

New Centrelink arrangements

From 1 July 2018, job seekers will no longer be able to be granted an exemption from their Mutual Obligation Requirements if the reason for the exemption is wholly or predominantly due to drug or alcohol use issues.

An exemption suspends a job seeker from the employment service providers' caseload. Instead, they will remain connected with their employment services provider and will have appropriate activities in their Job Plan. From 1 January 2018, this can include drug and alcohol treatment activities for all job seekers and will count toward their Annual Activity Requirement. An attempt by a job seeker to seek an exemption from DHS (Centrelink) for this reason will trigger a notification to the job services provider that they may need to review the job seeker's Job Plan with them.

Satisfactory participation in the relevant number of hours in drug or alcohol addiction treatments (including rehabilitation) will meet their Annual Activity Requirement i.e. the job seeker will be deemed to be fully meeting their fortnightly Annual Activity Requirement in the fortnights they are participating in that Activity, regardless of contact hours. As the delegate of the Secretary of the Department of Jobs and Small Business, employment services provider staff will ultimately determine what requirements the job seeker must satisfy to meet their mutual obligation requirements under Social Security Law. This means that a provider can determine the number of Job Searches, including no Job Searches.

In response to concern from some NADA members that the changes to the way in which Centrelink considers substance use issues and exemptions to mutual obligation requirements, NADA has received information from both the Department of Health and the Department of Social Services regarding the changes to the Act and the associated changes with the process for people on Newstart to have their mutual obligations waived whilst accessing residential treatment.

The Department of Social Services has confirmed that there was no intention to put job search providers between a treatment service and an individual. The confusion may in part be due to the fact that drug dependence can no longer be used as a justification for suspending mutual obligations (which was previously allowed). As such, individuals no longer need to get a medical certificate to provide to Centrelink ahead of entering treatment. Instead, they will need to notify their job search provider that they are entering treatment, which will prompt their job search provider to alter their plan to suspend their obligation to look for work—this arrangement will stand whilst the person remains in treatment.

NADA has been advised that where people are leaving their local area to access treatment, they do not need to change their employment services provider at the point of entry into treatment and are not required to provide a medical certificate to support their claim (though they may do so if they wish). Also, non residential treatment can be similarly included in their job plan to meet their mutual obligation requirements.

Where issues arise with the implementation of the changes to exemptions policy, members are encouraged to contact the Department of Jobs and Small Business' National Customer Service Line:

- by telephone on 1800 805 260
- by email to nationalcustomerserviceline@jobs.gov.au