

# Workforce Australia Guidelines

## Part B: Self-Employment Assistance

### Disclaimer

This Guideline is not a stand-alone document and does not contain the entirety of Provider obligations. It must be read in conjunction with the Workforce Australia - Self-Employment Assistance Deed 2022-2027 (the **Deed**) and any other relevant Guidelines or reference material issued by the Department of Employment and Workplace Relations under or in connection with the Deed.

This Guideline is not legal advice and the Commonwealth accepts no liability for any action purportedly taken in reliance upon it and assumes no responsibility for the delivery of the Services. This Guideline does not reduce the obligation of Providers to comply with their relevant legal obligations and, to the extent that this Guideline is inconsistent with obligations under the Privacy Act, Social Security Law, the WHS Laws or any other legislation or laws relevant to the respective jurisdictions in which Providers operate, the relevant legislation or laws will prevail.

### Version History

**Version 1.3**

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In this version of the Guideline, the following Chapters have been updated:

- Referrals, Eligibility and Onboarding
- Stakeholder Engagement and Promotion
- Exploring Self-Employment Workshops
- Small Business Training
- Business Plans
- Commencing Small Business Coaching
- Supporting Participants in Small Business Coaching
- Monitoring Participants in Small Business Coaching, and
- Agreement Breaches, Suspensions and Terminations

A full version history of this Guideline can be found at on [the Archived Guidelines page on the Provider Portal](#).

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# Guideline Interpretation and Glossary

## Reading Notes

In this Guideline, 'must' means that compliance is mandatory and 'should' means that compliance represents best practice for Providers and is expected by the Department.

While reading this document, please note the following Icons and their meaning:



This icon represents 'System Steps' – information contained under this dot point will relate to usage of the Department's IT Systems.



This icon represents 'Documentary Evidence' – information contained under this dot point will relate to matters of Documentary Evidence.

## Glossary

All capitalised terms in this Guideline have the same meaning as in the Deed unless otherwise defined below. The terms '**Carer Payment**', '**Disability Support Pension**', '**Parenting Payment**' and '**Partial Capacity to Work**' have, or where relevant, had, the meanings given to them, respectively and in their decapitalised form, in the *Social Security Act 1991* (Cth) or the *Social Security (Administration) Act 1999* (Cth) (as relevant).

'**Business Insurance**' means appropriate business insurance cover that has been taken out by a Participant for their business and is specified in their Business Plan.

'**Eligible Business Owner**' means the owner of an existing micro-business (with less than 4 employees) that is either not currently Operating Commercially or is in danger of not Operating Commercially within the next 12 months.

'**Mutual Obligation Requirement**' means any activity test, participation requirement or other requirement that a Participant must meet in order to receive an Income Support Payment under the Social Security Law.

'**Required Hours**' means the minimum hours per week that a Participant must work in their Business, as agreed to by their Provider and as identified in their Business Plan.

'**Service**' means a component of the Services, and is one of the following:

- Workshop
- Small Business Training
- Business Plan development
- Small Business Coaching
- Business Health Check, or
- Business Advice Session.

'**Special Eligibility Cohort**' means:

- retrenched workers,
- veterans, and
- family members of serving Australian Defence Force (ADF) personnel.

# Chapter 1. Referrals, Eligibility and Onboarding

## Supporting Documents for this Chapter:

- [Business Eligibility Criteria Supporting Document](#)
- [Self-Employment Assistance Registration Form](#)
- [Privacy Notification and Consent form](#)
- [Direct Registration Form](#)

## 1.1. Chapter Overview

Self-Employment Assistance (the Services) helps Participants become financially independent by creating their own small business or by helping Eligible Business Owners to adjust their businesses. Self-Employment Assistance offers Services that include: Exploring Self-Employment Workshops, Small Business Training, Business Plan development, Small Business Coaching (formerly known as 'Comprehensive Services'), Business Health Checks, and Business Advice Sessions.

Providers are responsible for determining a person's eligibility for Self-Employment Assistance, referring people to the Services and delivering high quality Services to Participants.

Providers are responsible for supporting people to register and engage with the services and must ensure that Participants are able to receive Services for which they are eligible. In determining the Services that are most appropriate for each Participant's needs, Providers must consider the Participant's personal circumstances as well as their individual business needs.

## 1.2. Eligibility Requirements

Before delivering the Services to a Participant, the Provider must be satisfied that the Participant is Eligible.

To be Eligible, a Participant must:

- be personally eligible for the Services as identified in these Guidelines, and
- have a business or business idea that meets the Business Eligibility Criteria, where required for the relevant Service.

The Provider must also be satisfied that:

- the Participant has the capacity and/or capability to benefit from accessing the relevant Service
- the Participant has made an informed decision that their chosen Service is the one that best fits their needs, and
- consideration has been given as to whether the Participant may need to access other services to support their personal or business development (such as Entrepreneurship Facilitators), and/or whether the Participant should be accessing these other services instead of the Provider's Services.

(Deed Reference(s): Clause 82)

### 1.2.1. Participant Eligibility

To be Eligible to access the Services, a person must:

- be at least 15 years of age (noting that a person must be 18 years of age to access Small Business Coaching)
- be:
  - an Australian citizen, or
  - the holder of a permanent visa, or a nominated Visa Holder (including a New Zealand Special Category Visa, Temporary Protection Visa Holder and a Safe Haven Visa Holder)
- not be an undischarged bankrupt
- not already be in education and/or employment for more than 25 hours per week
- meet any additional eligibility criteria specific to the Service(s) which they have chosen, including any criteria in the Chapter for the relevant Service.

Alternatively, a person may be Eligible if they are any other person or persons the Department advises the Provider of in writing from time-to-time.

## Participants in Transition to Work

Transition to Work participants are only eligible to access Exploring Self-Employment Workshops.

If a participant in Transition to Work wishes to access other components of the Services, they should be directed to speak with their Transition to Work provider to request an exit from Transition to Work and a transfer to a Workforce Australia Services provider.

Once exited from Transition to Work, the Participant may be eligible to access their chosen Service.

## Special Eligibility Cohorts

People who are employed for more than 25 hours per week may still be Eligible if they belong to a Special Eligibility Cohort. The Special Eligibility Cohorts are

- retrenched workers,
- veterans, and
- family members of serving Australian Defence Force (ADF) personnel.

A Special Eligibility Cohort special placement flag may only be applied to a Participant in the Department's IT Systems if the Participant would not otherwise have been Eligible for the Services.

Participants from Special Eligibility Cohorts may be eligible to access all Services except for Small Business Coaching.

### Retrenched workers

Retrenched workers are eligible to access Self-Employment Assistance 3 months before their employment ends. To confirm their Eligibility, the retrenched worker must supply a retrenchment letter to the Provider specifying their retrenchment date.



The Provider must identify a retrenched worker by applying the 'early access retrenched worker' special placement flag in the Department's IT Systems.



The Provider must keep a copy of the retrenchment letter.

## Veterans

Serving ADF veterans with a confirmed future transition date are Eligible to access Self-Employment Assistance regardless of how many hours per week they are employed. A veteran's 'transition date' is the date they will exit the ADF. Once a veteran exits the ADF, they may be eligible to access any Self-Employment Assistance Service.



The Provider must identify eligible veterans by applying the 'veteran' special placement flag in the Department's IT Systems.



The Provider must retain evidence of a veteran's transition out of the ADF. For example, a letter confirming the anticipated transition date.

## Family members of serving ADF personnel

The partners and adult children of serving members of the ADF (with or without a transition date) are Eligible to access Self-Employment Assistance regardless of how many hours per week they are employed.



The Provider must identify eligible partners and adult children of serving members of the ADF by applying the 'veteran' special placement flag in the Department's IT Systems.



The Provider must retain evidence confirming that the prospective Participant's parent or partner is a serving member of the ADF.

### 1.2.2. Business Eligibility

To access any Service a Participant must have a business idea or existing business that meets the Business Eligibility Criteria, apart from Exploring Self-Employment Workshops.

The Business Eligibility Criteria are that the existing business or business idea:

- has been assessed as Viable by the Provider
- is either:
  - a new business, or
  - a business which is operated by an Eligible Business Owner
- has an independent business structure
- is lawful and capable of withstanding public scrutiny
- will be, or is, established, located and operated solely within Australia, and
- will be, or is, structured so the Participant has and will maintain a controlling interest over the business throughout the duration of the Participant's time accessing the Services.

Refer to the [Business Eligibility Criteria Supporting Document](#) for further information.


## 1.3. Onboarding a Participant

Once the Provider has assessed that a Participant is Eligible for the Services, they must explain the Services to the Participant and discuss how the Participant wishes to access them. This discussion should cover matters such as which Service the Participant wishes to access, the order in which they'd like to access them (where applicable) and the medium in which these Services will be delivered.

The Provider must ensure that:

- they understand what the Participant wishes to achieve by accessing the Services, and
- the Participant is aware of the Services they are eligible for.

The Provider must also ensure that (as specified in the [Part A Guidelines: Privacy Chapter](#)) Participants are provided the [Privacy Notification and Consent form](#) during their onboarding.

 The Provider must retain the Participant's signed [Registration Form](#) or a file note to confirm the Participant's Eligibility and selection of the Services they wish to access.

(Deed Reference(s): Clause 79.2)

### 1.3.1. Advising Other Program Providers

If a Participant is also accessing an Other Program while they access the Services, the Self-Employment Assistance Provider must ensure that the Other Program Provider is advised when a Participant commences and completes any Service.

(Deed Reference(s): Clause 82.4)

## 1.4. Participant Referrals

When a person approaches the Provider wishing to access Self-Employment Assistance Services, the Provider must determine their eligibility by conducting a Registration search using the Department's IT Systems.

The outcome of the Registration search in the Department's IT Systems will determine which option the Provider selects in accordance with **Table 1-A**.

**Table 1-A: Referral Options into Self-Employment Assistance**

| <b>Participant Status</b>  | <b>Action to be taken</b>   |
|--|---|
| <b>Participant has never previously been Registered in the Department's IT Systems and is Eligible.</b>  | The Provider must either: <ul style="list-style-type: none"><li>• assist the person to create an account on the Workforce Australia website and link this to the person's myGov account. The Provider must then complete a Provider Self-Referral in the Department's IT Systems, or</li><li>• provide the person with the <a href="#">Direct Registration Form</a> and create a new Participant record in the Department's IT Systems following the person's completion of the form.</li></ul> |
| <b>Participant has an inactive job seeker record in the Department's IT Systems, is Eligible, and is not connected to any Self-Employment Assistance Provider.</b> | <ul style="list-style-type: none"><li>• The Provider must Directly Register the person and reactivate their job seeker record in the Department's IT Systems.</li></ul>   |




| Participant Status  | Action to be taken  |
|---|---|
| <b>Participant has a current job seeker record in the Department’s IT Systems, is Eligible and is not connected to any Self-Employment Assistance Provider.</b>                 | <ul style="list-style-type: none"> <li>The Provider will connect the job seeker to the Provider’s caseload by conducting a <a href="#">Provider Self-Referral</a>.</li> </ul>   |
| <b>Participant has a current record in the Department’s IT Systems and wishes to transfer to the Provider but is on another Self-Employment Assistance Provider’s caseload.</b> | <ul style="list-style-type: none"> <li>If the person is accessing Small Business Coaching, the Provider must follow the transfers process identified in the <a href="#">Monitoring Participants in Small Business Coaching Chapter</a>.</li> <li>If the person is not accessing Small Business Coaching, they should be directed to approach their current Self-Employment Assistance Provider to request the ending of their Self-Employment Assistance contract referral in the Department’s IT Systems.</li> </ul> |

(Deed Reference(s): Clauses 81, 82.2)


### 1.4.1. Referrals from Other Program Providers

Other Program Providers (including the Digital Services Contact Centre) can refer their participants to the Self-Employment Assistance Provider through the Department’s IT Systems. Other Program Providers are not responsible for confirming the Participants’ Eligibility for Self-Employment Assistance prior to issuing the Referral. The Self-Employment Assistance Provider must confirm the Participant’s Eligibility and suitability at their initial point of contact.

