

## DSP Review fact sheet: Centrelink responds

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The article below was originally published in the [PLWHA](#) [1] Person (or People) Living with HIV/AIDS. NSW magazine *Talkabout*. It includes a response from Centrelink to the PLWHA NSW fact sheet "Surviving the Centrelink DSP Review".

Following on from the [PLWHA NSW factsheet on DSP Reviews](#) [2] (Health Promotion fact sheet #13), Kathy Triffitt and David Wallace spoke to Megan Hunt, the Manager of the Centrelink Office in Darlinghurst, about some of the issues that the factsheet raised for people living with HIV.

### 1. Would you say that the concerns expressed in the fact sheet were valid?

It is understandable that people will feel anxious when they are selected for a service update. However we are not out to cancel a person's DSP when they still meet the eligibility criteria, and it should be remembered that the medical evidence provided by treating doctors/specialists, as well as the customers own assessment of their condition and its impact on their capacity to work, are taken into account so that the right decisions are made.

You are always given the opportunity to discuss your circumstances and provide additional, or new information before any decision is implemented. You should also remember that there are also several levels of review and appeal available to you if you feel that a decision has been made that is incorrect.

I also thought there were a couple of points in the fact sheet that needed some clarification.

"Robert" expresses the fear that if his DSP is reviewed and he is longer eligible that he will get nothing. If DSP was to be cancelled alternative payments and assistance would be discussed. There are many other payment options that are available depending on people's circumstances such as, Austudy payment, Abstudy, Youth Allowance, Newstart Allowance or Carer payment.

"Robert" and "Brett" both talk about going off DSP in the past and the difficulties they had getting back on the pension. There are now arrangements in place to make this transition easier.

Currently, when you are receiving DSP and get a full time job or increase your part-time work hours, and are no longer eligible because of the number of hours you are working and/or the amount you are earning, your DSP payment can be suspended for up to two years as long as we are informed within the required time frame.

Even though you are not receiving any DSP payments, you will however still be able to keep your health care card and all its benefits for twelve months after returning to work.

If you stop working or reduce your hours, **due to your disability**, your DSP can be restored, within two years without needing to lodge a new application or undertake a medical or other assessment.

If you stop working or reduce your hours and this is not related to your disability, you will need to lodge a new application or undertake a medical or other assessment.

However, after **1 July 2006**, you will be able to be able to return to DSP without a new application, **if you stop employment for any reason, whether it is health related or not, within the two-year suspension period.**

### 2. How could Centrelink address these concerns?

I think there are several elements to addressing the concerns raised in the fact sheet.

We aim to assist the community to access our services and to understand their rights, obligations and entitlements in doing so.

We would like to increase our involvement with community organisations and other service providers to improve the overall level of understanding of our Services and enable customers to meet with our staff away from their office. We are already doing this on a regular basis from our Darlinghurst office, providing a monthly outreach service to the Luncheon Club in Waterloo and from our Newcastle office, providing a similar outreach service through ACON in the Hunter.

We are constantly adding to the range of services and information products available on our website at [www.centrelink.gov.au](http://www.centrelink.gov.au) [3], so that customers that don't wish to deal with us face to face can easily access a range of product and services.

There are fact sheets and other information available about the full range of our services as well as our Customer Charter and information about review and appeal rights for example. Of course this information can also be requested by phone or by visiting your local Centrelink office.

Our online services also provide customers with the opportunity to view and update information on their record. For example, you can now view your assets and income information, check eligibility for, and apply for Advance Payments, see upcoming appointments with Centrelink, and view and update your employment income. Registration for this service can be done online, by phone or in person at a Centrelink office.

The Centrelink Rate Estimator allows you to see the effects of any future income from working or any other changes in your circumstances.

### **Changes to DSP eligibility.**

It would also be beneficial to explain the changes to the eligibility for DSP from 1 July 2006 as the Federal Governments 2005-06 Welfare to Work Budget included changes to the DSP qualification criteria.

**However if you were already on DSP before 11 May 2005 there is NO change to your eligibility.** Your eligibility for the DSP was measured, among other things, against the fact that you were unable to work more than 30 hours a week in the next two years. If you are selected for any review in the future, you will still be reviewed against this ability to work more than 30 hours a week criteria.

