



1 November 2019

Our reference: LEX 48732

Mr Anthony Tatterson

Only by email: foi+request-5795-3488585e@righttoknow.org.au

Dear Mr Tatterson

Your Freedom of Information Enquiry

I refer to your enquiry requesting information regarding the payment rates for carers. Specifically, you requested the following:

‘... why full time carers for a disable partner or child are not payed the same as a respite carer?’

While I note that your email is titled ‘freedom of information request’, it does not satisfy the requirements of a valid FOI request because you have not provided such information concerning the [document](#) you seek, rather you have asked the department to answer a question with respect to payment rates.

As such, the purpose of this letter is to provide you with information to assist you to resolve your enquiry, and if still required, to assist you to make a valid FOI request.

Additional Information

To provide you with information that may assist, I consulted with relevant officers across the department. I note that the department administers a number of payments, supplements and concessions to eligible carers of children and adults, these include:

- Carer Payment;
- Carer Allowance;
- Carer Adjustment Payment;
- Carer Supplement; and
- Child Disability Assistance Payment.

You may be interested in the operational information about Carers payment that is publicly available on the department’s webpage. If you are interested in this information, please visit: <http://operational.humanservices.gov.au/public/Pages/SiteMap/carers.html>

Rates

The business area responsible for programme and policy matters in relation to Carers payment also advised that the rate of payments, supplements and entitlement to a

concession is determined by Social Security law. The law contains specified details relating to the maximum rate payable for each payment and supplement, and the calculation to be used if the payment is subject to an income and/or assets test.

The relevant sections in the *Social Security Act 1991 (Act)* that determine qualification for payments, allowances and supplements, as well as the payable rates, are listed below:

- Qualification for Carer Payment – sections 197 and 198.
- Rate of Carer Payment – section 1064 – B1.
- Qualification for Carer Allowance – sections 953 and 954.
- Rate of Carer Allowance - sections 974, 1190 and 1191.
- Qualification for Carer Supplement - section 992X.
- Rate of Carer Supplement – section 992X(2).
- Qualification for Child Disability Assistance Payment – section 992MB.
- Rate of Child Disability Assistance Payment – section 992MD.

Carer Adjustment Payment qualification and the payable rate is not contained within the Act. This is a one-off ex-gratia payment providing assistance of up to \$10,000 to families in exceptional circumstances who do not qualify for any Government income support Payments (dss.gov.au).

How to make a valid FOI request

If the additional information provided in this letter does not sufficiently answer your enquiry and you would like to proceed with an FOI request, please provide further information regarding the documents you seek. For example, whether you are seeking policy documents, operational information or information from your own customer record (which you should do so outside of the Right to Know Website).

If you would like to proceed with an FOI request, please reply in writing with a valid request under the FOI Act.

You can reply by email to: freedomofinformation@humanservices.gov.au

You can also post your request to the department at the following address:

Department of Human Services
PO Box 7820, Canberra BC, ACT, 2610 (No stamp is required for this PO Box number).

If you do not reply within 30 days from the date of this letter, I will consider the matter finalised.

Further assistance

If you have any questions, please email freedomofinformation@humanservices.gov.au.

Yours sincerely

Nicola

Freedom of Information Team
Employment Law and Freedom of Information Branch | Legal Services Division
Department of Human Services