

Senate Community Affairs Legislation Committee

INQUIRY INTO THE SOCIAL SERVICES LEGISLATION AMENDMENT (ENCOURAGING SELF-SUFFICIENCY FOR NEWLY ARRIVED MIGRANTS) BILL 2018 – 17 APRIL 2018 ANSWER TO QUESTION ON NOTICE

Department of Social Services

Topic: Newly Arrived Migrants Waiting Period Bill

Question reference number: 1

Outcome Number: 1

Senator: Rachel Siewert

Type of question: Written

Date set by the committee for the return of answer: 24 April 2018

Number of pages: 1

Question: Could the Department clarify that the legislation does not operate to impose any waiting period on former Safe Haven Enterprise visa-holders for any payment in situations where they transition to family, skilled or student visas in the manner envisaged by the Safe Haven Enterprise visa pathway.

Answer:

Under the existing provisions in the *Social Security Act 1991*, holders of a subclass 790 Safe Haven Enterprise Visa (SHEV) are exempt from the Newly Arrived Resident's Period for Special Benefit. SHEV holders who move to a permanent visa are subject to the NARWP for other pensions and allowances; however, they remain exempt from the NARWP for Special Benefit, allowing them to access this payment where eligible while they are serving the NARWP for other payments. This will remain unchanged under the Bill.

SHEV holders currently have immediate access to Family Tax Benefit, Parental Leave Pay and Dad and Partner Pay. Under the Bill, holders and former holders of a SHEV will be exempt from the NARWP for these payments and they will continue to have access to these payments where eligible if they move to a permanent visa.

Senate Community Affairs Legislation Committee

**INQUIRY INTO THE SOCIAL SERVICES LEGISLATION AMENDMENT
(ENCOURAGING SELF-SUFFICIENCY FOR NEWLY ARRIVED MIGRANTS)
BILL 2018 – 17 APRIL 2018
ANSWER TO QUESTION ON NOTICE**

Department of Social Services

Topic: Newly Arrived Migrants Waiting Period Bill

Question Reference Number: 2

Outcome Number: 1

Senator: Rachel Siewert

Type of question: Written

Date set by the committee for the return of answer: 24 April 2018

Number of pages: 1

Question: How many sponsors have incurred debts due to repaying special benefits paid to the migrants they have sponsored? Please provide figure for the last 5 financial years.

Answer:

The Department of Social Services does not have on hand data that reflects debts incurred by sponsors due to repaying special benefits paid to the migrants they have sponsored.

Senate Community Affairs Legislation Committee

**INQUIRY INTO THE SOCIAL SERVICES LEGISLATION AMENDMENT
(ENCOURAGING SELF-SUFFICIENCY FOR NEWLY ARRIVED MIGRANTS)
BILL 2018 – 17 APRIL 2018
ANSWER TO QUESTION ON NOTICE**

Department of Social Services

Topic: Newly Arrived Migrants Waiting Period Bill

Question Reference Number: 3

Outcome Number: 1

Senator: Rachel Siewert

Type of question: Written

Date set by the committee for the return of answer: 24 April 2018

Number of pages: 1

Question: What is the highest debt incurred? What is the average debt incurred?

Answer:

The Department of Social Services does not have debt data on hand for assurees.

Senate Community Affairs Legislation Committee

INQUIRY INTO THE SOCIAL SERVICES LEGISLATION AMENDMENT (ENCOURAGING SELF-SUFFICIENCY FOR NEWLY ARRIVED MIGRANTS) BILL 2018 – 17 APRIL 2018 ANSWER TO QUESTION ON NOTICE

Department of Social Services

Topic: Newly Arrived Migrants Waiting Period Bill

Question Reference Number: 4

Outcome Number: 1

Senator: Rachel Siewert

Type of question: Written

Date set by the committee for the return of answer: 24 April 2018

Number of pages: 1

Question: What is the average time delay for women accessing special benefit payments due to family violence?

Answer:

It is not possible to provide data specifically on processing of claims for Special Benefit where a person is seeking an exemption from the Newly Arrived Resident's Waiting Period due to family violence.

However, the timeliness benchmark for finalising all new Special Benefit claims, not just those made by people serving a NARWP, is 80 per cent within 21 days.

The Department of Human Services (DHS) has processes in place to prioritise Special Benefit claim processing for vulnerable applicants, such as those who are homeless or victims of domestic violence.