 The Self-Employment Assistance Provider must end the Referral of any Participant who is assessed as not Eligible.

### 1.4.2. Provider Self-Referrals

The Self-Employment Assistance Provider may complete a Provider Self-Referral in the Department’s IT Systems when they are satisfied that a person is Eligible for the Services. Before the Provider can complete the Provider Self-Referral, the Provider must first confirm that the person has previously been Registered in the Department’s IT Systems.

 The Provider may complete a Provider Self-Referral for an Eligible person through the Department’s IT Systems.

### 1.4.3. Direct Registrations

A person may directly contact a Provider wishing to access the Services without a current referral to any employment services program in the Department’s IT Systems. Where this occurs, the Self-Employment Assistance Provider must assess whether the person is Eligible for the Services and if so, Directly Register them.

## Eligibility for Direct Registration

Before Directly Registering a person, the Provider must confirm whether the person has a legal right to work in Australia.

There are 2 resources which can assist the Provider in this regard:

- the [Visa Entitlement Verification Online \(VEVO\)](#) service can be used to check a non-citizen's visa status after sighting their international passport, or
- [Schedule 8 of the Migration Regulations 1994](#) sets out the visa conditions that prohibit or restrict the work that a visa holder can do in Australia.

The Provider must not proceed with the Direct Registration process if the person does not have a legal right to work in Australia or the Provider has any reservations. If the person's legal right to work cannot be established, the person should be encouraged to contact the Department of Home Affairs (DHA) to check their legal right to work in Australia. If they need further assistance, the person should also be referred to Services Australia or an appropriate community service.

## Directly Registering a Participant

The Provider should confirm whether a person wishing to Directly Register has an account on the Workforce Australia website that is linked to their myGov account. If the person does not have an account on the Workforce Australia website, the person should be encouraged to create one via their myGov account.



If a person chooses to complete the [Direct Registration Form](#), the Provider must retain a copy of the completed, signed and dated form.



The information collected on the [Direct Registration Form](#) must be entered into the Department's IT Systems after the Provider determines the person's eligibility for Direct Registration.

If a Participant is also a Services Australia customer, the Department's IT Systems can obtain information from Services Australia, such as current Income Support Payment type and Mutual Obligation Requirements. For this to occur, where the records are not already linked, the Provider must link the Participant's Job Seeker Identification number (JSID) to the Participant's Customer Reference Number (CRN) through the Department's IT Systems during the Direct Registration process or afterwards.

# Chapter 2. Stakeholder Engagement and Promotion

## Supporting Documents for this Chapter:

- [Stakeholder Engagement Report template](#)

### 2.1. Chapter Overview

The Provider must engage proactively and cooperatively with stakeholders in their Employment Region(s) and/or Location(s) to ensure broad promotion of Self-Employment Assistance to a diverse group of potential Participants, including:

- people who do not receive Income Support Payments
- people in receipt of Income Support Payments
- Eligible Business Owners, and
- a diverse range of people from within the Employment Region(s) and/or Location(s), such as women, mature age people, young people, refugees and Indigenous Australians.

The objectives of these promotional activities are to maintain strong local networks, an understanding of the business activity in their region and to refer people to other services that support small business according to their individual needs. The promotional activities will raise awareness of the benefits of Self-Employment Assistance and self-employment generally. This Chapter outlines how these promotional activities, which are funded by the Annual Service Fee, can be delivered and how the Provider must report on these activities.

### 2.2. Promoting Self-Employment Assistance

The Provider must promote Self-Employment Assistance and self-employment generally throughout their Employment Region(s) and/or Location(s) to:

- encourage people who may not have considered self-employment to consider it as a path to financial independence
- promote the benefits of self-employment as a feasible alternative to traditional employment
- increase awareness of the opportunities for self-employment
- reassure people who are unsure of self-employment, or who are Eligible Business Owners, that there are a variety of services that can support them, such as Self-Employment Assistance.

The Provider may achieve these objectives by undertaking activities including:

- running information sessions and events, including for individuals who are not Participants
- arranging to pay for advertisements promoting the Services and self-employment generally
- operating booths at jobs fairs, careers expos and other events
- attending events to network with and attract the owners of micro-businesses who may be Eligible and suitable to access the services
- visiting the premises of Other Program Providers to provide relevant information to the Other Program Provider's personnel and their participants
- providing information to other organisations, such as chambers of commerce and industry, to help them identify and refer Eligible individuals to the Services, and

- developing and publishing good news stories that promote the Services.

When promoting or advertising Self-Employment Assistance, the Provider must ensure they:

- promote the Services to a range of prospective Participants, including people in receipt of Income Support Payments as well as people not receiving Income Support Payments and Eligible Business Owners
- promote all Services available under the program
- ensure prospective Participants understand that they can choose which Service(s) they wish to access.

When engaging with stakeholders and promoting self-employment, the Provider must comply with the Deed and Guidelines including with regards to any requirements in the [Part A Guidelines: Operational Requirements Chapter](#).

In promoting the Services, the Provider must use the full program name in one of the following forms:

- Self-Employment Assistance
- Workforce Australia - Self-Employment

The Provider must not use the acronym 'SEA' or any other variation of it in any communication or program material. In promoting the Services, the Provider must not publish material that implies that the Services are only delivered by the Provider or that the Services are only available in a certain Employment Region(s). As such, the Provider must not promote the Services in any way that implies that the Provider is the sole organisation delivering the Services (such as by using a domain name 'selfemploymentassistance.com.au').

(Deed Reference(s): Clauses 60 and 78.2(a))

## **2.3. Stakeholder Engagement**

The Provider must maintain an up to date understanding of the industry and business opportunities in their Employment Region(s) as well as the broader small business services available to Participants. This knowledge allows the Provider to help Participants to develop business ideas and to understand how the Services fit within the local small business ecosystem.

The Provider must engage proactively and cooperatively with relevant stakeholders to:

- develop effective referral pathways to and from the Services
- maintain a current understanding of the local small business ecosystem, and
- maintain a current understanding of the local labour market.

The stakeholders must include:

- Entrepreneurship Facilitators
- other Self-Employment Assistance Providers
- organisations delivering other small business services
- relevant sector, industry and/or business groups
- Other Program Providers, and
- Services Australia service centres.

(Deed Reference(s): Clause 84.1)

### 2.3.1. Stakeholder referrals

As identified in [Eligibility Requirements](#), before delivering a Service to a Participant, the Provider must be satisfied that it is the most appropriate Service for the Participant. To determine the most appropriate support, the Provider must ensure that its relevant Personnel are aware of the small business support services (both government-funded and private) available across the local small business ecosystem.

Where appropriate, the Provider must refer a Participant to another program or service if it will better support the Participant's needs.

The Provider should also refer Participants that are accessing the Services to other appropriate programs and services while the Participant continues to access the Provider's Services, if this will help them develop or adapt their business. For example, a Participant developing a new product could be referred to a third party for specialist intellectual property advice.

If an Entrepreneurship Facilitator operates in one of the Provider's Employment Regions, the Provider must work collaboratively with the Entrepreneurship Facilitator to provide complementary services to people in the region. This may include referring Participants to the Entrepreneurship Facilitator for concurrent servicing where appropriate.

## 2.4. Stakeholder Engagement Reports

The Provider must submit to the Department a Stakeholder Engagement Report using the [Stakeholder Engagement Report Template](#) for each of its Employment Regions within 10 Business Days after the end of each Financial Year. Note: the first Stakeholder Engagement Report (due 28 July 2022) will address the Provider's intended activities for the 2022-23 Financial Year only.

Unless advised otherwise by the Department, each Stakeholder Engagement Report must specify for the previous Financial Year:

- the stakeholders that the Provider has engaged with
- the Provider's activities and achievements over the course of the relevant Financial Year engaging with stakeholders and promoting the services, and
- the Provider's expenditure (not including the remuneration of their Personnel) incurred while promoting the Services and self-employment generally.

Each Stakeholder Engagement Report must also specify for the Financial Year in which the Provider submits the report:

- the Provider's intended key activities and achievements
- whether the Provider intends to engage with their stakeholders in a different manner to the way they did in the previous Financial Year, and if so, how they intend to do so.

The Department may seek clarification or additional information from the Provider when reviewing a Stakeholder Engagement Report.

(Deed Reference(s): Clause 84)

# Chapter 3. Exploring Self-Employment Workshops

## Supporting Documents for this Chapter:

- [Exploring Self-Employment Workshops Content Guide](#)

### 3.1. Chapter Overview

Exploring Self-Employment Workshops (Workshops) help Participants to make informed decisions about whether to pursue self-employment.

This Chapter outlines the objectives and essential content of Workshops, specifies how Providers should assist Participants to access Workshops, and identifies how Providers can flexibly deliver Workshops to meet local needs.

### 3.2. About Workshops

#### 3.2.1. Workshop objectives

The Provider must ensure that Workshops help Participants to:

- gain a better understanding of what's involved when starting a business
- generate a business idea (if required)
- validate their business idea, and
- make an informed decision as to whether self-employment is right for them.

(Deed Reference(s): Clause 86.1)

#### 3.2.2. Eligibility requirements

All Participants who meet the Participant eligibility criteria identified in the [Referrals, Eligibility and Onboarding Chapter](#) are eligible to participate in a Workshop.

Participants can participate in a Workshop more than once, however the Workshop Fee is only payable once every twelve months per Participant. This applies regardless of which Provider delivered the Workshop.

(Deed Reference(s): Clause 86.2)

### 3.3. Commencing Participants in a Workshop

Once a Participant and a Provider agree that the Participant is Eligible to participate in a Workshop, the Participant should be placed in the next available Workshop.



Participants accessing a Workshop must be placed into a Workshop activity in the Department's IT Systems.



Placing a Participant in a Workshop activity in the Department's IT Systems with an activity placement status of 'Placement Confirmed' will, where appropriate, trigger payment of the Workshop Fee and use a Workshop Place. The Workshop Fee can only be paid for a Participant once in a 12-month period.

(Deed Reference(s): Clauses 86.2, 95)

## Placing a Participant with a ‘veteran’ special placement flag in a Workshop

In addition to the Places allocated to each Provider for Workshops, there is a separate national pool of places that may only be used by Participants with the ‘veteran’ special placement flag (see Special Eligibility Cohorts). This national pool may be accessed by any Provider each Financial Year, and will have:

- 150 places in 2022–23,
- 130 places in 2023–24, and
- 130 places in 2024–25.



Placing a Participant with the ‘veteran’ special placement flag in a Workshop activity in the Department’s IT Systems with an activity placement status of ‘Placement Confirmed’ will, where appropriate, trigger payment of the Workshop Fee and use an appropriate Place.

