
| Total trade and other receivables (gross) | 8,561 | 18,680 |
| Less impairment allowance: | | |
| Goods and services | - | - |
| Total impairment allowance | - | - |
| Total trade and other receivables (net) | 8,561 | 18,680 |
| Trade and other receivables (net) expected to be recovered: | | |
| No more than 12 months | 8,561 | 18,680 |
| Total trade and other receivables (net) | 8,561 | 18,680 |
| Trade and other receivables (gross) aged as follows: | | |
| Not overdue | 8,561 | 18,680 |
| Overdue by: | | |
| 0 to 30 days | - | - |
| 31 to 60 days | - | - |
| 61 to 90 days | - | - |
| More than 90 days | - | - |
| Total trade and other receivables (gross) | 8,561 | 18,680 |

NOTES TO AND FORMING PART OF THE FINANCIAL STATEMENTS

| | 2014 | 2013 |
|-------------------------------------|----------------|--------|
| Note 6: Non-Financial Assets | \$'000 | \$'000 |
| Note 6A: Land and Buildings | | |
| Leasehold improvements: | | |
| Fair value | 6,542 | 6,542 |
| Accumulated amortisation | (2,029) | (464) |
| Assets under construction | 572 | 412 |
| Total leasehold improvements | 5,085 | 6,490 |
| Total land and buildings | 5,085 | 6,490 |
| Less: Assets held for sale | - | - |
| Total land and buildings | 5,085 | 6,490 |

During the period to 30 June 2014 there were no land and buildings identified as impaired and written-down (2013: \$0.0 million).

A net book value of nil (2013: \$0.0 million) in land and buildings are expected to be sold or disposed of within the next 12 months.

Note 6B: Property, Plant and Equipment

Other property, plant and equipment:

| | | |
|--|--------------|------|
| Fair value | 1,122 | 909 |
| Accumulated depreciation | (340) | (74) |
| Total other property, plant and equipment | 782 | 835 |
| Total property, plant and equipment | 782 | 835 |
| Less: Assets held for sale | - | - |
| Total property, plant and equipment | 782 | 835 |

During the period to 30 June 2014, property, plant and equipment with a carrying amount of \$0.0 million (2013: \$0.0 million) were identified as impaired and written-down.

A net book value of \$0.0 million (2013: \$0.0 million) for property, plant and equipment is expected to be sold or disposed of within the next 12 months.

Revaluations of non-financial assets

A desktop revaluation review was conducted by DSS in June 2014. The revaluation review concluded there was no material variance to the current asset value.

NOTES TO AND FORMING PART OF THE FINANCIAL STATEMENTS

| | 2014 | 2013 |
|---|---------------|--------|
| | \$'000 | \$'000 |
| Note 6: Non-Financial Assets (continued) | | |
| <u>Note 6C: Intangibles</u> | | |
| Computer software: | | |
| Internally developed – in progress | - | 880 |
| Internally developed – in use | 3,558 | 2,678 |
| Accumulated amortisation | (895) | (200) |
| Total computer software | 2,663 | 3,358 |
| Total intangibles | 2,663 | 3,358 |

During the period to 30 June 2014 no intangibles were identified as impaired and written-down.

No intangibles are expected to be sold or disposed of within the next 12 months.

Note 6D: Other Non-Financial Assets

| | | |
|---|------------|---|
| Prepayments | 173 | - |
| Total other non-financial assets | 173 | - |
| Total other non-financial assets expected to be recovered: | | |
| No more than 12 months | 173 | - |
| More than 12 months | - | - |
| Total other non-financial assets | 173 | - |

No indicators of impairment were found for other non-financial assets.

NOTES TO AND FORMING PART OF THE FINANCIAL STATEMENTS

| | 2014 | 2013 |
|---|---------------|--------|
| | \$'000 | \$'000 |
| Note 7: Payables | | |
| Note 7A: Suppliers | | |
| Trade creditors and accruals | 985 | 1,787 |
| Total suppliers payables | 985 | 1,787 |
| Suppliers expected to be settled: | | |
| No more than 12 months | 985 | 1,787 |
| Total suppliers | 985 | 1,787 |
| Suppliers in connection with: | | |
| Related parties | 19 | 2 |
| External parties | 966 | 1,785 |
| Total suppliers | 985 | 1,787 |
| Settlement was usually made within 30 days. | | |
| Note 7B: Other Payables | | |
| Salaries and wages | 695 | 259 |
| Superannuation | 49 | 45 |
| Lease incentive | 1,428 | 1,794 |
| Operating leases straight-lining | 681 | 740 |
| Other | 209 | 263 |
| Total other payables | 3,062 | 3,101 |
| Other payables expected to be settled: | | |
| No more than 12 months | 1,320 | 1,395 |
| More than 12 months | 1,742 | 1,706 |
| Total other payables | 3,062 | 3,101 |

NOTES TO AND FORMING PART OF THE FINANCIAL STATEMENTS

| | | |
|--|---------------|--------|
| | 2014 | 2013 |
| Note 8: Provisions | \$'000 | \$'000 |
| <u>Note 8A: Employee Provisions</u> | | |
| Leave | 3,977 | 4,000 |
| Total employee provisions | 3,977 | 4,000 |
| Employee provisions expected to be settled: | | |
| No more than 12 months | 1,405 | 1,080 |
| More than 12 months | 2,572 | 2,920 |
| Total employee provisions | 3,977 | 4,000 |
| <u>Note 8B: Other Provisions</u> | | |
| Provision for restoration obligations | 669 | 673 |
| Total other provisions | 669 | 673 |
| Other provisions expected to be settled: | | |
| No more than 12 months | 42 | 27 |
| More than 12 months | 627 | 646 |
| Total other provisions | 669 | 673 |

NOTES TO AND FORMING PART OF THE FINANCIAL STATEMENTS

| | 2014 | 2013 |
|--|-----------------|----------|
| | \$'000 | \$'000 |
| Note 9: Cash Flow Reconciliation | | |
| Reconciliation of cash and cash equivalents as per Statement of Financial Position to Cash Flow Statement | | |
| Cash and cash equivalents as per: | | |
| Cash flow statement | 131 | 76 |
| Statement of financial position | 131 | 76 |
| Discrepancy | - | - |
| Reconciliation of net cost of services to net cash from operating activities: | | |
| Net cost of services | (30,149) | (29,416) |
| Revenue from Government | 29,117 | 28,924 |
| Adjustments for non-cash items | | |
| Depreciation / amortisation | 2,525 | 1,986 |
| Net write down of non-financial assets | 1 | 82 |
| Gain on disposal of assets | (1) | (20) |
| Loss on disposal of assets | 1 | 6 |
| Change in estimate for makegood provision | 27 | 182 |
| Movements in assets and liabilities | | |
| Assets | | |
| Increase / (decrease) in net receivables | (639) | 2,556 |
| (Increase) / decrease in prepayments | (173) | - |
| Liabilities | | |
| Increase / (decrease) in employee provisions | (23) | (169) |
| Increase / (decrease) in supplier payables | (802) | 1,048 |
| Increase / (decrease) in other payables | (40) | (308) |
| Increase / (decrease) in other provisions | (4) | 50 |
| Net cash from operating activities | (160) | (191) |

CHAPTER 6

APPENDICES

APPENDIX 1 – MEMBERS OF THE SSAT AS AT 30 JUNE 2014

National Office

Principal Member

Jane Macdonnell BA, LLB (Hons) Full-time

Australian Capital Territory

Keith Horsley MBBS, MPubAdmin Part-time

Frances Staden BA (Hons), BPhil Part-time

New South Wales

Deputy Principal Member

Suellen Bullock BSocStud Full-time

Diana Benk DipLaw, GradDipLegPrac, FANZCN – Acc Spec Mediation, GradCertMediation, ProfCert Arbitration, Advanced Diploma Financial Services & CIP, GradDipInsurance, GradDipTaxation Full-time

Jean Cuthbert LLM, LLB Full-time

Gary Richardson BEc, LLB, GradDipLegPrac Full-time

Kate Timbs BA, LLB, CertBusStud (IR), GradDipLegPrac Full-time

Angela Beckett BLegStud (Hons), GradDipLegPrac, BA (Hons), Diploma in Child Psychiatry, MClinPsych Part-time

Timothy Bohane MB BS, MRACP, FRACP Part-time

Tina Bubutievski BEc, LLB (Hons), GradDipLegPrac, CertIV Training & Assessment Part-time

Emeritus Professor Terry Carney LLB (Hons), DipCrim, PhD Part-time

Erika Cornwell BSW, Diploma of Family Therapy Part-time

Jenny D'Arcy BCom, LLB Part-time

Kruna Dordevic BA, BSocWk, LLB (Hons 1), GradDipLegPrac Part-time

Kathryn Edmonds LLB, GradDipLegPra, BA Part-time

Martin Glasson BAg, MB BS (Hons), FRCS, FRACS Part-time

Adam Halstead CPol, AssocDegLaw, MLLP Part-time

Honorary Associate Professor Michael Horsburgh BA, DipSocWk, MSocWk, ThD Part-time

