



Social Security
Appeals Tribunal

**SOCIAL
SECURITY
APPEALS
TRIBUNAL**

**ANNUAL
REPORT**

2014/2015

**SOCIAL
SECURITY
APPEALS
TRIBUNAL**

**ANNUAL
REPORT**

2014/2015

© Commonwealth of Australia 2015

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.



With the exception of the Commonwealth Coat of Arms and any third party material, this work is licensed under a Creative Commons Attribution 3.0 Australia licence (<http://creativecommons.org/licenses/by/3.0/au/deed.en>).

To the extent that copyright subsists in third party material, it remains with the original owner and permission may be required to reuse the material.

The terms under which the Coat of Arms can be used are detailed on the following website: <http://www.itsanhonour.gov.au/coat-arms/>.

Content from this publication should be attributed as: Social Security Appeals Tribunal, *Annual Report 2014-15*.

Design: giraffe.com.au



Administrative
Appeals Tribunal

PRESIDENT'S CHAMBERS
The Hon Justice Duncan Kerr *Chev LH*

28 September 2015

Senator the Hon. George Brandis QC
Attorney-General
Parliament House
CANBERRA ACT 2600

Dear Attorney-General

In accordance with the requirements of item 15DD of Schedule 9 to the *Tribunals Amalgamation Act 2015*, I am pleased to present to you this final annual report covering the operations of the Social Security Appeals Tribunal for the year ended 30 June 2015.

Yours sincerely,



DUNCAN KERR

Ground Floor, Edward Braddon Building
Commonwealth Law Courts
39-41 Davey Street, Hobart TAS 7000
GPO Box 9955 Sydney NSW 2001
DX 10200 Sydney Stock Exchange
ABN: 90 660 970 626

T: 03 6232 1684
F: 03 6232 1649

www.aat.gov.au

CHAPTER 1 YEAR IN REVIEW

President’s report 2

CHAPTER 2 OVERVIEW OF THE SSAT

Role and functions 6
 Organisation of the SSAT 7

CHAPTER 3 PERFORMANCE

Overview 12
 Outcomes of applications for review 12
 Performance measures and results 14

CHAPTER 4 MANAGEMENT AND ACCOUNTABILITY

Governance 24
 External scrutiny 24
 Human resource management 24
 Purchasing 25
 Consultants 25

APPENDICES

Appendix 1 – Members of the SSAT as at 30 June 2015 30
 Appendix 2 – SSAT staffing as at 30 June 2015 34
 Appendix 3 – Application processing statistics 35
 Appendix 4 – Application outcomes 38
 Appendix 5 – Workplace health and safety 41
 Appendix 6 – Environmental performance reporting 42
 Appendix 7 – Legal services expenditure statement 43
 Appendix 8 – Corrections to last year’s report 44
 Appendix 9 – Decisions of interest 45
 Appendix 10 – Access to justice activities 49
 Appendix 11 – Contact details for the Social Services and Child Support Division of the AAT 50
 Glossary 51
 List of requirements 52
 Index 55

CHAPTER ONE

**YEAR IN
REVIEW**

PRESIDENT'S REPORT

The Commonwealth Administrative Review Committee (Kerr Committee) concluded in 1971 that the basic fault of the entire administrative law structure at that time was that review could not, as a general rule, be obtained on the merits despite that being what the aggrieved citizen was seeking. The Kerr Committee recommended that merits review be made available and that such review should be undertaken by a single independent, highly skilled, generalist body. Four decades later, with bipartisan support, that recommendation has been largely implemented. On 1 July 2015 the Migration Review Tribunal (MRT), the Refugee Review Tribunal (RRT) and the Social Security Appeals Tribunal (SSAT) were amalgamated into the Administrative Appeals Tribunal (AAT).

The amalgamation will simplify the pathways for individuals and organisations seeking review of Commonwealth administrative decisions without diminishing existing rights of review.

It should not be thought that the new system will be static. It would be surprising if the amalgamation does not reveal further opportunities for reform – including removal of any remaining legacy inconsistencies in aspects of the AAT's procedures which have no ongoing utility.

Bringing the four tribunals together offers opportunities to enhance the merits review system. The transfer of the members and staff of the MRT, RRT and SSAT to the AAT and the broad preservation of the procedures of each of the tribunals will allow for a continuity of experience for users of the tribunals. Efficiencies will be achieved through the consolidation of corporate operations.

This year marked the 40th and final year of the SSAT. In the circumstances, it is fitting to highlight key challenges in the SSAT's long history rather than to confine this overview to the performance of the SSAT in the reporting period.

The SSAT was created by Ministerial Instruction in 1975 to review certain decisions of the then Department of Social Security. At the time, the SSAT could only recommend to

the head of that Department that a decision be changed.

In reviewing a decision, the SSAT was constituted by a full-time member who was an officer of the Department and two part-time members who usually had legal or social welfare qualifications. In the 1980s, the decisions which the SSAT could review were expanded to include decisions about invalid pension (now known as disability support pension). For these reviews, the constitution of the SSAT expanded to also include a medical practitioner.

If the Department did not accept a recommendation of the SSAT to change its decision, the person affected by the decision could seek review by the AAT.

In 1988, the *Social Security Act 1947* was amended to establish the SSAT as a statutory body and to give determinative powers to it. Now only a decision which had been internally reviewed by the Department could be the subject of review by the SSAT. A person whose interests were affected by a decision of the SSAT could seek review of that decision by the AAT.

The statutory establishment of the SSAT enabled the appointments as full-time members of persons who were not officers of the Department responsible for administration of the legislation under which the reviewable decisions were made. However, the SSAT continued to be composed of a small number of full-time members and a large number of part-time members.

The *Social Security Act 1947* was replaced by the *Social Security Act 1991* which was expounded as having been written in plain English. However, the 1991 Act was soon described by the Federal Court of Australia as "notoriously complex and difficult to interpret". Thereafter, the Act continued to grow in size and complexity. The administrative provisions were removed to the *Social Security (Administration) Act 1999*. In the same year, *A New Tax System (Family Assistance) Act 1999* and *A New Tax System (Family Assistance) (Administration) Act 1999* were enacted.

By 2004, the SSAT was constituted by two members for most reviews, including reviews of decisions about disability support pension.

In 2007, the SSAT was given jurisdiction to review most decisions of the Child Support Registrar following internal review. In most of these cases, there was no right of further review by the AAT. An appeal on a question of law lay to the Federal Magistrates Court of Australia (as the Federal Circuit Court of Australia was then known), the Family Court of Australia or the Family Court of Western Australia in that State.

In 2010, jurisdiction was conferred on the SSAT to review decisions made under the *Paid Parental Leave Act 2010*.

In 2011, the SSAT moved to constitution by one member for most reviews in line with the practice of the AAT and the MRT-RRT. In the reporting period, the SSAT was constituted by a single member for 97% of reviews. For many years now, most members of the SSAT had legal qualifications and many members were qualified in more than one discipline.

In 2014, to further enhance attainment of its statutory objective (of providing a mechanism of review that is fair, just, economical, informal and quick) and of consistency in its decision-making, the SSAT organised its work into three national Lists. Child support reviews are heard in one List and Centrelink reviews are divided into the other two Lists.

In its final year, the SSAT continued to make a high volume of timely decisions. The number of applications for review by the SSAT rose from 12,489 to 15,264 (a 22% increase). Due to the dedication and long hours put in by many staff and members, the SSAT finalised 13,793 applications for review (an 8% increase). Reviews of Centrelink decisions were finalised in an average of 7.8 weeks and child support reviews in an average of 10.7 weeks. This timeliness was achieved without compromising the quality of the SSAT's decision-making.

The percentage of decisions of the SSAT which attracted applications to the AAT for further merits review fell in the reporting period. Similarly, the appeals on a question of law to a court with jurisdiction from a child support decision of the SSAT fell from 48 to 32.

However, the SSAT's performance would not have been sustainable in 2015-16 without reappointments or appointments to replace members upon expiry of their terms of appointment or resignation for personal or professional reasons. There have been only two reappointments, one new appointment on a 12 month acting basis and three extensions on a shorter-term acting basis since mid-2014. At the end of the reporting period, the number of applications on hand had almost doubled and it was taking longer to get a hearing date.

Having sufficient members assigned to undertake this work in the coming years will be critical to the success of the Social Services and Child Support Division of the AAT.

In the reporting period, the SSAT farewelled the following part-time members with gratitude for their contribution to its performance:

Penny Hunter, Dr Andrea Mant,
Gregory Pearson (NSW)

Cathy-Ann McLennan, Virginia Ryan (QLD)

Julie Forgan (SA)

Kim Barker (TAS)

Karen Barrett-Leonard (WA)

In addition, two SSAT members were appointed as full-time members of other tribunals in June 2015:

Tina Guthrie (QLD)

Kate Timbs (NSW)

In its 40 year history, the SSAT developed a reputation for being accessible, informal, quick, fair and expert in its jurisdiction. That reputation was built by the many hundreds of people who served as members of the SSAT over the years. Some went on to hold high office. Among them is the Hon. Justice Robert French AC, Chief Justice of the High Court of Australia, who kindly provided the following reminiscence for this last annual report of the SSAT:

I remember with pleasure my part-time role as a legal member of the Social Security Appeal Tribunal in the 1970s when it was a non-statutory administrative review body with recommendatory powers only. Despite those limitations it achieved a

high volume of timely decision-making and the Department generally accepted its recommendations. It was tripartite, with a legal member, a welfare or medical member (depending on the nature of the review) and a departmental member. It was a kind of hybrid of internal and external review incorporating through its part time members community participation. Among the welfare members with whom I sat were Sister Veronica Brady and Father Barry Hickey, who later became Catholic Archbishop of Perth. Time has moved on and the institution evolved and is now to be merged in the Administrative Appeals Tribunal. It had a long and honourable history and still provides useful models for different kinds of administrative review. I remember it fondly as does my wife, Valerie, who sat as a legal member in the 1980s.

The Government's decision to amalgamate the key Commonwealth merits review tribunals was a primary area of focus of this tribunal and its staff and members in 2014–15. The successful implementation of this decision was only possible because of the collaboration and cooperation of many people, particularly in the tribunals, the Attorney-General's Department and the portfolio departments for the MRT, RRT and SSAT. Action was required across a broad range of areas, including development and passage of the *Tribunals Amalgamation Act 2015*, reviewing and updating practice and procedure documentation, consideration of membership and staffing arrangements, as well as the many other practical issues associated with creating a single organisation from 1 July 2015.

I thank the former Principal Member of the SSAT, Jane Macdonnell, who worked tirelessly and with selfless dedication as head of the SSAT's jurisdiction to ensure the success of the amalgamation while also working with members to ensure the day-to-day delivery of merits review to the highest standards. The former Registrar of the SSAT, Louise Anderson, made very significant contributions to the project.

Jane Macdonnell has expressed what a privilege it was to serve as the Principal Member of the SSAT due to the commitment of its members and staff to providing an informal, fair and just, but also quick and economical, review of decisions which affect many disadvantaged people.