### 3.4. Delivering a Workshop

#### 3.4.1. Duration and medium of Workshops

Providers are responsible for delivering at least 25 hours of content over the course of a Workshop to Participants. Unless otherwise specified by the Department, the 25 hours of content must be delivered in an interactive, real-time learning environment where Workshop Participants can easily interact with each other and the Personnel delivering the Workshop.

Workshops should generally be delivered to Participants over the course of one week, however, Providers may deliver Workshops over a longer period (up to a maximum of 3 weeks) to ensure that Workshops are accessible to Participants with part-time availability.

Providers have the flexibility to choose the delivery method for Workshops that most effectively:

- achieves the objectives of Workshops (see [Workshop Objectives](#))
- maximises the Provider’s usage of Workshop Places, and
- ensures that Workshops are broadly accessible, including to Participants with limited access to the internet and to Participants from culturally and linguistically diverse backgrounds.

Regardless of the delivery method chosen, Providers must ensure that Workshops provide Participants with opportunities for peer-to-peer learning and, for those who request it, one-on-one support.

(Deed Reference(s): Clause 86.3)

If a Provider is concerned with a Participant’s progress through a Workshop, they should arrange a meeting with the Participant and/or inform the Participant’s Other Program Provider (if applicable). If the Provider determines that a Participant is repeatedly failing to satisfactorily engage with the Workshop, the Provider must advise the Participant that they can no longer participate in the activity. If the Participant is registered with an Other Program Provider, the Provider must inform the Other Program Provider of the Participant’s exit from the Workshop.

(Deed Reference(s): Clause 82.4)

### 3.4.2. Workshop Content

Providers must ensure that Workshops cover the matters specified in the [Exploring Self-Employment Workshops Content Guide](#), unless otherwise agreed to by the Department in writing.

To ensure that Workshops are delivered effectively, Providers should ensure that the Personnel delivering the Workshop maintain a current understanding of:

- key stakeholders in the relevant small business ecosystem(s), and
- labour force needs, emerging industries and skills shortages, to better support Participants to generate and validate business ideas.

### Alternative delivery plans

Providers may develop and submit to the Department proposals for alternative approaches to the delivery of Workshops that deviate from the standard approach specified in this Guideline and in the [Exploring Self-Employment Workshops Content Guide](#).

Alternative delivery plans may propose changes to:

- the topics and matters specified in the Content Guide, and/or
- the duration of Workshops.

The Department will consider the suitability of alternative delivery plans by considering whether the proposed plan:

- continues to achieve the objectives of Workshops (see 3.2.1 – Workshop Objectives)
- maximises the Provider's usage of Workshop Places, and
- ensures that Workshops are accessible, including to Participants with limited access to the internet and to Participants from culturally and linguistically diverse backgrounds.

The Department will, at its absolute discretion, approve or deny each alternative delivery plan in writing.

Following the Department's approval of an alternative delivery plan, a Provider may deliver Workshops in accordance with that alternative delivery plan unless otherwise instructed by the Department. Providers with an approved alternative delivery plan may also choose to deliver a Workshop according to the Department's prepared content where they believe this will better achieve the objectives of Workshops than their alternative delivery plan.

(Deed Reference(s): Clause 86.3)

### 3.5. Finalising a Workshop

On or before the Workshop completion date, the Provider must have informed each Participant who participated in the Workshop of any local services that may be appropriate for their particular needs. These may include:

- another Service delivered by the Provider that may be relevant
- small business services delivered by other entities, such as Entrepreneurship Facilitators
- the [SelfStart website](#) or Business.gov.au
- referring Participants who decide that self-employment is not for them to other employment services, where relevant, for other vocational and non-vocational support.



If requested by the Participant, the Provider must agree to meet with the Participant one-on-one to discuss possible next steps for the Participant's pathway to self-employment.



Following the completion of a Workshop, the Provider must record the completion date and outcome for each Participant's activity placement.

# Chapter 4. Small Business Training

## Supporting Documents for this Chapter:

- [Points Based Activation System factsheet](#)

### 4.1. Chapter Overview

Small Business Training provides Participants with the foundational business skills they may require to run a business that is Operating Commercially.

This Chapter identifies how Small Business Training must be delivered to the Participants who choose to access it.

### 4.2. About Small Business Training

Providers must ensure that Participants who choose to undertake Small Business Training make an informed decision as to whether they wish to enrol in one of the full certificate courses or skill sets.

Participants may access Small Business Training by enrolling in one of the following qualifications:

- Certificate III in Entrepreneurship and New Business (BSB30220)
- Certificate IV in Entrepreneurship and New Business (BSB40320)
- Micro Business Skill Set (BSBSS00102)
- New Business Ventures Skill Set (BSBSS00103)
- Small Business Management Skill Set (BSBSS00104).

A minimum of one skill set and one certificate must be made available for Participants to choose from.

Providers must arrange for Small Business Training to be delivered by a Registered Training Organisation (RTO) that is accredited to deliver the relevant qualification in the Participant's state or territory.

(Deed Reference(s): Clause 87)

#### 4.2.1. Eligibility Requirements for Participants accessing Small Business Training

To be eligible to access Small Business Training, as well as meeting the Participant Eligibility criteria identified in the [Referrals, Eligibility and Onboarding Chapter](#), a Participant must either:

- have a business idea that meets the Business Eligibility Criteria and be capable of operating that business following their completion of Small Business Training, or
- be an Eligible Business Owner of a business that meets the Business Eligibility Criteria.

Participants who have previously accessed Small Business Training are eligible to participate again, however, the Provider must first discuss with the Participant the outcomes of their prior participation and identify the Participant's objectives in accessing Small Business Training again.



When placing a Participant who has previously accessed Small Business Training in a Small Business Training activity in the Department's IT Systems, the Provider must identify with a

comment the details of the Participant's prior participation and the Participant's rationale for accessing it again.

Providers should also note that:

- the Training Fee is only payable once every twelve months per Participant. This applies regardless of which Provider delivers Small Business Training, and
- a Certificate Completion Fee is only payable for Participants who complete a Training Certificate and have never previously completed a Certificate III or IV in Entrepreneurship and New Business.

(Deed Reference(s): Clause 87.2, 87.4, 96.1, 97.2)

#### **4.2.2. Mutual Obligation Requirements for Participants accessing Small Business Training**

Small Business Training is a Services Australia approved activity for a maximum of 8 weeks which fully meets the Mutual Obligation Requirements of Participants receiving activity-tested Income Support Payments. This means that Participants with Mutual Obligation Requirements do not have to undertake activities (such as monthly job search requirements or a Points-Based Activation System (PBAS) requirement) while participating in Small Business Training.

For further information, refer to the [Points Based Activation System factsheet](#).

#### **4.3. Commencing Participants in Small Business Training**

Once a Provider has established that a Participant wishing to access Small Business Training is Eligible, they may arrange for the Participant to enrol in the relevant qualification.

The Provider must ensure that the Participant has made an informed decision in choosing their qualification. This should involve the Participant's:

- objectives for accessing Small Business Training
- existing capabilities and prior knowledge, and
- capacity to participate in Small Business Training.

The Provider must meet the upfront costs of Small Business Training by paying the fees associated with the relevant qualification to the selected RTO. The Provider and the selected RTO should make their own arrangements regarding the fee structure, timing of payments and administrative processes.


If the Provider is also an RTO and is accredited to deliver the relevant qualification in the Participant's state or territory, the Provider may choose to deliver Small Business Training to the Participant.



Participants accessing Small Business Training must be placed into a Small Business Training activity in the Department's IT systems.



Placing a Participant in a Small Business Training activity in the Department's IT Systems with an activity placement status of 'Placement Confirmed' will, where appropriate, trigger payment of the Training Fee.

 The Provider must retain Documentary Evidence for Participants who access Small Business Training that includes confirmation of the Participant's enrolment with the relevant RTO.

(Deed Reference(s): Clause 96)

#### **4.4. Delivery of Small Business Training**

The Provider must ensure that Small Business Training is delivered in accordance with their tender response, or as directed by the Department.

Small Business Training may be delivered in-person, online or using mixed modes of delivery. The Provider must ensure that Small Business Training is broadly accessible, including to Participants with limited access to the internet and to Participants from culturally and linguistically diverse backgrounds.


Following their commencement of Small Business Training, Participants may choose to transfer to a different qualification.


Some Participants may require additional support to access Small Business Training. The Provider should identify any additional assistance needed before a Participant commences Small Business Training and consider providing this assistance (for example, with literacy or numeracy issues) if appropriate.

The Provider must monitor the attendance of each Participant while they attend Small Business Training.

If a Provider is concerned with a Participant's progress through Small Business Training, they should arrange a meeting with the Participant and/or inform the Participant's Other Program Provider (if applicable). If the Provider determines that a Participant is repeatedly failing to satisfactorily engage with Small Business Training, the Provider must advise the Participant that they can no longer participate in the activity. If the Participant is registered with an Other Program Provider, the Provider must inform the Other Program Provider of the Participant's exit from Small Business Training.

(Deed Reference(s): Clause 82.4)


 The Provider must end the Small Business Training activity placement in the Department's IT Systems for a Participant who fails to satisfactorily engage with Small Business Training.


 The Provider must retain Documentary Evidence confirming the Participant's participation in Small Business Training. This may include the Participant's:


- attendance records
- completed sign-in sheets
- electronic correspondence showing participation.

#### **4.5. Completion of Small Business Training**

The Provider must ensure that Participants in Small Business Training are given the opportunity to continue accessing training until the Participant receives the relevant qualification or exits early. Participants may continue to access Small Business Training after commencing another Service, such as Small Business Coaching.

 The Provider must record the completion date and outcome for each Participant's Small Business Training activity placement in the Department's IT Systems.

 A Certificate Completion Fee will be payable once the Provider has entered an eligible activity outcome for a relevant qualification in the Department's IT Systems.

 The Provider must retain the following Documentary Evidence about the Participant's participation in Small Business Training:

- assessment records for the competencies assessed
- copy of statement of attainment
- copy of certificate (if successfully completed).

(Deed Reference(s): Clauses 87.5, 97)

# Chapter 5. Business Plans

## Supporting Documents for this Chapter:

- [Business Information Form](#)

## 5.1. Chapter Overview

The development and implementation of Viable Business Plans is one of the key objectives of Self-Employment Assistance.

This Chapter identifies the components of a Business Plan, how Providers should help Participants to develop a Business Plan, and how Providers should assess Business Plans.

## 5.2. Developing a Business Plan

### 5.2.1. Supporting a Participant to Develop a Business Plan

The Provider must proactively assist Participants who meet the Participant Eligibility criteria identified in the [Referrals, Eligibility and Onboarding Chapter](#) and request help to develop a Business Plan for a business that meets the Business Eligibility Criteria.

The Provider should allow Participants to choose the way this support is delivered. This may be through a single intensive session, or a few one-on-one sessions.



The Provider must create a Business Plan record in the Department's IT Systems to reflect the delivery of this support, including the status of the Business Plan once assessed. In creating a Business Plan record, the Provider must enter the details of the Participant's business (or proposed business) into the Department's IT Systems. The Provider may choose to use the [Business Information Form](#) to collect this information from the Participant.