Penelope Hunter BA, LLB Part-time

Deborah Laver BSocWk Part-time

Julia Leonard Advanced Diploma in Community Service Management Part-time

Susan Lewis LLB, BA, PTC Part-time

Andrea Mant MBBS, MA, MD, FRACGP Part-time

Sally Mayne BA, DipEd, LLB, DipLegPrac Part-time

Jillian Moir BA (Hons), LLB, GradDipLegPra, BSc (Psych) Part-time

Gregory Pearson BCom, LLB Part-time

Anna Popova MBBS, FRANZCP Part-time

Paul Ryan BBus (Acc/Ec) Part-time

Angela Smith DipAcc Part-time

Robin Taylor MBBS, MPH, FAFPHM, MBA Part-time

Northern Territory

Heather King BA (Social Work), GradDip Human Service Practice Part-time

Ken Ross BA (Hons), BSocAdmin Part-time

Queensland

Deputy Principal Member

| | |
|--|-----------|
| Jim Walsh <i>LLB, GradCertMgt</i> | Full-time |
| Kate Buxton <i>LLB</i> | Full-time |
| Matthew King <i>LLM, GradDipLegPrac</i> | Full-time |
| Simon Letch <i>BBus (Accountancy), LLB (Hons), GradDipLegPrac</i> | Full-time |
| Kaarina Ammala # <i>BA, LLB</i> | Part-time |
| Matt Amundsen <i>BA, LLB</i> | Part-time |
| Jane Bishop <i>BA, BSc (Psych), LLB (Hons), DipMental Health Nursing, GradDipLegPrac</i> | Part-time |
| Alexandra Bordujenko <i>MBBS, MPH, FAFPHM</i> | Part-time |
| Alex Byers <i>BSc, BA (Hons), LLB</i> | Part-time |
| Jennifer Cavanagh <i>MBBS, FRACGP</i> | Part-time |
| Glen Cranwell # <i>GradDipBusAdmin, LLB, LLM, BSc</i> | Part-time |
| Professor John Devereux <i>BA, LLB, (Hons), DPhil, GradDip Military Law</i> | Part-time |
| Neil Foster <i>BA, LLB, GradCertArts</i> | Part-time |
| David Gillespie <i>BCom, LLB, LLM</i> | Part-time |
| Jocelyn Green <i>BA</i> | Part-time |
| Beverley Grehan <i>MBBS, Master of Health Administration</i> | Part-time |
| Tina Guthrie <i>LLB (Hons)</i> | Part-time |
| Patricia Hall <i>MSocWk, BSocWk</i> | Part-time |
| Debra Harris # <i>LLB</i> | Part-time |
| Peter Jensen <i>LLB</i> | Part-time |
| Paul Kanowski <i>BA, LLB (Hons), LLM</i> | Part-time |
| Robert King <i>BA, DipEd, MA (Clin Psych), PhD, FAPS</i> | Part-time |
| David McKelvey <i>LLB (Hons), LLM</i> | Part-time |
| Cathy-Ann McLennan <i>LLM (Litigation and Dispute Resolution), LLB, Qualified Mediator</i> | Part-time |
| Bryan Pickard <i>BCom, BLegStud, LLM</i> | Part-time |
| Stephen Pozzi <i>BVSc, MBBS</i> | Part-time |
| Luis Prado # <i>MBBS, FRACGP, FRACMA, FCHSM, FAAQHC, GradDipSPMed</i> | Part-time |
| Virginia Ryan ^^ <i>BA, LLB</i> | Part-time |
| Annette Sheffield <i>MSocAdmin, BSocWk</i> | Part-time |
| Rosemary Stafford <i>MBBS</i> | Part-time |
| Susan Trotter <i>LLB, BCom</i> | Part-time |
| Patrick White <i>BA, LLB, DipLegPrac</i> | Part-time |
| Judith Williams <i>LLB (Hons), Accredited Mediator</i> | Part-time |

South Australia

Senior Member

| | |
|---|-----------|
| Bruce Harvey <i>BSc</i> | Full-time |
| Joanne Bakas <i>GradDipLegPrac, LLB, BBus, GDipEd, BA</i> | Part-time |
| Steven Cullimore <i>MA (Cantab.)</i> | Part-time |

| | |
|--|-----------|
| Bronte Earl BSc | Part-time |
| Julie Forgan ^{^^} BEc, GradCert in Public Sector Management, GradCert Clinical Education | Part-time |
| Mark Fuller MBBS, BA | Part-time |
| Stavros Georgiadis [^] BSc, LLB, GDLP, Master of Conflict Management, DipEd, GradDipSocSc (Rehab), GradCert in Mediation, Professional Certificate in Arbitration | Part-time |
| Marten Kennedy BA, LLB (Hons), GradDipLegPrac | Part-time |
| Donna Lambden BSocWk (Hons), MSocWk | Part-time |
| Kate Millar BSocWk, LLB (Hons) | Part-time |
| Jennifer Strathearn BScWk, LLB (Hons) | Part-time |
| Bruce Swanson MBBS, BSc, BEc (Hons), MHA, FRACMA | Part-time |
| Yvonne Webb LLB, GradCertLegPrac, Professional Certificate in Arbitration & Mediation, GradCertHRMgt, GradDipEd, DipT(Sec) | Part-time |
| Allison Windsor MBBS, MPH | Part-time |
| Tasmania | |
| Kim Barker BA, DipEd, GradCert Counselling and Development, MAICD | Part-time |
| Michelle Baulch GradDipBusAdmin, GradDipLegPrac, BEc, LLB | Part-time |
| Christhilde Breheny BSc (Hons), BSocWk (Hons), PhD | Part-time |
| Lynne Cretan # BMedSc, MBBS | Part-time |
| Kay Rodda | Part-time |
| Andrea Schiwy BCom | Part-time |
| Victoria | |
| Deputy Principal Member | |
| Irene Tsiakas LLB | Full-time |
| Fiona Hewson MALP, BA | Full-time |
| John Longo GradDipLegPrac, LLB, BA (Hons) | Full-time |
| Inge Sheck | Full-time |
| Robyn Anderson BCom | Part-time |
| William Appleton MBBS (Hons), FRACMA | Part-time |
| Stephen Bertram MBAcc, GradDipBusMgt, BBA, DipBusAcc, DipFS, FCPA, RTA, Approved SMSF Auditor | Part-time |
| Wendy Boddison LLM, LLB | Part-time |
| Annette Brewer BEc, LLB, Accredited Family Law Specialist | Part-time |
| Niall Cain MBBS, FRACP, FRCP (Edinburgh), FCCP | Part-time |
| Neill Campbell LLM, GradDip Practical Legal Training, LLB, BA | Part-time |
| Amanda Ducrou BA, LLB, MBA | Part-time |
| Margaret Fowler BA, BSocWk, LLB | Part-time |
| Elaine Geraghty | Part-time |
| Anne Grant BJuris, LLB | Part-time |
| Helen Grutzner LLB (Hons), BA | Part-time |
| Tamara Hamilton-Noy BA (Hons), LLB, M Public & International Law | Part-time |
| Peter Higgins GradDipTech, Chartered Accountant (Fellow), Certified Financial Planner | Part-time |

| | |
|--|-----------|
| Stephen Lewinsky MBBS, GradDip Musculoskeletal Medicine | Part-time |
| Christopher Main ^{^^} MBBS, FRACGP | Part-time |
| Geoffrey Markov MBBS, FRACP | Part-time |
| Jack Nalpanidis BBehavSc, BSocWk, MBA | Part-time |
| Paul Noonan BA, BBusAcc | Part-time |
| Sophia Panagiotidis BA, DipCommunity Development, DipTeaching | Part-time |
| Aruna Reddy MBBS, FRANZCP | Part-time |
| Robert Richards DipBus (Acc), CPA | Part-time |
| Harry Schwarz BA, MBBS, MPH | Part-time |
| Alison Smith BA (Hons), LLB | Part-time |
| David Stevens Council of Legal Education course for articled clerks | Part-time |
| Andrea Treble BA, LLB, MPollaw, PhD | Part-time |
| Kenneth Warren BBus, CPA | Part-time |
| Western Australia | |
| Rosetta Petrucci LLM (Merit), LLB (Hons), MBus, BBus, CTA, FCPA, AIAMA | Full-time |
| Karen Barrett-Lennard BSocWk, Certificate in Training and Assessment | Part-time |
| Stephanie Brakespeare BA, GradCertPubPolicy, IAMA Certificate in Mediation | Part-time |
| William Budiselik BAppSc (Social Work), GradDipBusAdmin, PhD, MIAMA | Part-time |
| Anne Donnelly MBBS, GradDipHlthAdmin | Part-time |
| Robert Fitzgerald ^{^^} PSM BPsych (Hons), PhD (Psych) | Part-time |
| Susan Hoffman BA (Hons), Master of Leadership, PhD | Part-time |
| Michael Jones ^{^^^} MB, ChB, D(obst) RCOG | Part-time |
| Christine Kannis BJuris, LLB, BCom | Part-time |
| Maxina Martellotta BJuris (Hons), LLB (Hons), The Practitioner's Certificate in Mediation (IAMA) | Part-time |
| Professor Julie Quinlivan MBBS, PhD, FRANZCOG | Part-time |
| Mark Woodacre GDipPA, GradDipEd, BA | Part-time |

[^] Member's term expired on 30 June 2014.

^{^^} Member resigned after 30 June 2014.

^{^^^} Member's term expired on or before 30 June 2014 and member appointed to act for three months.

[#] Member appointed but not available to hear reviews.

APPENDIX 2 – SSAT STAFFING AS AT 30 JUNE 2014

EMPLOYMENT BY GENDER AND REGISTRY AT JUNE 30 2014

| APS Classification | Male | Female | NO* | NSW | QLD | SA | VIC/TAS^ | WA | Total |
|--------------------|-----------|-----------|-----------|-----------|-----------|----------|-----------|----------|-----------|
| APS1 | 0 | 2 | 0 | 0 | 0 | 1 | 1 | 0 | 2 |
| APS2 | 0 | 9 | 0 | 3 | 2 | 1 | 2 | 1 | 9 |
| APS3 | 0 | 2 | 2 | 0 | 0 | 0 | 0 | 0 | 2 |
| APS4 | 12 | 24 | 0 | 9 | 7 | 4 | 12 | 4 | 36 |
| APS5 | 1 | 1 | 2 | 0 | 0 | 0 | 0 | 0 | 2 |
| APS6 | 11 | 8 | 10 | 4 | 1 | 1 | 2 | 1 | 19 |
| EL1 | 3 | 6 | 5 | 1 | 1 | 1 | 1 | 0 | 9 |
| EL2 | 4 | 1 | 5 | 0 | 0 | 0 | 0 | 0 | 5 |
| SES Band 1 | 0 | 1 | 1 | 0 | 0 | 0 | 0 | 0 | 1 |
| Total | 31 | 54 | 25 | 17 | 11 | 8 | 18 | 6 | 85 |

* National Office

^ 16 staff in Vic; 2 staff in Tas

EQUAL EMPLOYMENT OPPORTUNITY DATA AT JUNE 30 2014

| Description | |
|------------------------|-----------|
| ATSI | 3 |
| NESB | 13 |
| PWD | 4 |
| Total APS staff | 20 |

ATSI – Aboriginal and Torres Strait Islander

NESB – non-English-speaking background

PWD – people with disabilities

Note: The data in this table is based in part on information voluntarily provided by staff.

