

From: Chambers - Ross J <Chambers.Ross.j@fwc.gov.au>
Sent: Friday, 4 October 2019 10:10 AM
To: Madeleine Tiedeman <Madeleine.Tiedeman@Ablawyers.com.au>; Chambers - Ross J <Chambers.Ross.j@fwc.gov.au>
Cc: Chambers - Clancy DP <Chambers.Clancy.DP@fwc.gov.au>; Chambers - Lee C <Chambers.Lee.c@fwc.gov.au>; Kyle Scott <Kyle.Scott@ablawyers.com.au>; AMOD <AMOD@fwc.gov.au>
Subject: RE: AM2018/26 – Social, Community, Home Care and Disability Services Industry Award 2010 [ABLAW-ImanageDocs.FID135800]

Dear Ms Tiedeman,

Thank you for your email.

We refer you to Statement [\[2019\] FWC FB 6685](#) and note that the below should be included in the Court Book.

Thank you, Tahleah.

Tahleah Gillard
Associate to The Hon. Justice IJK Ross
President

Fair Work Commission
Tel: +61 3 8656 4657
Fax: +61 3 9655 0401
chambers.ross.j@fwc.gov.au
11 Exhibition Street, Melbourne Victoria 3000
GPO Box 1994, Melbourne Victoria 3001

The Fair Work Commission acknowledges that our business is conducted on the traditional lands of Aboriginal and Torres Strait Islander peoples. We acknowledge their continuing connection to country and pay our respects to their Elders, past, present and emerging.

From: Madeleine Tiedeman <Madeleine.Tiedeman@Ablawyers.com.au>
Sent: Monday, 30 September 2019 10:26 AM
To: Chambers - Ross J <Chambers.Ross.j@fwc.gov.au>
Cc: Chambers - Clancy DP <Chambers.Clancy.DP@fwc.gov.au>; Chambers - Lee C <Chambers.Lee.c@fwc.gov.au>; Kyle Scott <Kyle.Scott@ablawyers.com.au>
Subject: AM2018/26 – Social, Community, Home Care and Disability Services Industry Award 2010 [ABLAW-ImanageDocs.FID135800]

Dear Associate

AM2018/26 – Social, Community, Home Care and Disability Services Industry Award 2010

I refer to the above matter. On behalf of ABI, the NSW Business Chamber, ACSA and LASA, I respectfully seek leave to file the **attached** documents that have recently come into our possession.

The two documents are:

1. The Efficient Cost Model for Disability Support Workers; and
2. The Efficient Cost Model (workings).

I apologise for the delay in this request, however we were only provided with the documents on Friday, 27 September 2019. Our office made the following attempts to obtain these documents:

- On 25 June 2019 we first requested the ‘Cost Model’ that underpins the Price Guide from the NDIA;

- On 24 July 2019 the NDIA’s Freedom of Information (FOI) Team responded indicating that they do not maintain a cost model in the terms outlined in our request;
- On 7 August 2019 we wrote to the FOI team again requesting the ‘Reasonable Cost Model’ that had been mentioned a number of times to us by people in the industry;
- On 23 August 2019 we received correspondence from the NDIA acknowledging our FOI request and indicating that we could expect a response by 6 September 2019;
- On 4 September 2019 we received correspondence from the NDIA indicating that a new methodology for the setting of price controls (‘the efficient cost model’) had been implemented from 1 July 2019 and asking if given this, we wished to amend our request;
- On 5 September 2019 we wrote to the NDIA revising the scope of our request to be for the ‘efficient cost model’ currently being used;
- From 5 September 2019 the NDIA sought an extension to comply with our request until 11 September 2019;
- On 13 September 2019 the NDIA advised us that the documents would not be ready for release for another two weeks and sought a further extension to 27 September 2019.

We received the documents on Friday in accordance with the final extension date. I can provide the correspondence between our office and the NDIA’s FOI team should you require it.

We consider that these documents are relevant to the present matter in order to provide the Commission and other parties with an understanding of how the NDIS sets the current Price Guide. The efficient cost model is the new model (as of 1 July 2019) used by the NDIA to determine the pricings in the NDIS Price Guide.

Should you require any further information or wish to discuss, please let me know.

Yours Sincerely

Madeleine Tiedeman

Associate

Australian Business Lawyers & Advisors

Suite 402, Level 4

Watt Street Commercial Centre

45 Watt Street, Newcastle 2300

Dir: +612 4989 1004 | Fax: +612 9954 5029 | Mob: 0447 255 095

Tel: +612 9458 7005 | Web: www.ablawyers.com.au |  [LinkedIn](#)



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