

8 January 2025

The Hon. Jeremy Buckingham MLC  
Portfolio Committee No. 1 - Premier and Finance  
By email: [portfoliocommittee1@parliament.nsw.gov.au](mailto:portfoliocommittee1@parliament.nsw.gov.au)

**RE: Mable Responses to Questions on Notice**

Dear Mr Buckingham

I write in response to our appearance at the Hearing held on Tuesday 16 December concerning *Application of the contractor and employment agent provisions in the Payroll Tax Act 2007*. Mable took two questions on notice of which we have included our responses below.

*The Hon. Dr SARAH KAINÉ: Can I just quickly jump in? I've done a bit of work in this. Are you suggesting that care workers write their own contracts?*

*LIAM NILON: Yes.*

*The Hon. Dr SARAH KAINÉ: Isn't it true that you have a number of clauses that are mandatory? Would it be, then, that those self-written contracts basically just contain Mable's mandatory clause? This is no disrespect to any care worker, but their skills and qualifications are in the giving of care and not in the writing of contracts. When you say they write their own contracts, forgive me if I'm a little incredulous, but I'm not entirely sure what you mean by that. Perhaps on notice you could provide to the Committee de-identified examples of contracts that have been written, and maybe a number of samples. I think it's a really interesting claim. (Hansard transcript, p. 29)*

Please find in the appendix a number of screenshots taken from the Mable platform. Appendix 1 Provides an overview of the Agreement setting process, as seen by an independent contractor.

**Question**

*The Hon. DAMIEN TUDEHOPE: Have you ever sought legal advice about this arrangement, about whether it might be subject to New South Wales payroll tax?*

*EMMA CLARK: No, not New South Wales payroll tax.*

*The Hon. DAMIEN TUDEHOPE: Or Victorian payroll tax? It's similar, I assume.*

*EMMA CLARK: We haven't been approached by the Victorian payroll—*

*The Hon. DAMIEN TUDEHOPE: So you haven't ever received legal advice in relation to this arrangement?*

*LIAM NILON: If we had—I'm not a lawyer. To my mother's enduring shame, I never went to law school. But my understanding is if we had and we were to disclose that, that would have some implications.*

*The Hon. DAMIEN TUDEHOPE: Sorry?*

*LIAM NILON: If we were to state that advice exists, that's something that we would generally be advised not to do, when we have previously received legal advice. But I'm not aware of any advice being received.*

*The Hon. DAMIEN TUDEHOPE: I think I understand that if you have received it, you're not going to give it to us, but you're not aware whether you've got advice. Is that right?*

*LIAM NILON: My understanding is we have not.*

*The Hon. DAMIEN TUDEHOPE: Can you take on notice whether you have received legal advice in relation to this arrangement?*

*EMMA CLARK: Yes, we can. We'll take that on notice and respond to you. (Hansard transcript, pp. 30-31)*

## **Answer**

From time to time, as appropriate, Mable seeks external advice on various matters and is committed to meeting all its regulatory obligations.

Please don't hesitate to contact me at [emma.clark@mable.com.au](mailto:emma.clark@mable.com.au). Alternatively you can contact Liam Nilon, Head of Government and Stakeholder Relations, [liam.nilon@mable.com.au](mailto:liam.nilon@mable.com.au) or [1300 73 65 73](tel:1300736573).

Yours sincerely

**Emma Clark**  
**Chief Operating Officer & Financial Officer**  
**Mable Technologies Pty Ltd**

## Appendix 1 - Agreement Setting Flow

NB - Please note that the below agreement was generated using an admin log-in, while this displays the agreement flow in the current form, all names are fictional examples.

**Offer a new agreement to Aella**

Services and rates | My terms | Planned sessions

Which job does this relate to?

- Connectors flag showing job\_description  
Aella L shared this job with you a month ago Ongoing
- Release EZE test private job support details  
Aella L shared this job with you a month ago Ongoing
- Checking agreement  
Aella L shared this job with you a month ago Ongoing
- Release EZE test support details client  
Aella L shared this job with you a month ago Ongoing
- Test support details page on release  
Aella L shared this job with you a month ago Ongoing

**Offer a new agreement to Aella**

Services and rates | My terms | Planned sessions

Include your planned sessions to add them to the Manage sessions calendar. You and Aella L can then view and manage your sessions well in advance.

**Date and time**

Time zone (location of session)  
Brisbane time (UTC +10)

Start date  
dd/mm/yyyy  
08/01/2026

How often?  
One-off

What time will the sessions occur?  
to

+ Add a time

**Further options**

Remind me 24 hours before the session starts

Remind Aella 24 hours before the session starts

Aella will be notified when this session is planned.

**Send agreement** Send agreement and plan later

## Services and rates

If you want to offer different rates for different services, scroll down to create service groups.

Each group will have its own set of rates - just add services to each group, based on what you want to charge for your services.