(Deed Reference(s): Clause 88.1, 88.2)

### 5.2.2. Composition of a Business Plan

A Business Plan must include, as a minimum:


- a title page
- an executive summary, including:
  - an overview of the business idea
  - the Participant's business and personal goals
- a marketing plan, including:
  - market research (competitors, price point, target market)
  - a SWOT (Strengths, Weaknesses, Opportunities and Threats) analysis
- a management plan, identifying:
  - business structure
  - legal and compliance requirements
  - work, health and safety requirements
- a risk plan, identifying


- business insurance
- disaster planning
- an operational plan
- a financial plan, including:
  - a 2-year cash flow forecast
  - sources of funding
- appendices that:
  - identify how the Business Eligibility Criteria have been met
  - stipulate how many hours per week the Participant will work in the business
  - identify how the business will be insured
  - support the content of the Business Plan, where required.


If the Participant has previously participated in Small Business Coaching for their proposed business, the Business Plan must demonstrate the lessons learnt while doing so.

### 5.3. Business Plan assessments

The Provider must assess a Participant’s draft Business Plan against the Business Eligibility Criteria (as outlined in the [Business Eligibility Criteria Supporting Document](#)) within 5 Business Days of receiving a request from a Participant for the Provider to assess the draft Business Plan. The Business Plan Fee can only be paid for a Participant once in a 12-month period.

 The Provider must record the outcome and date of a decision to approve a Business Plan in the Department’s IT Systems. The approved Business Plan in the Department’s IT Systems will, where appropriate, trigger payment of the Business Plan Fee.

 The Provider must retain a copy of each Business Plan that they assess.


 The Provider must retain copies of all written correspondence to Participants regarding the assessment of their Business Plan.

(Deed Reference(s): Clauses 88.3, 101.1)

#### 5.3.1. Rejecting a Business Plan

Before rejecting a Business Plan, the Provider must first proactively assist the Participant to further develop their Business Plan to satisfy the Business Eligibility Criteria. If the Business Plan cannot be further developed to meet the Business Eligibility Criteria, the Provider must reject the Business Plan.

The Provider must explain in writing to the Participant why their Business Plan has been rejected and inform them of their right to have the decision reviewed.

 The Provider must record the outcome, reason and date of a decision to reject a Business Plan in the Department’s IT Systems.

(Deed Reference(s): Clause 88.4)

# Chapter 6. Business Advice Sessions and Business Health Checks

## 6.1. Chapter Overview

Providers deliver Business Advice Sessions and Business Health Checks to provide short, targeted periods of tailored business advice and assistance to suitable Participants.

This Chapter identifies the Participants eligible for these services, and how these services are to be delivered.

## 6.2. Business Advice Sessions

### 6.2.1. Eligibility

Participants who are not accessing Small Business Coaching may be eligible to participate in a one-hour Business Advice Session if they meet the Participant Eligibility criteria identified in the [Referrals, Eligibility and Onboarding Chapter](#). Each Participant may access a maximum of 2 Business Advice Sessions within a 12-month period. If a Participant is already self-employed, their business must meet the Business Eligibility Criteria to be eligible for a Business Advice Session.

If an Eligible Business Owner wishes to access a Business Advice Session, before delivering the session to the Participant the Provider must be confident that delivering the session will increase the likelihood that the Participant's business will be Operating Commercially within 12 months.

### 6.2.2. Delivering a Business Advice Session

Before delivering a Business Advice Session to a Participant, the Provider must be satisfied that delivering the session will increase the likelihood that the business which the Participant is running will be Operating Commercially within 12 months.

Participants who access a Business Advice Session may include:

- individuals starting (or interested in starting) a business who only want one or 2 meetings with the Provider for advice on establishing their business, rather the 12 months of mentoring and other support available under Small Business Coaching
- Eligible Business Owners who need tailored advice, such as: applying for a business loan to help their business' viability or marketing advice on sourcing clients/customers
- former Participants who need additional support from their Provider after completing Small Business Coaching or New Business Assistance with NEIS (to ensure their business is Operating Commercially).



Participants accessing a Business Advice Session must be placed into the appropriate activity in the Department's IT systems. The Provider must record in the Department's IT Systems the support delivered to the Participant during a Business Advice Session.





Placing a Participant in a Business Advice Session activity in the Department's IT Systems with an activity placement status of 'Placement Confirmed' will, where appropriate, trigger payment of the Business Advice Fee and use a Business Advice Session Place.

(Deed Reference(s): Clauses 89, 103.1)

## 6.3. Business Health Checks

### 6.3.1. Eligibility

Participants may be eligible to access a Business Health Check if they:

- meet the relevant Participant Eligibility criteria identified in the [Referrals, Eligibility and Onboarding Chapter](#)
- own a business that meets the Business Eligibility Criteria, and
- are not currently accessing Small Business Coaching.

A Participant may only access one Business Health Check in a 12-month period.


Businesses with multiple owners may only access one Business Health Check in a 12-month period.


### 6.3.2. Delivering a Business Health Check

A Business Health Check must assist a Participant to develop their business by providing approximately 3 hours of support to analyse the business, develop an action plan to ensure the business' viability and identify other forms of support that may benefit the Participant.

Before delivering a Business Health Check to a Participant, the Provider must be satisfied that delivering the Business Health Check will increase the likelihood that the business which the Participant is running is Operating Commercially within 12 months. A Business Health Check session could include, but is not limited to:

- understanding the financial health of the business – an analysis of 6, 12 and/or 24-month trends for the business' cashflow and profit and loss to assess the viability of the business, identification of the business' key expenses (and how they can be reduced), as well as a consideration of the business' financial planning and record keeping practices
- understanding the business model – the value proposition of the business' offerings, competitor analysis, supply chain analysis and a consideration of industry trends and opportunities
- risk assessment – the business' compliance with relevant laws, licences and regulations, the potential risks with not meeting certain regulations, the nature of the business' insurance, and any risks relevant to the business
- performance improvement planning, documenting for the Participant the urgency and ease with which each item on the action plan should be taken. This may range from rectifying critical, missing insurance to minor tweaks to the business' marketing strategy
- business relationships and staff wellbeing – encouraging staff wellbeing and support, improving work culture, improving relationships with other businesses in the region for support
- helping the Participant to engage with their local small business ecosystem by identifying individuals and organisations that may be helpful for the Participant, and
- any matters raised by the Participant as impacting the viability of their business.

 Participants accessing a Business Health Check must be placed into the appropriate activity in the Department's IT systems. The Provider must record in the Department's IT Systems the support delivered to the Participant during the Business Health Check.

 Placing a Participant in a Business Health Check activity in the Department's IT Systems with an activity placement status of 'Placement Confirmed' will, where appropriate, trigger payment of the Business Health Check Fee and use a Business Health Check Place.

(Deed Reference(s): Clauses 89, 102.1)

## **6.4. Flexible usage of Places for Business Health Checks and Business Advice Sessions**

The Provider is nominally allocated Places for Business Health Checks and Business Advice Sessions at an Employment Region level, although these Places may be used in any of the Provider's Employment Regions. The Provider should however consider the impact of exceeding their nominal Place allocation for any Employment Regions for Business Health Checks and Business Advice Sessions, as doing so may negatively impact the performance of their other contracted Employment Region(s) under KPI 1B. For more information about performance, refer to the [Performance Framework Chapter](#).

### **Example:**

A Provider is operating in 2 Employment Regions, with 29 Business Advice Session Places nominally allocated to their Ballarat contract, and 34 Business Advice Session Places nominally allocated to their Bendigo contract. This means the Provider has an organisational pool of 63 Places for the delivery of Business Advice Sessions.

As at 31 March they have used 33 Business Advice Session Places in Ballarat and 20 Business Advice Session Places in Bendigo. As the Provider only has 10 Places remaining in their organisational pool, the maximum number of Places they will be able to use in Bendigo in that Financial Year is 30 (compared to their nominal allocation of 34 Places).

# Chapter 7. Commencing Small Business Coaching

## Supporting Documents for this Chapter:

- [Self-Employment Rental Assistance Eligibility Form](#)
- [Small Business Coaching Application Form](#)
- [Change of Circumstances Form](#)

## 7.1. Chapter Overview

Small Business Coaching helps Participants turn Business Plans into businesses that are Operating Commercially through the provision of personalised Business Mentoring and support for up to 52 weeks.

This Chapter outlines the eligibility requirements for Participants wishing to access Small Business Coaching. It also identifies how Participants can commence Small Business Coaching, which requires the Participant:

- being eligible, including by having an approved Business Plan
- completing the application process, and
- agreeing to a Small Business Coaching Agreement.

## 7.2. Eligibility Requirements

Participants may be eligible to commence Small Business Coaching if they:

- meet the Participant Eligibility criteria identified in the [Referrals, Eligibility and Onboarding Chapter](#)
- intend to operate their Business for their Required Hours each week throughout their Period of Small Business Coaching
- have had a Business Plan approved by their Provider in the past 12 months (see [Business Plan Assessments](#))
- will be operating their Business under an appropriate business structure (see [Possible Business Structures](#))
- will be at least 18 years of age at the time of their Small Business Coaching Commencement
- have not received Small Business Coaching in the past 12 months, and
- agree to enter into a Small Business Coaching Agreement with the Department.

### 7.2.1. Participants' Required Hours

The Required Hours of a Participant accessing Small Business Coaching must be identified in their approved Business Plan and must be at least 35 hours per week except as outlined below.



The Provider must record the Required Hours of the Participant in the Department's IT Systems.

## Participants with part-time Mutual Obligation Requirements

Some Participants have part-time Mutual Obligation Requirements due to their:

- caring responsibilities
- age (55+)

- temporary reduced work capacity
- Partial Capacity to Work, and/or
- status as a Disability Support Pension (Compulsory Participation Requirements) participant.

The Required Hours for these Participants should not exceed the hours specified in the Department’s IT Systems unless the Participant has volunteered in writing to do so.



The Required Hours of a Participant with part-time Mutual Obligation Requirements will be confirmed on their Participation Profile in the Department’s IT Systems. The Required Hours for a Participant with a Partial Capacity to Work or Temporary Reduced Work Capacity is their specified baseline work capacity, while the Required Hours for a principal carer parent or a Participant aged at least 55 years of age is 15 hours per week.

### Participants with other commitments or a reduced work capacity

The Required Hours of a Participant who does not have part-time Mutual Obligation Requirements may be lowered to a minimum of 25 hours per week if the Participant is:

- undertaking employment or accredited education for up to 25 hours per week, or
- unable to work in their Business for 35 hours per week due to a documented medical condition, disability and/or caring responsibilities.

For Participants engaging in part-time work or study, their Business must be their primary activity.



Providers must retain Documentary Evidence confirming the medical condition, disability, caring responsibilities, or other activities of a Participant who wishes to operate their Business part-time (if not detailed in the Department’s IT Systems). This can include but is not limited to:

- birth certificates for children
- evidence of adoption or foster care agreements
- medical certificate (or other relevant documentation) outlining primary caring responsibilities for a family member
- medical documentation confirming the Participant’s requirement to work part-time due to a disability/medical condition
- education enrolment forms
- payslips
- a statutory declaration.

### 7.2.2. Possible Business structures

Participants may access Small Business Coaching for support running a Business that operates as one of the four following business structures. Participants must identify their chosen Business structure on their [Small Business Coaching Application Form](#) and provide the relevant evidence to the Provider (where required in accordance with Table 7-A).

