



Children and Young People
with Disability Australia

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Committee Secretary
Senate Education and Employment Legislation Committee
PO Box 6100
Parliament House
Canberra ACT 2600

Thursday, 10 June 2021

Dear Committee Secretary,

Social Security Legislation Amendment (Streamlined Participation Requirements and Other Measures) Bill 2021 [Provisions].

Children and Young People with Disability Australia (CYDA) is the national representative organisation for children and young people with disability aged 0 to 25 years. Our vision is that children and young people with disability are valued and living empowered lives with equality of opportunity; and our purpose is to ensure governments, communities, and families, are empowering children and young people with disability to fully exercise their rights and aspirations.

Please accept this letter as CYDA's formal submission to the Social Security Legislation Amendment (Streamlined Participation Requirements and Other Measures) Bill 2021 [Provisions].

Young people with disability face increased barriers to gaining secure and quality employment. As such, 44 per cent of young people with disability rely on government pensions and allowances as their main source of income.¹ For comparison, 11 per cent of young people without disability rely on income supports.

CYDA hears firsthand from our community the stress they incur navigating the social security system and being a recipient of income support. This includes undergoing costly and complex eligibility processes, complying with punitive and unfounded mutual obligations, and surviving on payments that are below an adequate standard of living which also do not incorporate the increased individual costs associated with disability.

CYDA is concerned that the timeframe Parliament has allocated to provide feedback is too short to allow the community, including people with disability and their representative organisations, to understand and scrutinise the proposed changes and ensure the adversity income support recipients currently experience will not be further entrenched.

¹ Australian Institute of Health and Welfare. (2020). *People with disability in Australia*. Available at [People with disability in Australia, Income - Australian Institute of Health and Welfare \(aihw.gov.au\)](https://www.aihw.gov.au/reports/1-in-4-people-with-disability-in-australia)

As such, CYDA endorses the recommendations as made by Australian Council of Social Services (ACOSS) in its submission. Namely:

Recommendation 1: We urge the Committee to recommend:

- 1.1 an extension of the reporting period of at least four weeks, and to hear from people affected, community organisations, and social security experts;
- 1.2 that the relevant Departments undertake public information sessions and consultation on all Schedules of the Bill.

Recommendation 2: The Committee should ensure there are no adverse consequences of the bill for people on income support by:

- 2.1 adopting the principle that streamlining and consolidation of legislation regarding activities and compliance for unemployment payments is only supported where it has no adverse implications for recipients of unemployment payments;
- 2.2 ensuring that the legislation does not lead to adverse changes to activity requirements or exemptions for people with barriers to employment including people with disability, principal carers of young children, and mature age workers.
- 2.3 recommending that the Bill be referred to the Parliamentary Joint Committee on Human Rights for consideration.

Recommendation 3: The Committee should recommend that provisions of the Bill facilitating digital decision-making should not be passed until the government commits to:

- 3.1 consult widely (including with people directly affected, relevant peak bodies and experts) to develop a legislated *code of digital ethics for employment services* including protections in the following areas:
 - privacy (including a ban on use of facial recognition and tracking technology), protection of personal information,
 - assurances that people have access to information held on them and which decisions are automated,
 - personal agency and choice (including in regard to Job Plans),
 - timely access to decision-makers, reviews and appeals, and
 - restrictions on automated decision-making where this has adverse consequences (including a ban on automated payment suspensions).
- 3.2 establish a standing digital services advisory panel comprising people directly affected, relevant peak bodies and experts to monitor the impact of the use of information technology in employment services, including automated decision-making, and publish advice to government to prevent and eliminate any harms arising from this.

Recommendation 4: The Committee should recommend rejection of Schedule 8, which requires people to enter into Job Plan before receiving the first income support payment.

Recommendation 5: The committee should recommend the removal any provisions of the Bill that may have the effect of increasing the range of employment programs exempted from workplace protections such as minimum wages or health and safety rules, such as:

- the words 'or in an employment program' and 'undertakes an activity (other than paid work) in accordance 13 with a requirement, or an optional term, of an employment 14 pathway plan' in Part 1.4, Paragraph 40.

Recommendation 6: The opportunity should be taken to remove harsh elements of the activity and compliance regime:

6.1 A new consultative mechanism should be introduced to advise on activity requirements for people on unemployment payments, with people affected, community organisations, and social security experts represented.

6.2 The Social Security Act should include a definition of 'suitable activities' that limits any activity requirements extending beyond job search and accepting suitable employment to actions that are reasonable, relevant to individual circumstances and barriers to work, and demonstrably likely to improve people's employment prospects.

6.3 The reduced activity requirements for principal carers, people with partial work capacity and mature age workers should be specified in the Social Security Act.

6.4 'Social requirements' such as the care of children (for Parents Next participants) should be removed, including references (in section 40G Schedule 1) to children's health and education outcomes, as a condition for receiving income support.

6.5 Requirements to undertake work-like activities without access to workplace protections and minimum wages, including Work for the Dole, should be removed.

Recommendation 7: Jobseeker, Youth Allowance and related payments should be increased to at least \$65 a day, and those payments should be indexed to wage movements as well as price movements.

Recommendation 8:

8.1 The government should commit to bring legislation to the Parliament specifically for the purpose of funding employment assistance programs

8.2 In the interim, the present Bill should be amended to require the Employment Secretary to publish the following information on at least an annual basis:

- outlays on each program and sub-program;
- the number and profile of participants;

- the range of services provided;
- outcomes achieved;
- any program evaluation reports.

If you would like to know more about this submission or CYDA's work, please feel free to contact our me or our Policy and Programs team on 03 9417 1025 or info@cyda.org.au.

Kind regards,

Mary Sayers
Chief Executive Officer
CYDA