EMPLOYMENT STATUS AT 30 JUNE 2014

| Classification | Salary Range | Ongoing | Non-ongoing | Full-time | Part-time | IFAs^ |
|----------------|------------------------|-----------|-------------|-----------|-----------|----------|
| APS 1 | \$44,137 - \$48,635 | 2 | 0 | 1 | 1 | 0 |
| APS 2 | \$50,887 - \$55,389 | 8 | 1 | 8 | 1 | 0 |
| APS 3 | \$58,726 - \$63,342 | 2 | 0 | 1 | 1 | 0 |
| APS 4 | \$65,629 - \$70,208 | 34 | 2 | 30 | 6 | 0 |
| APS 5 | \$73,324 - \$76,461 | 1 | 1 | 1 | 1 | 0 |
| APS 6 | \$79,281 - \$87,745 | 19 | 0 | 18 | 1 | 2 |
| EL 1 | \$91,978 - \$105,740 | 9 | 0 | 7 | 2 | 1 |
| EL 2 | \$114,455 - \$132,325* | 5 | 0 | 4 | 1 | 2 |
| SES Band 1 | # | 1 | 0 | 1 | 0 | 0 |
| Total | | 81 | 4 | 71 | 14 | 5 |

* Progression to the maximum salary of Executive Level 2 can only be achieved where the Registrar is satisfied that the work value of the position justifies the higher salary point and the employee has managerial and/or professional technical skills to warrant movement to that level.

^ Individual Flexibility Agreements.

The Registrar's remuneration is set by the Secretary of DSS, paid by DSS and included in SES remuneration in the Notes to DSS's financial statements.

APPENDIX 3 – APPLICATION PROCESSING STATISTICS

CENTRELINK (EXCLUDING PAID PARENTAL LEAVE)

| | ACT | NSW | NT | QLD | SA | TAS | VIC | WA | TOTAL |
|--|------------|--------------|-----------|--------------|--------------|------------|--------------|------------|---------------|
| Lodged | 219 | 3,174 | 53 | 2,227 | 1,002 | 364 | 2,746 | 669 | 10,454 |
| Finalised | 238 | 3,195 | 55 | 2,322 | 1,021 | 403 | 2,744 | 671 | 10,649 |
| On hand at 1 July 2014 | 26 | 522 | 8 | 269 | 126 | 30 | 392 | 90 | 1,463 |
| Awaiting statement | 5 | 203 | 6 | 101 | 45 | 12 | 156 | 45 | 573 |
| Awaiting appointment | 5 | 78 | 0 | 41 | 10 | 4 | 52 | 9 | 199 |
| Awaiting hearing | 8 | 161 | 2 | 91 | 45 | 8 | 104 | 26 | 445 |
| Adjourned | 8 | 34 | 0 | 7 | 6 | 1 | 31 | 3 | 90 |
| Awaiting notification | 0 | 46 | 0 | 29 | 20 | 5 | 49 | 7 | 156 |
| Total decisions reviewed | 252 | 3,424 | 69 | 2,626 | 1,127 | 445 | 3,250 | 727 | 11,920 |
| Set aside | 61 | 650 | 10 | 327 | 404 | 99 | 760 | 157 | 2,468 |
| Varied | 2 | 43 | 4 | 88 | 14 | 9 | 18 | 18 | 196 |
| Affirmed | 137 | 2,079 | 46 | 1,733 | 498 | 263 | 1,810 | 423 | 6,989 |
| Total decisions reviewed at hearing | 200 | 2,772 | 60 | 2,148 | 916 | 371 | 2,588 | 598 | 9,653 |
| Not reviewable | 16 | 340 | 5 | 246 | 114 | 39 | 391 | 54 | 1,205 |
| Withdrawn | 26 | 221 | 3 | 184 | 47 | 22 | 194 | 35 | 732 |
| Dismissed | 10 | 91 | 1 | 48 | 50 | 13 | 77 | 40 | 330 |
| Total decisions finalised without hearing | 52 | 652 | 9 | 478 | 211 | 74 | 662 | 129 | 2,267 |

2012-13

| | | | | | | | | | | |
|------------------------------------|-------|-------|-------|-------|-------|-------|-------|-------|-------|-------|
| Set aside rate 1 (%) [^] | 25.0% | 20.2% | 20.3% | 15.8% | 37.1% | 24.3% | 23.9% | 24.1% | 22.3% | 20.7% |
| Set aside rate 2 (%) ^{^^} | 31.5% | 25.0% | 23.3% | 19.3% | 45.6% | 29.1% | 30.1% | 29.3% | 27.6% | 25.7% |

[^] Set aside + varied as a percentage of all decisions finalised

^{^^} Set aside + varied as a percentage of set aside, varied & affirmed

PAID PARENTAL LEAVE

| | ACT | NSW | NT | QLD | SA | TAS | VIC | WA | TOTAL | |
|--|-----------|-----------|----------|-----------|-----------|----------|-----------|-----------|------------|----------------|
| Lodged | 10 | 40 | 1 | 24 | 12 | 7 | 40 | 23 | 157 | |
| Finalised | 10 | 40 | 0 | 24 | 10 | 6 | 40 | 23 | 153 | |
| On hand at 1 July 2014 | 1 | 3 | 1 | 5 | 3 | 1 | 1 | 2 | 17 | |
| Awaiting statement | 0 | 2 | 1 | 2 | 1 | 0 | 1 | 0 | 7 | |
| Awaiting appointment | 0 | 0 | 0 | 1 | 0 | 1 | 0 | 1 | 3 | |
| Awaiting hearing | 1 | 0 | 0 | 2 | 2 | 0 | 0 | 1 | 6 | |
| Adjourned | 0 | 1 | 0 | 0 | 0 | 0 | 0 | 0 | 1 | |
| Awaiting notification | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | |
| Total decisions reviewed | 10 | 40 | 0 | 24 | 10 | 6 | 43 | 24 | 157 | |
| Set aside | 0 | 4 | 0 | 3 | 2 | 1 | 2 | 4 | 16 | |
| Varied | 0 | 1 | 0 | 1 | 0 | 0 | 0 | 0 | 2 | |
| Affirmed | 6 | 27 | 0 | 19 | 5 | 4 | 36 | 14 | 111 | |
| Total decisions reviewed at hearing | 6 | 32 | 0 | 23 | 7 | 5 | 38 | 18 | 129 | |
| Not reviewable | 3 | 7 | 0 | 1 | 0 | 1 | 3 | 4 | 19 | |
| Withdrawn | 0 | 0 | 0 | 0 | 3 | 0 | 2 | 2 | 7 | |
| Dismissed | 1 | 1 | 0 | 0 | 0 | 0 | 0 | 0 | 2 | |
| Total decisions finalised without hearing | 4 | 8 | 0 | 1 | 3 | 1 | 5 | 6 | 28 | |
| | | | | | | | | | | 2012-13 |
| Set aside rate 1 (%) [^] | 0% | 13% | 0% | 17% | 20% | 0.0% | 4.7% | 16.7% | 11.5% | 11.5% |
| Set aside rate 2 (%) ^{^^} | 0% | 16% | 0% | 17% | 29% | 0.0% | 5.3% | 22.2% | 14.0% | 13.3% |

[^] Set aside + varied as a percentage of all decisions finalised

^{^^} Set aside + varied as a percentage of set aside, varied & affirmed

CHILD SUPPORT

| | ACT | NSW | NT | QLD | SA | TAS | VIC | WA | TOTAL |
|--|-----------|------------|----------|------------|------------|-----------|------------|------------|--------------|
| Lodged | 34 | 515 | 1 | 497 | 135 | 66 | 410 | 220 | 1,878 |
| Finalised | 34 | 530 | 1 | 483 | 141 | 68 | 431 | 248 | 1,936 |
| On hand at 1 July 2014 | 6 | 97 | 0 | 82 | 23 | 6 | 82 | 31 | 327 |
| Awaiting statement | 2 | 42 | 0 | 25 | 16 | 3 | 19 | 13 | 120 |
| Awaiting appointment | 0 | 4 | 0 | 3 | 1 | 0 | 2 | 1 | 11 |
| Awaiting hearing | 2 | 36 | 0 | 47 | 5 | 3 | 46 | 16 | 155 |
| Adjourned | 1 | 9 | 0 | 4 | 0 | 0 | 8 | 0 | 22 |
| Awaiting notification | 1 | 6 | 0 | 3 | 1 | 0 | 7 | 1 | 19 |
| Total decisions reviewed | 34 | 530 | 1 | 483 | 141 | 68 | 431 | 248 | 1,936 |
| Set aside | 15 | 212 | 0 | 170 | 55 | 34 | 178 | 94 | 758 |
| Varied | 1 | 14 | 0 | 52 | 5 | 2 | 7 | 20 | 101 |
| Affirmed | 12 | 146 | 1 | 114 | 47 | 22 | 120 | 70 | 532 |
| Total decisions reviewed at hearing | 28 | 372 | 1 | 336 | 107 | 58 | 305 | 184 | 1,391 |
| Not reviewable | 1 | 55 | 0 | 69 | 11 | 4 | 41 | 26 | 207 |
| Withdrawn | 4 | 90 | 0 | 41 | 19 | 5 | 73 | 26 | 258 |
| Dismissed | 1 | 13 | 0 | 37 | 4 | 1 | 12 | 12 | 80 |
| Total decisions finalised without hearing | 6 | 158 | 0 | 147 | 34 | 10 | 126 | 64 | 545 |