While DHS does not collect data for the processing of such claims, usually where a Special Benefit claimant also claims a Crisis Payment, both claims are generally finalised within two days consistent with the Crisis Payment timeliness benchmark of 95 per cent within two days.

Senate Community Affairs Legislation Committee

INQUIRY INTO THE SOCIAL SERVICES LEGISLATION AMENDMENT (ENCOURAGING SELF-SUFFICIENCY FOR NEWLY ARRIVED MIGRANTS) BILL 2018 – 17 APRIL 2018 ANSWER TO QUESTION ON NOTICE

Department of Social Services

Topic: Newly Arrived Migrants Waiting Period Bill

Question Reference Number: 5

Outcome Number: 1

Senator: Rachel Siewert

Type of question: Written

Date set by the committee for the return of answer: 24 April 2018

Number of pages: 1

Question: What are the criteria for accessing special benefit for victims of family violence?
Are they the same for everyone?

Answer:

All people who are receiving or claiming a payment from the Department of Human Services (DHS), including Special Benefit, and indicate that they are the victims of domestic and/or family violence are referred to a DHS social worker. The social worker will assess the person's circumstances which may include seeking verification from third parties, such as domestic violence services.

Domestic and family violence includes child abuse, maltreatment, exploitation, verbal abuse, partner abuse, elder abuse, neglect, sexual assault, emotional abuse, economic abuse, assault, financial coercion, domestic violence, psychological abuse, and/or social abuse.

Senate Community Affairs Legislation Committee

**INQUIRY INTO THE SOCIAL SERVICES LEGISLATION AMENDMENT
(ENCOURAGING SELF-SUFFICIENCY FOR NEWLY ARRIVED MIGRANTS)
BILL 2018 – 17 APRIL 2018
ANSWER TO QUESTION ON NOTICE**

Department of Social Services

Topic: Newly Arrived Migrants Waiting Period Bill

Question Reference Number: 6

Outcome Number: 1

Senator: Rachel Siewert

Type of question: Written

Date set by the committee for the return of answer: 24 April 2018

Number of pages: 1

Question: The new Bill might encourage some people to take up citizenship in order to be exempt from the new waiting period. Has the department factored this behaviour change into the costing/modelling of the measure?

Answer:

The costing did not assume any changes to citizenship take up patterns by new migrants as a result of this measure.

Senate Community Affairs Legislation Committee

**INQUIRY INTO THE SOCIAL SERVICES LEGISLATION AMENDMENT
(ENCOURAGING SELF-SUFFICIENCY FOR NEWLY ARRIVED MIGRANTS)**

BILL 2018 – 17 APRIL 2018

ANSWER TO QUESTION ON NOTICE

Department of Social Services

Topic: Newly Arrived Migrants Waiting Period Bill

Question Reference Number: 7

Outcome Number: 1

Senator: Rachel Siewert

Type of question: Hansard, p46

Date set by the committee for the return of answer: 24 April 2018

Number of pages: 1

Question: Is there a breakdown of the make-up of those nearly 7,000 people?

Answer:

A breakdown of this figure for people within the two year Newly Arrived Resident's Waiting Period is not available.

Senate Community Affairs Legislation Committee

**INQUIRY INTO THE SOCIAL SERVICES LEGISLATION AMENDMENT
(ENCOURAGING SELF-SUFFICIENCY FOR NEWLY ARRIVED MIGRANTS)
BILL 2018 – 17 APRIL 2018
ANSWER TO QUESTION ON NOTICE**

Department of Social Services

Topic: Newly Arrived Migrants Waiting Period Bill

Question Reference Number: 8

Outcome Number: 1

Senator: Murray Watt

Type of question: Hansard, p46

Date set by the committee for the return of answer: 24 April 2018

Number of pages: 1

Question: Do you have an average figure for newly arrived migrants?

Answer:

This data is not available.

Senate Community Affairs Legislation Committee

INQUIRY INTO THE SOCIAL SERVICES LEGISLATION AMENDMENT (ENCOURAGING SELF-SUFFICIENCY FOR NEWLY ARRIVED MIGRANTS)

BILL 2018 – 17 APRIL 2018

ANSWER TO QUESTION ON NOTICE

Department of Social Services

Topic: Newly Arrived Migrants Waiting Period Bill

Question Reference Number: 9

Outcome Number: 1

Senator: Murray Watt

Type of question: Hansard, p46

Date set by the committee for the return of answer: 24 April 2018

Number of pages: 2

Question: What types of matters constitute a significant change in circumstances? Could you provide a copy of that to us as well?