**Table 7-A: Business structures and required evidence**

| Business Structure | Evidence Required  |
|--------------------|--|
| <b>Sole trader</b> | The Participant must have a current ABN.   |
| <b>Partnership</b> | The Participant must provide evidence that they are a partner in the business. Evidence should include a signed partnership agreement with all |

| Business Structure | Evidence Required  |
|--------------------|--|
|                    | business partners. A marriage certificate is not a sufficient partnership agreement where the Business partners are a married couple.  |
| Trading trust      | The Participant must provide evidence that they are a trustee of a trading trust.  |
| Company            | The Participant must provide evidence that they are a director of the company and that any current Self-Employment Assistance Participant(s) collectively hold a controlling interest in the company as directors. |

### 7.3. Application Process

All Participants must complete the Small Business Coaching application process prior to commencing Small Business Coaching.

The application process:

- captures Participants' details, including their bank details (where appropriate)
- allows Participants to complete their Tax File Number Declarations (where appropriate)
- allows Participants to make a declaration confirming their eligibility for Small Business Coaching.



The Provider must retain Documentary Evidence for Participants who apply for Small Business Coaching offline, including:

- a signed [Small Business Coaching Application Form](#)
- a completed Tax File Number Declaration Form (if applicable).

### Updating Participant information following a Small Business Coaching Commencement

Participants may update most of their personal information via the Workforce Australia website while accessing the Services. However, to update their bank details, Participants must inform their Provider in writing or by submitting a signed [Change of Circumstances Form](#) to the Provider. The Provider must then send the Participant's documentation to the Department's Payroll Hub at [SEPayrollHub@dewr.gov.au](mailto:SEPayrollHub@dewr.gov.au).



If a Participant updates their bank details before or after their Small Business Coaching Commencement, the Provider must retain a copy of the written correspondence or signed [Change of Circumstances Form](#).

### 7.4. Self-Employment Allowance and Self-Employment Rental Assistance

Self-Employment Allowance is an allowance that supports eligible Participants while they develop their Business. Self-Employment Allowance is paid at the same rate as the single, 22 or over, no children rate of JobSeeker Payment, and the rate of payment is not affected by the income earned by a Participant through their Business.

### 7.4.1. Applying for Self-Employment Allowance and Self-Employment Rental Assistance

To be eligible to receive Self-Employment Allowance, a Participant must be receiving an Income Support Payment on the calendar day before they transfer to Self-Employment Allowance. Self-Employment Allowance can only be paid for up to the first 39 weeks of a Participant's time in Small Business Coaching.

To be eligible to receive Self-Employment Rental Assistance, a Participant must:

- have been receiving rent assistance from Services Australia or the Department of Veterans' Affairs (DVA) on the day immediately before they start receiving Self-Employment Allowance
- have been receiving Rent Assistance under their current income support payment or pension, NOT as part of a Family Allowance payment; and
- not currently receive an Income Support Payment.

. Self-Employment Rental Assistance can only be paid for the first 26 weeks of a Participant's time in Small Business Coaching.

More information about Self-Employment Rental Assistance is available in the [Self-Employment Rental Assistance Eligibility Form](#).

For the Department to pay a Participant Self-Employment Allowance and (if eligible) Self-Employment Rental Assistance, the Participant must have:

- agreed to or signed a [Small Business Coaching Agreement \(Allowance\)](#)
- completed an application form, including the Participant's bank details
- completed a Tax File Number Declaration Form, and
- completed a [Self-Employment Rental Assistance Eligibility Form](#) (if applicable).

These forms may be completed either online or offline and must be completed and dated no more than 4 weeks prior to the transfer.

In processing a Participant's Tax File Number Declaration, the Provider must ensure they handle the Participant's Tax File Number in accordance with the [Part A Guidelines: Privacy Chapter](#).

The Participant may submit their completed [Self-Employment Rental Assistance Eligibility Form](#) to their Provider, or they may upload the form to the [Workforce Australia website](#).

In circumstances where the Participant is unable to have the [Self-Employment Rental Assistance Eligibility Form](#) physically completed by a Services Australia Officer, an electronic Centrelink Statement will be accepted in place of the hard copy form. Information on how to request an electronic Centrelink Statement can be found at [the Services Australia website](#).

To confirm the transfer to Self-Employment Allowance, a notification from the Department's IT System will be sent to the Participant confirming their upcoming Small Business Coaching Commencement.



The Provider must indicate in the Department's IT Systems if the Participant will be receiving Self-Employment Allowance and (if eligible) Self-Employment Rental Assistance. If yes, the Provider must give the Participant access to the online application form or enter the following details in the Department's IT Systems:

- the Participant's allowance details

- the Participant's bank account details
- the Participant's Tax File Number Declaration details.

Payments will be made fortnightly in arrears from the next fortnightly pay run (which occurs on a Thursday), based on the Participant's entitlement.

Note: BSB numbers are verified in the Department's IT Systems. The Provider should contact the Department if a legitimate BSB number is displayed as invalid.

## Participants who transfer to Self-Employment Allowance after their Small Business Coaching Commencement

Participants may transfer to Self-Employment Allowance after their Small Business Coaching Commencement if the transfer occurs during the first 39 weeks of their Period of Small Business Coaching.

Participants will have one opportunity to transfer to Self-Employment Allowance during their Period of Small Business Coaching. The transfer can occur when the Participant commences Small Business Coaching or within the first 39 weeks of receiving Small Business Coaching.

If these Participants transfer to Self-Employment Allowance after commencing Small Business Coaching, the Department pays the Participant Self-Employment Allowance fortnightly in arrears from that time until the Participant's Period of Small Business Coaching has reached 39 weeks. Self-Employment Allowance is not backdated to the start of Small Business Coaching.



To start the process of transferring a Small Business Coaching Participant to Self-Employment Allowance, the Provider must use the 'Intention to Claim Allowance' functionality in the Department's IT Systems. This will allow the Provider to either request the Participant submit their bank and tax details through the Workforce Australia website or allow the Provider to enter these details directly into the Department's IT Systems.

Once a Participant has submitted their bank and tax details, the Provider must provide the Participant with access to their [Small Business Coaching Agreement \(Allowance\)](#), either online or hard copy, to agree to. Once the Participant has agreed to the Agreement, the Provider must email the Department's Payroll Hub at [SEPayrollHub@dewr.gov.au](mailto:SEPayrollHub@dewr.gov.au) to request the approval of the Participant's Agreement.

### 7.4.2. Income Support Payments and Self-Employment Allowance

Some Participants are eligible to continue receiving Income Support Payments after they commence Small Business Coaching. Remaining on an Income Support Payment will mean that the Participant also receives any related entitlements, which may include supplementary payments and access to a concession card.

Where a Participant opts to remain on an Income Support Payment while accessing Small Business Coaching, the Provider must remind the Participant of the importance of meeting any relevant income reporting requirements for Services Australia.

## Participants who can remain on their Income Support Payment

Most Participants in receipt of Income Support Payments are required to transfer to Self-Employment Allowance upon their Small Business Coaching Commencement.

However, Participants can choose to remain on the full rate of their current Income Support Payment if they are receiving:

- Disability Support Pension
- Parenting Payment
- Age Pension
- Carer Payment
- Partner Service Pension (from the DVA), or
- War Widow(er)'s Pension (from the DVA).

Remaining on an Income Support Payment will mean that the Participant also receives any related entitlements, which may include supplementary payments and access to a concession card.

## Participants who can remain on a partial rate of their Income Support Payments

If a Participant transfers to Self-Employment Allowance from an Income Support Payment that pays them a higher fortnightly rate than Self-Employment Allowance, Services Australia will automatically reduce that Participant's fortnightly rate of payment by the fortnightly rate of Self-Employment Allowance.

**For example:** Angela is a parent who receives JobSeeker Payment, and her rate of payment is \$247 per fortnight higher than the Self-Employment Allowance rate of payment. Angela elects to transfer to Self-Employment Allowance when she commences Small Business Coaching.

When Angela commences Small Business Coaching, she begins receiving Self-Employment Allowance from the Department and Services Australia automatically reduce her fortnightly rate of JobSeeker Payment to \$247 per fortnight.

Angela continues to receive a partial rate of JobSeeker Payment and Self-Employment Allowance while she operates her business and reports the income she earns through her business to Services Australia. Angela's business becomes more and more profitable over time, so her fortnightly rate of JobSeeker Payment is reduced until it is eventually cancelled under the JobSeeker Payment income test.

### 7.5. Small Business Coaching Agreement

Each Participant must agree to or sign a Small Business Coaching Agreement prior to commencing Small Business Coaching.



The Small Business Coaching Agreement can be generated in the Department's IT Systems after the Participant has completed the Small Business Coaching application process and the Provider has approved a Business Plan for the Participant.

The Provider must send the Small Business Coaching Agreement to the Participant with their agreed Small Business Coaching Commencement date for consideration and agreement. The agreed date must be a scheduled Self-Employment Allowance pay day, which occurs every second Thursday in accordance with the [Self-Employment Allowance Pay Calendar](#).

The Provider must explain the Participant's obligations when commencing and while receiving Small Business Coaching and advise them to carefully read and understand all the terms of their Small Business Coaching Agreement. In doing so, the Provider must ensure that the Participant is aware of:

- the frequency, timeframes and process involved in the Participant's submission of Quarterly Reports
- their obligation to maintain their Business Insurance throughout their Period of Small Business Coaching
- the frequency and expected timeframes for the delivery of Business Mentoring, and
- the Participant's obligation to maintain contact with the Provider, including by returning missed calls and responding to emails.

The Provider must ensure Participants are aware that not complying with these obligations within the specified timeframes may result in their Self-Employment Allowance and Self-Employment Rental Assistance (if applicable) not being paid.



To send the Participant the Small Business Coaching Agreement online, the Provider must enter the following information into the Department's IT Systems and select 'Send online':

- the proposed Small Business Coaching start date, and
- Self-Employment Rental Assistance amount (if applicable).

Once a Participant agrees to the Small Business Coaching Agreement online, the agreement is automatically sent to the Department for approval.

Note: If a Participant is signing the Small Business Coaching Agreement offline, the Provider must manually send the Small Business Coaching Agreement (signed by the Participant) to the Department via email for approval.

Regardless of whether a Participant's Small Business Coaching Agreement is completed online or offline, it must be received by the Department at least 5 Business Days prior to the scheduled Small Business Coaching Commencement date.



If all requirements are met, the Department approves the Participant's Small Business Coaching Commencement in the Department's IT Systems. The Department's IT Systems use the Small Business Coaching Commencement to trigger payment of the Small Business Coaching Fee and to use one of the Provider's Small Business Coaching Places.

The Department's IT Systems advise Services Australia when the Participant commences Small Business Coaching and will trigger the exiting of the Participant from the Other Program Provider's caseload (where applicable). Where the Participant is a Disability Employment Services Participant or a ParentsNext Compulsory Participant, the Participant is not automatically exited from the Other

Program Provider's caseload and will be concurrently serviced by the Provider and their Other Program Provider.

If the Participant will be concurrently serviced by an Other Program Provider while accessing Small Business Coaching, the Provider must advise the Other Program Provider of the Participant's Small Business Coaching Commencement.

 If the Participant has completed the Small Business Coaching application process offline and/or signed the Small Business Coaching Agreement offline (not via the [Workforce Australia website](#)), the Provider must email to [SEPayrollHub@dewr.gov.au](mailto:SEPayrollHub@dewr.gov.au) the Participant's:

- signed Small Business Coaching Agreement for the Department's approval
- completed and signed [Small Business Coaching Application Form](#) (if not completed online)
- completed and signed Tax File Number Declaration Form (if applicable and not completed online)
- completed and signed [Self-Employment Rental Assistance Eligibility Form](#) (if applicable).

The Provider must also retain a copy of these documents on the Participant's file.

