

## People with Disabilities Western Australia

People with Disabilities WA  
individual & systemic advocacy



### Submission

#### Joint Committee of Public Accounts and Audit's Parliamentary Inquiry into qualifying for the Disability Support Pension (DCP)

People with Disabilities (WA) Inc. (PWdWA) would like to thank the Joint Committee of Public Accounts and Audit for the opportunity to provide comment on the Inquiry into qualifying for the Disability Support Pension.

PWdWA is the peak disability consumer organisation representing the rights, needs and equity of all Western Australians with disabilities via individual and systemic advocacy.

PWdWA is run BY and FOR people with disabilities and, as such, strives to be the voice for all people with disabilities in Western Australia.

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### People with disabilities WA (PWdWA)

Since 1981 PWdWA has been the peak disability consumer organisation representing the rights, needs, and equity of all Western Australians with a physical, intellectual, neurological, psychosocial, or sensory disability via individual and systemic advocacy. We provide access to information, and independent individual and systemic advocacy with a focus on those who are most vulnerable.

PWdWA is run by and for people with disabilities and aims to empower the voices of all people with disabilities in Western Australia.

### Introduction

PWdWA welcomes the opportunity to provide comment to Joint Committee of Public Accounts and Audit's Parliamentary Inquiry into qualifying for the Disability Support Pension. People's fair access to the Disability Support Pension is an extremely important aspect of PWdWA's advocacy work at both a systemic and individual level. As the peak consumer voice for people with disability in Western Australia (WA), our submission is compiled on the experiences of people with disability, their families and carers. We have provided case studies where appropriate to furnish our statement.

PWdWA is extremely concerned with the rising number of issues being considered by our advocates in relation to access and eligibility to the Disability Support Pension (DSP) by people with disability, their families and carers in WA. We are aware that this is as a result of the government purposefully reassessing large numbers of people in an effort to make savings for the NDIS. As per our submission on the NDIS Savings Bill, we do not think that is ethical. Many of the people going through the stress of reassessment are eligible for NDIS and they need the time to get NDIS support settled and stable before they can focus on looking at employment possibilities.

The removal of many individuals DSP's by the Department of Human Services has led to actions by the Department that unfairly disadvantage and cause considerable distress and inconvenience to many people with disability seeking or entitled to a DSP as well as their families and carers.

This submission provides a number of recommendations that PWdWA strongly urges the Committee to consider. These recommendations have been developed as a result of issues brought to our attention through our individual advocacy work. PWdWA in collaboration with Sussex Street Community Legal Service, Midland Information Debt and Legal Advocacy Service and Advocacy South West have provided a number of examples that illustrate the impact of DSP changes on people with disability their families and carers. Advocacy organisations are also extremely concerned that the number and complexity of cases relating to DSP is increasing.

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### Recommendations

It is recommended that the inquiry strongly considers the difficulties being faced by those people who are currently receiving, appealing and applying for the DSP, in any legislation being considered with respect to the removal of disability supports in social services legislation. PWDWA's advocacy work reinforces that such actions will further disadvantage people with disability their families and carers and bring greater distress to their daily lives.

#### Recommendation 1

**PWdWA recommends that the process for reviewing the DSP and Impairment tables for use with assessing eligibility for the DSP, be reviewed with the aim of reducing the time, complexity layers of bureaucracy.**

All of our evidence through our advocacy work shows people spending months going through processes and appeals which often lead them back to getting the DSP after a considerable period of stress. The workload within the Department of Human Services must be huge with multiple forms, assessments and processes that each reassessment goes through. With further cuts to the staffing and infrastructure of the Department of Human Services this must lead to a lot of stress for the DHS staff. We urge a review of this process.

#### Recommendation 2

**PWdWA recommends that costs due to regional variances are taken into account when assessing treatment of conditions in Centrelink interviews in relation to DSP.**

Centrelink does not take into account circumstances relating to the availability of treatment in relation to distance and time. Whilst Centrelink requires a condition to be treated, at reasonable cost and availability to an applicant for a DSP, regional circumstances such as cost of travel and lack of available appointment times are often not taken into account. Disadvantage caused includes expenditure on transport as well as the time spent with a condition untreated whilst on an already limited budget especially in cases where the individual does not claim other Centrelink benefits or benefits received are inadequate for example, Newstart.

#### Recommendation 3

**PWdWA recommends that any medical evidence presented by people with disability is assessed by appropriately trained individuals in a timely and efficient manner to reduce delays for the claimant.**

Medical evidence provided by customers is often not adequately assessed during appeals, by a disability medical assessment. Authorised Review Officers (ARO's) are not medically trained to make a decision on the person's impairments thus need to seek medical opinion in their review. Disadvantage caused by lack of adequate consideration by ARO's includes the extra time and resources spent by applicants in initial appeals as well as the delays in gaining DSP payments in further appeals.

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### Recommendation 4

**PWdWA recommends that evidence from job service providers should be factored into and considered during the DSP process. Referrals to disability job service providers and programs of support should be made available for people applying and appealing for a DSP regardless of their eligibility.**

Programs of support/Job service provider factors are not considered in deciding a person's eligibility. Evidence from job service providers and programs of support as further evidence of the ability of an individual to hold employment should be taken into account, especially when job service providers advise that a person will not be able to work. Furthermore, people with disabilities are often referred to job service providers/programs of support inadequate for the conditions they're experiencing. Referrals to disability job service providers and programs of support should be made available for people applying and appealing for a DSP regardless of their eligibility.