On behalf of the former Principal Member, I thank the three former Deputy Principal Members (Suellen Bullock, Irene Tsiakas and Jim Walsh) and the Registrar for their dedication and leadership in implementing the changes over several years which positioned the SSAT well for the amalgamation. I congratulate Louise Anderson on her appointment as the Chief Executive Officer of the Supreme Court of Victoria and thank Elizabeth Connolly who ably acted as Registrar of the SSAT from late April 2015. I also pass on thanks to Greig Morris who retired on 30 June 2015 after many years of providing technological solutions and support to the SSAT.

Similarly, I would like to convey the former Principal Member's gratitude for the dedication of the SSAT's registry staff in handling the increased number of applications for review while also contributing to the work needed for a smooth amalgamation with the other tribunals. Staff in the SSAT's national office also juggled their usual duties with the work required to amalgamate the corporate functions of the SSAT, MRT-RRT and AAT.

Many other staff of the tribunals also played critical roles in the amalgamation, particularly through their participation in working groups established to deal with issues relating to client service delivery, financial and human resources management, information technology, library and information services, tribunal practice and procedure and property.

Finally, I would like to acknowledge the work of the staff of the Attorney-General's Department, particularly Deputy Secretary David Fredericks and the Tribunals Amalgamation Taskforce, who coordinated the implementation of the Government's decision. The way in which they engaged with the tribunals has assisted in the establishment of an amalgamated AAT that is well-placed to meet the needs of the Australian community into the future.

CHAPTER TWO

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 was to undertake merits review of those decisions in respect of which jurisdiction was conferred on the SSAT. Merits review required 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 was before the SSAT.

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

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

On 1 July 2015, pursuant to the *Tribunals Amalgamation Act 2015*, the SSAT amalgamated with the Administrative Appeals Tribunal (AAT), the Migration Review Tribunal and the Refugee Review Tribunal (MRT-RRT). The jurisdiction of the SSAT is now exercised by the Social Services and Child Support Division of the AAT.

Jurisdiction

In the reporting period, the SSAT reviewed 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 had jurisdiction to review 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 reviewed 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 could not review a Centrelink decision unless that decision had been reviewed by an authorised review officer (ARO). It was the practice of Centrelink to treat an application to the SSAT for review of a decision, which had not been reviewed by an ARO, as a request for review by an ARO.

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

The CSA sometimes rejected an objection on the basis that it was not "valid", and adopted the view that the SSAT had no jurisdiction. However, the SSAT has conducted 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 were 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 was not bound by legal technicalities, legal forms or rules of evidence and was required to act as speedily as a proper consideration of the review allowed. In determining what a proper consideration required, the SSAT had to have regard to its statutory objective of providing a mechanism of review that is fair, just, economical, informal and quick.

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

Unless an application for review by the SSAT was discontinued, withdrawn or dismissed, the SSAT had to affirm, vary or set aside the reviewable decision.

Where the SSAT set aside a decision, the SSAT could 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 was composed of its members who were appointed by the Governor-General on a full-time or part-time basis (with the exception of the Principal Member who had to be appointed on a full-time basis). From 2010, appointments were usually made for a term of five years. Members could be reappointed. Appointments and reappointments usually took effect from 1 January or 1 July each year.

At 30 June 2015, the SSAT comprised the Principal Member, three full-time Deputy Principal Members, one full-time Senior Member, 11 full-time members and 102 part-time members, five of whom were not available to hear reviews.

The names and qualifications of the members of the SSAT at 30 June 2015 are listed in Appendix 1.

TABLE 1 TRIBUNAL MEMBERSHIP AT 30 JUNE 2015

Category of member	Full-time	Part-time	Total	(Women)
Principal Member	1 ¹	-	1	(1)
Deputy Principal Members	3	-	3	(2)
Senior Members	1	-	1	(0)
Members	11 ²	102 ³	113	(65)
TOTAL	16	102	118	(68)

Notes: 1. Appointment expired on 30 June 2015.

2. Includes one member who was appointed as a full-time member of the MRT-RRT in late June.

3. Includes three members who resigned on or soon after 30 June 2015 and five part-time members who were not available to hear reviews.

Principal Member

The Principal Member of the SSAT, Jane Macdonnell, was responsible for the overall operation and administration of the SSAT.

The Principal Member was required to monitor the operations of the SSAT and to take reasonable steps to ensure that decisions of the SSAT were consistent and that the SSAT efficiently and effectively performed its functions. The Principal Member could give directions to increase the efficiency of the operations of the SSAT and as to the arrangement of the business of the SSAT.

Deputy Principal Members

Deputy Principal Members assisted the Principal Member in the operation and administration of the SSAT. To further enhance attainment of its statutory objective of providing a mechanism of review that is fair, just, economical, informal and quick, and the consistency of its decision-making, the business of the SSAT was arranged into three national Lists each of which was headed by a Deputy Principal Member during the reporting period.

Applications for review of decisions about a payment type for which the qualifications included impairment criteria or activity tests were allocated to List A. Applications for review of decisions about other types of social security payments, family assistance payments and about the application of the assets or income test for any payment type were allocated to List B. Applications for review of decisions about child support were allocated to List C.

Deputy Principal Members also continued to provide leadership to members in the States in which they were located and in the smaller States or Territories for whose operations they had been responsible prior to the establishment of the national Lists.

Senior Members

The SSAT had one Senior Member, Bruce Harvey, who is located in South Australia.

Staff

Registrar

The Registrar of the SSAT was not a statutory office and was a Senior Executive Service Band 1 position occupied by Louise Anderson.

Clause 24 of Schedule 3 to the *Social Security (Administration) Act 1999* stipulated that any staff required to assist the SSAT were 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 were engaged in exercise of power delegated by the Secretary to the Registrar.

See Appendix 2 for staffing information.

Registries

The SSAT had a registry in the capital city of each State and operated as four districts under four District Registrars who reported to the Registrar.

TABLE 2 DEPUTY PRINCIPAL MEMBERS AT 30 JUNE 2015

List	Deputy Principal Member	State
A (Centrelink decisions)	Suellen Bullock	NSW / ACT
B (Centrelink decisions)	Irene Tsiakas	VIC / TAS
C (Child support decisions)	Jim Walsh	QLD / NT / WA / SA

TABLE 3 DISTRICT REGISTRARS AT 30 JUNE 2015

Registry	District Registrar
NSW/ACT	Elizabeth Connolly
VIC/TAS	Marianne Evans
QLD/NT	Robin Harvey
SA/WA	Ian Phillips

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

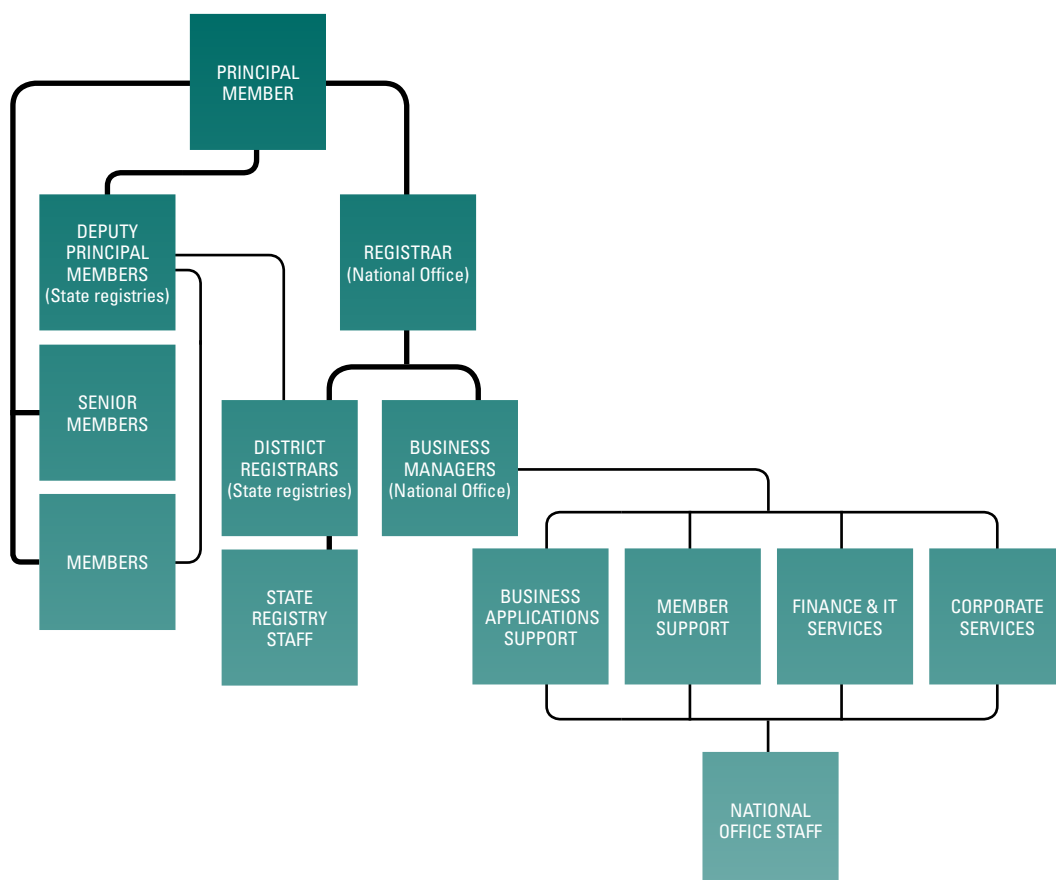
Funding of the SSAT

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

Administrative arrangements

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

FIGURE 1 SSAT ADMINISTRATIVE STRUCTURE



**CHAPTER
THREE
PERFORMANCE**

The SSAT was not a Commonwealth entity for the purposes of the *Public Governance, Performance and Accountability Act 2013*. For that reason, the Portfolio Budget Statement did not contain an “outcome” for the SSAT.

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

OVERVIEW

The SSAT finalised more applications for review (13,793) than it did the previous year (12,738).

TABLE 4 APPLICATIONS BYTYPE, 2014-15

	Centrelink	Paid parental leave	Child support	Total
Applications received	12,989	211	2,064	15,264
Applications finalised	11,724	176	1,893	13,793
Decisions reviewed*	12,905	182	1,893	14,980

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

The total number of applications for review made to the SSAT in 2014-15 was 2,775 (22%) more than in 2013-14.

TABLE 5 OUTCOMES OF CENTRELINK REVIEWS

Applications for review of Centrelink decisions	2012-13	2013-14	2014-15
Applications received	10,199	10,454	12,989
Applications finalised	10,389	10,649	11,724
Decisions reviewed*	12,507	11,920	12,905
Decisions affirmed [^]	60%	59%	60%
Decisions changed (varied/set aside) [^]	20%	22%	22%
Not reviewable / withdrawn / dismissed [^]	20% ¹	19% ²	18% ³
On hand at 30 June	1,585	1,463	2,993

* 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 4%; withdrawn 4%; dismissed 12%.