2012-13

| | | | | | | | | | | |
|------------------------------------|-------|-------|---|-------|-------|-------|-------|-------|-------|------|
| Set aside rate 1 (%) [^] | 47.1% | 42.6% | 0 | 46.0% | 42.6% | 52.9% | 42.9% | 46.0% | 44.4% | 41.2 |
| Set aside rate 2 (%) ^{^^} | 57.1% | 60.8% | 0 | 66.1% | 56.1% | 62.1% | 60.7% | 62.0% | 61.8% | 63.1 |

[^] Set aside + varied as a percentage of all decisions finalised^{^^} Set aside + varied as a percentage of set aside, varied & affirmed

APPENDIX 4 – APPLICATION OUTCOMES

CENTRELINK (EXCLUDING PAID PARENTAL LEAVE)

| | AGE | AUS | CA | CP | CCB | DSP | FTB | MOB | NSA | PP | PA | PB | PES | RA | SA | SPB | YA | Other | Total | |
|-------------------------------|---------|-------|-------|-------|-------|-------|-------|-------|-------|-------|-------|-------|-------|-------|-------|-------|-------|-------|-------|--------|
| Applications received | 2013-14 | 672 | 261 | 153 | 273 | 57 | 4,437 | 1,033 | 38 | 1,621 | 460 | 2 | 96 | 38 | 101 | 47 | 64 | 728 | 373 | 10,454 |
| | 2012-13 | 775 | 182 | 199 | 261 | 32 | 4,404 | 746 | 33 | 1,743 | 459 | 7 | 91 | 59 | 90 | 41 | 77 | 567 | 433 | 10,199 |
| | 2011-12 | 980 | 207 | 344 | 217 | 83 | 3,446 | 773 | 26 | 1,801 | 535 | 5 | 38 | 46 | 34 | 45 | 136 | 614 | 658 | 9,988 |
| % of total | 2013-14 | 6.4% | 2.5% | 1.5% | 2.6% | 0.5% | 42.4% | 9.9% | 0.4% | 15.5% | 4.4% | 0.0% | 0.9% | 0.4% | 1.0% | 0.4% | 0.6% | 7.0% | 3.6% | 100.0% |
| | 2012-13 | 7.6% | 1.8% | 2.0% | 2.6% | 0.3% | 43.2% | 7.3% | 0.3% | 17.1% | 4.5% | 0.1% | 0.9% | 0.6% | 0.9% | 0.4% | 0.8% | 5.6% | 4.2% | 100.0% |
| | 2011-12 | 9.8% | 2.1% | 3.4% | 2.2% | 0.8% | 34.5% | 7.7% | 0.3% | 18.0% | 5.4% | 0.1% | 0.4% | 0.5% | 0.3% | 0.5% | 1.4% | 6.1% | 6.6% | 100.0% |
| Decision outcomes | | | | | | | | | | | | | | | | | | | | |
| Set aside | | 182 | 80 | 42 | 55 | 12 | 659 | 331 | 3 | 511 | 168 | 2 | 17 | 9 | 13 | 9 | 12 | 270 | 93 | 2,468 |
| Varied | | 22 | 15 | 1 | 1 | 0 | 21 | 51 | 0 | 40 | 19 | 1 | 0 | 1 | 3 | 2 | 0 | 12 | 7 | 196 |
| Affirmed | | 349 | 142 | 112 | 155 | 44 | 3,320 | 684 | 27 | 979 | 284 | 2 | 60 | 35 | 70 | 36 | 35 | 369 | 286 | 6,989 |
| Not reviewable | | 88 | 34 | 40 | 40 | 5 | 3,40 | 185 | 9 | 204 | 59 | 0 | 12 | 2 | 9 | 8 | 9 | 85 | 76 | 1,205 |
| Withdrawn | | 45 | 17 | 12 | 24 | 2 | 227 | 115 | 3 | 118 | 43 | 0 | 7 | 6 | 8 | 3 | 13 | 56 | 33 | 732 |
| Dismissed | | 6 | 7 | 1 | 7 | 0 | 46 | 49 | 0 | 145 | 17 | 0 | 0 | 2 | 3 | 0 | 0 | 41 | 6 | 330 |
| Total reviewed* | 2013-14 | 692 | 295 | 208 | 282 | 63 | 4,613 | 1,415 | 42 | 1,997 | 590 | 5 | 96 | 55 | 106 | 58 | 69 | 833 | 501 | 11,920 |
| | 2012-13 | 958 | 201 | 285 | 317 | 86 | 4,449 | 1,239 | 41 | 2,609 | 653 | 12 | 114 | 82 | 100 | 51 | 99 | 694 | 517 | 12,507 |
| | 2011-12 | 957 | 217 | 381 | 301 | 104 | 3,315 | 905 | 35 | 2,113 | 667 | 5 | 12 | 50 | 15 | 48 | 135 | 639 | 733 | 10,633 |
| Set aside rate 1** (%) | 2013-14 | 29.5% | 32.2% | 20.7% | 19.9% | 19.0% | 14.7% | 27.0% | 7.1% | 27.6% | 31.7% | 60.0% | 17.7% | 18.2% | 15.1% | 19.0% | 17.4% | 33.9% | 20.0% | 23.3% |
| | 2012-13 | 25.2% | 32.8% | 15.8% | 22.1% | 17.4% | 15.6% | 28.8% | 9.8% | 21.5% | 29.4% | 8.3% | 9.6% | 18.3% | 17.0% | 19.6% | 18.2% | 26.9% | 15.5% | 20.7% |
| | 2011-12 | 25.1% | 24.9% | 15.7% | 20.9% | 16.3% | 20.4% | 24.1% | 20.0% | 24.5% | 26.2% | 20.0% | 8.3% | 16.0% | 0.0% | 22.9% | 25.9% | 26.1% | 19.1% | 22.5% |
| Set aside rate 2** (%) | 2013-14 | 36.9% | 40.1% | 27.7% | 26.5% | 21.4% | 17.0% | 35.8% | 10.0% | 39.7% | 60.0% | 22.1% | 22.2% | 19% | 23.4% | 25.5% | 43.3% | 25.9% | 27.6% | |
| | 2012-13 | 30.6% | 42.0% | 19.2% | 28.5% | 25.4% | 18.0% | 37.5% | 15.4% | 28.7% | 37.3% | 11.1% | 11.0% | 27.8% | 23.0% | 25.0% | 22.0% | 36.2% | 20.8% | 25.7% |
| | 2011-12 | 31.3% | 32.3% | 19.5% | 26.0% | 23.0% | 24.6% | 29.2% | 34.2% | 37.4% | 20.0% | 14.3% | 23.5% | 0.0% | 31.4% | 35.4% | 33.0% | 24.1% | 29.0% | |

* Includes requests for reviews of multiple decisions within one application

** Set aside rate 1 = set aside and varied as percentage of all finalised decisions of the one payment type

Set aside rate 2 = set aside and varied as percentage of set aside, varied and affirmed decisions of the one payment type

Abbreviations: **AGE** Age Pension **AUS** Austudy **CA** Carer Allowance **CCB** Child Care Benefit **CP** Carer Payment **DSP** Disability Support Pension **FTB** Family Tax Benefit **MIAA** Mature Age Allowance **MOB** Mobility Allowance **NSA** Newstart Allowance **PA** Partner Allowance **PB** Pension Bonus **PES** Pensioner Education Supplement **PP** Parenting Payment **RA** Rent Assistance **SA** Sickness Allowance **SPB** Special Benefit **YA** Youth Allowance **Other** All Other Payments

PAID PARENTAL LEAVE

| | | Claimant decisions | Dad and partner pay decisions* | Employer decisions | Total |
|------------------------------|----------------|-----------------------|--------------------------------------|-----------------------|--------------|
| Applications received | 2013-14 | 152 | 5 | 0 | 157 |
| | 2012-13 | 113 | n/a | 0 | 113 |
| | 2011-12 | 104 | n/a | 2 | 106 |
| % of total | 2013-14 | 96.8% | 3.2% | 0.0% | 100% |
| | 2012-13 | 100% | n/a | 0% | 100% |
| | 2011-12 | 98.1% | n/a | 1.9% | 100% |
| Decision outcomes | | | | | |
| Set Aside | | 16 | 0 | 0 | 16 |
| Varied | | 2 | 0 | 0 | 2 |
| Affirmed | | 109 | 2 | 0 | 111 |
| Not reviewable | | 19 | 0 | 0 | 19 |
| Withdrawn | | 7 | 0 | 0 | 7 |
| Dismissed | | 2 | 0 | 0 | 2 |
| Total reviewed | 2013-14 | 155 | 2 | 0 | 157 |
| | 2012-13 | 131 | n/a | n/a | 131 |
| | 2011-12 | 88 | n/a | 1 | 89 |
| Set aside rate 1^ (%) | 2013-14 | 11.6% | 0% | n/a | 11.5% |
| | 2012-13 | 11.5% | n/a | n/a | 11.5% |
| | 2011-12 | 5.7% | n/a | 0% | 5.6% |
| Set aside rate 2^ (%) | 2013-14 | 14.2% | 0% | n/a | 14.0% |
| | 2012-13 | 13.0% | n/a | n/a | 13.0% |
| | 2011-12 | 7.0% | n/a | 0% | 7.0% |

* Dad and Partner Pay was introduced on 1 January 2013.