Answer:

The following is an extract from the Guide to Social Security Law, providing examples of changed circumstances that would be considered substantial for the purposes of Special Benefits (SpB).

Change in circumstance	And...
A sponsor, partner or SpB claimant has a prolonged illness or injury,	is unable to work and/or there are significant medical costs being incurred by the SpB claimant or the partner.
Sponsor or partner loses job through no fault of their own,	the job was organised or commenced after arrival of the SpB claimant.
After commencing work, SpB claimant loses job through no fault of their own,	in the case of a visa granted onshore, the claimant had commenced the job prior to grant of the visa and in the case of a visa granted off shore the job was arranged prior to arrival in Australia.
Sponsor or partner dies,	the SpB claimant has no means of support.
Partner and SpB claimant separate,	the SpB claimant was the victim of domestic/family violence.
Child is born or family becomes responsible for a dependent child,	the child has a severe medical condition or a severe disability that incurs significant additional costs to the SpB claimant or partner.

Change in circumstance	And...
Dependent child develops a severe medical condition, disability or sustains a serious injury,	the SpB claimant is unable to work and/or there are significant medical costs being incurred by the SpB claimant or the partner.
Sponsor or partner becomes a long term prisoner, or is confined long term to a hospital, psychiatric institution or nursing home,	the SpB claimant has no means of support.
Sponsor or partner has been notified as a missing person or has abandoned the SpB claimant,	the SpB claimant has no other means of support.
SpB claimant is the victim of substantiated domestic violence,	has no other means of support.
SpB claimant who has been granted permanent residence resulting in their Australian citizen child no longer being eligible for SpB,	has no other means of support.

Senate Community Affairs Legislation Committee

**INQUIRY INTO THE SOCIAL SERVICES LEGISLATION AMENDMENT
(ENCOURAGING SELF-SUFFICIENCY FOR NEWLY ARRIVED MIGRANTS)**

BILL 2018 – 17 APRIL 2018

ANSWER TO QUESTION ON NOTICE

Department of Social Services

Topic: Newly Arrived Migrants Waiting Period Bill

Question Reference Number: 10

Outcome Number: 1

Senator: Rachel Siewert

Type of question: Hansard, p47

Date set by the committee for the return of answer: 24 April 2018

Number of pages: 1

Question: On the breakdown of the 915, is it possible to break that down also as to circumstances?

Answer:

The data does not indicate the specific reason(s) for exemption.

Community Affairs Legislation Committee

INQUIRY INTO THE SOCIAL SERVICES LEGISLATION AMENDMENT (ENCOURAGING SELF-SUFFICIENCY FOR NEWLY ARRIVE MIGRANTS)

BILL 2018 – 17 APRIL 2018

ANSWER TO QUESTION ON NOTICE

Department of Social Services

Topic: Newly Arrived Migrants Waiting Period Bill

Question reference number: 11

Outcome Number: 1

Senator: Murray Watt

Type of question: Hansard, p49

Date set by the committee for the return of answer: 24 April 2018

Number of pages: 1

Question: If you have access to figures for the previous years, would you be able to provide them back 10 years on notice?

Answer:

The table below shows the number of people within the two year NARWP period who lodged a claim for Special Benefit over the last 10 years but had their claim rejected because they did not meet the criteria for a change of circumstance.

Note, the increase in numbers of claims rejected after 2011-12 was due to a policy change from 1 July 2012 whereby temporary Partner (Provisional) visa holders were no longer automatically exempt from the NARWP for Special Benefit if partnered to an Australian resident.

Year	No. of claims rejected
2007-08	372
2008-09	637
2009-10	620
2010-11	446
2011-12	1076
2012-13	1693
2013-14	1569
2014-15	1379
2015-16	1163
2016-17	1112

Source: Department of Human Services administrative data (DSS extract).

Note: a person may lodge more than one claim in a given year.