² Not reviewable 10%; withdrawn 6%; dismissed 3%.

³ Not reviewable 10%; withdrawn 6%; dismissed 1%. Without rounding, adds to 18%.

OUTCOMES OF APPLICATIONS FOR REVIEW

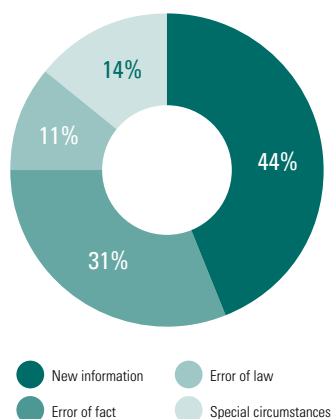
The outcomes of applications for review are summarised below, and the outcomes for the previous two years are included to allow comparison.

Centrelink reviews (excluding paid parental leave)

The SSAT received 12,989 applications for review of Centrelink decisions in 2014-15. This is a very significant increase (24%) over the number of applications received in the previous reporting period.

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 211 applications for review of PPL decisions by claimants.

The SSAT finalised 176 applications relating to 182 PPL decisions during the reporting period, and affirmed the reviewable decision in 71% of the reviews (see Table 6).

Child support reviews

The SSAT received 2,064 applications for review of child support decisions in 2014-15, an increase of 10% on applications received in the previous reporting period.

The SSAT finalised fewer applications (1,893) than it received (see Table 7).

TABLE 6 OUTCOMES OF PPL REVIEWS

Applications for review of PPL decisions	2012-13	2013-14	2014-15
Applications received	113	157	211
Applications finalised	123	153	176
Decisions affirmed [^]	75%	71%	71%
Decisions changed (varied/set aside) [^]	11%	11%	16%
Not reviewable / withdrawn / dismissed [^]	14% ¹	18% ²	13% ³
On hand at 30 June	13	17	74

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

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

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

3 Not reviewable 8%; withdrawn 4%; dismissed 0%. Without rounding, adds to 13%.

TABLE 7 OUTCOMES OF CHILD SUPPORT REVIEWS

Applications for review of child support decisions	2012-13	2013-14	2014-15
Applications received	1,972	1,878	2,064
Applications finalised	1,900	1,936	1,893
Decisions affirmed	24%	27%	32%
Decisions changed (varied/set aside)	41%	44%	39%
Not reviewable / withdrawn / dismissed	35% ¹	29% ²	29% ³
On hand at 30 June	423	327	499

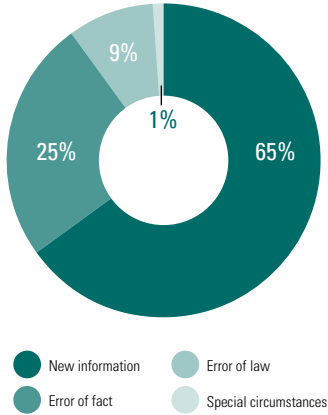
1 Not reviewable 13%; withdrawn 6%; dismissed 16%.

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

3 Not reviewable 12%; withdrawn 13%; dismissed 4%.

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 conferred jurisdiction on the SSAT, was to provide a mechanism of review that is fair, just, economical, informal and quick.

Economy

As there was 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.

Funding for the SSAT was \$28.930m in 2014-15 out of which the SSAT had to meet the costs of its significantly increased workload and of preparation for its amalgamation with the AAT, MRT and RRT on 1 July 2015.

The SSAT was able to operate within that funding because there were no increases in member or staff remuneration and because, due to its reduced membership, the SSAT could not finalise as many applications for review as it received during the reporting period.

Cost of a review

The SSAT’s cost per application for review has been calculated by dividing the SSAT’s expenditure of \$28,074,054 excluding depreciation and amortisation and abnormal costs (voluntary staff redundancies and other one-off costs associated with the tribunals’ amalgamation) by the number of applications finalised (13,793). The result is \$2,035 per application for review (which is a 6.5% decrease compared to 2013-14).

This cost reduction was due to the increased number of applications for review across which fixed costs (accommodation and services) were averaged; the increased constitution of the SSAT by a single member; and a decrease in registry costs due to staff reductions and other changes.

During the reporting period, applicants for review increasingly lodged their applications online. However, online lodgement accounted for only 11% of applications received. The majority of applicants continue to make their applications for review by telephone.

The Department of Human Services (DHS) commenced the electronic transfer of indexed documents in electronically searchable form in child support matters and, by the end of the reporting period, was sending all documents to the SSAT electronically. As of 1 July 2015, DHS will send each applicant for review a copy of these papers. This change will reduce document handling for Centrelink and child support reviews. However, during the reporting period, DHS continued to frequently omit relevant documents from those sent to the SSAT. These omissions created inefficiency for the SSAT, frustration for applicants and a real risk of the review being neither fair nor just.

Timeliness

The SSAT had to pursue a mechanism of review that was quick (among other things).

The Secretary of the Department of Human Services had to “send” the Principal Member a statement about the decision under review, and the documents which were 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 was required to act as speedily as proper consideration of the review allows. The SSAT had to give its reasons for decision within 14 days of making the decision.

TABLE 8 PERFORMANCE AGAINST TIME STANDARDS

Step	Standard	2012-13	2013-14	2014-15
Acknowledgement letter to applicant	5 days	100%	100%	100%
Receipt of documents from DHS (Centrelink) ¹	28 days	99%	99%	>99%
Receipt of documents from the Child Support Registrar ¹	28 days	96%	98%	98%
Receipt of documents to directions hearing (child support reviews)	2 weeks ²	3.6	3.9	4.4
Directions hearing to hearing (child support reviews) ³	6 weeks	7.5	7.1	7.3
Receipt of documents to hearing (Centrelink reviews)	2 weeks ²	4.4	4.1	5.9
Last day of hearing/date of receipt of further material to making of decision (child support reviews)	1 week	0.42	2.0	1.4
Last day of hearing/date of receipt of further material to making of decision (Centrelink reviews)	1 week	0.04	1.3	1.6
Making of decision to giving reasons for decision	14 days	>99%	>99%	>99%
Registration to finalisation (Centrelink reviews)	10 weeks	8.3	7.5	7.8
Registration to finalisation (child support reviews)	15 weeks	12.7	12.5	10.7

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.

Most applicants want reviews to be heard quickly. Where payment is made by Centrelink pending review, the Principal Member was required by statute to take reasonable steps to ensure that the review was finalised quickly. As stated in previous annual reports, the SSAT was working to achieve an average time of eight weeks for those Centrelink reviews, and an average of twelve weeks for those child support reviews which are finalised by a decision *after a hearing*.

This goal ceased to be achievable with the very significant increase in the number of applications for review (22%) and the reduction in the SSAT's membership during the past two years. In those circumstances, the average time from registration to finalisation of applications (which includes finalisations without a hearing) for review in Table 8 above is laudable but it is unlikely to be sustainable. As Table 8 also shows, the average time between receipt of the documents for a review and the hearing has increased particularly for reviews of Centrelink decisions. This increase occurred in spite of the allocation of applications for review to national Lists for a significant part of the reporting period so that reviews were increasingly being heard by telephone across State boundaries.

Informality

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

The SSAT conducted its hearings in rooms which do not have the formality of a court room. SSAT members elicited evidence by asking questions of applicants and any other parties. The Secretary and Child Support Registrar did not participate in hearings unless ordered by a delegate of the SSAT Principal Member to provide oral submissions. Such orders were made very rarely and such participation was limited to the making of submissions. The representative of the Secretary or the Child Support Registrar was never permitted to question a party.

Fairness

The SSAT ensured that parties received a copy of all of the material which was before the SSAT at the hearing, or which was received by the SSAT (and was 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* required that a copy of a relevant document given to the SSAT by a party be given to the other party but permitted a party to request the SSAT not to disclose information in a document. The request had to be refused if withholding the information from the other party could have adversely affected the fairness of the review.

The SSAT *Child Support Review General Directions 2012* also required that a copy of documents obtained by the SSAT in exercise of powers of the SSAT Principal Member be given to the parties to a child support review. The General Directions required the obliteration of some information in all cases (such as tax file numbers and certain other numbers) and further information in other cases (such as a party's residential address and other contact details if there was a family violence order to protect that party if the information was not publicly available and there was a history of family violence).

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

Where necessary to afford a fair hearing, the SSAT arranged 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 921 occasions at a cost of \$180,706 in the reporting period compared to 693 occasions at a cost of \$157,853 in the previous year. The

most common languages in which interpreting services were required were Arabic and Mandarin. Interpreting was also provided in AUSLAN for hearing impaired parties.

TABLE 9 INTERPRETER STATISTICS 2014-15

Hearing location	Interpreters used	Cost
NSW/ACT	549	\$97,169
QLD/NT	26	\$9,460
WA/SA	92	\$17,366
VIC/TAS	254	\$56,711
TOTAL	921	\$180,706

Justice

Access to justice

Over the years, the SSAT sought 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. Due to the increase in the SSAT's review workload, the reduction in its resources and preparations for the tribunals' amalgamation, that list is shorter than in the previous year.

The Legal Aid advice service continued at the SSAT's registries in Sydney, Melbourne and Brisbane. The SSAT assisted Legal Aid NSW by providing information to a consultant conducting an evaluation of its service, but the evaluation was not finalised in the reporting period.

All of the SSAT's premises were wheelchair accessible. The SSAT provided teletypewriter and hearing loop services as well as AUSLAN interpreting on request. Applicants and other parties were 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, and Darwin.

The SSAT also held hearings via video conference with parties in Albury, Armidale, Batemans Bay, Bathurst, Bega, Bundaberg, Burdekin, Cairns, Coffs Harbour, Cooma, Coonamble, Cootamundra, Darwin, Dunedoo, Gladstone, Gosford, Griffith, Gunnedah, Hervey Bay, Kempsey, Leeton, Lismore, Lithgow, Mackay, Maryborough, Moruya, Mudgee, Muswellbrook, Orange, Parkes, Port Macquarie, Rockhampton, Rylstone, Tamworth, Taree, Toowoomba, Townsville, Ulladulla, Wagga Wagga, Wauchope, Wyong, and Yass.

Apart from facilitating access to the Legal Aid advice service, the SSAT did not arrange legal assistance but provided details of community legal centres to those seeking legal assistance.

Correct and preferable decision

The SSAT made its decision on the evidence and material which was before the SSAT. It was 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 were correct or preferable on the information before the SSAT. However, the SSAT monitored the outcome of judicial review and further merits review as an indication of whether it was 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 could be the subject of an application for merits review by the AAT. Like the SSAT, the AAT made its decisions on the evidence which was before it. The Secretary and the applicants often gave the AAT documents and reports which were not given to the SSAT.

Policy changes increase the number of applications to the SSAT for review of Centrelink decisions and, in turn, the number of applications to the AAT for review of the SSAT's decisions.