**Anyone applying for DSP between 11 May 2005 and 30 June 2006** will be assessed under the old 30-hour work capacity rule, but after 1 July 2006, they will be reviewed under the new 15-hour work capacity rule.

From 1 July 2006, anyone claiming DSP who is assessed as being able to work between 15 and 29 hours a week, without ongoing support, will not be eligible for DSP. Instead they may qualify for a Newstart Allowance.

It must be stressed that under the Welfare to Work reforms, if someone cannot work because of their disability, they will not be forced to look for work. If their disability prevents them from working, they will receive Disability Support Pension which has no compulsory participation requirements.

### **3. Can Centrelink look at the wording of the letters that are sent out to people to make them less intimidating?**

We are constantly reviewing the number and content of forms and letters that are sent out and welcome feedback about this or any other issue. As part of this activity, we are currently reviewing the Medical Service Update – Disability Support Pension form with a view to simplifying the form and making the information easier to understand.

You can provide feedback on our forms and letters to us on **the Customer Relations Freecall number – 1800 050 004.**

### **4. What advice do you give clients before they attend an interview?**

At each step of the review process all we ask is that you give us an honest account of your present circumstances so that we can make an accurate assessment of your situation. As I said before the review process is not about canceling someone's DSP when they still meet the eligibility criteria.

In completing the forms or in preparation for an interview if you have any concerns or don't think you can supply the information requested please call us on 132717. Don't be afraid to ask for help or to ask questions if you don't think something is right.

By all means bring someone to an interview and again if you have any queries or concerns, please let us know at the time or on **the Centrelink Customer Relations Freecall number 1800 050 004**.

## **5. Can Centrelink consider producing a fact sheet of their own to send out with letters advising people of their rights/responsibilities and offering advice upfront on what to expect?**

The review of the Medical Service Update form that I mentioned earlier will take into account these issues. We will also consider the specific suggestion.

There is also a range of information available on our website, such as our Customer Charter and Centrelink Appeals process and the links to this information is given at the end of this article.

## **6. DSP reviews are not new. Why does it seem that more people living with HIV are being reviewed now?**

As you stated in the fact sheet, DSP reviews are not new – they have been undertaken for many years. Centrelink is of course responsible to the Government and taxpayers for ensuring that customers receive the social security payments and entitlements most appropriate to their circumstances. However people's circumstances change and regular reviews are one of the main ways for us to check whether customers continue to be eligible for the payment and whether the rate of payment is correct.

Previously, DSP customers were medically reviewed, with some exceptions, in two or five year cycles. From September 2003, these reviews were replaced by a Service Updates system. Service Update reviews are broader than the previous medical reviews in that they consider all aspects of a person's DSP eligibility and may include an offer of assistance to increase their economic or social participation.

Depending on the customer's circumstances, DSP Service Updates can include:

- Face to face interviews – e.g. an Income and Assets Update;
- Mail or phone contact – e.g. a General Entitlement Update; or
- A Medical Payment Correctness Update. This examines the Treating Doctor's Report and the customer's own assessment of their condition and its impact on their capacity to work. The customer may be referred to an external assessment in the course of this review.

Service Update Reviews are not undertaken on a regular basis. You should not be medically reviewed within two years of your last review and you may not be reviewed for a number of years, if at all. For example, some people on DSP may not be medically reviewed at all, due to the severity of their impairment at the time that DSP was granted.

There are clear guidelines for staff to follow in conducting reviews. If a medical service update is undertaken, we always consider:

- your treating doctors' reports (including diagnosis, [clinical](#) [4]Pertaining to or founded on observation and treatment of participants, as distinguished from theoretical or basic science. features and symptoms, stability of the condition, treatment and impact on ability to function).
- your own assessment of your condition, and when necessary
- reports from independent medical assessors or work capacity assessors.

You are always given the opportunity to discuss your circumstances before any decision is implemented, and that is why it is always good to remember to bring as much information with you about your medical situation as you can to every interview, and that you can also bring someone with you to help you if necessary.