^ Set aside rate 1 = set aside and varied as percentage of all finalised decisions of this type

Set aside rate 2 = set aside and varied as percentage of set aside, varied and affirmed decisions of this type

CHILD SUPPORT

| | Application for assessment | Care percentage decision | Change of assessment ^a | Child support agreement collect arrears | Failure to pay | Non-agency payment | Particulars of assessment | Refusal of assessment to object | Registration details | Other | Total | |
|------------------------------|----------------------------|--------------------------|-----------------------------------|---|----------------|--------------------|---------------------------|---------------------------------|----------------------|--------------|--------------|--------------|
| Applications received | 2013-14 | 37 | 453 | 826 | 12 | 13 | 113 | 213 | 96 | 52 | 63 | 1,878 |
| | 2012-13 | 31 | 389 | 971 | 14 | 18 | 104 | 231 | 75 | 55 | 83 | 1,971 |
| | 2011-12 | 21 | 356 | 945 | 10 | 25 | 115 | 285 | 123 | 47 | 133 | 2,060 |
| % of total | 2013-14 | 20% | 241% | 44.0% | 0.6% | 0.7% | 6.0% | 11.3% | 5.1% | 2.8% | 3.4% | 100% |
| | 2012-13 | 1.6% | 19.7% | 49.3% | 0.7% | 0.9% | 5.3% | 11.7% | 3.8% | 2.8% | 4.2% | 100% |
| | 2011-12 | 1.0% | 17.3% | 45.9% | 0.5% | 1.2% | 5.6% | 13.8% | 6.0% | 2.3% | 6.5% | 100% |
| Decision outcomes | | | | | | | | | | | | |
| Set Aside | 5 | 174 | 450 | 2 | 5 | 28 | 42 | 28 | 15 | 9 | 758 | |
| Varied | 0 | 32 | 59 | 0 | 3 | 1 | 2 | 0 | 4 | 0 | 101 | |
| Affirmed | 19 | 138 | 125 | 6 | 3 | 48 | 110 | 37 | 22 | 24 | 532 | |
| Not reviewable | 6 | 22 | 108 | 3 | 3 | 6 | 25 | 12 | 1 | 21 | 207 | |
| Withdrawn | 3 | 68 | 131 | 1 | 1 | 14 | 31 | 1 | 2 | 6 | 258 | |
| Dismissed | 1 | 24 | 31 | 0 | 0 | 1 | 9 | 5 | 5 | 4 | 80 | |
| Total reviewed | 2013-14 | 34 | 458 | 12 | 15 | 98 | 219 | 83 | 49 | 64 | 1,936 | |
| | 2012-13 | 31 | 371 | 907 | 20 | 17 | 107 | 226 | 98 | 51 | 72 | 1,900 |
| | 2011-12 | 27 | 367 | 1,084 | 0 | 20 | 120 | 334 | 101 | 49 | 125 | 2,227 |
| Set aside rate 1* (%) | 2013-14 | 14.7% | 45.0% | 56.3% | 0% | 53.3% | 29.6% | 20.1% | 33.7% | 38.8% | 14.1% | 44.4% |
| | 2012-13 | 16.1% | 47.7% | 49.9% | 0.0% | 23.5% | 27.1% | 19.9% | 32.7% | 29.4% | 25.0% | 41.2% |
| | 2011-12 | 11.1% | 45.0% | 51.0% | 0.0% | 40.0% | 16.7% | 24.0% | 31.7% | 34.7% | 12.0% | 40.1% |
| Set aside rate 2* (%) | 2013-14 | 20.8% | 59.9% | 80.3% | 0% | 72.7% | 37.7% | 28.6% | 43.1% | 46.3% | 27.3% | 61.8% |
| | 2012-13 | 26.3% | 64.6% | 80.2% | 0.0% | 50.0% | 37.7% | 31.7% | 43.2% | 42.9% | 52.9% | 63.1% |
| | 2011-12 | 20.0% | 58.1% | 82.2% | 0.0% | 66.7% | 24.4% | 38.1% | 45.1% | 47.2% | 41.7% | 62.9% |

^a Please note that in Change of Assessment cases the liability to pay child support is likely to be affirmed but the amount of the liability may be varied

* Set aside rate 1 = set aside and varied as percentage of all finalised decisions of this type

Set aside rate 2 = set aside and varied as percentage of set aside, varied and affirmed decisions of this type

APPENDIX 5 – WORKPLACE HEALTH AND SAFETY

SUMMARY OF NOTIFIABLE INCIDENTS, INVESTIGATIONS AND NOTICES UNDER THE WHS ACT, 1 JULY 2013 TO 30 JUNE 2014

| Action | Number |
|--|---------------|
| Death of a person that required notice to Comcare under section 35 | 0 |
| Serious injury or illness of a person that required notice to Comcare under section 35 | 0 |
| Dangerous incident that required notice to Comcare under section 35 | 0 |
| Investigations conducted under Part 10 | 0 |
| Notices given to DSS under section 90 (provisional improvement notices) | 0 |
| Notices given to DSS under section 191 (improvement notices) | 0 |
| Notices given to DSS under section 195 (prohibition notices) | 0 |
| Directions given to DSS under section 198 (non-disturbance) | 0 |

APPENDIX 6 – ENVIRONMENTAL PERFORMANCE REPORTING

In relation to subsections 516A(5) and (6) of the *Environment Protection and Biodiversity Conservation Act 1999* (assuming that the SSAT is a Commonwealth “agency”) paragraphs 516A(6)(a) and (b) do not apply because the SSAT does not engage in any development.

Paragraphs 516A(6)(c) and (d) require the SSAT to document the effect of its activities on the environment and what measures the SSAT takes to minimise its impact on the environment.

The activities of the SSAT affect the environment through its need for premises in which to carry out its functions and the use of electricity, transport, water and paper in carrying out those functions.

The SSAT minimises the impact of its activities on the environment by the measures set out in the table below.

The SSAT monitors its energy usage against the target per staff member set by the Department of Climate Change. Staff are periodically reminded of the requirement to switch off equipment before leaving the office.

The SSAT reports annually to the Department of Climate Change about energy consumption and subsequent emissions, and to the National Packaging Covenant (a collaborative agreement between government and industry) about disposal of materials, recycling and reuse.

The SSAT’s leadership group conducts most of its meetings by telephone to avoid the need for air travel, and requires most national meetings of staff to be conducted by telephone or video-conferencing.

| Theme | Measures |
|--------------------------|---|
| Energy efficiency | Lights automatically switch off after a period of inactivity in the room. |
| Energy efficiency | The SSAT purchases equipment with an energy saving mode. Staff asked to switch off computers, including monitors, and other non-essential electronic equipment in their work area when not in use. |
| Waste management | Separate bins are provided in every office for recyclable, compost and general waste. Individual desk bins are for recyclable material only. |
| Leasing of accommodation | New accommodation selected with regard to the building’s energy rating, with the aim that all SSAT premises will have a five-star energy rating. |
| Transport | Conduct meetings by electronic means wherever possible rather than use transport. |
| Sustainability | Recycled, recyclable and ‘environmentally friendly’ products and office supplies are purchased where available. |

APPENDIX 7 – LEGAL SERVICES EXPENDITURE STATEMENT

This is a statement of legal services expenditure* by the Social Security Appeals Tribunal for 2013-14, published in compliance with paragraph 11.1(ba) of the *Legal Services Directions 2005*.

| | |
|---|--------------------|
| Agency's total legal services expenditure | \$47,984.21 |
| Agency's total external legal services expenditure | \$47,984.21 |
| External expenditure on professional fees | \$47,984.21 |
| External expenditure on counsel | \$0 |
| Number of male counsel briefed | 0 |
| Value of briefs to male counsel | \$0 |
| Number of female counsel briefed | 0 |
| Value of briefs to female counsel | \$0 |
| Other disbursements on external legal services | \$0 |
| Agency's total internal legal services expenditure | \$0 |
| Salaries | \$0 |
| Overheads (includes administrative support and accommodation costs) | \$0 |

* All figures are GST inclusive.

APPENDIX 8 – CORRECTIONS TO LAST YEAR’S REPORT

In table 4, on page 9, decisions varied/set aside in 2012-13 should be 20%, not 21%.

The number of applications for review of a decision about child support received in 2012-13 was 1,971 but was incorrectly noted as 1,972 on page 10 of the report.

On page 39, member Glen Cranwell’s qualification LLB should read LLB (Hons).

On page 46 the ‘set aside rate 2’ for Centrelink in 2011-12 should read 29.0%, not 32.5% (which is the figure for 2010-11).

APPENDIX 9 – DECISIONS OF INTEREST

AUSTUDY

Whether part-time enrolment in two courses meets the full-time study requirement for qualification for Austudy

The applicant was studying full-time for a Master of Divinity. To be ordained as a minister she was required to complete additional units only available in a Diploma of Theology. In 2013 the applicant enrolled part-time in both courses and her University confirmed that she was undertaking a full-time study load. Centrelink cancelled her Austudy and raised a debt on the basis that the applicant was not undertaking full-time study in 2013.

The SSAT considered whether part-time enrolment in two courses can be aggregated to meet the full-time study requirements under section 569C of the *Social Security Act 1991*. The SSAT considered Centrelink's "Policy Clarification for Student Undertaking Double Degrees", which notes that the "the Secretary... must be satisfied that a student is full-time in an approved course (or courses) of study (two part-time courses) at an approved institution; and... the institution can confirm that the work load is equal to... what a student would undertake if engaged in a single course of full-time study". The SSAT found that the applicant was undertaking two approved courses at an approved institution and her University considered her to be a full-time student. The SSAT decided that the applicant met the definition of full-time student for Austudy purposes.

DISABILITY SUPPORT PENSION

Whether the program of support requirement was satisfied

Centrelink decided the applicant had an impairment rating of 20 points or more on the Impairment Tables, but his claim for disability support pension was rejected because he did not have a continuing inability to work as defined in subsection 94(2) of the *Social Security Act 1991* (the **SS Act**).