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

Number and outcomes of applications to the AAT	2012-13[^]	2013-14^{^^}	2014-15^{^^^}
Number of applications to the AAT	1,874	2,004 ¹	2,337
Applications finalised by the AAT	1,684	1,966	2,143
Decisions set aside/varied by consent (as % of total applications finalised)	16%	17%	14%
Decisions affirmed on review (as % of Centrelink decisions reviewed) ²	80%	80%	87%
Decisions set aside/varied on review (as % of Centrelink decisions reviewed) ²	20%	20%	13%
Decisions set aside/varied on review (as % of total applications finalised) ²	4%	5%	3%

Source: The AAT General Division.

[^] Includes 20 applications for review of PPL decisions (all of which were withdrawn or dismissed).

^{^^} Includes 17 applications for review of PPL decisions (of which one was affirmed; sixteen withdrawn or dismissed).

^{^^^} Includes 14 applications for review of PPL decisions (of which two were affirmed; two set aside or varied; and 10 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.

The number of applications for review by the AAT of decisions of the SSAT on reviews of Centrelink decisions rose by 17% in 2014-15. However, this increase was substantially less than the increase in the number of such applications to the SSAT for review of Centrelink decisions (24%) and consisted primarily of applications for review of decisions about disability support pension and of decisions about debts.

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 10. As that table shows, the percentage of decisions of the SSAT which were set aside or varied after the AAT reviewed the decision (which is referred to as "on review") fell significantly in the reporting period.

Decisions of the AAT are published on AustLII. Of the 51 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 one decision as involving an error in interpretation or application of the law by the SSAT. That one decision amounts to less than 1% of the 353 decisions of the SSAT reviewed by the AAT.

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, the applicant or the Secretary frequently obtain further medical evidence for the purposes of the review by the AAT.

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. The SSAT did not receive any such statement.

Applications to the AAT made by the Secretary

In 2014-15, the Secretary lodged 104 applications for review by the AAT of decisions of the SSAT and the AAT finalised 48 such applications for review as set out in Table 11.¹

¹ Information provided by the AAT General Division.

TABLE 11 OUTCOMES OF APPLICATIONS BY THE SECRETARY TO THE AAT FOR REVIEW OF SSAT DECISIONS IN CENTRELINK CASES

Outcomes	Year finalised*			
	2011-12	2012-13	2013-14	2014-15
Withdrawn	1	9	11	23
Dismissed by consent	0	0	1	0
Dismissed by operation of law	0	0	2	0
Affirmed by consent	0	0	0	1
Set aside by consent	1	3	2	6
Affirmed after hearing	0	0	0	4
Set aside after hearing	0	3	6**	14
TOTAL	2	15	22**	48

* This table erroneously referred to “Year lodged” in the previous report whereas the data is for finalisations.

** These figures were inflated because the Secretary lodged five applications in respect of two decisions of the SSAT.

The reasons why the AAT set aside the SSAT’s decision after a hearing were:

- *Secretary, Department of Social Services and Danaher* [2014] AATA 448: New evidence, comprising “a detailed report from an Occupational Physician”, was given to the AAT by the Secretary.
- *Secretary, Department of Social Services and Swale* [2014] AATA 554: New evidence, comprising a Trust Deed and related documents, was given to the AAT by the Secretary.
- *Secretary, Department of Social Services and McGee* [2014] AATA 448: The SSAT made an error of law by treating a \$3,153 payment in lieu of notice as a redundancy payment because the definition of “redundancy payment” in the *Social Security Act 1991* had been amended to exclude such a payment.

- *Secretary, Department of Social Services and Marwood* [2014] AATA 686: The AAT rejected the opinion of a neuropsychologist as to the degree of the applicant’s impairment from memory loss from intracranial damage observing that:

The Tables give rise to important nuances—and sometimes difficulties—in construction. An expert who expresses an opinion about a rating in a table implicitly asserts an accurate understanding of the table. It is of greater assistance to the Tribunal, in my opinion, when experts direct their attention mainly to the limitations of a person and avoid awarding points under the tables themselves.

The AAT also rejected the applicant’s submission that the program of support requirements had been satisfied by participation for less than 18 months where the “involvement in a program of support is terminated only as an inevitable result of an election to settle a WorkCover claim for a lump sum” and accepted the Secretary’s submission that the applicant could work 15 hours a week.

- *Secretary, Department of Social Services and Coulter* [2014] AATA 686: In analogous circumstances to *Marwood*, the Secretary conceded that the applicant had completed a program of support. However, as the applicant was working 15 hours a week at the time of the AAT hearing (which was 18 months after the hearing by the SSAT), he did not qualify for DSP.
- *Secretary, Department of Social Services and Cooper* [2015] AATA 41: The AAT declined to exercise the discretion to disregard any part of the lump sum compensation payment as having been made in light of the applicant's expenditure or in light of the fact that the amount for economic loss in the settlement was less than 50% of the total sum. The AAT also expressly declined to adopt the approach recommended by Downes J in *Fuller and Secretary, Department of Family and Community Services* [2004] AATA 615 to legal costs received with the settlement of a claim for compensation from the sum used to calculate the length of the preclusion period for those social security payments which are affected by receipt of compensation.
- *Secretary, Department of Social Services and Zimmerman* [2015] AATA 110: The AAT found that the assistance offered to the 62 year old applicant, who did not qualify for newstart allowance due to the assets and income tests, by Northern Futures Inc did not answer "the description of a "program of support", and, in particular, it was not assistance tailored to meet [his] level of impairment, individual needs, and barriers to employment, as required under the relevant determination". The AAT also found that the applicant was physically capable of semi-sedentary work.
- *Secretary, Department of Social Services and Twentyman* [2015] AATA 198: The AAT rejected the Secretary's submission that the applicant's condition was not fully stabilised but found that it attracted 10 points rather than the requisite 20 points as found by the SSAT.
- *Secretary, Department of Social Services and Melvin* [2015] AATA 248: The primary issue was whether the applicant was "a member of a couple" for a period from 1995 to 2011. On the additional evidence before it, the AAT found that the applicant was a member of a couple from 6 December 1999 to 8 May 2011.
- *Sidwell and Anor and Secretary, Department of Social Services and Anor* [2015] AATA 402: The applicant had made two unsuccessful claims for DSP. The SSAT had affirmed the first refusal but set aside the second refusal. The applicant sought review of the SSAT's decision on his first claim and the Secretary sought review of the SSAT's decision on the second claim. The AAT affirmed the SSAT's decision on the first claim. Both parties obtained additional expert evidence and the AAT preferred the opinion of the expert engaged by the Secretary, which resulted in the applicant having an impairment of 15 points rather than 20 points so that his second claim was refused.
- *Secretary, Department of Social Services and Anwar* [2015] AATA 413: The SSAT decided that the applicant's DSP should not have been suspended and then cancelled, due to his being overseas, with effect from 5 March 2014. The AAT decided that DSP should not have been cancelled and that it was payable from 5 April 2014.
- *Secretary, Department of Social Services and Stark* [2015] AATA 424: The Secretary obtained additional expert opinion after the SSAT's decision. The AAT preferred that opinion to that of treating experts and found that the applicant's DSP was correctly cancelled because his impairment attracted 10 points rather than the requisite 20 points.

- *Secretary, Department of Social Services and Austin* [2015] AATA 441: The Secretary relied on additional expert opinion obtained after the SSAT's decision. The AAT rejected the Secretary's submission that the applicant's spinal condition was not fully diagnosed, treated and stabilised. However, the AAT found that the applicant's condition attracted 20 points under two different Tables and that he did not qualify for DSP because he had not completed a program of support.

In addition, a decision of the SSAT about special benefit was changed by the AAT for reasons unknown to the SSAT as the AAT delivered oral reasons.

Further merits review – child support (care percentage)

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

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

Table 12 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.

Judicial review – child support

In the reporting period, statutory appeals were filed in the Federal Circuit Court of Australia against 28 of the SSAT's decisions and in the Family Court of Western Australia against three of the SSAT's decisions. This was a fall of 33% from the previous year.

The Federal Circuit Court finalised 25 appeals and set aside five decisions of the SSAT, one by consent. Proceedings were also commenced (but discontinued) in the Federal Circuit Court seeking review of a decision made by a delegate of the Principal Member.

The Family Court of Australia dismissed two appeals and the Family Court of Western Australia (or the Magistrates Court of Western Australia) dismissed one appeal.

In *Benson & Benson & Anor (SSAT Appeal)* [2014] FCCA 2398, the Federal Circuit Court found error on the "narrow point" that the SSAT had misconstrued regulation 5D(g) of the *Child Support (Registration and Collection) Regulations 1988*.

TABLE 12 APPLICATIONS TO THE AAT FOR REVIEW OF SSAT DECISIONS IN CHILD SUPPORT CASES

AAT Applications	Extension of time decisions			Percentage of care decisions		
	2012-13	2013-14	2014-15	2012-13	2013-14	2014-15
Applications to the AAT for review of SSAT child support decisions	3	8	10	27	34	35
Applications finalised by the AAT	4	5	9	32	31	27
SSAT decision affirmed	1	0	2	1	6	6
SSAT decision set aside/varied	2	1	3	8	5	9
SSAT decision withdrawn or dismissed	1	4	4	23	20	12

Source: AAT General Division.

TABLE 13 STATUTORY APPEALS AND JUDICIAL REVIEW APPLICATIONS

Number and outcomes of statutory appeals and judicial review (JR) applications	2012-13	2013-14	2014-15
Number of appeals & applications to the FamCA or FMCA/FCCA	35	44	29*
Number finalised by the FamCA or FMCA/FCCA	44 [^]	35	28
Number discontinued or dismissed	39 [^]	33	23
Number allowed by consent	4	2	1
Number allowed after a hearing	2	0	4
Number and outcomes of statutory appeals (WA)			
Number of appeals to the Family Court of WA (FCWA)	3	4	3
Appeals finalised by the FCWA or Magistrates Court WA	3	4	1
Appeals allowed by the FCWA or Magistrates Court WA	2	0	0
Success rate of appeals & JR applications all courts	17% [^]	5%	12% ^{^^}

[^] These figures are different to those published in the 2012-13 report due to the SSAT being notified belatedly of some appeals having been finalised in the previous reporting period.

^{^^} The Family Court of Australia set aside orders of the Federal Circuit Court of Australia and thereby restored the SSAT's decision in one matter.

* Includes one proceeding commenced but discontinued in the FCCA.

The other three orders of the Federal Circuit Court that set aside the SSAT's decision were appealed to the Family Court of Australia by the Child Support Registrar (*Morton & Morton & Anor (SSAT Appeal)* [2014] FCCA 1737, *Scullin & Scullin & Anor (SSAT Appeal)* [2014] FCCA 2941 and *Crowley & Stross & Anor (SSAT Appeal)* [2014] FCCA 1540).

The Full Court of the Family Court allowed the appeal from the orders made in *Crowley & Stross & Anor (SSAT Appeal)* [2014] FCCA 1540. The decision of the Full Court is published as *Child Support Registrar & Crowley and Anor* [2015] FamCAFC 76.

