

**Senate Standing Committee on Education and Employment**  
**Inquiry into the**  
**Social Security Legislation Amendment (Strengthening the Job Seeker Compliance Framework) Bill 2014**

**QUESTIONS ON NOTICE**

On 18 November 2014, Senator Lines asked:

**Question**

*Mr Hehir:* Male job seekers had an attendance rate of 58 per cent, compared to the 65 per cent overall. If you go to comparisons with 30-year-olds and above, they were attending at 70 per cent – so 58 per cent to 70 per cent is the differential.

*Senator Lines:* Is there any breakdown – regional and rural or that sort of thing?

**Answer**

The following table shows the number of appointments booked and attended or not attended by job seekers in metropolitan, regional and remote areas for the period 1 July 2013 – 30 June 2014.

“Did not attend – provider discretion” is similar to “Did not attend – invalid reason”. Providers use this appointment result when they do not think the job seeker’s reason for non-attendance was valid or they were not able to contact the job seeker but they have nonetheless used their discretion not to ask DHS to take action under the job seeker compliance framework. In these circumstances it is up to the provider to try to re-engage the job seeker in some other way.

			Appointments not attended								Total Appointments
	Attended		Did not attend – valid reason		Did not attend – invalid reason		Did not attend – provider discretion		Not attended total		
	No.	%	No.	%	No.	%	No.	%	No.	%	No.
Metro	4,846,599	64%	1,145,092	15%	823,925	11%	754,242	10%	2,723,259	36%	7,569,858
Regional	3,120,338	68%	587,228	13%	433,325	9%	450,450	10%	1,471,003	32%	4,591,341
Remote	311,582	53%	79,731	14%	75,435	13%	120,276	20%	275,442	47%	587,024
Total	8,278,519	65%	1,812,051	14%	1,332,685	11%	1,324,968	10%	4,469,704	35%	12,748,223

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**QUESTIONS ON NOTICE**

On 18 November 2014 Senator Ruston provided in writing.

**Questions**

1. What is the impact of the volume of missed appointments? Resources and dollars?
2. What are the types of excuses job seekers give for missing their appointments?
3. What protections are there in place for vulnerable job seekers?

**Answers**

- 1. What is the impact of the volume of missed appointments? Resources and dollars?*

The Department estimates that a missed appointment would cost a provider substantial lost time and additional administration. This includes actions such as:

- preparing for the appointment
- attempting to contact the job seeker
- discussion with job seeker about non-attendance and why prior notice was not given
- completing a non-attendance report
- booking a reconnection appointment

Providers are given considerable flexibility as to how they manage their administrative resources and internal processes, and as such there is likely to be considerable variation in the financial impact on providers due to missed appointments and resultant reporting to the Department of Human Services under the job seeker compliance framework. As a result, the department is not able to provide a specific figure in time or dollars on the overall impact of missed appointments.

- 2. What are the types of excuses job seekers give for missing their appointments?*

For the period 1 July 2013 – 30 June 2014, job seekers were considered by their provider to have a valid reason for missing their appointment on 1.7 million occasions. Providers are not required to record the specific reason where a job seeker's excuse is deemed valid and such cases are not referred to DHS for formal consideration of reasonable excuse under social security law. Examples of reasonable excuses include:

- the job seeker was incapacitated due to illness or injury;
- the job seeker was working at the time of the appointment;
- the job seeker had unforeseen family or caring responsibilities (for example a sick child);

- the job seeker was not adequately informed of their appointment and was unaware they needed to attend;
- the job seeker was subjected to criminal violence (including domestic violence and sexual assault);
- the job seeker was adversely affected by the death of an immediate family member or close relative.

Job seekers are expected to give their provider prior notice of their reason for non-attendance where it is reasonable for them to do so.

If a failure to attend an appointment or activity results in the provider reporting this to the Department of Human Services under the job seeker compliance framework, the Department of Human Services needs to decide whether to accept or reject the job seeker's reason for non-attendance. In either case, the reason is recorded and reported on in the job seeker compliance framework data which the Department publishes on a quarterly basis on our public website.

The most recent available data is for the June quarter 2014, which can be found at

<http://employment.gov.au/job-seeker-compliance-data>

Table 9 contains data on reasons accepted by DHS, table 7 contains data on reasons not accepted.

### *3. What protections are there in place for vulnerable job seekers?*

Current safeguards for vulnerable job seekers will not be affected by this Bill. As is currently the case, no penalty will be applied to any job seeker if it is determined that they had a reasonable excuse for their failure and, in circumstances where they did not give prior notice of that excuse, if they had a good reason for not doing so. Additional safeguards are in place for vulnerable job seekers.

Vulnerable job seekers are identified on the IT systems used by employment providers and Human Services by a Vulnerability Indicator, which ensures that providers and Human Services staff are aware that the job seeker's personal circumstances may impact on their capacity to meet their requirements. A Vulnerability Indicator does not exempt a job seeker from their requirements or from being subject to compliance action if they fail to meet them, but it must be considered by providers when deciding whether an activity is appropriate and achievable for the job seeker. A Vulnerability Indicator can also be taken into account by a provider when they are deciding whether to exercise their discretion not to initiate payment suspension and action under the job seeker compliance framework when the job seeker has failed to meet a requirement, even if they have done so without a valid reason.

Identified Vulnerabilities are also carefully taken into consideration by Human Services when determining whether the person has a reasonable excuse under social security law and therefore whether they should incur a participation failure or not. Although reasonable excuse provisions apply to all job seekers, they are intended primarily to ensure that vulnerable job seekers are not penalised for actions that are beyond their control or are a direct consequence

of their vulnerability. For this reason, a legislative instrument requires decision-makers to take specific vulnerabilities, such as homelessness and mental health issues, into account when considering reasonable excuse.

Where job seekers have difficulty attending a provider appointment in person, providers will be able to conduct reconnection appointments over the telephone.

Job seekers who are unable to participate in employment services for extended periods can also apply for exemptions from their mutual obligation requirements, and will not be penalised for the duration of their exemption.