### Service group 1

Service(s) you are providing:

Social support

Edit service(s)

#### Weekday daytime rate

Starts and/or ends 6 am - 8 pm

##### Agreed hourly rate

\$ 55

**i** Net rate you will be paid is \$49.50

Edit

Delete

#### Saturday rate

##### Agreed hourly rate

\$ 80

**i** Net rate you will be paid is \$72.00

Edit

Delete

#### Sunday rate

##### Agreed hourly rate

\$ 100

**i** Net rate you will be paid is \$90.00

Edit

Delete

#### Public Holiday rate

##### Agreed hourly rate

\$ 120

**i** Net rate you will be paid is \$108.00

Edit

Delete

+ Add another rate

## Mable Technologies Pty Ltd

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info@mable.com.au | ABN: 80 162 8 90 379



## Support services

### Service description

Describe the support services you'll provide and the location.


#### Examples

##### Example 1

"I'll support John with getting ready to go to a physio appointment on Wednesdays and Fridays. I'll arrive an hour before the appointment to help him to get ready, which could include assistance with dressing and toileting. Then I'll drive him to the appointment using my car. During the appointment, I'll wait in reception. After the appointment I'll drive him home and we'll spend time in the garden or play games until a member of John's family comes over to start meal prep."

##### Example 2

"My primary role will be to provide social support, companionship and leisure activities for Sonia. Support will take place at Sonia's home or, if we go out, I'll drive Sonia in my car. Sonia will cover the cost of any activities and parking expenses. I will provide my own mobile phone and my vehicle."

 Call 1300 73 65 73 [Help centre](#) [Login as Admin](#) [Logout](#)

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**Jackson Stone**  
Support Worker

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### Offer a new agreement to Aella

Services and rates 1 My terms 2 Planned sessions 3

#### Support terms

**To save you time, we've pre-filled the following standard agreement details from the last agreement that you created.**

#### Cancelling sessions (optional)

Set expectations about cancellations by you and your client by including minimum notice periods, how to cancel a session and if and when a charge may apply.

Examples

**Example 1**

"If you need to cancel a session, contact me by messaging me on (phone number/Mable chat) as soon as possible. If you provide less than 24 hours' notice, support hours will be submitted for the full cost of the cancelled session.

**If I need to cancel a session due to personal illness or other unexpected circumstances, I'll contact you by messaging you on (phone number/Mable chat) as soon as possible. I will give you 2 weeks' notice of any planned leave. It is your responsibility to find alternative support options if I am unavailable to attend a support session."**

**Example 2**

"If for any reason you wish to cancel your scheduled support session, you are advised to give me at least 48 hours' notice. Any cancellations made within 48 hours of the scheduled support will incur the full session fee."

You can submit support hours for a missed session if the cancellation notice period isn't met, or you can choose not to - depending on the circumstances. For NDIS-funded sessions, refer to the NDIS Short Notice Cancellation Guidelines in the [NDIS Price Guide](#).

### Changing or adding sessions (optional)

State the notice you need if your client would like to add or change sessions and how to contact you.

Examples 

Example 1

*"Please give 3 to 5 days notice before the start of the session if there are changes to date, time or service type."*

Example 2

*"Any extension of an agreed session length must be verbally agreed on by both (client name) and me. If sessions need to be changed on an ongoing basis, the agreement can be amended reflect the change in support need - minimum 2 weeks notice."*

If you can be flexible with your time and you've provided details of different rates in your service agreement, you won't need to update your agreement for occasional changes.

### Minimum hours, finishing early and overtime (optional)

State your minimum hours per session. For finishing early, state if you'll charge a full or partial hourly rate. For overtime, state how you'll charge.

Examples 

Example 1

*"My minimum session hours are 2 hours on weekdays and 1 hour on weekends. If a session finishes early, I'll charge my full rate for the session booked. If a session finishes late, I'll charge the extra time at my hourly rate."*

Example 2

*"Minimum session is 1 hour and time thereafter will be charged in 15-minute increments. If you book a session, eg, 9 am to 12 pm, which is reflected in the agreement, and the session ends early, the whole session will be charged for. I can accommodate overtime where my availability allows and it will be charged at the appropriate day and time rate."*

#### Mable Technologies Pty Ltd

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info@mable.com.au | ABN: 80 162 8 90 379



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### Feedback, complaints or disputes (optional)

State how you'd like your client to communicate feedback or suggestions on your work. If there is a complaint or dispute, state how you'd like to resolve this.

Examples 

Example 1

*"If there's an issue with, or you have feedback on my support, please contact me on Mable chat so we can discuss and come to a resolution. If there is a serious issue, please report it to Mable's Trust and Safety team. I'm required to report incidents to Mable within 24 hours which I will do via the incidents reporting form when I submit my support hours."*

Example 2

*"If you would like to provide feedback on any support received, please email me at {email address}. You can also raise a complaint with Mable by emailing info@mable.com.au."*

### Need more help?

[View our service agreement guide](#)

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