The Child Support Registrar discontinued the appeal in *Morton & Morton & Anor (SSAT Appeal)* [2014] FCCA 1737. The third appeal remains on foot. Pending the outcome of that appeal, the percentage of statutory appeals and judicial review applications which resulted in the decision of the SSAT being set aside was 12%.

Complaints

The registries received 121 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 12 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. One allegation was referred by the Principal Member for investigation by DSS.

CHAPTER FOUR

MANAGEMENT AND ACCOUNTABILITY

GOVERNANCE

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

The Deputy Principal Members assisted the Principal Member in the management of applications for review and of issues relating to members.

In 2014-15, the SSAT moved to management of applications for review in national Lists rather than on a geographic basis. There were three Lists each of which was managed by a Deputy Principal Member.

The Registrar assisted the Principal Member in the management of the SSAT's resources. The Registrar worked 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 comprised the SSAT's leadership group which met regularly.

Members of the leadership group also chaired or participated in committees responsible for specific issues or projects.

Committees

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

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

The Leadership Group planned continuing education activities for members.

The Audit and Risk Committee was chaired by Mr Robert Cornell 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 2014-15.

The outcomes of reviews of decisions of the SSAT on applications for review are addressed in Chapter Three.

HUMAN RESOURCE MANAGEMENT

Employer of staff

Staff required to assist the SSAT were 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 were 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 full-time equivalent of staff (excluding persons on unpaid or unmanaged leave) at 30 June 2015 was 84.89 compared to 80.39 at 30 June 2014. As at 1 July 2015, the full-time equivalent was 81.81.

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, meant that the SSAT no longer needed to confine its recruitment of case managers to Centrelink or the Child Support Agency.

Staff turnover (exclusive of expiry of non-ongoing contracts and of voluntary redundancies which took effect prior to 1 July) was 13.6%. Turnover includes five staff who did not complete non-ongoing contracts.

Workplace arrangements

Although the *Social Security Appeals Tribunal (SSAT) Enterprise Agreement 2012 to 2014* expired on 30 June 2014, it continued to have effect as no new agreement was negotiated and approved by Fair Work Australia. The Agreement did not provide for any increases in remuneration after 1 July 2013.

Learning and development

During the reporting period, the main focus of staff learning and development was change readiness for the tribunals' amalgamation on 1 July 2015.

Workshops led by training officers of the SSAT and AAT, an APSC trainer or other external trainers were hosted by the amalgamating tribunals on:

- Dealing with Change
- Planning and Managing Change
- Building Resilience at Work
- Constructive Conversations

Several staff completed an elearning Foundation Course in *Aboriginal & Torres Strait Islander Cultures and Societies*.

Work health and safety (WHS) performance

During the reporting period, there were no notifiable incidents and no claims for workers' compensation.

The SSAT was 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 was not a noncorporate Commonwealth entity (within the meaning of the *Public Governance, Performance and Accountability Act 2013*). However, a report is included as Appendix 5.

Productivity gains

The SSAT's registry staff managed a significantly increased number of applications for review (22%). The SSAT finalised a significantly higher number of applications for review (8%).

Use by applicants of the online lodgement facility increased to 11% of all applications lodged. DHS commenced electronic transfer to the SSAT of the documents relevant to a review using a searchable format. The SSAT's case management system was enhanced so that the documents from DHS could be automatically attached to the record of the application for review to which they were relevant.

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.

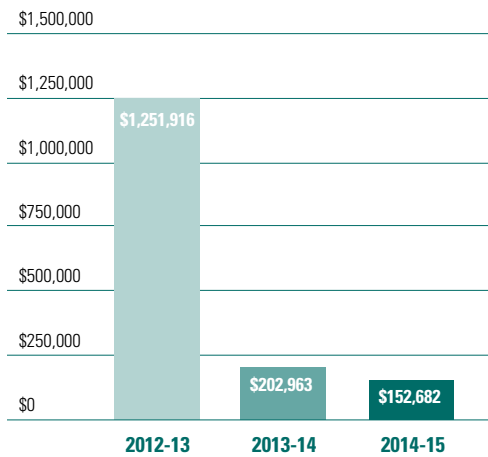
The SSAT paid 95% of its accounts by electronic funds transfer with the remaining 5% paid by cheque.

CONSULTANTS

During 2014-15, 11 new consultancy contracts were entered into and one existing contract continued, involving total actual expenditure of \$152,682.

The SSAT employed consultants to undertake work requiring specialist or professional expertise not available internally. All consultants were engaged via limited tender.

FIGURE 4 SSAT CONSULTANCY EXPENDITURE



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. No contracts in excess of \$10,000 were 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 was not a “public authority” (as that expression is defined in the *Work Health and Safety Act 2011*), the SSAT was 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. Nevertheless, no advertising campaigns were undertaken by the SSAT in 2014-15 nor was there any expenditure on market research, polling or direct mail organisations.

The SSAT placed advertisements in major newspapers for applications for appointment as a part-time member in Brisbane, Canberra, Melbourne, Perth, and Sydney and for appointment as a medically qualified part-time member in the State capitals.

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. These reports will be available 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 was available online at <http://www.ssat.gov.au/information-publication-scheme>. From 1 July 2015, this information is available online at <http://www.aat.gov.au/about-the-aat/information-publication-scheme>.

APPENDICES

APPENDIX 1

MEMBERS OF THE SSAT AT 30 JUNE 2015

Member Name	Status
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 AO 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 BAgr, MB BS (Hons), FRCS, FRACS	Part-time
Adam Halstead CPol, AssocDegLaw, MLLP	Part-time
Honorary Associate Professor Michael Horsburgh AM BA, DipSocWk, MSocWk, ThD	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
Paul Ryan BBus (Acc/Ec)	Part-time
Angela Smith DipAcc	Part-time

Member Name	Status
Robin Taylor <i>MBBS, MPH, FAFPHM, MBA</i>	Part-time
Northern Territory	
Heather King <i>BA (Social Work), GradDip Human Service Practice</i>	Part-time
Ken Ross [^] <i>BA(Hons), BSocAdmin</i>	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, Graduate Diploma in 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
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
Bryan Pickard <i>BCom, BLegStud, LLM</i>	Part-time
Stephen Pozzi <i>BVSc, MBBS</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, BLaws(Hons)</i>	Full-time
Joanne Bakas <i>GradDipLegPrac, LLB, BBus, GDipEd, BA</i>	Part-time

Member Name	Status
Steven Cullimore <i>MA (Cantab.)</i>	Part-time
Bronte Earl <i>BSc</i>	Part-time
Mark Fuller <i>MBBS, BA</i>	Part-time
Marten Kennedy <i>BA, LLB (Hons), GradDipLegPrac</i>	Part-time
Donna Lambden <i>BSocWk (Hons), MSocWk</i>	Part-time
Kate Millar <i>BSocWk, LLB (Hons)</i>	Part-time
Jennifer Strathearn <i>BScWk, LLB (Hons)</i>	Part-time
Bruce Swanson <i>MBBS, BSc, BEc (Hons), MHA, FRACMA</i>	Part-time
Yvonne Webb <i>LLB, GradCertLegPrac, Professional Certificate in Arbitration & Mediation, GradCertHRMgt, GradDipEd, DipT(Sec)</i>	Part-time
Allison Windsor <i>MBBS, MPH</i>	Part-time
Tasmania	
Michelle Baulch <i>BEc, LLB, GradDipBusAdmin, GradDipLegPrac</i>	Part-time
Christhilde Breheny <i>BSc (Hons), BSocWk (Hons), PhD</i>	Part-time
Lynne Cretan # <i>BMedSc, MBBS</i>	Part-time
Kay Rodda	Part-time
Andrea Schiwy <i>BCom</i>	Part-time
Victoria	
Deputy Principal Member	
Irene Tsiakas <i>LLB</i>	Full-time
Fiona Hewson <i>MALP, BA</i>	Full-time
John Longo <i>GradDipLegPrac, LLB, BA (Hons), LLM</i>	Full-time
Inge Sheck	Full-time
Robyn Anderson <i>BCom</i>	Part-time
William Appleton <i>MBBS (Hons), FRACMA</i>	Part-time
Stephen Bertram <i>MBAcc, GradDipBusMgt, BBA, DipBusAcc, DipFS, FCPA, RTA, Approved SMSF Auditor</i>	Part-time
Wendy Boddison <i>LLM, LLB</i>	Part-time
Annette Brewer # <i>BEc, LLB, Accredited Family Law Specialist</i>	Part-time
Niall Cain <i>MBBS, FRACP, FRCP (Edinburgh), FCCP</i>	Part-time
Neill Campbell <i>LLM, GradDip Practical Legal Training, LLB, BA</i>	Part-time
Amanda Ducrou <i>BA, LLB, MBA</i>	Part-time
Margaret Fowler # <i>BA, BSocWk, LLB</i>	Part-time
Elaine Geraghty	Part-time
Anne Grant <i>BJuris, LLB</i>	Part-time
Helen Grutzner <i>LLB (Hons), BA</i>	Part-time
Tamara Hamilton-Noy <i>BA (Hons), LLB, M Public & International Law</i>	Part-time
Peter Higgins <i>LLB, GradDipLegPrac, FCA, GradDipTech</i>	Part-time
Stephen Lewinsky <i>MBBS, GradDip Musculoskeletal Medicine</i>	Part-time
Christopher Main <i>MBBS, FRACGP</i>	Part-time

Member Name	Status
Geoffrey Markov <i>MBBS, FRACP</i>	Part-time
Jack Nalpantidis <i>BBehavSc, BSocWk, MBA, National Mediator Accreditation Standards (NMAS) Accreditation</i>	Part-time
Paul Noonan <i>BA, BBusAcc</i>	Part-time
Sophia Panagiotidis <i>BA, DipCommunity Development, DipTeaching</i>	Part-time
Aruna Reddy <i>MBBS, FRANZCP</i>	Part-time
Robert Richards <i>DipBus (Acc), CPA</i>	Part-time
Harry Schwarz <i>BA, MBBS, MPH</i>	Part-time
Alison Smith <i>BA (Hons), LLB</i>	Part-time
David Stevens <i>Council of Legal Education course for articled clerks</i>	Part-time
Andrea Treble <i>BA, LLB, MPoLLaw, PhD</i>	Part-time
Peter Vlahos <i>BJuris, LLB, PostGradDip International Law, PostGradDipArts (Politics)</i>	Part-time
Kenneth Warren <i>BBus, CPA</i>	Part-time
Western Australia	
Rosetta Petrucci <i>LLM (Merit), LLB (Hons), MBus, BBus, CTA, FCPA, AIAMA</i>	Full-time
Stephanie Brakespeare <i>BA, GradCertPubPolicy, IAMA Certificate in Mediation</i>	Part-time
William Budiselik <i>BAppSc (Social Work), GradDipBusAdmin, PhD, MIAMA</i>	Part-time
Anne Donnelly <i>MBBS, GradDipHlthAdmin</i>	Part-time
Susan Hoffman <i>BA (Hons), Master of Leadership, PhD</i>	Part-time
Michael Jones <i>MB, ChB, D(obst) RCOG</i>	Part-time
Christine Kannis <i>BJuris, LLB, BCom</i>	Part-time
Maxina Martellotta <i>BJuris (Hons), LLB (Hons), The Practitioner's Certificate in Mediation (IAMA)</i>	Part-time
Professor Julie Quinlivan <i>MBBS, PhD, FRANZCOG</i>	Part-time
Mark Woodacre <i>GDipPA, GradDipEd, BA</i>	Part-time

[^] Member resigned on or shortly after 30 June 2015.

