

Job Capacity Assessments

Job Capacity Assessments (JCAs) play an important role in the social security system. If you have applied for or receive financial support from Centrelink you may be required to undergo a Job Capacity Assessment.

What is a Job Capacity Assessment?

A Job Capacity Assessment is a meeting where an Employment Services Provider or Centrelink officer assesses your suitability for or barriers to employment (such as physical or psychiatric disability, literacy or homelessness) and looks at what assistance can be provided to help overcome any barriers.

If you have a medical condition or disability, the assessment also identifies your current and future work capacity by assessing how your medical condition affects your daily work functioning. The assessment can determine which Employment Service Program you are referred to and may also determine, in part, whether an application for Disability Support Pension is successful.

Job Capacity Assessments are interviews that are conducted in person and can take up to one hour. Where there are special circumstances preventing you from attending a Job Capacity Assessment, you can make a request to be interviewed over the phone but it is always best to attend wherever possible.

Why do I need a Job Capacity Assessment?

There are many reasons why a person is referred for a Job Capacity Assessment, the most common being that a job seeker has been recognised as facing barriers to work. These show up when Centrelink or your Employment Services Provider asks you a series of questions

from the Job Seeker Classification Instrument, or through issues you have disclosed to your Employment Services Provider, whether they be through conversation or your behaviour.

Other reasons could be:

- You have applied for a Disability Support Pension;
- Your circumstances have changed and they are affecting your capacity to work;
- Your Disability Support Pension is being reviewed;
- You have been unemployed for a while and your "Stream" (level of service) is to be reviewed;
- You have not been complying with your Employment Pathway Plan and Centrelink wants to know if there is a reason; or
- You are appealing against a Centrelink decision not to grant a payment/exemption.

It is in your best interest to ensure that you provide realistic information about you and your abilities to the Job Capacity Assessor to ensure you receive the right employment assistance

Who will conduct the Job Capacity Assessment?

A Job Capacity Assessor is a medical professional or other professional person and may be a Registered Psychologist, Registered Nurse, Rehabilitation Counselor, Exercise Physiologist, Social Worker, Occupational Therapist or Physiotherapist.

If you are being assessed for a Disability Support Pension, Centrelink will try to ensure that your Job Capacity Assessor has qualifications in the field of your primary medical condition. For example, this may be a psychologist if you have a mental health condition. If your Job Capacity Assessor is unable to provide an officer with relevant qualifications, your assessment will be double-

checked by someone who has the relevant qualifications.

You can request that your Job Capacity Assessment is completed by a male or a female.

What happens in a Job Capacity Assessment?

Assessments are conducted in person where possible and take up to one hour. Assessments do not involve a physical examination and the Job Capacity Assessor does not diagnose illness or disability. The officer does assess how your medical condition or barriers to employment affect your daily capacity to work. He or she may assess that by asking questions about:

- your level of education;
- your employment history;
- your goals and aspirations;
- your literacy and numeracy capabilities;
- your medical conditions including; symptoms, treatment and care plans;
- whether you use drugs or alcohol;
- your social situation regarding family and relationships;
- your housing security; or
- current concerns about your participation requirements.

A JCA will use other information to form their recommendation including:

- medical reports and certificates;
- school reports;
- specialist assessments; or
- information supplied by Centrelink staff & Employment Service Providers.

A JCA may have discussions with your treating doctors and health professionals so it's a good idea to advise doctors you are seeing that an assessment is being conducted.

More recently JCA's have been given access to a Health Professional Advisory Unit which sits in Centrelink and is designed to support officers involved in drafting reports on medical matters.

If you have any reports that may demonstrate your capacity to work you should take them with you to your assessment.

Capacity to Work – is the ability of an individual to work or be trained for any type of work that exists in Australia at minimum wage independently of a program of support.

A JCA should discuss with you what they are going to recommend to Centrelink but they are not able to tell you the likely outcome of a Centrelink Decision as they are not the decision maker.

A JCA may ask you to get further medical information or attend a specialist assessment to assist them write their report

Where appropriate a JCA will provide you with information and make recommendations about your referrals options.

What happens after the interview?

Following a JCA a report is given to Centrelink who are the decision makers in terms of payment eligibility and participation requirements.

The JCA report could do the following:

- Recommend the most appropriate community and/or employment support services to suit you and refer you directly to them; and/or
- Recommend to Centrelink your work capacity and the most appropriate income support payments; however Centrelink can choose not to follow their recommendation.

What should I bring to a Job Capacity Assessment?

It is most important that you provide the person undertaking your Job Capacity Assessment with information about **all** your health problems, not

just your main physical, intellectual or psychiatric disability or condition.