### Recommendation 5

**PWdWA recommends that ALL doctors are provided with relevant and timely information with respect to the new Centrelink impairment rating tables.**

Doctors, whom applicants are required to see to gain evidence for a DSP application/appeal are not always aware of the new Centrelink impairment rating tables. This can lead to impairments not being assessed with the relevant ratings to their condition. This puts applicants at a disadvantage due to inadequate assessments being provided which do not reflect their true eligibility for a DSP.

### Recommendation 6

**PWdWA recommends that all information relating to DSP including impairment tables are available in accessible formats.**

Explanation of DSP impairment tables are not available in easy English format. This disadvantages people with intellectual disabilities by presenting difficulty in understanding DSP process and criteria which is needed for them to have a fair chance showing that they may be entitled to a DSP.

### Recommendation 7

**PWdWA recommends that an individual's eligibility for DSP is reviewed for any changing circumstances before the pension is discontinued.**

DSPs are often cancelled without consideration of conditions that have been gained by the client, or worsened since their DSP was awarded. e.g. A client may have developed severe depression since being awarded a DSP for a physical condition. This puts clients at a disadvantage as they are not given the opportunity to provide Centrelink with up to date information related to their impairments, before a decision to cancel their DSP is made. Disadvantage is then caused by the person experiencing impairment in areas crucial to their wellbeing such as mental health and family life, without being adequately compensated for by DSP payments as well

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as the extra time and resources used to report these conditions with respect to Centrelink impairment criteria.

### Supporting Evidence

PWdWA has collaborated with Sussex Street Community Legal Service and Midland Information Debt and Legal Advocacy service to provide the inquiry with a number of case studies that illustrate the effect DSP changes are having on people with disability their families and carers. For the purposes of this submission people have been de-identified from the following examples:

“Graham lives in a small town in the . Graham has been deemed legally blind, and told that his vision is that of some one that should be registered with the Association for the Blind and he was referred to the Visability team in town. Graham was sent a letter from Centrelink and told that he was being taken off DSP and he could work 30 hours a week. Graham has a degenerating bone disorder in the hips as well as his visual impairment. Walking is very difficult as is sitting or moving around. He had to find extra money to access doctors and professionals to get reports written and this took time as visiting specialist only come to town monthly and it take time to access the services as they are booked out for months. Graham went through the process of appealing and now the DSP has been re-instated with much stress, time and cost.”

“Jack has cerebral palsy. Jack is a 16-year-old boy and has a typically developing twin brother. Jack's father works away in order to support the family and in particular Jack's needs. They have no other family here. Jack is in a wheelchair and needs significant help with personal assistance. In November last year his mother Veronica applied with Centrelink for Jack to receive a disability pension when he turned 16 years old. Veronica and Jack have attended numerous meetings in the last 6-7 months with Centrelink in order for Jack to receive the DSP himself. Veronica receives the Carers Allowance. Centrelink have paperwork pertaining to his diagnosis of a disability on file from many years ago. Veronica suffers anxiety herself. She's on anti-anxiety medication as she's been told by her doctor that if she doesn't gain control over her health she will have a stroke. Jack and his mother are requiring advocacy support to have his previous paperwork recognised and to prove his disability status.”

“Jon came for advocacy support after 3 months of waiting to hear about his DSP application. At the time of Jon's application, he was informed by Centrelink staff that he would be contacted within 3-4 weeks to book in his Job Capacity Assessment. After waiting 3-4 weeks Jon then contacted Centrelink to enquire about his JCA. Jon felt that every time he contacted them he received different information from staff regarding both his application and general Centrelink process. The uncertainty of his

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application exacerbated Jon's already poor mental health. He was also struggling financially and had not been informed that he may be provisionally eligible for New Start Allowance whilst DSP was being assessed. Ongoing advocacy is occurring to ensure Jon can get through the process as quickly as possible without losing sufficient income support for his circumstances"

"Peter contacted the advocacy organisation for support during his Disability Support Pension (DSP) application. While going through the DSP process, he met the required 20 impairment points in 2 tables. Due to his impairment not being classed as severe he was required to complete the Program of Support (PoS) requirements. Peter was not well informed about what a PoS meant or how many weeks he was required to have completed prior to his application. The Advocate and Peter had to contact the local Centrelink manager to discuss how many weeks he had completed within a PoS as this information was not forthcoming during the Job Capacity Assessment (JCA). Peter was not aware of the rules surrounding the PoS time. When he first applied for the DSP, the recommendations from the Job Capacity Assessor was that he should be on an exemption due to his current health. This meant that Peter was not engaging in a PoS for 6 months. He was not aware that he could have voluntarily engage with a PoS and that this 6 months' exemption would not count towards his PoS time. He was also not made aware by Centrelink that his 2 overseas absences (due to his parent being ill) also impacted on the PoS. The decision to deem Peter ineligible for DSP was upheld by the AAT. Peter was encouraged by Advocate to complete his remaining PoS and was supported to reapply once this was done. Peter was granted DSP upon reapplying as he had met all requirements. The lack of communication by Centrelink staff to clarify Peter's specific PoS requirements led to a disadvantage in DSP being granted and time/resources being spent appealing a decision, rather than explaining it. "

### Conclusion

The evidence provided for this inquiry clearly shows that there are systemic flaws in the administration of the DSP in terms of over cumbersome bureaucracy, length of process, time delays and in correct information. The process is clearly having a negative impact for people with disability, their families and carers causing undue stress and frustration. It also appears that staff administering the DSP are under immense pressure which is having an adverse impact on potential/recipients. The recommendations cited in this report are based on experiences of people with disability, their families and carers who have contact PWDWA for individual advocacy. PWDWA strongly advises that the Joint Committee considers these recommendations which are presented to help alleviate some of the pressures on the system which is causing many people anxiety and financial hardship.