## **7. What is the purpose of interviewing HIV positive people in their 50s who have not worked for 15 plus years? Are there support and resources available to help them get back into the work force? Has Centrelink factored in the long term effects of long-term diagnosis?**

Again I stress that participation in employment assistance programs for DSP recipients is entirely voluntary.

A recent survey by the Social Research Centre indicates that 82% of jobless DSP recipients would prefer to be in paid work. Service updates, as well as checking eligibility, allow us to identify people in this category and discuss programmes and services available to assist them in reaching their goal of returning to some level of paid work in the future.

While age and disability can be barriers to employment, depending on the circumstances of the individual there are numerous options that can be tailored to assist customers to overcome the issues preventing them from returning to paid work.

There are many mature aged people who have successfully found paid work, many after long periods of unemployment. Some people manage this on their own, others need some help.

We have specially trained staff to assist people with illnesses, injuries or disabilities to explore participation options suited to their circumstances.

These options may include:

- Disability Employment Services who specialise in assisting people with ongoing disabilities return to paid work.
- Voluntary work options – some people may not be able to return to paid work and voluntary work is a great way of staying connected with the community, while learning new skills that might help with a return to paid work in the future.
- Education and training to update existing skills or learn new ones.
- Job Network Services who help both Mature Age and People with disabilities to find work.

For more information about these options and others, visit our website at [www.centrelink.gov.au](http://www.centrelink.gov.au) [3] or contact our Disability, Sickness and Carers line on 13 27 17.

Don't forget our Customer Relations Freecall number 1800 050 004 to provide us with feedback or to make a complaint or the following links to useful information on our website:

The following are some of the links to information that is available on the Centrelink website.

It is worth checking these links because there is useful and important information there for all Centrelink customers. Above all it is important to remember, in any interaction with Centrelink, that you have rights (as well as responsibilities!) and these are described variously in the Centrelink Customer Charter and the Centrelink Appeals process.

- [Centrelink Customer Charter](#) [5]
- [Your Rights as a Centrelink Customer](#) [6]
- [Appeals Process](#) [7]
- [Feedback \(complaints or suggestions\) to Centrelink](#) [8]
- [Attending a Centrelink Review](#) [9]
- [General Information on the DSP](#) [10]
- [Centrelink Rate Estimator](#) [11]

- [Centrelink reviews](#)
- [Disability Support Pension](#)
- [HIV Living](#)

**Links:**

[1] <http://www.napwa.org.au/glossary/term/119>

[2] <http://www.napwa.org.au/?q=node/503>

[3] <http://www.centrelink.gov.au>

[4] <http://www.napwa.org.au/glossary/term/475>

[5] [http://www.centrelink.gov.au/internet/internet.nsf/about\\_us/customer\\_charter.htm/review](http://www.centrelink.gov.au/internet/internet.nsf/about_us/customer_charter.htm/review)

[6] [http://www.centrelink.gov.au/internet/internet.nsf/legal/your\\_rights.htm](http://www.centrelink.gov.au/internet/internet.nsf/legal/your_rights.htm)

[7] [http://www.centrelink.gov.au/internet/internet.nsf/legal/review\\_appeal.htm](http://www.centrelink.gov.au/internet/internet.nsf/legal/review_appeal.htm)

[8] [http://www.centrelink.gov.au/internet/internet.nsf/filestores/co051\\_0403/\\$file/co051\\_0403en.pdf](http://www.centrelink.gov.au/internet/internet.nsf/filestores/co051_0403/$file/co051_0403en.pdf)

[9] [http://www.centrelink.gov.au/internet/internet.nsf/MultiFilestores/com021\\_0410/\\$File/com021\\_0410en.pdf](http://www.centrelink.gov.au/internet/internet.nsf/MultiFilestores/com021_0410/$File/com021_0410en.pdf)

[10] [http://www.centrelink.gov.au/internet/internet.nsf/filestores/id001\\_0308/\\$file/id001\\_0308en.pdf](http://www.centrelink.gov.au/internet/internet.nsf/filestores/id001_0308/$file/id001_0308en.pdf)

[11] [http://www.centrelink.gov.au/internet/internet.nsf/online\\_services/index.htm](http://www.centrelink.gov.au/internet/internet.nsf/online_services/index.htm)