



PARLIAMENT
OF AUSTRALIA

Parliamentary Joint Committee on Human Rights

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www.aph.gov.au/joint_humanrights

16 June 2021

Ms Robyn Shannon
First Assistant Secretary
Quality, Integrity and Evidence Division
Department of Education, Skills and Employment

ParentsNext: examination of Social Security (Parenting payment participation requirements - class of persons) instrument 2021 – written questions for response

Dear Ms Shannon

As part of its inquiry into the above legislative instrument, the Parliamentary Joint Committee on Human Rights has a number of specific questions for the Department of Education, Skills and Employment. The committee has resolved to provide the department with some written questions in advance of your appearance at the committee's public hearing on 25 June 2021, in order to give the department more time to prepare its response.

Given the strict timeframes which apply to this inquiry, the committee requires a written response to these questions by 5 July 2021 at the latest. The committee has also resolved that responses to any questions taken on notice during the public hearing shall likewise be due by 5 July 2021.

Please provide your written response by close of business on 5 July 2021 to human.rights@aph.gov.au.

If you have any questions about this matter please contact the secretariat on (02) 6277 3823 or via email.

Thank you for your assistance.

Yours sincerely

Dr Anne Webster MP
Chair

Questions to the Department of Education, Skills and Employment

1. Please outline how, and according to what criteria, the quantum of Parenting Payment for singles and couples is determined. Is this assessed by reference to an amount of money required for an adequate standard of living in Australia today? If so, how?
2. Does the department formally assess how a ParentsNext participant will meet their basic needs (and those of their children) before their Parenting Payments are suspended, reduced or cancelled for non-compliance?
3. Does (and if so, in what manner) the department consider whether the suspension, reduction or cancellation of a ParentsNext participant's Parenting Payment is in the best interests of the participant's child before the action is taken?
4. Where a participant advises that they are unable to afford food for their family, or pay their rent where their Parenting Payment has been suspended, reduced or cancelled, what immediate assistance (including specified emergency payments) may they access from Services Australia (and how long does it usually take to get such assistance)?
5. Please outline the process by which back-payments are processed where a person has had a suspension lifted. For example, if a person is due to receive their social security payment on a Thursday, but has their payment suspended for a mutual obligation on the Tuesday and does not resolve the matter (causing the suspension to be lifted) until the Friday, will the payment they were due to receive be paid the following Monday, or will it be backpaid at the next regular payment time (e.g. the following Thursday fortnight)?
6. The Social Security Legislation Amendment (Streamlined Participation Requirements and Other Measures) Bill 2021 seeks to give the Secretary more discretion as to whether to suspend a person's payment for a mutual obligation failure. It is not clear how, and in accordance with what guidelines or criteria, that discretion would be exercised. Can you explain how those amendments are intended to operate in the context of participation requirements for parenting payments?
7. In relation to exemptions from the requirement to participate in ParentsNext:
 - a. Why do ParentsNext providers grant exemptions rather than the department? How does the department have oversight of exemptions granted by providers?
 - b. How are participant's notified that they may be able to seek an exemption?
 - c. The department's exemption guidelines state that providers must 'use their judgement' in terms of granting certain exemptions, and the type of documentary evidence they should obtain to justify the exemption (or

refusal for an exemption). For example, it states that a relationship separation is not itself grounds for an exemption, but if a person is experiencing an 'unusually high level of stress' associated with a relationship breakdown, they may be granted an exemption. What does this mean and how does the department assess whether a particular provider delegate has appropriately used their judgement in practice?

- d. From 1 July 2018 to the current date, how many people have: sought an exemption from participating in ParentsNext; had an exemption refused; sought review of a refusal to grant an exemption; and had an exemption granted/refused on review? Please break this information down by demographic (including: gender; indigeneity; single parent; disability, homelessness; and CALD status), and expressed both in raw numbers and as a percentage of the total number of participants during that year.
8. How many complaints have been received about ParentsNext from 1 July 2018 to the current date (if possible, broken down by nature of complaint and the demographics of the complainant)?
9. How, and in accordance with what criteria, does the department assess the provision of services by ParentsNext providers? Does the department conduct audits or spot-checks of providers? How does the department ensure that providers and sub-contractors understand and correctly apply social security laws, including in relation to the provision of exemptions, and the determination of mutual obligation failures (for example, for a failure to be 'punctual' for an appointment)?
10. Please outline the process by which a demerit is applied to a participant's record. Who can apply a demerit – providers, or the department, or both?
11. What percentage of persons subject to demerit points are Indigenous (broken down by each demerit point level)? If Indigenous participants are over-represented in the proportion of those subject to demerit points, what are the reasons for this?
12. The department's 2018 ParentsNext trial evaluation states that a further evaluation of the expanded program will be conducted (p. 11). Has a further evaluation been conducted? If so, could you please provide this to the committee. Have any independent evaluations (i.e. not conducted by the department) of ParentsNext been conducted or is there any intention to do so?
13. Your submission notes (at pages 4 and 6) that consultation with Indigenous organisations about ParentsNext has occurred. How many organisations provided feedback about ParentsNext and how many were Indigenous-owned; was this conducted prior to the decision to roll-out ParentsNext nationally; how was the consultation conducted; and what feedback was provided by Indigenous organisations?