^{^^} Member term expired on 4 July 2015.

^{^^^} Member was appointed as a full-time member of another tribunal in June 2015.

[#] Member not available to hear reviews.

APPENDIX 2

SSAT STAFFING AT 30 JUNE 2015

EMPLOYMENT BY GENDER AND REGISTRY AT JUNE 30 2015

APS Classification	Male	Female	NO*	NSW	QLD	SA	VIC/TAS [^]	WA	Total
APS 1	0	1	0	0	0	1	0	0	1
APS 2	0	9	1	3	1	1	3	0	9
APS 3	3	4	7	0	0	0	0	0	7
APS 4	10	29	1	9	10	3	12	4	39
APS 5	1	0	1	0	0	0	0	0	1
APS 6	11	9	11	4	1	1	2	1	20
EL 1	4	5	5	1	1	1	1	0	9
EL 2	4	1	5	0	0	0	0	0	5
SES Band 1	0	1	1	0	0	0	0	0	1
Total	33	59	32	17	13	7	18	5	92

* National Office

[^] 2 staff in Tas; 16 staff in Vic

EQUAL EMPLOYMENT OPPORTUNITY DATA AT JUNE 30 2015

Description	
Aboriginal and Torres Strait Islander	2
Non-English-speaking background	16
People with disabilities	5
Total	23

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

EMPLOYMENT STATUS AT JUNE 30 2015

Classification	Salary Range	Ongoing	Non-ongoing	Full-time	Part-time	IFAs [^]
APS 1	\$44,137 - \$48,635	1	1	1	1	0
APS 2	\$50,887 - \$55,389	7	2	8	1	0
APS 3	\$58,726 - \$63,342	0	7	0	7	0
APS 4	\$65,629 - \$70,208	34	4	30	8	0
APS 5	\$73,324 - \$76,461	1	0	1	0	0
APS 6	\$79,281 - \$87,745	19	1	19	1	2
EL 1	\$91,978 - \$105,740	9	0	8	1	1
EL 2	\$114,455 - \$132,325*	5	0	5	0	2
SES Band 1	#	11	0	1	0	0
Total		77	15	73	19	5

* Progression to the maximum salary of Executive Level 2 could 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 was 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

	ACT	NSW	NT	QLD	SA	TAS	VIC	WA	TOTAL
Lodged	151	4,000	69	2,823	1,278	349	3,364	955	12,989
Finalised	153	3,557	68	2,567	1,146	294	3,116	823	11,724
On hand at 1 July 2015	30	1,063	10	579	283	98	677	253	2,993
Awaiting statement	10	258	2	139	65	34	188	54	750
Awaiting appointment	5	129	4	86	10	9	50	25	318
Awaiting hearing	14	566	4	279	170	49	337	135	1,554
Adjourned	1	48	0	25	12	0	29	9	124
Awaiting notification	0	62	0	50	26	6	73	30	247
Total decisions reviewed:	165	3,789	83	2,871	1,249	304	3,573	871	12,905
Set aside	46	747	16	432	406	67	844	120	2,678
Varied	0	33	0	104	8	6	33	23	207
Affirmed	86	2,354	48	1,741	655	198	2,086	578	7,746
Total decisions reviewed at hearing	132	3,134	64	2,277	1,069	271	2,963	721	10,631
Not reviewable	15	403	5	301	104	18	389	73	1,308
Withdrawn	16	223	6	251	55	11	188	55	805
Dismissed	2	29	8	42	21	4	33	22	161
Total decisions finalised without hearing	33	655	19	594	180	33	610	150	2,274

2013-14

Set aside rate 1 (%) [^]	27.9%	20.6%	19.3%	18.7%	33.1%	24.0%	24.5%	16.4%	22.4%	22.3%
Set aside rate 2 (%) ^{^^}	34.8%	24.9%	25.0%	23.5%	38.7%	26.9%	29.6%	19.8%	27.1%	27.6%

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

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

PPL

	ACT	NSW	NT	QLD	SA	TAS	VIC	WA	TOTAL
Lodged	5	66	2	36	14	5	60	23	211
Finalised	5	55	2	29	12	5	48	20	176
On hand at 1 July 2015	2	21	2	14	6	1	19	9	74
Awaiting statement	0	6	2	1	4	1	3	4	21
Awaiting appointment	0	2	0	0	0	0	0	0	2
Awaiting hearing	2	13	0	12	2	0	16	5	50
Adjourned	0	0	0	1	0	0	0	0	1
Awaiting notification	0	0	0	0	0	0	0	0	0
Total decisions reviewed:	5	55	2	30	12	5	53	20	182
Set aside	1	9	0	5	2	2	11	0	30
Varied	0	0	0	0	0	0	0	0	0
Affirmed	3	40	2	22	6	3	35	18	129
Total decisions reviewed at hearing	4	49	2	27	8	5	46	18	159
Not reviewable	1	6	0	2	1	0	3	2	15
Withdrawn	0	0	0	1	3	0	4	0	8
Dismissed	0	0	0	0	0	0	0	0	0
Total decisions finalised without hearing	1	6	0	3	4	0	7	2	23

2013-14

Set aside rate 1 (%) [^]	20%	16%	0.0%	17%	17%	0.0%	20.8%	0.0%	16.5%	11.5%
Set aside rate 2 (%) ^{^^}	25%	18%	0.0%	19%	25%	0.0%	23.9%	0.0%	18.9%	14.0%

[^] 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	39	493	11	599	149	69	460	244	2,064
Finalised	33	464	8	538	141	62	438	209	1,893
On hand at 1 July 2015	17	122	5	128	35	17	104	71	499
Awaiting statement	4	27	0	24	12	3	25	24	119
Awaiting appointment	2	31	2	26	2	2	17	6	88
Awaiting hearing	9	42	3	67	21	9	52	37	240
Adjourned	2	14	0	8	0	3	5	1	33
Awaiting notification	0	8	0	3	0	0	5	3	19
Total decisions reviewed	33	464	8	538	141	62	438	209	1,893
Set aside	11	158	0	168	64	24	152	60	637
Varied	1	16	1	38	3	3	16	25	103
Affirmed	13	153	6	161	28	18	155	64	598
Total decisions reviewed at hearing	25	327	7	367	95	45	323	149	1,338
Not reviewable	4	61	0	69	15	7	46	29	231
Withdrawn	1	68	0	63	24	8	57	20	241
Dismissed	3	8	1	39	7	2	12	11	83
Total decisions finalised without hearing	8	137	1	171	46	17	115	60	555

2013-14

Set aside rate 1 (%) [^]	36.4%	37.5%	0.0%	38.3%	47.5%	43.5%	38.4%	40.7%	39.1%	44.4%
Set aside rate 2 (%) ^{^^}	48.0%	53.2%	0.0%	56.1%	70.5%	60.0%	52.0%	57.0%	55.3%	61.8%

[^] 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

	AGE	AUS	CA	CP	CSB	DSP	FTB	MOB	NSA	PP	PA	PB	PES	RA	SA	SPB	YA	Other	Total	
Applications received	2014-15	881	289	223	449	92	6,139	1,349	51	1,534	504	3	164	31	103	34	90	681	372	12,989
	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
% of total	2014-15	6.8%	2.2%	1.7%	3.5%	0.7%	47.3%	10.4%	0.4%	11.8%	<0.1%	1.3%	0.2%	0.8%	0.3%	0.7%	5.2%	2.9%	100.0%	
	2013-14	6.4%	2.5%	1.5%	2.6%	0.5%	42.4%	9.9%	0.4%	15.5%	4.4%	<0.1%	0.9%	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%	5.6%	4.2%	100.0%	
Decision outcomes 2014-15																				
Set aside		192	84	47	116	52	849	438	11	366	118	1	18	4	17	10	19	226	110	2,678
Varied		16	14	6	14	3	31	43	1	29	14	0	0	0	0	0	2	23	11	207
Affirmed		460	118	179	247	54	4,100	708	21	819	251	1	122	21	60	16	39	275	255	7,746
Not reviewable		98	34	38	67	23	318	211	5	228	74	0	15	2	19	5	11	76	84	1,308
Withdrawn		96	16	19	32	11	316	94	6	87	42	0	3	5	5	3	11	38	21	805
Dismissed		5	4	4	6	1	37	24	0	46	15	0	0	0	6	0	0	11	2	161
Total reviewed*	2014-15	867	270	293	482	144	5,651	1,518	44	1,575	514	2	158	32	107	34	82	649	483	12,905
	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
Set aside rate 1 (%) [^]	2014-15	24.0%	36.3%	18.1%	27.0%	38.2%	15.6%	31.7%	27.3%	25.1%	50.0%	11.4%	12.5%	15.9%	29.4%	25.6%	38.4%	25.1%	22.4%	
	2013-14	29.5%	32.2%	20.7%	19.9%	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%	22.3%	
	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%	17.0%	19.6%	18.2%	26.9%	15.5%	20.7%	
Set aside rate 2 (%) ^{^^}	2014-15	31.1%	45.4%	22.8%	34.5%	50.5%	17.7%	40.5%	36.4%	32.5%	34.5%	50.0%	12.9%	16.0%	22%	38.5%	35.0%	47.5%	32.2%	27.1%
	2013-14	36.9%	40.1%	27.7%	26.5%	21.4%	17.0%	35.8%	10.0%	36.0%	39.7%	60.0%	22.1%	22.2%	18.6%	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%

* Includes requests for reviews of multiple decisions within one application

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

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

Abbreviations:

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

PPL

		Claimant Decisions	Dad and Partner Pay Decisions*	Employer Decisions	Total
Applications received	2014-15	200	10	1	211
	2013-14	152	5	0	157
	2012-13	113	0	0	113
% of total	2014-15	94.8%	4.7%	0.5%	100%
	2013-14	96.8%	3.2%	n/a	100%
	2012-13	100%	n/a	n/a	100%
Decision outcomes 2014-15					
Set Aside		28	2	0	30
Varied		0	0	0	0
Affirmed		121	8	0	129
Not reviewable		14	0	1	15
Withdrawn		7	1	0	8
Dismissed		0	0	0	0
Total reviewed	2014-15	170	11	1	182
	2013-14	155	2	0	157
	2012-13	131	n/a	n/a	131
Set aside rate 1 (%) [^]	2014-15	16.5%	18%	n/a	16.5%
	2013-14	11.6%	0.0%	n/a	11.5%
	2012-13	11.5%	n/a	n/a	11.5%
Set aside rate 2 (%) ^{^^}	2014-15	18.8%	0%	n/a	18.9%
	2013-14	14.2%	0%	n/a	14.0%
	2012-13	13.0%	n/a	n/a	13.0%