## Correspondence with the Department's Payroll Hub

When emailing the Department's Payroll Hub at [SEPayrollHub@dewr.gov.au](mailto:SEPayrollHub@dewr.gov.au), the Provider should apply the following naming protocol for email subject lines.

Small Business Coaching commencement paperwork

When the Provider emails Small Business Coaching commencement paperwork, the subject line should be of the following format:

proposed commencement date (YY/MM/DD) | Provider organisation code | JSID | SBC APP | First Name | Last Name.

**Example:** If John Doe who has a Jobseeker ID of 123456789 was looking to commence Small Business Coaching with Provider 'ALTO' on 18 August 2022, the subject line would be: '220818 ALTO 123456789 SBC APP John Doe'.

General correspondence

When the Provider emails the Payroll Hub for all general correspondence the subject line should be of the following format:

date of the correspondence being sent | Provider organisation code | JSID | Topic | First Name | Last Name.

**Example:** If Provider 'ALTO' emailed the Payroll Hub on 7 October 2022 regarding the suspension of Jane Doe who has a Jobseeker ID of 987654321, the subject line would be: '221007 ALTO 987654321 Query regarding suspension of Jane Doe'.

For privacy and records management reasons, the Provider should (where practical) only include the details of one participant per email.

(Deed Reference(s): Clause 90.2)

# Chapter 8. Supporting Participants in Small Business Coaching

## Supporting Documents for this Chapter:

- [Eligible Business Costs Supporting Document](#)

### 8.1. Chapter Overview

Following a Participant's Small Business Coaching Commencement, their Provider must provide them with Business Mentoring, support and coaching for up to 52 weeks, or until the Participant voluntarily exits early or due to non-compliance with their Small Business Coaching Agreement.

This Chapter outlines the Provider's obligations to Participants accessing Small Business Coaching.

(Deed Reference(s): Clause 90)

### 8.2. Business Mentoring Contacts

The Provider must ensure that each Participant accessing Small Business Coaching receives at least one Business Mentoring contact in every 2-month period following the Participant's Small Business Coaching Commencement. The Provider must ensure Participants are aware that not engaging in this contact may result in the suspension of their Small Business Coaching Agreement, including their Self-Employment Allowance and Self-Employment Rental Assistance (if applicable) not being paid.

(Deed Reference(s): Clause 90.6)

#### Initial visit

The Provider must complete an initial Business Mentoring contact with the Participant within 4 weeks of the Participant's Small Business Coaching Commencement.

The purpose of this visit is to:

- ensure the Business is operating according to the approved Business Plan
- discuss any issues the Participant has encountered running their Business following their Small Business Coaching Commencement
- identify where the Participant has encountered issues, to provide relevant, actionable suggestions for the Participant
- see the Participants' Business premises (where relevant) to better understand and support the Participant, and
- confirm the Participant's Business Insurance coverage has commenced.

The initial Business Mentoring visit must be delivered face-to-face at the Business' premises, except where:

- the Business is home-based or mobile, in which case the Provider may agree with the Participant to hold a face-to-face meeting at a suitable and safe alternative location, or
- there are exceptional circumstances, such as if the Business is located in an area where it is not practical to visit. In these exceptional circumstances, the initial Business Mentoring visit may be conducted online.



The Provider must record the delivery of the initial Business Mentoring contact in the Department's IT Systems. This must include:

- when the contact occurred and the nature of the contact
- information regarding the Participant's Business Insurance
- any issues that have been identified, and
- the advice and support delivered to the Participant.

The Provider must recommend the suspension of a Participant accessing Small Business Coaching fails to provide evidence of current Business Insurance.



The Provider must retain Documentary Evidence confirming the currency of a Participant's Business Insurance following the initial Business Mentoring visit. This may either be a certificate of currency, or proof that the Participant has paid for the first month of their Business Insurance.

## Business Mentoring Contacts

Providers must deliver Business Mentoring at least once in every 2-month period throughout a Participant's Period of Small Business Coaching that:

- develops the skills and capabilities of the Participant for self-employment
- helps the Participant to solve problems that arise as they work in and run their Business
- assists the Participant to review the direction and strategy of their Business
- supports the Participant to mitigate risks as they arise, and
- confirms that the Participant is operating their Business in accordance with their Business Plan.



The Provider must record the delivery of each Business Mentoring contact in the Department's IT Systems. This must include:

- when the contact occurred
- the medium used for the contact (for example, face-to-face or over the phone)
- any issues that have been identified, and
- the advice and support delivered to the Participant.

The Provider must give the Department additional information related to the delivery of Business Mentoring, if required.

Other than the initial visit, Business Mentoring sessions may be delivered using a medium agreed to by both the Participant and the Provider.

The Provider must also provide Participants with support, which may include the provision of additional Business Mentoring in response to reasonable requests from Participants for assistance throughout their Periods of Small Business Coaching.

(Deed Reference(s): Clause 90.5, 90.6, 90.7, 90.8)

## Personnel delivering Business Mentoring

Business Mentoring must be delivered by Personnel with proven business experience (either from running their own small business, from supporting small businesses, or having relevant credentials), a clear understanding of small business skills and management practices, and an ability to communicate effectively with Participants.


Personnel delivering Business Mentoring must also have a thorough understanding of the services and support available within the local small business ecosystem, to allow them to refer Participants to other complementary services.

### 8.3. Other Monthly Contacts

The Provider must contact Participants monthly (at a minimum) to ensure Participants are supported with any issues they encounter while running their business. For example, in a month where the Provider is not obligated to deliver Business Mentoring, this may involve:

- a phone call from the Participant's dedicated mentor to discuss the Participant's progress,
- an invitation to participate in a small business-related seminar or workshop that will support the development of the Participant's business, including workshops delivered through the Entrepreneurship Facilitator Program, or
- the Participant attending a networking session conducted by the Provider.

The Personnel contacting the Participant should have an existing relationship with the Participant and be able to provide business support as needed.

 The Provider must record their contacts with a Participant accessing Small Business Coaching each month in the Department's IT Systems for the Participant's Period of Small Business Coaching.

Participants are not obligated to engage with these Other Monthly Contacts and must not be suspended for not engaging with them.

(Deed Reference(s): Clause 90.5)


### 8.4. Support for Business Costs

The Small Business Coaching Fee includes a \$330 (GST inclusive) component to assist Providers to pay up to \$300 for each Participant's Business Costs. The Provider must proactively ensure that each Participant that commences Small Business Coaching is aware of their entitlement to funding for Business Costs up to \$300.

Participants that transitioned to Self-Employment Assistance from NEIS are not eligible for Business Cost support.

When requested by a Participant accessing Small Business Coaching, their Provider must purchase or reimburse the Participant or their Business (as appropriate) for up to \$300 of eligible Business Costs. Providers are responsible for determining whether a business cost presented to them by a Participant is an eligible Business Cost and must do so in accordance with the [Eligible Business Costs Supporting Document](#).

 Providers must record their payment of Business Costs in the Department's IT Systems.

 Providers must upload a tax invoice or receipt to the Department's IT Systems confirming each payment of a Participant's Business Costs.

(Deed Reference(s): Clause 92)

# Chapter 9. Monitoring Participants in Small Business Coaching

## Supporting Documents for this Chapter:

- [Types of External Income Supporting Document](#)
- [Quarterly Report](#)

### 9.1. Chapter Overview

Providers must assess the progress of each Participant accessing Small Business Coaching to ensure they are providing the Participant with appropriate support to establish and run their small business, and to confirm that each Participant remains eligible for and engaged in Small Business Coaching.

Providers must assess the progress of each Participant's Business on a quarterly basis to ensure the Business has the best chance at Operating Commercially. This involves the Provider assessing at the end of each Financial Quarter the Business' cash flow against the cash flow projected in the Participant's Business Plan.

This Chapter outlines the obligations of Providers to monitor Participants accessing Small Business Coaching.

### 9.2. Quarterly Reviews

Providers must review the circumstances of each Participant accessing Small Business Coaching on a quarterly basis by running the External Income Test, checking the currency of the Participant's Business Insurance and checking whether the Business is likely to be Operating Commercially 12 months following the Participant's Small Business Coaching Commencement.



The Provider must retain the following Documentary Evidence proving the currency of the Participant's Business Insurance following each quarterly review which is either:

- a certificate of currency (issued within the relevant Financial Quarter)
- proof of monthly payments, or
- a statutory declaration from the Participant that their business insurance is current. A statutory declaration is only appropriate if a certificate of currency for a 12-month insurance policy was provided at the initial visit.

#### 9.2.1. Receiving a Quarterly Report from a Participant

Providers must ensure that Participants accessing Small Business Coaching are aware of their obligation to submit a Quarterly Report no later than 10 Business Days following the end of each Financial Quarter. However, Participants who commenced Small Business Coaching less than 4 weeks before the end of a Financial Quarter are not required to submit a Quarterly Report for that first Financial Quarter.



The Provider must (in accordance with [Suspending a Participant](#)) recommend the suspension of a Participant accessing Small Business Coaching who fails to submit a Quarterly Report (if required) in the Department's IT Systems.

If a Participant is suspended for not submitting a Quarterly Report, before recommencing the Participant in Small Business Coaching the Provider must:

- ensure the Participant submits a Quarterly Report
- ensure the Participant has business insurance in place
- check whether the Business is on track to be Operating Commercially, and
- update the Department's IT Systems and record details against each of these requirements.

(Deed Reference(s): Clause 91)

### 9.2.2. Confirming whether a Business is on track to be Operating Commercially

Following a Participant's submission of a Quarterly Report, the Provider must assess whether the Business is likely to be Operating Commercially 12 months following the Participant's Small Business Coaching Commencement. To make this assessment, the Provider must compare the Business' actual cash flows against the forecast cash flow set out in the Participant's Business Plan.

If the Business is underperforming compared to the forecast, the Provider must discuss the reasons why with the Participant. The Provider must also assess the likelihood of the Business Operating Commercially at the completion of the Participant's Period of Small Business Coaching. If the likelihood is less than 50 per cent, the Business is not on track to be Operating Commercially (refer to: [Businesses that are not on track to be Operating Commercially](#)).

If a Participant is suspended for part of a Financial Quarter, they are still required to submit a Quarterly Report. In this case, unless the suspension was for failing the External Income Test the Provider should take the suspension timeframe into account when checking whether the Business is on track to be Operating Commercially. This is done by comparing:

- the Business' forecast cash flow (reduced on a pro rata basis based on the proportion of the Financial Quarter that the Participant was not suspended for), and
- the Business' actual cash flow.



The Provider must record in the Department's IT Systems the outcome of their assessment of a Business, including entering the External Income field, within 10 Business Days of receiving a Quarterly Report from a Participant following the end of each Financial Quarter.



The Provider must retain the following documentation on file:

- the Participant's Quarterly Report
- written assessment of whether the Business is on track to be Operating Commercially, including a short statement and/or calculation to support the outcome recorded in the Department's IT Systems.

### 9.2.3. Businesses that are not on track to be Operating Commercially

If a Business is identified as at risk of failure without remedial action, but potentially on track to be Operating Commercially 12 months following the Participant's Small Business Coaching Commencement, the Provider must:

- develop an action plan in consultation with the Participant to improve the performance of the Business, and include a timeframe to reassess (for example, this could include



reassessing the Business in the third Financial Quarter, if the assessment at the second Financial Quarter showed that the Business was potentially not on track to be Operating Commercially), and

- regularly review the action plan, including at Business Mentoring contacts and, if the issue cannot be resolved, recommend termination of the Business.