14. What parts of Australia are captured by the definition of a 'jobactive employment region'? Does this include all of Australia?
15. Has the department monitored how ParentsNext has operated during the COVID-19 related suspension of mutual obligation requirements? What trends (if any) have been observed?
16. To what extent does participation in the ParentsNext program effectively address barriers to education and employment for young parents in practice, and how is this measured?
17. What evidence demonstrates that ParentsNext can only succeed with the imposition of mutual obligation requirements?
18. Have less rights restrictive alternatives to this compulsory model been trialled to help parents plan and prepare for employment?
19. Does the department record the reasons given by participants as to why they did not meet a mutual obligation? If so, what are the most common reasons provided for not meeting a mutual obligation?
20. What elements of the Targeted Compliance Framework are fully or partially automated?
21. Please outline the matters which a ParentsNext participant would typically be required to self-report each fortnight (including income and activity participation). Is a participant (or their provider) required to report every fortnight regardless of how many participation requirements the participant has?
22. Do participants record their participation in ParentsNext activities digitally? What options do participants have if they do not: have regular access to a smart phone or computer with internet; or have little mobile phone credit?
23. Please provide the total number of people who have exited the ParentsNext program (broken down by reason for their exit, demographic of participant, and by reference as a percentage to the total number of participants at the relevant time) from 1 July 2018 to the current date.
24. In relation to suspensions of parenting payments:
 - a. Please provide the number of payment suspensions for ParentsNext participants each month from 1 July 2018 to the current date (broken down by demographic of participant, reason for suspension, and as a percentage of the total number of participants at the relevant time).
 - b. Please provide the number of incorrectly (or potentially incorrectly) applied payment suspensions (for example, where a participant had attended an activity but this was not appropriately recorded) (broken down by demographic of participant from 1 July 2018 to the current date, and as a percentage of the total number of suspensions at the relevant time).

- c. What is the longest period of time for which a ParentsNext participant has had their payment suspended?
 - d. The ParentsNext Deed 2018–2021 states (at p. 78) that where a participant is suspended and does not meet their reconnection requirement within four weeks, the department will usually cancel their payment. How many times has the department cancelled a ParentsNext participant's payment on this basis? Of those, how many people subsequently reapplied for Parenting Payment?
 - e. Please outline the impact that the introduction of a two-day grace period during which a participant can contact their provider regarding a mutual obligation failure has had on demerits, suspensions and payment cancellations? Please provide a breakdown of this data (by participant demographic).
25. Please set out the number of instances in which a person has lost 1 weeks' and 2 weeks' payment due to a mutual obligation failure in the penalty zone of the Targeted Compliance Framework, broken down by participant demographic, from 1 July 2018 to the current date. How many of those people have subsequently had their payments cancelled?
26. How many ParentsNext participants have had their payments cancelled from 1 July 2018 to the current date (broken down by year and participant demographic; and including the total number of ParentsNext participants at the relevant time). How many of those people subsequently re-applied for Parenting Payment (also broken down by demographic and year)?
27. From 1 July 2018 to the current date, how many ParentsNext participants have had their payments suspended or cancelled due to a mutual obligation failure and have dropped out of the program permanently as a result. Does the department monitor how those persons meet their basic needs in practice?
28. From 1 July 2018 to the current date, how many ParentsNext participants have been in the warning zone and the penalty zone of the Targeted Compliance Framework (broken down by month and participant demographic; and including the total number of ParentsNext participants at the relevant time).
29. From 1 July 2018 to the current date, how many ParentsNext participants (by demographic and as a percentage of the total) have advised that they have experienced family violence?