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

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

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

CHILD SUPPORT

		Application for Assessment	Care Percentage Decision	Change of Assessment*	Child Support Agreement	Failure to Collect Arrears	Non-Agency Payment	Particulars of Assessment	Refusal of EOT to Object	Registration Details	Other	Total
Applications received	2014-15	18	544	923	5	12	120	224	122	42	54	2,064
	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
% of total	2014-15	0.9%	26.4%	44.7%	0.2%	0.6%	5.8%	10.9%	5.9%	2.0%	2.6%	100%
	2013-14	2.0%	24.1%	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%
Decision outcomes 2014-15												
Set Aside		7	159	362	0	0	25	44	19	11	10	637
Varied		0	41	46	0	0	2	11	0	2	1	103
Affirmed		5	169	137	3	4	62	104	68	26	20	598
Not reviewable		1	16	142	1	2	16	18	13	2	20	231
Withdrawn		1	66	105	1	5	20	28	7	6	2	241
Dismissed		2	37	16	0	0	2	14	7	3	2	83
Total reviewed	2014-15	16	488	808	5	11	127	219	114	50	55	1,893
	2013-14	34	458	904	12	15	98	219	83	49	64	1,936
	2012-13	31	371	907	20	17	107	226	98	51	72	1,900
Set aside rate 1 (%) [^]	2014-15	43.8%	41.0%	50.5%	0.0%	0.0%	21.3%	25.1%	16.7%	26.0%	20.0%	39.1%
	2013-14	14.7%	45.0%	56.3%	0.0%	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%
Set aside rate 2 (%) ^{^^}	2014-15	58.3%	54.2%	74.9%	0.0%	0.0%	30.3%	34.6%	21.8%	33.3%	35.5%	55.3%
	2013-14	20.8%	59.9%	80.3%	0.0%	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%

* 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 + varied as a percentage of all decisions finalised

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

APPENDIX 5

WORKPLACE HEALTH AND SAFETY

SUMMARY OF NOTIFIABLE INCIDENTS, INVESTIGATIONS AND NOTICES UNDER THE WHS ACT, 1 JULY 2014 TO 30 JUNE 2015

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 was a Commonwealth “agency” for the purposes of those provisions) paragraphs 516A(6)(a) and (b) did not apply because the SSAT did not engage in any development.

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

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

Theme	Measures
Energy efficiency	Lights automatically switch off after a period of inactivity in the room.
Energy efficiency	Purchase of equipment with an energy saving mode. Staff were asked to switch off computers, including monitors, and other non-essential electronic equipment when not in use.
Waste management	Separate bins were provided in every office for recyclable, compost and general waste. Individual desk bins were for recyclable material only.
Leasing of accommodation	New accommodation was selected (prior to the reporting period) with regard to the building’s energy rating and the aim that all SSAT premises would have a five-star energy rating.
Transport	Meetings were conducted by electronic means wherever possible to avoid use of transport.
Sustainability	Recycled, recyclable and ‘environmentally friendly’ products and office supplies were purchased where available.

APPENDIX 7

LEGAL SERVICES EXPENDITURE STATEMENT

This is a statement of legal services expenditure by the Social Security Appeals Tribunal for 2014-15, published in compliance with paragraph 11.1(ba) of the *Legal Services Directions 2005*.

Total legal services expenditure	\$59,886
Total external legal services expenditure (inclusive of GST) [^]	\$59,886
External expenditure on professional fees	\$59,886
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
Total internal legal services expenditure	\$0
Salaries	\$0
Overheads (includes administrative support and accommodation costs)	\$0

[^] Includes \$29,150 for legal advice obtained by DSS about a matter relating to employees of the Secretary which was charged to the SSAT.

APPENDIX 8

CORRECTIONS TO LAST YEAR'S REPORT

Figure 2 was labelled "Reasons for change of Centrelink decisions (excluding PPL)"; but incorrectly showed that data for child support decisions. Similarly, Figure 3 was labelled "Reasons for change of child support decisions," but incorrectly showed that data for Centrelink decisions (excluding PPL).

On page 47, Michael Horsburgh's entry should read "Honorary Associate Professor Michael Horsburgh AM *BA, DipSocWk, MSocWk, ThD*".

APPENDIX 9

DECISIONS OF INTEREST

Disability support pension

Case 1: Whether there was a special reason that a person should not be treated as a member of a couple

The applicant had a terminal illness and was in receipt of disability support pension (DSP) at the single rate because his wife and children lived overseas. As the applicant's health deteriorated, his wife who was not an Australian resident (and children) came to Australia on a tourist visa to care for him. On their arrival, Centrelink reduced the applicant's rate to the partnered rate on the basis that he was married and living with his wife. However, his wife's application for a partner visa had not been decided.

Section 24 of the *Social Security Act 1991* (the SS Act) permits the decision-maker to treat a person as not being a member of a couple if satisfied that there is a special reason to do so in the particular case.

The SSAT was satisfied that there was a special reason related to the applicant's health condition and its consequences of his wife and children coming to Australia to spend time with and care for him; his wife bringing little or no resources with her; her visa not allowing her to work or receive income support; and the gravity of their financial circumstances. The effect of the SSAT's decision was that the applicant could continue to be paid DSP at the single rate.

Case 2: Whether the applicant qualified for DSP as permanently blind

The applicant claimed DSP on the basis of a permanent medical condition causing vision impairment in both eyes. Centrelink rated her condition as attracting 10 points under the Impairment Tables and decided that she did not have a continuing inability to work as defined in subsection 94(2) of the SS Act. Her claim was rejected.

Section 95 of the SS Act prescribes the qualification for DSP for persons who are permanently blind. There is no definition of permanent blindness in the SS Act but policy guidelines accept that a person with less than 6/60 visual acuity in both eyes on the Snellen Scale, after correction by suitable lenses, is permanently blind for the purposes of section 95.

The SSAT had several reports by ophthalmologists which confirmed that the applicant's visual acuity was less than 6/60 in both eyes. A person who qualifies for DSP under section 95 of the SS Act does not have to demonstrate a continuing inability to work. The SSAT therefore set aside the decision and returned the matter to Centrelink with a direction that subject to her meeting the remaining requirements for DSP, the applicant was qualified from the date of her claim.

Age pension

Case 1: Whether the person qualified for age pension under an International Agreement

The applicant was born in Italy to which she returned after residing in Australia for a period of eight years. She was residing in Italy when she made a claim for age pension. Centrelink rejected the claim because the applicant had less than the 10 years qualifying residence required by section 43 of the SS Act.

An agreement between Australia and Italy in respect of certain income support payments forms Schedule 2 to the *Social Security (International Agreements) Act 1999* (the Agreement) and allows for periods of contribution to certain insurance institutions in Italy to be deemed to be a period when that person was an Australian resident for the

purposes of meeting the minimum qualifying period for age pension. The applicant had contributed to the fund Istituto Nazionale di Previdenza e Assistenza per i Dipendenti dell'amministrazione Pubblica (INPDAP) which is not covered by the Agreement. The applicant contended that the period of her contributions to INPDAP was deemed residency because administration of the INPDAP had been transferred to the Istituto Nazionale della Previdenza Sociale (INPS) which is covered by the Agreement.

The SSAT rejected the applicant's contention. The Agreement permitted the parties to make administrative arrangements to implement it but those arrangements did not assist the applicant. The critical requirement was the "period of credited contributions" to a scheme covered by the Agreement. As INPDAP was not so covered, the period of contributions to it were not deemed residency for the purpose of meeting the qualifying period for age pension. The SSAT affirmed the decision to reject the claim.

Case 2: Whether a residence situated on common property of a strata complex was part of the principal home of a unit owner for the purposes of the assets test for age pension

The applicant owned and occupied one of five units in a strata complex. The common property of the strata complex included a heritage listed residence built on the original parcel of land that comprised the strata plan. The residence was listed on the strata title so each of the five unit owners had a 20% interest in it. The unit owners shared access to, and use of, the residence until the body corporate (comprised of the unit owners) decided to lease it. The rent paid to the body corporate was then paid to each unit owner by a 20% reduction to the owner's strata levies.

Centrelink concluded that the residence was not part of the applicant's principal home and therefore 20% of its value was included in the applicant's assessable assets for the purpose of calculating the rate of age pension.

The applicant contended that, as part of the common property on the strata title, the residence could not be alienated separately and could not be ascribed an assessable value. The applicant's principal home therefore included the unit and the proportionate share in the residence.

After considering case law about the treatment of property on a single title to which the owner does not enjoy exclusive use and access, the SSAT concluded that a notional value could be given to that part of a property even though that value could not be realised without selling the whole property. The SSAT found that when the body corporate decided to rent out the residence it granted exclusive right of possession to a non-related party, and excluded the unit owners from the use of the residence. At this point, the residence ceased to form part of the applicant's principal home and became an assessable asset for the purpose of calculating their rate of age pension.

Pension bonus scheme

Whether the qualification requirements for pension bonus were met

In February 2014, the applicant made a claim for age pension and a claim under the pension bonus scheme. In 2000, the applicant had claimed and been granted age pension which was paid at a reduced rate due to her income from part-time employment until 2002 when it was cancelled due to her income. The applicant continued to work at or close to full-time hours. Centrelink rejected the applicant's claim for pension bonus because she had previously received age pension.

Section 92C of the SS Act contains the qualifying criteria for the pension bonus scheme. Subsection 92C(b) provides that a person can only qualify for a pension bonus payment if they have not received age pension at any time before making a claim for the pension bonus. As the applicant had received age pension at a time before making the claim, the SSAT affirmed the decision to reject her claim for pension bonus.

The applicant applied to the Administrative Appeals Tribunal for review of the SSAT's decision. The AAT affirmed the decision of the SSAT and published its decision as Benjamin and Secretary, Department of Social Services [2015] AATA 398.

Australian victim of terrorism overseas payment

Whether the person qualified as a primary claimant "in the place" of an overseas terrorist act

Section 1061PAA of the SS Act provides for two categories of Australian Victim of Terrorism Overseas Payment (AVTOP) payable to Australian residents affected by acts of terrorism committed outside Australia. The applicant sought payment as a primary victim harmed as a result of a declared overseas terrorist act. Relevantly, to qualify for the payment as a primary victim, the person must have been in the place where the declared terrorist occurred.

Subsection 4(1) of the *Social Security (Declared Overseas Terrorist Act) Declaration 2013* (the Declaration) declares that a terrorist act includes "the crashing of commercial airliners into the World Trade Center in New York....in the United States of America on 11 September 2001".