Senate Community Affairs Legislation Committee

INQUIRY INTO THE SOCIAL SERVICES LEGISLATION AMENDMENT (ENCOURAGING SELF-SUFFICIENCY FOR NEWLY ARRIVED MIGRANTS)

BILL 2018 – 17 APRIL 2018

ANSWER TO QUESTION ON NOTICE

Department of Social Services

Topic: Newly Arrived Migrants Waiting Period Bill

Question Reference Number: 12

Outcome Number: 1

Senator: Murray Watt

Type of question: Hansard, p53

Date set by the committee for the return of answer: 24 April 2018

Number of pages: 1

Question: Could you please provide on notice the visa breakdown of people in Australia who are currently within the two-year waiting period? I'm particularly interested in that, the number within the 183,000, or whatever the figure is for the relevant year, who would otherwise become eligible for a social security payment except for the waiting period. And then I am interested in the visa breakdown of those people.

Answer:

The Department of Human Services ICT system does not capture data on all new migrants who are serving a NARWP.

However, data on the migration program provides the total number of permanent skilled and family visas granted. These are visa types that would be subject to a NARWP unless the holder is eligible for an exemption.

Of the 183,608 visas granted under the migration program in 2016-17, 123,567 visas were granted under the skilled stream and 56,220 under the family stream. Of the 189,770 visas granted in 2015-16, 128,550 were granted under the skilled stream and 57,400 under the family stream. Migrants granted a visa in these financial years would generally be within the first or second year of their NARWP (unless exempt), depending on when their visa was granted and when they commenced residing in Australia.

Senate Community Affairs Legislation Committee

INQUIRY INTO THE SOCIAL SERVICES LEGISLATION AMENDMENT (ENCOURAGING SELF-SUFFICIENCY FOR NEWLY ARRIVED MIGRANTS) BILL 2018 – 17 APRIL 2018 ANSWER TO QUESTION ON NOTICE

Department of Social Services

Topic: Newly Arrived Migrants Waiting Period Bill

Question Reference Number: 13

Outcome Number: 1

Senator: Murray Watt

Type of question: Hansard, p53

Date set by the committee for the return of answer: 24 April 2018

Number of pages: 1

Question: Do you know how many families are currently within the two year waiting period?

Answer:

The Department of Human Services ICT system does not capture data on all new migrants who are serving a NARWP.

However, data on the migration program provides the total number of permanent skilled and family visas granted. These are visa types that would be subject to a NARWP unless the holder is eligible for an exemption.

This data shows that there were 183,608 visas granted under the migration program in 2016-17 and 189,770 visas granted in 2015-16. Migrants granted a visa in these financial years would generally be within the first or second year of their NARWP (unless exempt), depending on when their visa was granted and when they commenced residing in Australia.

Senate Community Affairs Legislation Committee

INQUIRY INTO THE SOCIAL SERVICES LEGISLATION AMENDMENT (ENCOURAGING SELF-SUFFICIENCY FOR NEWLY ARRIVED MIGRANTS) BILL 2018 – 17 APRIL 2018 ANSWER TO QUESTION ON NOTICE

Department of Social Services

Topic: Newly Arrived Migrants Waiting Period Bill

Question Reference Number: 14

Outcome Number: 1

Senator: Murray Watt

Type of question: Hansard, p54

Date set by the committee for the return of answer: 24 April 2018

Number of pages: 1

Question: Is it possible to provide a breakdown of that number by payment type?

Answer:

The below table provides a breakdown by payment type of the estimated number of people who would be serving a waiting period for the relevant payment type in 2020-21 when the measure is fully implemented.

Payment Type	Numbers Affected
	2020-21
Social Security Payments	21,000
Family Tax Benefit Part A	50,000
Parental Leave Pay	9,000

Note 1: Figures are the number of people estimated to be affected in that year. A person may be affected for all or part of that year.

Note 2: Family Tax Benefit Part A figures represent the number of families affected – families may also be affected for Family Tax Benefit Part B. Parental Leave Pay figures represent individuals affected

Note 3: Social Security Payments include impacts for JobSeeker Payment (Newstart Allowance, Sickness Allowance, Widow Allowance, and Bereavement Allowance), Youth Allowance, Austudy, Parenting Payment and Carer Allowance. There is the potential for some overlap within payment categories as recipients may receive more than one payment in a year.

Note 4: Figures should not be totalled as they are not mutually exclusive payments (people can receive more than one payment simultaneously).