The SSAT was satisfied the applicant had an impairment rating of 20 points and also that his impairments were sufficient to prevent him doing any sort of work or training

independent of a program of support for the next two years. As the applicant did not have a "severe impairment" as defined in subsection 94(3B) of the SS Act, he also had to satisfy the requirement in subsection 94(5) that he had actively participated in a "program of support" to qualify for disability support pension.

Section 5 of the *Social Security (Requirements and Guidelines – Active Participation for Disability Support Pension) Determination 2011* (the **Determination**) contains the requirements for active participation. It says that to have actively participated in a program of support a person must have been engaged in such a program for at least 18 months of the 36 months prior to the claim, unless they were involved in a program that was less than 18 months long and they completed that program or they have participated in a program, but are prevented from improving their capacity to find, gain or remain in work because of their medical conditions (these exceptions are set out in section 5(1)(4) and (5) of the Determination).

At the time of the hearing, the applicant was participating in a program of support and had done so for 44 weeks. The SSAT received evidence from the applicant's treating doctor and his employment services manager. The employment services manager advised that the applicant could not sit or stand long enough to work or be retrained, and they had been unable to find him any suitable work or training due to his physical tolerances. The employment services manager considered that the applicant was unable to work or retrain and that this would not improve, a view supported by the applicant's treating doctor.

The SSAT was satisfied that the applicant had actively participated in a program of support, but that he was prevented, solely because of his impairments, from improving his capacity to find, gain or remain in employment. He met the program of support test through the exception set out in section 5(5) of the Determination. The SSAT set aside the decision under review and returned the matter to the Chief Executive Centrelink with directions that the applicant met the medical qualification requirements and subject to

meeting the remaining requirements, he was eligible for disability support pension from the date of claim.

Whether disability support pension is payable whilst in gaol and also a forensic patient

The applicant was serving a 20 year term of imprisonment when he was found not guilty of a subsequent offence of arson within the prison, by reason of mental illness. Orders were made that he be detained in a mental health facility. He commenced to undertake a rehabilitation program and lodged a claim for disability support pension. The claim was originally granted by Centrelink but later cancelled when it was found that, as well as being detained under the *Mental Health (Forensic Provisions) Act 1990*, he was serving the prison sentence because of the earlier criminal conviction.

Section 1158 of the *Social Security Act 1991* (the **SS Act**) provides that disability support pension, among other payments, is not payable for any period when a person is in gaol or undergoing psychiatric confinement because they have been charged with an offence. The terms “in gaol” and “psychiatric confinement” are defined in section 23 of the SS Act. Subsection 23(9) states that the confinement of a person in a psychiatric institution during a period when the person is undertaking a course of rehabilitation is not to be taken to be psychiatric confinement. The applicant submitted that this exception applied to entitle him to payment of disability support pension.

The SSAT was satisfied that the applicant was “in gaol” at the time of his claim for disability support pension. As defined in subsection 23(5), the applicant was lawfully detained in a prison or some other place of detention while under sentence for conviction of an offence: notwithstanding he was detained as a forensic patient in respect of the second offence. The SSAT affirmed the decision under review.

Note: The SSAT decision was affirmed by the *AAT Toki and Secretary, Department of Social Services* (2014) AATA 144 (13 March 2014)

AGE PENSION

Whether the assets of controlled private companies, and the value of unrepaid loans owed to and between controlled private companies, should be attributed as assets for assessing entitlement to age pension

The applicants, a married couple, are the sole shareholders of company A and company B. A third company had three voting shares, one of which was held by company B. Centrelink cancelled age pension to the applicants, having determined that the value of their assets exceeded the ceiling beyond which age pension ceases to be payable. For assessment of their assets, the applicants were attributed the value of the assets of each company, in proportion to their shareholding. Included in the assets of company A was an undischarged loan liability owed by company B. Also included in the applicants’ assessed assets were the value of loans by each applicant to company B, and an unrepaid liability owing to the applicants by company A.

The *Social Security Act 1991* (the **SS Act**) includes provisions which reach behind the legal structures of certain private trusts or companies to establish the underlying reality of who owns and controls assets or income held in those forms. It treats the income or assets of the trust or company as being that of the person rather than the entity, when three things can be shown: that it is a ‘designated’ entity (subsections 1207P, 1207N respectively); that it is an entity controlled by the person whose social security pension is being determined (subsections 1207V, 1207Q); and that the person is an ‘attributable stakeholder’ in that entity (subsections 1207X(2), 1207X(1)).

The SSAT found that all three companies were designated entities as defined in section 1207N. In determining whether a person has control of a private company, subsection 1207Q(2) provides that an individual controls the company where the person or their associates hold 50 per cent or more of the direct voting rights, or is beneficially entitled to 15 per cent or more of the capital or dividends, or the company is sufficiently ‘influenced’ by the person or their associates

(or entities meeting the previous criteria), or is in a position to exercise control over the company. The applicants met the first of these tests in respect of both company A and company B by virtue of being the sole two shareholders, each with 50% of the voting power, while company C is one third owned by company B, and thus also is controlled.

Subsection 1207X(1) of the SS Act provides that if a company is a controlled private company in relation to an individual, the individual is an attributable stakeholder of the company unless the Secretary otherwise determines; and in respect of assets, if the individual is an attributable stakeholder of the company, the individual's asset attribution percentage in relation to the company is 100%, unless the Secretary determines a lower percentage in relation to the individual and the company, in which case it is that lower percentage. Subsection 1207X(5) provides that any variation may be made only in accordance with the rules set out in any Determination made by the Secretary of the relevant Department under section 1209E. Having considered the Determination, the SSAT found no basis in the case for departing from the usual attribution of stakeholders and concluded that the 'percentage ownership' of any assets (or income) of the companies must be determined in accordance with subsection 1207X(1). The SSAT therefore found that the income and assets of the applicants included the full share of income and assets held by company A and company B and the proportionate share of company C by virtue of their being attributable stakeholders in those controlled private companies.

Subsection 9(1) of the SS Act defines "financial assets" to include loans owed to a person. Section 1122 of the SS Act provides that the value of the assets of a person for the purposes of this Act includes the unpaid amount of a loan, but does not include any amount payable by way of interest under the loan. The applicants sought to have the undischarged loan liability owed by company B to company A disregarded, saying that company B was unable to repay the amount. In some cases a loan is found to be unenforceable, such as where the debtor

is a corporation which has been wound up, or a person who has been declared bankrupt. The SSAT concluded however that the current loan owed to company A remained legally enforceable, and must therefore be included as an asset of company A attributable to the applicants. The SSAT also found that the value of the unrepaid portion of the 'face value' of loans owed by company B to the applicants were their assets, in accordance with section 1122 of the SS Act.

The value of the total assets of the applicants exceeded the ceiling amount beyond which the rate of age pension under section 1064 of the SS Act is a 'nil' rate. The SSAT affirmed the decisions to cancel age pension.

Whether a person's rate of age pension is affected by their partner's weekly compensation payments

The applicant claimed aged pension which is a compensation affected payment (CAP). The applicant's partner receives compensation payments. If the partner had a notional entitlement to a CAP then the effect of section 1174 of the *Social Security Act 1991* is that the amount of weekly compensation received by the partner reduces the amount of the notional CAP on a dollar for dollar basis. Once the amount of the notional CAP is zero, any excess compensation would be subtracted from the rate of the age pension otherwise payable to the claimant. Centrelink decided that the partner would have a notional entitlement to either disability support pension (DSP) or newstart allowance (both of which are a CAP) and then proceeded on the basis of a notional entitlement to newstart allowance.

As newstart allowance is lower than DSP, the applicant's rate of age pension was reduced by a greater amount than if her partner's notional entitlement was to DSP. The SSAT referred to the Guide to Social Security Law which states that "(i)f there is uncertainty about which payment the compensation recipient is qualified for, the application of this policy should be beneficial." As it was more beneficial to the applicant if the partner's notional entitlement was to DSP, the decision under review was set aside and the matter

was sent back for reconsideration with a direction that the applicant's rate of age pension be calculated on the basis that her partner had a notional entitlement to DSP.

NEWSTART ALLOWANCE

Did an applicant have a reasonable excuse for refusing to accept a job that paid 'cash in hand'?

An eight week non-payment period was imposed upon the applicant as he refused to accept an offer of suitable employment at a café. The non-payment period was imposed on the basis that the applicant had refused the job as he did not wish to work for a female. At the hearing by the SSAT, the applicant denied this and said that he was currently working for a female. The applicant claimed that the pay arrangement proposed by the café proprietor was 'cash-in-hand'. He regarded this as inappropriate as the non-payment of tax was contrary to the law and refused the offer of employment on that basis.

The SSAT spoke to the café proprietor who said that it was his practice to pay workers on a cash-in-hand basis for the first day or two to see how the employee was settling in and whether the employment would continue.

The SSAT found that initially the applicant would have been paid cash-in-hand and that he objected to that practice as non-payment of income tax is contrary to the law. After considering issues for an employee of taking cash-in-hand set out on the ATO's website, the SSAT concluded that employment offered on a cash-in-hand basis together with an expressed intention that tax would not be taken out of an employee's wages is unsuitable work, even if this practice is only to take place for one or two days.

As the employment was not suitable employment, the applicant had not committed a serious failure and the eight week non-payment period should not be imposed.

LOW INCOME HEALTH CARE CARD

Should an applicant be granted an exemption from the newly arrived resident's waiting period as a partner of an Australian citizen?

The applicant arrived in Australia from overseas in 2013 following her marriage to an Australian citizen. Her husband continued to receive his Centrelink pension at the single rate because the Secretary determined (under section 24 of the *Social Security Act 1991* (the **SS Act**)) that he was not to be treated as a member of a couple because his wife had no income or assets and he would be fully supporting her.

Subsequently, the applicant claimed a health care card. A newly arrived resident's waiting period (**NARWP**) of 104 weeks must be served before a person qualifies for a health care card (sections 1061ZQ and 1061ZR of the SS Act). This requirement was inserted in the SS Act by the *Social Security Legislation Amendment (Newly Arrived Resident's Waiting Periods and Other Measures) Act 1997* which also relevantly stated (in paragraph 3(1)(e)) that the waiting period does not apply to a person who is "a family member of an Australian citizen".