The applicant was in New York on September 11, 2001 and the psychological injuries she suffered after the event were well documented and accepted. Centrelink refused her claim on the basis that the applicant was not "in the place" of the terrorist act. The applicant was staying in a Manhattan hotel which was several miles from the site of the World Trade Center. The hotel was evacuated and along with other hotel guests, the applicant was for a time in the street where smoke and dust could be seen and smelled.

The SSAT had regard to the Explanatory Memorandum to the *Social Security Amendment (Supporting Australian Victims of Terrorism Overseas) Bill 2011* which said that the person must be physically in a place where the overseas terrorist act occurs. The place might include a hotel foyer, an adjacent car park or across the road but there must be

close proximity to the overseas terrorist act. Persons who had watched or heard about an event would not qualify for the payment. The SSAT concluded that while the applicant was *near* the place of the terrorist act, it could not be said that she was in such close proximity as to be *in* the place. The SSAT affirmed the decision to refuse the claim.

Child support

Whether an application for review of a child support decision was frivolous or vexatious

The Child Support Registrar (the Registrar) had previously made a determination under Part 6A of the *Child Support (Assessment) Act 1989 (the Assessment Act)* to depart from administrative assessment and to increase the annual rate of child support payable by the applicant on the ground that the costs of maintaining the child were significantly affected because the child was being privately educated in the manner expected by the applicant and the other parent. The applicant applied to the Registrar for a further departure determination, contending that he did not expect his child to be privately educated. In doing so, the applicant relied on a decision of a State tribunal in a proceeding between him and the child's school. The Registrar refused his application and disallowed his subsequent objection.

The applicant applied for review by the SSAT. The power to dismiss an application for review as frivolous or vexatious was conferred by paragraph 100(1)(b) of the *Child Support (Registration and Collection) Act 1988 (the CSRC Act)* on the SSAT Principal Member. A delegate of the SSAT Principal Member found that the applicant was seeking to agitate an issue about school fees that had been dealt with by the SSAT on several previous occasions. Having regard to the summary of relevant principles in *Re Filsell & Comcare* [2009] AATA 90, referred to with approval in *Soames v Secretary, Department of Social Services* [2014] FCA 295, the delegate considered that there were three reasons why the applicant should not be permitted to agitate the school fees issue again.

1. The relevant criterion in the Assessment Act was the “expectation” of the parents about the manner of education and the SSAT had previously found that the parents expected that the child would be privately educated. The SSAT’s findings were not affected by the State tribunal’s decision about contractual arrangements between the applicant and the school.
2. Having regard to the judgment in *Smith v Secretary, Department of Family & Community Services* [2004] FCA 1428, it was not appropriate for the SSAT to revisit the school fees issue again. The SSAT’s statutory objective was to provide a mechanism of review that is fair, just, economical, informal and quick. The applicant had had more than a fair opportunity to have his contentions about the school fees issue considered and although his contentions had not been accepted, it did not follow that the applicant should be permitted to have the SSAT go over the same ground yet again.
3. In seeking a departure determination, the applicant could not rely on the ground in subparagraph 117(2)(b)(ii) of the Assessment Act in the circumstances because even if his contention (of no mutual expectation that the child be privately educated) were to be accepted, it could not be a basis for reducing the amount of child support payable by him under administrative assessment.

The delegate found that the application for review was frivolous or vexatious in that it had no prospects of success at all, or was futile, and dismissed the application for review under paragraph 100(1)(b) of the CSRC Act.

Whether a liable parent was an Australian resident on the day an application for administrative assessment was made

The Registrar accepted an application made by the child’s mother for an administrative assessment of child support to be paid by the child’s father. After finding that the father was not a resident of Australia within the meaning given in section 10 of the Assessment Act but was a resident of a foreign country which was a reciprocating jurisdiction listed in Schedule 2 of the *Child Support (Registration and Collection) Regulations 1988*, the Registrar accepted the application.

The father unsuccessfully objected to the Registrar’s acceptance of the application on the basis that he was not residing in a reciprocating jurisdiction.

The SSAT also found that the father was not a resident of Australia. The SSAT had then to decide if the father was a resident of Country A which was a reciprocating jurisdiction, or of Country B which bordered Country A but was not a reciprocating jurisdiction. Based on identity documents provided by the father and on geographical data, the SSAT concluded that the father was a resident of Country B. The SSAT decided the application for administrative assessment should be refused and set aside the Registrar’s decision.

APPENDIX 10

ACCESS TO JUSTICE ACTIVITIES

New South Wales

Registry open day during Law Week

Presentations to:

- Legal Aid New South Wales
- Kingsford Legal Centre
- South West Sydney Legal Centre
- Shoalcoast Community Legal Centre
- St George Area Tenancy Council

Regular liaison with Welfare Rights

Queensland

Stall at NAIDOC Community Exposition

Attendance at APS Indigenous Employees Forum

Presentations to:

- Logan Networking Community
- Welfare Rights
- Legal Aid legal practitioners
- Basic Rights Community Forum

Regular liaison with Welfare Rights and Legal Aid

Northern Territory

Visit to Alice Springs Indigenous communities

South Australia

Presentations at:

- City Forum
- Homeless Exposition
- Murray Bridge Forum

Western Australia

Presentations to:

- Town of Bassendean and Derbarl Yerrigan Health Services – NAIDOC Family Fun Day
- Aboriginal Health Council

Victoria

Stall at NAIDOC Community Exposition

Law Week presentation at SSAT premises

Presentations at:

- Leo Cussen Institute
- Seniors Rights Victoria
- Inner Melbourne Community Legal
- Central Highlands Community Legal Centre
- Southern Migrant and Refugee Centre
- Women's Legal Service

Liaison meetings with:

- Victoria Legal Aid
- Social Security Rights Victoria

APPENDIX 11

CONTACT DETAILS FOR THE SOCIAL SERVICES AND CHILD SUPPORT DIVISION OF THE AAT

Contact details for the Social Services and Child Support Division of the AAT are available online at <http://www.aat.gov.au/contact-us>.

National telephone number

Call 1800 228 333 from anywhere in Australia. Calls are free from landline phones.

AAT website

Please refer to the AAT's website at www.aat.gov.au for further information.

Contact Officer

For enquiries about this Annual Report, please contact:

Senior Reporting Officer

Administrative Appeals Tribunal

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 AAT's Principal Registry or by contacting your nearest AAT registry.

It is also available as an accessible PDF on the AAT's website at www.aat.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
MRT-RRT	Migration Review Tribunal and Refugee Review Tribunal
PPL	Paid Parental Leave
SSAT	Social Security Appeals Tribunal

LIST OF REQUIREMENTS

As the SSAT was not an executive agency under the *Public Service Act 1999* (or a Commonwealth entity under the *Public Governance, Performance and Accountability Act 2013*), the entire List does not apply to the SSAT. However, the SSAT endeavoured to apply the List and noted as not applicable (“n/a”) all items with which the SSAT could not comply.

Description	Page
Letter of transmittal	iii
Table of contents	iv
Index	55
Glossary	51
Contact officer(s)	50
Internet home page address and Internet address for report	50
Review by President	
President's report	2–4
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	6–7
Organisational structure	7–9
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	12–22
Trend information	12–22
Significant changes in nature of principal functions/services	n/a
Performance of purchaser/provider arrangements	n/a
Factors, events or trends influencing SSAT performance	12–22
Contribution of risk management in achieving objectives	n/a

Description	Page
Performance against service charter customer service standards, complaints data, and the SSAT's response to complaints	22
Discussion and analysis of the SSAT's financial performance	14–15
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 their agency's actions in dealing with fraud	n/a
Statement of the main corporate governance practices in place	24
Names of the senior executive and their responsibilities	8–9
Senior management committees and their roles	24
Corporate and operational plans 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	17–22
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	24–25
Workforce planning, staff turnover and retention	24
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, 41
Productivity gains	25
Statistics on staffing	34
Statistics on employees who identify as Indigenous	34
Enterprise or collective agreements, IFAs, determinations, common law contracts and AWAs	25, 34
Performance pay	n/a
Assets management	
Assessment of effectiveness of assets management	n/a
Purchasing	
Assessment of purchasing against core policies and principles	25

Description	Page
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.	25–26
Australian National Audit Office Access Clauses	
Absence of provisions in contracts allowing access by the Auditor-General	26
Exempt contracts	
Contracts exempted from publication in AusTender	26
Financial Statements	
Financial Statements	n/a
Other mandatory information	
Work health and safety (Schedule 2, Part 4 of the <i>Work Health and Safety Act 2011</i>)	25, 41
Advertising and Market Research (Section 311A of the <i>Commonwealth Electoral Act 1918</i>) and statement on advertising campaigns	26
Ecologically sustainable development and environmental performance (Section 516A of the <i>Environment Protection and Biodiversity Conservation Act 1999</i>)	42
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	27
Information Publication Scheme statement	27
Correction of material errors in previous annual report	44
List of Requirements	52–54

INDEX

- Access to justice 17, 49
- Accessibility 17
- Administrative Appeals Tribunal (AAT) 2-4, 17-21
- Advertising 26
- Amalgamation of tribunals 2-4, 6, 14
- Budget *See* Funding
- Centrelink 6, 12-13, 17-21
 - Review outcomes 12, 38
- Child support 6, 13-14, 21-22
 - Review outcomes 13, 40
- Child Support Registrar (CSR) 6, 14, 16
- Committees 24
- Complaints 22
- Consultants 25-26
- Contracts 26
- Court decisions 21-22
- Department of Human Services (DHS) 6, 24, 25
- Department of Social Services (DSS) 6, 24
- Deputy Principal Member 4, 7-8, 24
- District Registrar 8-9, 24
- Directions hearing 15
- Disability strategy 27
- Enterprise Agreement 25
- Environmental management 26, 42
- External scrutiny 24
- Freedom of Information 27
- Funding 9, 14
- Further reviews and appeals 17-22
- Human resources 24-25
- Interpreters 16-17
- Jurisdiction 6
- Legal services expenditure 43
- Members 3, 7-8
 - List of 30-33
- National Office 9
- Ombudsman (Commonwealth) 24
- Organisational structure 9
- Outcomes 12-14
- Outreach *See* Access to justice
- Paid Parental Leave 6, 13
 - Review outcomes 13, 39
- Pre-hearing conference *See* Directions hearing
- Principal Member 4, 8, 24
- Productivity 9, 25
- Purchasing 25
- Registrar 8, 24
- Registries 8-9, 24
- Risk management 24, 41
- Senior Executive Service (SES) 8, 34
- Senior Member 8
- Single member panels 3, 14
- Staff 8-9, 24-25, 34
- Statistics
 - Application outcomes 38-40
 - Application processing 35-37
 - Interpreters 17
 - Performance 12
 - Single member panels 3
 - Staffing 34
 - Timeliness 15
- Timeliness 15-16
- Training and development 25
- Wellness 24
- Work Health & Safety 24, 25, 41
- Workplace Agreement *See* Enterprise Agreement