The Job Capacity Assessor should consider all your medical evidence including reports from your treating doctors or specialists. If you already have medical reports, X-rays or scans or letters from your clinicians, bring them along to your appointment with a Job Capacity Assessor, no matter how old they are and regardless of whether they have already been provided to Centrelink.

Even though you may have already given Centrelink information about yourself (such as your medical condition and living arrangements) it is important to provide the Job Capacity Assessor with this information and any additional information that might affect your capacity to work. This will result in a more accurate assessment of possible barriers to employment and referral to the support that will best meet your needs.

Can I bring someone with me to a Job Capacity Assessment?

You may take a friend, relative or advocate with you to your assessment. Interpreters, including AUSLAN interpreters, can be provided for the assessment. If you are uncomfortable or uneasy during the assessment let the officer know and they will assist you.

Recording a Job Capacity Assessment

You have the right to ask that the Assessment be recorded. It is a good idea to request this in advance so that the equipment is available.

Privacy and consenting to disclose information

Where a disability affects your capacity to work, it is generally to your advantage to disclose that you have a disability. However you may choose

not to disclose a disability or a medical condition.

You may be reluctant to disclose because you consider that the disability does not affect your work capacity and is irrelevant to your job-seeking, or where you perceive that you may be discriminated against by agencies and employers if your disability was known. This may be, for example, where a person has HIV/AIDS or a psychiatric disability.

Where you have disclosed your disability, you do not have to give consent to the distribution of this information to Employment Services Providers. If you do not want sensitive information conveyed back to providers, you should inform the Job Capacity Assessor of this.

Do not sign the consent form unless you understand completely what you are consenting to. Do be aware though, that without this information, the Employment Services Provider may not be able to take such information into account when considering job search and other activities suitable for you. It may also mean that barriers to employment and health issues relating to such disabilities will not be taken into account by Centrelink when determining eligibility for:

- a Disability Support Pension;
- an incapacity exemption for Newstart Allowance or Youth Allowance; or
- "partial capacity to work" activity requirements for Newstart Allowance, Youth Allowance (unemployed), Parenting Payment or Special Benefit.

Appealing a Job Capacity Assessment

You can appeal to Centrelink about the outcome of a Job Capacity Assessment. Centrelink decides whether to accept the recommendation of a Job Capacity Assessment. Once they have accepted the recommendation you will be informed of a decision regarding your social security entitlements which you can then appeal

if you are unhappy.

Your Disability Support Pension application relies on additional information to your Job Capacity Assessment.

If you are unhappy you CAN seek a review by an Authorised Review Officer at Centrelink, noting any concerns you may have about the Job Capacity Assessment process.

If you feel you have been unfairly treated by a Job Capacity Assessor, complaints or disputes regarding assessments should be made to the Job Capacity Assessment provider in the first instance, and then to Centrelink's Customer Relations Line, Basic Rights Queensland (BRQ) and/or the Commonwealth Ombudsman.

Appealing Centrelink decisions is quite a common and straight forward process. If you do not feel confident about your ability to personally progress with a complaint or appeal, contact Basic Rights Queensland who can provide you with some practical advice.

Getting access to my Job Capacity Assessment Report

You will not automatically be provided with a copy of your Job Capacity Assessment report, but you can request copies of the assessment from Centrelink or the organisation that completed it under the Freedom of Information Act (for more information please see the Freedom of Information Fact Sheet).

Centrelink may be able to provide a copy of the report directly to you if it contains no information that has been noted not to be released by the Job Capacity Assessor.

Key information to remember

- The Job Capacity Assessor is not assessing whether you have capacity to go back to the same job or career you may have held before you became unemployed or unwell. It is an assessment of your ability to work or be trained for any type of work or

training that exists in Australia at minimum wage independently of a program of support.

- The Job Capacity Assessor cannot tell you what payment you will end up receiving or whether you will qualify for the Disability Support Pension. The assessor only makes recommendations to Centrelink and the Job Capacity Assessment is only one part of the information determining your payment eligibility.
- A Job Capacity Assessment is only as accurate as the information you give them. It is in your best interests to be honest and disclose any issues you may be having. The assessor can suggest other services to support you and ensure you receive the payment and/or in the employment service that can support you best.
- You may bring a support person to your Job Capacity Assessment and request to have an assessment completed by a male or female assessor.

Please Note:

This Fact Sheet contains general information only. It does not constitute legal advice. If you need legal advice please contact Basic Rights Qld on 3421 2510 or if outside of Brisbane on 1800 358 511.

Basic Rights Qld is a community legal centre, which provides specialist advocacy and legal services in Social Security law, administration and policy. We are independent of Centrelink. All assistance is free.

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