If the Business is identified as not on track to be Operating Commercially, the Provider:

- must recommend termination of the Business within 5 Business Days and advise the Participant of the recommendation to terminate their Small Business Coaching Agreement, and
- should note the communication or conversations with the Participant and keep the note on file.

The [Agreement Breaches, Suspensions and Terminations Chapter](#) has further information on suspensions, recommencements, and terminations.



If a Participant's Business is identified as not on track to be Operating Commercially, the Provider must recommend termination of the Business in the Department's IT Systems within 5 Business Days.



The Provider must retain an action plan on the Participant's file if the Business is identified as at risk of failure.



The Provider should keep a note on file of any discussions with the Participant about their concerns regarding the Participant's Business.

(Deed Reference(s): Clause 91.5)

#### **9.2.4. The External Income Test**


Participants receiving Self-Employment Allowance may earn income separate to their allowance and their Business, but only up to a certain amount. The External Income Test checks the total gross External Income earned by a Participant during a Financial Quarter and is used to confirm a Participant's continuing eligibility for Self-Employment Allowance.


The Provider must run the External Income Test within 5 Business Days of a Participant in receipt of Self-Employment Allowance submitting their Quarterly Report.

Sources of External Income are listed in [Types of External Income Supporting Document](#).

A Participant will not pass the External Income Test if their total gross External Income during the Financial Quarter exceeds twice the rate of Self-Employment Allowance for that same period.

If a Participant fails the External Income Test, their Self-Employment Allowance and Self-Employment Rental Assistance (if applicable) is suspended for the remainder of the Financial Quarter in which the test was conducted. If the Participant is still accessing Small Business Coaching following the end of that Financial Quarter, they will be required to submit another Quarterly Report within 10 Business Days. Following the usual process, the Provider must then run the External Income Test to assess whether to continue the suspension or reinstate the Participant's Self-Employment Allowance and Self-Employment Rental Assistance (if applicable) for that Financial Quarter.

 If the Participant fails, the External Income Test the Provider must advise the Department via the Department's IT Systems within 5 Business Days.

 The Provider must retain records related to the External Income Test on the Participant's file and enter the Income in the 'Net Income Field' in the Departments IT Systems.

(Deed Reference(s): Clause 91.3)

## Calculating the amount of Self-Employment Allowance in a Financial Quarter

To determine how many pay cycles fall within a given Financial Quarter, please refer to the [Self-Employment Allowance Payment Dates Calendar](#) on the Provider Portal.


The Provider can determine the approximate figure by doubling the current fortnightly rate and multiplying the result by the number of pays in that Financial Quarter. If the Provider requires an exact figure, they should use the [Self-Employment Allowance Calculator](#).

### 9.3. Changes in Participant Circumstances


Participants are obligated under their Small Business Coaching Agreement to advise their Provider directly about any changes to their circumstances, as this could affect their entitlement to Small Business Coaching, including Self-Employment Allowance and Self-Employment Rental Assistance (if applicable).

Participants may also update their personal details via the [Workforce Australia website](#), accessible via MyGov.

In the event of the death of a Participant, the Provider must view confirmation (for example an email or letter from a relative, or a death notice from a newspaper or website).

 The Provider must notify the Department in the Department's IT Systems of a Participant's change of circumstances, including where a Participant is not complying with the terms of their Small Business Coaching Agreement. The Provider does this by entering a recommendation to suspend, recommence or terminate the Participant's Small Business Coaching Agreement.

The Provider may be liable for any overpayment of Self-Employment Allowance and/or Self-Employment Rental Assistance to a Participant if they fail to notify the Department of any changes to a Participant's circumstances within 5 Business Days. Failure to notify may also result in the recovery of any Business Progress Fees paid to the Provider following their failure to Notify.

 The Provider must retain Documentary Evidence on the Participant's file about the change of circumstance. For example, this may include:

- written advice from the Participant of medical certificate dates
- External Income Test assessment
- written correspondence about changes in circumstances
- file note of verbal communication about changes in circumstances
- suspension or termination recommendations
- death notice or certificate (where applicable).

(Deed Reference(s): Clauses 54, 91.6)

### **9.3.1. Amending a Business Plan**

Participants may amend their Business Plan after their Small Business Coaching Commencement if the circumstances of their Business changes.

Before approving amendments to a Participant's Business Plan, the Provider must ensure the proposed changes will not jeopardise the likelihood of the Business Operating Commercially 12 months following the Participant's Small Business Coaching Commencement.

The Department only requires a summary of the changes. A copy of the Business Plan may be requested on a case-by-case basis if required.

### **9.3.2. Participants relocating between Employment Regions**

A Participant who moves to a new Employment Region should be transferred to a Provider contracted to deliver the Services in that region. The Department may grant exceptions to this rule on a case-by-case basis where it is in the Participant's best interest to remain with their current Provider. The gaining Provider must check that the Business is on track to Operating Commercially in the new Employment Region.

If the Participant's current Provider delivers the Services in the Participant's new location, the Participant should be transferred to a Site of their current Provider in that Employment Region.



The current Provider must retain documents identifying the change of location and discussions with the gaining Provider.



The Participant's current Provider must request that the Department action the transfer in the Department's IT Systems by emailing the Department's Payroll Hub at [SEPayrollHub@dewr.gov.au](mailto:SEPayrollHub@dewr.gov.au).

# Chapter 10. Agreement Breaches, Suspensions and Terminations

## 10.1. Chapter Overview

When a Provider determines that a Participant may have breached their Small Business Coaching Agreement or has exceeded the External Income Test, the Provider must consider recommending that the Department suspends or terminates the Participant's involvement in Small Business Coaching.

The Department's approval of a request for a suspension will either:

- suspend the Participant's Self-Employment Allowance (and Self-Employment Rental Assistance if applicable) if they fail the External Income Test, or
- suspend the Participant's Small Business Coaching Agreement (including payment of Self-Employment Allowance and Self-Employment Rental Assistance where relevant) for all other suspension reasons.

The Department's approval of a request for a termination will end the Participant's Small Business Coaching Agreement.

This Chapter outlines the relevant timeframes and processes involved in suspending or terminating a Participant accessing Small Business Coaching.

(Deed Reference(s): Clause 91.5)

## 10.2. Suspending a Participant

If the Provider identifies that the Participant has breached their Small Business Coaching Agreement and that it is not yet appropriate to terminate the Participant (see [Terminating a Participant](#)), the Provider must generally recommend the suspension of the Participant.

The exception to the Provider's obligation to recommend a suspension is where a Participant has breached their Small Business Coaching Agreement due to illness or other personal issues and the Participant is likely to begin complying with their Small Business Coaching Agreement in less than a week's time. A Participant may remain unsuspended for a maximum of 5 Business Days throughout their Period of Small Business Coaching while not working their Required Hours due to these reasons only.

The Provider should not recommend a suspension where a Participant's circumstances change but the Participant is still able to comply with their Small Business Coaching Agreement.


Once the Provider has identified that it is appropriate to recommend the suspension of a Participant, they must identify the category of the suspension and the date from which the suspension will apply in accordance with **Table 10-A**.

**Table 10-A: Suspension categories and key dates**

| Suspension category(s)  | Start date of suspension   | Maximum Duration        |
|---|--|-------------------------|
| <p><b>Did not notify of change of circumstances (COCF)</b></p> <p><b>Undertaking other education or training (EDUC)</b></p> <p><b>Undertaking other employment (EMPL)</b></p> <p><b>Relocation of business (REBS)</b></p> <p><b>Temporarily ceased operating business (TCOB)</b></p> <p><b>Absent due to travel (TTVL)</b></p> <p><b>Not eligible - Other (OTHR).</b></p> | <p>The date that the Participant began breaching the terms of their Small Business Coaching Agreement.</p>   | <p>28 calendar days</p> |
| <p><b>Insurance missing or inadequate (NINS)</b></p>  | <p>The date the Provider became aware that the Participant may be operating their Business without Business Insurance.</p> <p>At minimum this must occur at the Initial Business Mentoring Contact and each Quarterly Contact.</p> <p>Note: The suspension recommencement can be from the date insurance coverage was effective.</p> | <p>28 calendar days</p> |
| <p><b>Failed to lodge Quarterly Report by due date (FLBR)</b></p>   | <p>15 Business Days following the end of a Financial Quarter that the Participant was required to report on.</p>   | <p>28 calendar days</p> |
| <p><b>Not engaging with mentoring (RMTR)</b></p> <p><b>Unable to be contacted (UNCO)</b></p>  | <p>3 Business Days following the first failed or refused contact attempt by the Provider.</p>  | <p>28 calendar days</p> |
| <p><b>Absent due to illness (TILL)</b></p>  | <p>Either:</p> <ul style="list-style-type: none"> <li>• The date that the Participant asked to be suspended, or</li> <li>• the date that the Provider identified that the Participant was not meeting their Small</li> </ul>   | <p>13 Weeks</p>         |

| Suspension category(s)                    | Start date of suspension  | Maximum Duration |
|---|---|------------------|
|   | Business Coaching Agreement where the Provider has received appropriate Documentary Evidence from the Participant.  |                  |
| <b>Parental leave (RISP)</b>              | The date that the Participant asked to be suspended.  | 18 Weeks         |
| <b>Failed External Income Test (FINT)</b> | The first Self-Employment Allowance Thursday pay day of the Financial Quarter in which the Provider confirmed that a Participant did not pass the External Income Test. | No maximum       |

**Example:** Steve is a Small Business Coaching Participant operating a food truck small business. He falls ill for a week and is unable to operate his food truck as a result. He is however able to continue working in his Business by developing his Business' social media presence and catching up on his bookkeeping. As a result, Steve's Provider does not recommend to the Department that Steve's Small Business Coaching Agreement is suspended for the week that Steve is unwell.

 The Provider must enter a recommended suspension in the Department's IT Systems, in accordance with **Table 10-A**, within 5 business days from the date a Participant does not comply with their Small Business Coaching Agreement. If the Department agrees with the suspension recommendation, an email notification will be sent to the Participant advising them of the approved suspension. The notification will also inform the Participant how long they have to resolve the suspension issue before further action is taken, such as the termination of their Small Business Coaching Agreement. The Provider may be liable for any overpayment of Self-Employment Allowance and/or Self-Employment Rental Assistance to a Participant if they fail to enter the recommendation within 5 Business Days. Failure to notify may also result in the recovery of any Business Progress Fees paid to the Provider following their failure to Notify.

Participants should be terminated from Small Business Coaching if they are suspended for the relevant maximum duration specified in **Table 10-A**. Where the Provider believes there are relevant extenuating circumstances, they may choose to contact the Department's Payroll Hub at [SEPayrollHub@dewr.gov.au](mailto:SEPayrollHub@dewr.gov.au) to request an extension to the Participant's suspension. These requests will be considered on a case-by-case basis but will generally only be considered if the suspension extension will not result in the Participant exceeding the maximum suspensions duration of 13 weeks noted below.

### Maximum cumulative periods of suspension for a Participant

Participants may be suspended for a total of 13 weeks (cumulative) during their Period of Small Business Coaching. There are 2 exceptions to this rule:

- Suspensions due to Failed External Income Test (FINT) do not contribute to the maximum suspensions period of 13 weeks. Multiple back-to-back 13-week FINT suspensions can occur while the Participant continues to access Small Business Coaching.
- If the Participant chooses to take leave for the birth or adoption of a child, they may be suspended under the category Parental Leave (RISP) for a maximum of 18 weeks. The Participant must be the primary carer. Suspensions under the RISP category do not contribute to the maximum suspensions period of 13 weeks.

