



The Hon Stuart Robert MP
Minister for the National Disability Insurance Scheme
Minister for Government Services

Ref: MS20-000495

Justice Iain Ross
President
Fair Work Commission

Email: chambers.ross.j@fwc.gov.au

Dear President Ross

I am writing to provide information in response to Question 18 posed by the Full Bench in its Statement of 5 May 2020 concerning the application to vary the Social, Community, Home Care and Disability Services Industry Award (the SCHADS Award) (AM2020/18).

The application made to the Fair Work Commission (the Commission) is for a temporary additional allowance to be paid to social and community services employees undertaking disability services work with people with disabilities who are self-isolating due to the Coronavirus disease (COVID-19) pandemic (hereafter, COVID-19).

The Commonwealth administers the National Disability Insurance Scheme (NDIS) through the independent National Disability Insurance Agency (NDIA). The NDIA Board sets price limits which NDIS providers can charge for some supports to ensure they provide value for money for participants. Changes to price limits are updated to respond to market trends and changes in costs, which may include changes to employment terms and conditions in the SCHADS Award. These changes are generally identified through the NDIA's Annual Price Review and take effect 1 July each year or once service agreements have been renegotiated.

In response to COVID-19, the Commonwealth has provided the following additional supports specifically for NDIS providers:

- Facilitating a one-off advance payment, totalling \$666.1 million to more than 5,000 registered NDIS providers to support them with immediate cash flow to retain their staff and deliver supports to participants.
- Applying a 10 per cent increase to NDIS provider price limits for support items such as assistance with social and community participation and improved daily living skills at an estimated cost of \$512 million over 6 months.
- Access to Personal Protective Equipment (PPE) through the National Medical Stockpile, including an allocation of more than 500,00 masks, for disability providers and self-managing participants where essential services require close physical contact and there is heightened risk of Covid-19 infection.

- New Supported Independent Living (SIL) support items for cleaning services and higher intensity support. If a participant is diagnosed with COVID-19, SIL providers will be able to claim:
 - \$300 for a one-off professional deep clean of a residence; and
 - up to \$1,200 per day for higher intensity support including staffing increase, PPE, professional laundering and any ancillary costs directly related to the participant's diagnosis.

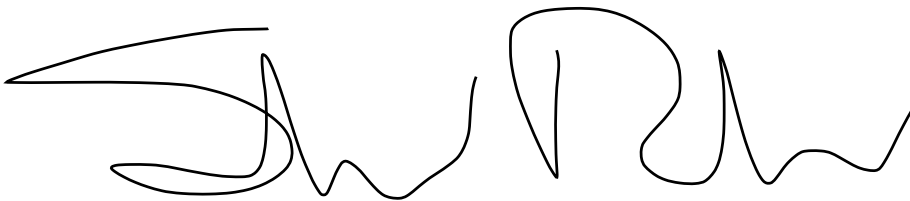
Providers can continue to claim usual SIL costs while a participant diagnosed with COVID-19 is in hospital or isolated in alternative accommodation. Alternative accommodation will also be claimable through the short term accommodation support item.

The Commonwealth notes that the allowance is not proposed to apply to employees in other classifications in the SCHADS Award, that is, crisis assistance and supported housing employees, home care employees and family day care employees. The Commonwealth further notes that the allowance is proposed to be only payable in certain circumstances relating to the client's COVID-19 status.

However, depending on the Commission's final determination, a number of Commonwealth programs which fund disability support services could also be impacted, including those administered by agencies responsible for social services, health, aged care and veterans' affairs. Examples of potentially affected program areas include the Financial Wellbeing and Capability Activity, the Family Mental Health Support Services, the National Disability Advocacy Program and the Families and Children Activity.

I also note the proposed variation to the SCHADS Award to include a temporary care allowance of \$4.94 per hour until 28 September 2020 due to the impact of the COVID-19 pandemic, if supported, may also impact on programs funded by states and territories.

Yours sincerely

A handwritten signature in black ink, appearing to read 'Stuart Robert', with a large, sweeping initial 'S'.

Stuart Robert