However, sections 1061ZQ and 1061ZR in their current form were inserted by the *Social Security Legislation Amendment (Concession Cards) Act 2001* (and then amended by the *Family and Community Services Legislation Amendment (New Zealand Citizens) Act 2001* which added the words "or a special category visa holder" to paragraphs 1061XQ(2)(c), 1061XR(a) and 1061XR(b)).

Subsection 3(1) of the *Social Security Legislation Amendment (Concession Cards) Act 2001* stated that, "on and after 1 July 2001, section 3 of the *Social Security Legislation Amendment (Newly Arrived Resident's Waiting Periods and Other Measures) Act 1997* applies in relation to Part 2A.1 of the *Social Security Act 1991*, as amended by this Act, in the same way as before that date it applied to Part 2A.1 of the *Social Security Act 1991*".

The issue for the SSAT was therefore whether the applicant was the “family member” (which expression is defined in subsection 7(6D) of the SS Act to include a partner) of an Australian citizen. Subsection 4(6) of the SS Act states that “A person is not a member of a couple if a determination under section 24 is in force in relation to the person”. As a determination under section 24 was in force, the SSAT concluded that the applicant could not be regarded as the family member of her husband and thus no exemption from the NARWP applied to her.

CHILD SUPPORT AGREEMENT

Whether a binding agreement has terminated

The parents of a child entered into a binding child support agreement for the father to pay periodic child support to the mother. The mother had the majority of the care for the child. Some 14 years later, the Child Support Registrar (the **Registrar**) was notified that the care had changed and that the father had 100% care for a period of two months.

The Registrar refused to change the care percentages for the two months. The father objected and his objection was allowed. The mother applied to the SSAT for a review.

The issue for the SSAT was whether a change in the level of care between the parents, ended the liability for the liable parent to pay child support under the terms of a binding child support agreement. The SSAT ordered the Registrar to make written submissions and the Registrar conceded that the terms of the agreement are taken to be court orders pursuant to section 95 of the *Child Support (Assessment) Act 1989*, and therefore an administrative assessment inconsistent with these terms was unable to be issued by the Department. As there had not been a terminating event and the transitional child support agreement had not been terminated, there was no legislative basis for the objection decision to cease the child support payable.

The SSAT agreed, set aside the objection decision and substituted a new decision that the Registrar must give effect to the terms of the binding agreement during the subject period.

OVERSEAS MAINTENANCE LIABILITY

Whether an overseas maintenance liability is registrable

In 2005, the Child Support Registrar (the **Registrar**) registered an overseas maintenance liability after receiving an application from a reciprocating jurisdiction. This liability consisted of arrears that arose as a result of an order of a court (in the reciprocating jurisdiction) for the father, who was the applicant at the SSAT, to pay child support for his children. The overseas authority that made the application for registration identified the payee as the maternal grandmother in the application and in subsequent correspondence to the Registrar. In 2009 the overseas authority wrote to the Registrar advising that its file had been closed and requested the Registrar to do the same. In that correspondence, the overseas authority named the mother of the children as the custodial parent and participant. The Registrar continued to enforce the liability claiming there was no election from the payee for the liability not to be enforced. Some four years later, the Registrar amended the child support register to reflect that the biological mother was the person entitled to receive the amounts payable under the registered overseas maintenance liability.

The issue for the SSAT was whether an application for registration of the overseas maintenance liability was properly made by the overseas authority under regulation 13 of the *Child Support (Registration and Collection) (Overseas-related Maintenance Obligations) Regulations 2000* (as in force in 2005).

After receiving a written submission from the Registrar, the SSAT concluded that the application was not properly made by the overseas authority as it did not correctly identify the payee of the registrable maintenance liability in 2005 and there was sufficient doubt whether the overseas authority made the application on behalf of the mother or the grandmother. The SSAT set aside the objection decision and substituted a decision that the Registrar should not register the overseas maintenance liability and commented that it remained open for the mother to apply to the Registrar for registration of the liability.

APPENDIX 10 – ACCESS TO JUSTICE ACTIVITIES

New South Wales

Stall at NAIDOC Community Exposition

Registry open day during Law Week

Presentations to:

Carer Assist
City Councils – Bankstown, Nowra, Shoalhaven and Wagga Wagga
Creating Links
Defence Community Options
Defence Community Organisation
Department of Education and Communities, NSW
Department of Human Services
Department of Family and Community Services, NSW
The Disability Trust
Greenacres Employment Solutions
Housing NSW
Ideas NSW
Illawarra and South East Region
Illawarra Family Referral Service
Illawarra Multicultural Services Inc.
Illawarra Shoalhaven Local Health District Ambulator
Job Centre Australia
Legal Aid NSW
Missions Australia
Multicultural Council of Wagga Wagga
Northcott
Nowra Family Support Services
The NSW Trustee and Guardian
ORS Group Employment Services
Riverina Medical and Dental Aboriginal Corporation
Shoalcoast Community Legal Centre
South Coast Aboriginal Medical Service
South Coast Medical Service Aboriginal Corporation
The Smith Family
St George Community Housing
TAFE
Tumut Regional Family Services
The University of Wollongong
Welfare Rights and Legal Centre (ACT)
Welfare Rights Centre, Sydney

Queensland

Stall at NAIDOC Community Exposition

Registry open day during Law Week

Regular liaison with Welfare Rights Centre

Presentations to:

Brisbane Youth Service
Open Doors
Youth and Family Services, Slacks Creek

South Australia

Presentations to:

Aboriginal Health Council Forum
Community Workers' Forum – Centrelink and Financial Management
Gawler & District College
Onkaparinga Collaborative for the Prevention of Domestic Violence and Indigenous Family Violence
SA Financial Counsellors' Association

Presentations at:

Disability and Aging Exposition
Mental Health Rights Forum
Rural outreach, attended by:
Aboriginal Family Support Services, Coober Pedy
APY Executive Board, Umawa
Bungala Aboriginal Corporation, Port Augusta
Centacare, Port Augusta
Centrelink NPY Remote Servicing Hub, Alice Springs serving APY Lands
Community Health Care, Port Augusta
Community Westside Lawyers, Port Pirie
Department of Education and Child Development, Port Augusta and Port Pirie
Domestic Violence & Aboriginal Family Violence Service, Port Augusta
Families SA, Port Augusta and Pukatja
Housing SA, Coober Pedy and Umawa
Indulkana Anangu School, Indulkana
Kaltjiti Art Centre Kaltjiti (Fregon)
Legal Aid, Adelaide
Mimili Accommodation Centre, Arts Centre and Family Centre
Money Mob, Mimili and Pukatja

Office for Children and Young People,
Port Pirie

Port Augusta City Council, Port Augusta

Red Cross, Coober Pedy

Regional Anangu Services Aboriginal
Corporation (RASAC) Alice Springs

Skill Hire, Indukana, Kaltjiti (Fregon)
and Pukatja

TAFE, Coober Pedy, Kaltjiti (Fregon)
and Indulkana

Uniting Care Wesley, Coober Pedy, Port
Augusta and Port Pirie

Western Australia

Presentations to:

Community Consultative Forum

Disability Awareness Exposition

Health, Older Australians Disability and
Carers' Forum

Homeless Connect Exposition

Rural outreach, attended by:

- Aboriginal Health Council of Western
Australia, Highgate WA
- Administrative Appeals Tribunal, Perth
- Anglicare WA, Albany
- Bunbury Community Legal Centre &
Community Mediation Services, Bunbury
- Centrelink, Albany, Innaloo and
Victoria Park
- Community First, Albany
- Fremantle Community Legal, Fremantle
- Great Southern Personnel, Albany
- Legal Aid, Albany and Perth
- The Men's Resource Centre, Albany
- Mental Health Law Centre, Perth
- Sussex Street Community Law
Services, East Victoria Park
- Welfare Rights and Advocacy
Service, Perth

Tasmania

Presentation to Tasmania Aboriginal
Legal Service

Victoria

Registry open day during Law Week

Participation in NAIDOC Whole of
Government event

Regular liaison with Social Security
Rights Victoria

Regular liaison with Victoria Legal Aid

Presentations to:

- Australian Greek Welfare Society
- Barwon Community Legal Service
- Bethany Community Support – Gamblers
Help
- Centrelink, Sunshine
- Dandenong and Peninsula Legal Services
- Financial Counselling Australia Conference
- Fitzroy Legal Service
- Leo Cussen Institute (student training
program)
- Regional Information and Advocacy
Council Geelong
- Social Security Rights Victoria
- Springvale Community Aid and
Advice Bureau
- Springvale and Monash Legal Service
- Victoria Legal Aid, Geelong, Melbourne
and Warrnambool
- Western Suburbs Legal Service

APPENDIX 11 – CONTACT DETAILS

National Office

Level 24, 500 Collins Street,
Melbourne VIC 3000

(PO Box 218, Collins Street West,
Melbourne VIC 8007)

Email: info@ssat.gov.au
Tel: (03) 8626 4923
Fax: (03) 8626 4949

Principal Member – Jane Macdonnell

Registrar – Louise Anderson

Executive Officer – Melanie Priano

Australian Capital Territory

All ACT reviews are managed through the NSW registry. Please refer to contact details for NSW registry.

New South Wales

Level 20, 580 George Street,
Sydney NSW 2000

(GPO Box 9943, Sydney NSW 2001)

Email: sydney@ssat.gov.au
Tel: (02) 9202 3400
Fax: (02) 9202 3499

Deputy Principal Member – Suellen Bullock

District Registrar – Catherine Cudmore

Northern Territory

All NT reviews are managed through the Queensland registry. Please refer to contact details for the Queensland registry.

