

## **Correction to Explanatory Statement for *Social Security (Parenting payment participation requirements – classes of persons) Specification 2016 (No. 1)***

This supporting document clarifies an error made in the Explanatory Statement to the *Social Security (Parenting payment participation requirements – classes of persons) Specification 2016 (No. 1)* (the Specification).

The Specification specifies a class of persons which supports the Supporting Parents to Plan and Prepare for Employment program (ParentsNext) announced as part of the 2015–16 Budget. ParentsNext offers early intervention assistance to help parents to identify their education and employment related goals and to achieve these goals by participating in activities and connecting to relevant local services.

The Explanatory Statement outlines the compliance arrangements for ParentsNext. Where a person has had their social security payments suspended for non-compliance with certain requirements, the Explanatory Statement provides that the person must comply with those requirements for their payments to be reinstated with full back pay (see the second paragraph on page 9 and the first paragraph on page 15 of the Explanatory Statement). However, under s 42SB of the *Social Security (Administration) Act 1999* a person's payments are reinstated with full back pay when the person notifies the Secretary that they ***intend to comply*** with the relevant requirements.

The incorrect sentences are reproduced below and the sentences with the correct wording follow. The corrections are highlighted in bold and italics.

Correction to the second paragraph on page 9 under the heading '*Compliance*':

Parents who do not participate as required may have their income support payments suspended under section 42SB of the *Social Security (Administration) Act 1999* until they re-engage. Once a parent re-engages, their income support payments are back paid in full.

Parents who do not participate as required may have their income support payments suspended under section 42SB of the *Social Security (Administration) Act 1999* until they ***agree to*** re-engage. Once a parent ***agrees to*** re-engage, their income support payments are back paid in full.

Correction to the first paragraph on page 15 under the heading '*Limitations are reasonable and proportionate*':

Furthermore, when a suspension does occur, the payment will be reinstated with full back pay once the parent attends a rescheduled appointment or commences to participate, (subsection 42SB(4) of the Administration Act). Any limitation on the right to social security is therefore proportionate because no penalty is applied and back pay is provided once a parent complies with their participation requirements.

Furthermore, when a suspension does occur, the payment will be reinstated with full back pay once the parent ***agrees to re-engage*** (subsection 42SB(4) of the ***Social Security (Administration) Act 1999***). Any limitation on the right to social security is therefore proportionate because no penalty is applied and back pay is provided once a parent ***agrees to comply*** with their participation requirements.

A person's right to social security is impacted less when their social security payments are reinstated upon their intention to comply with their requirements, rather than upon actual compliance. Parents in the 'Participating Parent' class of persons are particularly vulnerable and, in many cases, would not be subject to participation requirements if it were not for this Specification. Any limitation on the right to social security as a result of this Specification is therefore brief and proportionate in view of the characteristics of the persons in the 'Participating Parent' class of persons.

Signed:

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