

Senate Community Affairs Committee
ANSWERS TO ESTIMATES QUESTIONS ON NOTICE
FAMILIES, HOUSING, COMMUNITY SERVICES AND
INDIGENOUS AFFAIRS PORTFOLIO
2013-14 Budget Estimates Hearings

Outcome Number: 5

Question No: 276

Topic: BSWAT

Hansard Page: Written

Senator Boyce asked:

As I understand it the National Council on Intellectual Disability made the very same argument to the Commonwealth in regard to the BSWAT plan that is now expressed in the High Court judgement. Why was their advice ignored? Do you accept that rejecting that advice was wrong? The Department, in fact, has been criticised for ignoring the knowledge, experience and advice of people with a disability and their representative bodies not only on this issue but a raft of other matters. Would you care to comment?

Answer:

The BSWAT was developed during 2002–03 by the then Department of Families and Community Services (after extensive consultation with a wide range of stakeholders including people with disability) and has been used to assess wages of employees in supported employment since 2002. BSWAT wage assessments are conducted by CRS Australia (a division of the Commonwealth Department of Human Services) at no cost to the ADE. The BSWAT determines the wage payable by assessing the supported employee's competency (the competency component) and productivity (the productivity component). The competency and productivity components are weighted equally.

The Government accepts the Court's decision in respect of Nojin & Prior and their representative bodies and is working through the complexities involved to develop a strategy to address the court's judgement, and ensure that supported employees continue to receive the help and support they need to remain in employment.