Queensland

Level 26, 215 Adelaide Street,
Brisbane QLD 4000

(GPO Box 9943, Brisbane QLD 4001)

Email: brisbane@ssat.gov.au
Tel: (07) 3005 6200
Fax: (07) 3005 6215

Deputy Principal Member – Jim Walsh

District Registrar – Robin Harvey

South Australia

Level 12, 45 Grenfell Street,
Adelaide SA 5000

(GPO Box 9943, Adelaide SA 5001)

Email: adelaide@ssat.gov.au
Tel: (08) 8400 4900
Fax: (08) 8400 4999

Deputy Principal Member – Jim Walsh

District Registrar – Ian Phillips

Tasmania

Level 8, 188 Collins Street,
Hobart TAS 7000

(GPO Box 9943, Hobart TAS 7001)

Email: hobart@ssat.gov.au
Tel: (03) 6211 2800
Fax: (03) 6211 2899

Deputy Principal Member – Irene Tsiakas

District Registrar – Marianne Evans

Victoria

Level 11, 565 Bourke Street,
Melbourne VIC 3000

(GPO Box 9943, Melbourne VIC 3001)

Email: melbourne@ssat.gov.au
Tel: (03) 9954 0700
Fax: (03) 9954 0749

Deputy Principal Member – Irene Tsiakas

District Registrar – Marianne Evans

Western Australia

Level 3, 109 St Georges Terrace,
Perth WA 6000

(GPO Box 9943, Perth WA 6001)

Email: perth@ssat.gov.au
Tel: (08) 9229 1300
Fax: (08) 9229 1315

Deputy Principal Member – Jim Walsh

District Registrar – Ian Phillips

National Freecall™ Number

The SSAT provides a national toll free telephone number – 1800 011 140.

SSAT website

Please refer to the SSAT's website at www.ssat.gov.au for further information.

Contact Officer

For enquiries about this Annual Report, please contact:

Executive Officer
National Office
PO Box 218, Collins Street West
Melbourne VIC 8007

Tel: (03) 8626 4923
Fax: (03) 8626 4949

Additional copies of this Annual Report

Additional copies of this Annual Report are available from the SSAT National Office or by contacting your nearest SSAT registry.

It is also available as an accessible PDF on the SSAT's website at www.ssat.gov.au.

GLOSSARY

| | |
|-------------|----------------------------------|
| AAT | Administrative Appeals Tribunal |
| ARO | Authorised Review Officer |
| CSA | Child Support Agency |
| DHS | Department of Human Services |
| DSS | Department of Social Services |
| PPL | Paid Parental Leave |
| SSAT | Social Security Appeals Tribunal |

LIST OF REQUIREMENTS

As the SSAT is not an executive agency under the *Public Service Act 1999* (or a prescribed agency under the *Financial Management and Accountability Act 1997*), the entire List does not apply to the SSAT. However, the SSAT has endeavoured to apply the List and noted as not applicable (“N/A”) all items with which the SSAT cannot comply.

| Description | Page |
|---|-------|
| Letter of transmittal | iii |
| Table of contents | iv |
| Index | 75 |
| Glossary | 71 |
| Contact officer(s) | 70 |
| Internet home page address and Internet address for report | 70 |
| Review by Principal Member | |
| Review by Principal Member | 2-3 |
| Summary of significant issues and developments | n/a |
| Overview of SSAT’s performance and financial results | n/a |
| Outlook for following year | n/a |
| Significant issues and developments – portfolio | n/a |
| Overview of the SSAT | |
| Role and functions | 5-6 |
| Organisational structure | 6-7 |
| Outcome and programme structure | n/a |
| Where outcome and programme structures differ from PB Statements/PAES or other portfolio statements accompanying any other additional appropriation bills (other portfolio statements), details of variation and reasons for change | n/a |
| Portfolio structure | n/a |
| Report on Performance | |
| Review of performance during the year in relation to programmes and contribution to outcomes | n/a |
| Actual performance in relation to deliverables and KPIs set out in PB Statements/PAES or other portfolio statements | n/a |
| Where performance targets differ from the PBS/ PAES, details of both former and new targets, and reasons for the change | n/a |
| Narrative discussion and analysis of performance | 9-22 |
| Trend information | 9-22 |
| Significant changes in nature of principal functions/services | n/a |
| Performance of purchaser/provider arrangements | n/a |
| Factors, events or trends influencing departmental performance | 9-22 |
| Contribution of risk management in achieving objectives | n/a |
| Performance against service charter customer service standards, complaints data, and the department’s response to complaints | 12-22 |

| Description | Page |
|---|-------------|
| Discussion and analysis of the SSAT's financial performance | 12 |
| Discussion of any significant changes in financial results from the prior year, from budget or anticipated to have a significant impact on future operations. | n/a |
| Agency resource statement and summary resource tables by outcomes | n/a |
| Management and Accountability | |
| Corporate Governance | |
| Agency heads are required to certify that their agency complies with the "Commonwealth Fraud Control Guidelines" | n/a |
| Statement of the main corporate governance practices in place | 24 |
| Names of the senior executive and their responsibilities | 6-7 |
| Senior management committees and their roles | 24 |
| Corporate and operational planning and associated performance reporting and review | n/a |
| Internal audit arrangements including approach adopted to identifying areas of significant financial or operational risk and arrangements to manage those risks | n/a |
| Policy and practices on the establishment and maintenance of appropriate ethical standards | n/a |
| How nature and amount of remuneration for SES officers is determined | n/a |
| External Scrutiny | |
| Significant developments in external scrutiny | n/a |
| Judicial decisions and decisions of administrative tribunals and by the Australian Information Commissioner | 16-22 |
| Reports by the Auditor-General, a Parliamentary Committee, the Commonwealth Ombudsman or an agency capability review | 24 |
| Management of Human Resources | |
| Assessment of effectiveness in managing and developing human resources to achieve the SSAT's objectives | 24-26 |
| Workforce planning, staff turnover and retention | 25 |
| Impact and features of enterprise or collective agreements, individual flexibility arrangements (IFAs), determinations, common law contracts and Australian Workplace Agreements (AWAs) | 25 |
| Training and development undertaken and its impact | 25 |
| Work health and safety performance | 25-26, 58 |
| Productivity gains | 26 |
| Statistics on staffing | 51 |
| Enterprise or collective agreements, IFAs, determinations, common law contracts and AWAs | 25, 51 |
| Performance pay | n/a |
| Assets management | |
| Assessment of effectiveness of assets management | n/a |
| Purchasing | |

| Description | Page |
|--|-------------|
| Assessment of purchasing against core policies and principles | 26 |
| Consultants | |
| The annual report must include a summary statement detailing the number of new consultancy services contracts let during the year; the total actual expenditure on all new consultancy contracts let during the year (inclusive of GST); the number of ongoing consultancy contracts that were active in the reporting year; and the total actual expenditure in the reporting year on the ongoing consultancy contracts (inclusive of GST). The annual report must include a statement noting that information on contracts and consultancies is available through the AusTender website. | 27 |
| Australian National Audit Office Access Clauses | |
| Absence of provisions in contracts allowing access by the Auditor-General | 27 |
| Contracts exempted from publication in AusTender | 27 |
| Financial Statements | |
| Financial Statements | 30–45 |
| Other Information | |
| Work health and safety | 25–26, 58 |
| Advertising and Market Research (Section 311A of the <i>Commonwealth Electoral Act 1918</i>) and statement on advertising campaigns | 27 |
| Ecologically sustainable development and environmental performance (Section 516A of the <i>Environment Protection and Biodiversity Conservation Act 1999</i>) | 59 |
| Compliance with the agency's obligations under the <i>Carer Recognition Act 2010</i> | n/a |
| Grant programmes | n/a |
| Disability reporting – explicit and transparent reference to agency level information available through other reporting mechanisms | 28 |
| Information Publication Scheme statement | 28 |
| Correction of material errors in previous annual report | 61 |
| List of Requirements | 72–74 |

INDEX

- Access to justice 14–15, 67–68
- Accessibility 14–16
- Administrative Appeals Tribunal (AAT) 16–20
- Advertising 27
- Amalgamation of tribunals 3
- Budget *See* Funding
- Centrelink 5, 9–10, 12, 16–20
 - Review outcomes 9, 55
- Child support 5, 11–12, 20–22
 - Review outcomes 11, 57
- Child Support Registrar (CSR) 5, 11, 13
- Committees 24
- Complaints 22
- Consultants 27
- Contracts 27
- Court decisions 21–22
- Department of Human Services (DHS) 2, 5, 26
- Department of Social Services (DSS) 5, 7, 24, 25
- Deputy Principal Member 3, 6, 24
- District Registrar 7, 24
- Directions hearing 2, 12
- Disability strategy 28
- Enterprise Agreement 25
- Environmental management 28, 59
- External scrutiny 24
- Financial Statements 30–45
- Fraud control 27
- Freedom of Information 28
- Funding 7, 12
- Further reviews and appeals 16–22
- Human resources 24–26
- Interpreters 14
- Jurisdiction 5
- Legal services expenditure 60
- Members 3, 6
 - List of 47–50
- National Office 7, 24
- Ombudsman (Commonwealth) 24
- Organisational structure 7
- Outcomes 9–12
- Outreach *See* Access to justice
- Paid Parental Leave 5, 10
 - Review outcomes 56
- Pre-hearing conference *See* Directions hearing
- Principal Member 6, 24
- Productivity 7, 26
- Purchasing 27
- Registrar 7, 24
- Risk management 24, 58
- Senior Executive Service (SES) 7
- Senior Member 6
- Single member panels 2, 12
- Staff 7, 24–26, 51
- State registries 7, 24
- Statistics
 - Application outcomes 55–57
 - Application processing 52–54
 - Interpreters 14
 - Performance 9
 - Single member panels 2
 - Staffing 51
 - Timeliness 13
- Timeliness 12–13
- Training and development 25
- Wellness 24, 26
- Work Health & Safety 24, 26, 58
- Workplace Agreement *See* Enterprise Agreement