### 10.2.1. Access to Small Business Coaching during a suspension period

During suspensions where the Participant has failed the External Income Test and has been suspended from payment of Self-Employment Allowance, the Provider must continue providing the business support identified in the [Supporting Participants in Small Business Coaching Chapter](#).

During all other types of suspension, the Provider should maintain contact with the suspended Participant to determine the likelihood of the Participant recommencing Small Business Coaching and their business being on track to be Operating Commercially 12 months following the Participant's Small Business Coaching Commencement (if recommenced).

### 10.2.2. Recommencing a Participant after a suspension

Once the Participant has rectified the issue that led to them being suspended, the Provider must ask the Department to recommence the Participant.

Where the Provider identifies that a Participant was incorrectly suspended, the recommencement date must be the same date as the suspension start date to ensure the Participant receives their full payment in arrears.

Where the Participant was suspended under the category Failed External Income Test and then passes the External Income Test in a subsequent Financial Quarter, the recommencement date will be the first day of the Financial Quarter in which the relevant External Income Test was conducted.

For all other suspension categories, the recommencement date will be the date the Participant began complying with their Small Business Coaching Agreement once again. Upon the Participant's recommencement, their Small Business Coaching Agreement end date is extended to reflect the number of days the Participant was suspended, to allow for 52 weeks participation in the service.

Before asking the Department to recommence a Participant, the Provider must ensure the Participant's Business Insurance is current.

Upon approval of a recommencement recommendation, an email notification will be sent to the Participant advising them of the approved recommencement.

**Example:** Jane's Provider tries to contact Jane on 8 August to conduct a scheduled Business Mentoring contact, but Jane does not respond. After another failed attempt to contact Jane on 11 August, Jane's Provider recommends the suspension of Jane's Small Business Coaching Agreement under the category 'Not Engaging with Mentoring', with a suspension start date of 11 August.

Jane returns her Provider's call and participates in Business Mentoring on 16 August. Jane's Provider confirms that Jane's Business Insurance is still in place, and the Provider

recommends the recommencement of her Small Business Coaching Agreement effective 16 August. Jane's Small Business Coaching Agreement end date is extended by 4 days, to account for the 4-day suspension period.

 The Provider must enter the recommended recommencement in the Department's IT Systems.

### 10.3. Terminating a Participant

Before recommending a termination, the Provider must first consider whether a suspension is appropriate to allow the Participant time to comply with their Small Business Coaching Agreement.

The Provider must recommend the termination of a Participant's Small Business Coaching Agreement when the Participant:


- has requested to exit Small Business Coaching
- has been suspended for the maximum duration specified in Table 10-A and has not been recommenced
- has been suspended for the maximum cumulative period of suspensions (as specified in the [Agreement Breaches, Suspensions and Terminations Chapter](#)) and has not been recommenced, or
- the Participant is in breach of their Small Business Coaching Agreement and is no longer eligible for Small Business Coaching (for example, if the Participant's Business is no longer on track to be Operating Commercially 12 months following the Participant's Small Business Coaching Commencement).

#### Identifying the date of a termination

To terminate a Participant from Small Business Coaching, the Provider must enter the appropriate termination date in the Department's IT Systems as identified below.

- If the Department has notified the Provider that a Participant must be terminated on a particular date, the relevant date must be used.
- If the Participant is on a current suspension (other than for failing the External Income Test), the termination date will be the day before the suspension start date.
- Otherwise, the termination date will be the date the Participant began breaching the terms of their Small Business Coaching Agreement.

If the Department agrees with the recommendation, an email notification will be sent to the Participant advising them of the approved termination.

 The Provider must enter the recommended termination in the Department's IT Systems within 5 Business Days of becoming aware of a relevant change in circumstances. The Provider may be liable for any overpayment of Self-Employment Allowance and/or Self-Employment Rental Assistance to a Participant if they fail to notify the Department of any changes to a Participant's circumstances within 5 Business Days. Failure to notify may also result in the recovery of any Business Progress Fees paid to the Provider following their failure to Notify.

### 10.4. Right to review

If the Provider recommends a suspension or termination and it is approved by the Department, the Participant may ask for the decision to be reviewed. If the Participant requests a review of their



suspension or termination, the Department must have the decision reviewed by an independent reviewer.

The Department must advise the Participant of the result of the review in writing within 15 Business Days of the Participant's request. The Department only reviews a decision once—there is no further process if the Participant is dissatisfied with the outcome of the Department's review.

The Commonwealth Ombudsman may investigate how the Department reached a decision or how the Department handled a request for review. However, the Ombudsman cannot substitute a new decision.

# Chapter 11. Performance Framework

## Supporting Documents for this Chapter:

- [Self-Employment Assistance Assessment Matrix](#)

### 11.1. Chapter Overview

The Department has developed a performance framework to be the primary mechanism by which the performance of Self-Employment Assistance Providers is assessed. The Department may also choose to consider the Provider's performance against the requirements of the Deed, the Joint Charter, the Service Guarantee, and any representations in the Provider's response to the Self-Employment Assistance request for tender.

The performance framework is based on the principles of efficiency, effectiveness, quality and assurance. The Department will provide feedback to Providers regarding their performance against these principles at the end of each 6-month Performance Period. Where relevant, the Department will work proactively with Providers to address performance management issues.

This Chapter outlines how the Department measures the performance of Self-Employment Assistance Providers under the performance framework and the process by which the Department may reallocate Places.

### 11.2. Performance Assessment

The performance framework measures the performance of Self-Employment Assistance Providers using a single performance score, which provides a simple and transparent mechanism for measuring performance. The Provider's performance will be assessed in each of their Employment Region(s).

The single performance score will reflect the performance of Self-Employment Assistance Providers against 3 Key Performance Indicators (KPIs). Performance against these KPIs will be weighted to calculate the single, overarching score. The weightings for each KPI are:

- KPI 1 – Place Usage: 40%
- KPI 2 – Outcomes: 40%
- KPI 3 – Quality: 20%.

The Provider should use the results of the performance assessment conducted for the Performance Periods ending on 31 December of each Financial Year to identify and fix any areas of concern and meet the benchmarks (as identified in [Benchmarks](#)). This will allow them to optimise their performance for the Performance Periods ending 30 June of each Financial Year, which are the Performance Periods on which the annual business reallocation process is based.

(Deed Reference(s): Clauses 106, 107)

#### 11.2.1. KPI 1 – Place Usage (40%)

Providers are allocated a number of Places each Financial Year in each of their Employment Regions for the delivery of Workshops, Small Business Coaching, Business Advice Sessions and Business

Health Checks. KPI 1 assesses the efficiency of the Provider’s service delivery by measuring their usage of these allocated Places in each Financial Year at a point in time.

KPI 1 has 2 components, each measuring the Provider’s usage of their allocated Places.

## KPI 1A – Small Business Coaching Place Usage (25%)

$$\frac{\text{Small Business Coaching Places used}}{\text{Small Business Coaching Places allocated}}$$

KPI 1A measures the proportion of allocated Small Business Coaching Places by the Provider. The methodology of KPI 1A is as follows:

The Small Business Coaching Place allocation will generally be based on the Provider’s allocation of Small Business Coaching Places at the point in time KPI 1A is being assessed.

Where the Provider has increased their allocation of Small Business Coaching Places through any [Handback of Small Business Coaching Places](#) process during the Financial Year, the Provider’s allocation will be calculated based on their new, higher allocation.

Where the Provider has reduced their allocation of Small Business Coaching Places through any [Handback of Small Business Coaching Places](#) process during the Financial Year, the Provider’s allocation will be calculated using the average of the Provider’s:

- initial allocation of Small Business Coaching Places following the completion of any business reallocation process conducted at the beginning of the Financial Year, and
- allocation of Small Business Coaching Places at the point in time KPI 1A is being assessed.

For example: RUN Business Inc is a Self-Employment Assistance Provider operating in the Cairns Employment Region. After having 100 Small Business Coaching at the beginning of the Financial Year following the completion of the business reallocation process, they hand back 20 Small Business Coaching Places using the annual Handback of Small Business Coaching Places process. This leaves them with 80 allocated Places. By the end of the Financial Year, RUN Business have used 70 Small Business Coaching Places in the Cairns Employment Region.

RUN Business’ performance under KPI 1A for the Performance Period ending 30 June is assessed using the following calculation:

$$\frac{70}{(100 + 80) / 2}$$

Accordingly, RUN Business’ score for KPI 1A is:  $(70 / 90) = 78\%$ .

## KPI 1B – Other Services Place Usage (15%)

KPI 1B measures the proportion of allocated Places that are used by the Provider for:

- Workshops
- Business Health Checks
- Business Advice Sessions.

The methodology of KPI 1B is as follows:

$$\frac{\text{Total non-Small Business Coaching Places used}}{\text{Total non-Small Business Coaching Places allocated}}$$

Where the Provider’s usage of Places for Business Health Checks and/or Business Advice Sessions exceeds their nominal regional Place allocation (see [Flexible usage of Places for Business Health Checks and Business Advice Sessions](#)), the figure used will be their allocated number of relevant Places in the Employment Region.

**Example:** Ask! Advisory Services is a Provider in the Ballarat and Bendigo Employment Regions. Their Place allocations and usage as at the end of the Financial Year are identified in **Table 11-A**.

Because they exceeded their Place allocation for Business Advice Sessions in Ballarat, they were unable to use 34 Business Advice Session Places in Bendigo. In totalling their Places used in Ballarat for the purposes of KPI 1B, their allocation of Business Advice Session Places (29) is used rather than their Places used (33).

Accordingly, for KPI 1B Ask! Advisory Services received the following scores:

Ballarat:  $(62 / 65) = 95\%$

Bendigo:  $(70 / 76) = 92\%$ .

**Table 11-A: Example of Place allocations - Ask! Advisory Services**

| Place                           | Ballarat Used | Ballarat Allocated | Bendigo Used | Bendigo Allocated |
|---------------------------------|---------------|--------------------|--------------|-------------------|
| <b>Workshops</b>                | 20            | 22                 | 24           | 25                |
| <b>Business Health Checks</b>   | 13            | 14                 | 16           | 17                |
| <b>Business Advice Sessions</b> | 33            | 29                 | 30           | 34                |
| <b>Total</b>                    | 62            | 65                 | 70           | 76                |

### 11.2.2. KPI 2 – Outcomes Achieved (40%)

KPI 2 assesses the effectiveness of the Provider’s service delivery by measuring the outcomes of Participants who access Small Business Coaching. KPI 2 measures 2 types of Performance Outcomes – Full Performance Outcomes and Partial Performance Outcomes.

## Full Performance Outcomes

The Provider will be credited a Full Performance Outcome for a Participant who exits Small Business Coaching if the Participant:

- accessed the Services from the Provider throughout their Period of Small Business Coaching, and
- was, at the time of their last submitted Quarterly Report, earning an average net income from their Business of at least:
  - 30% of the Basic Rate of JobSeeker Payment, if it was their first Quarterly Report;
  - 60% of the Basic Rate of JobSeeker Payment, if it was their second Quarterly Report; or
  - the Basic Rate of JobSeeker Payment, if it was their third or a subsequent Quarterly Report.

The relevant Basic Rate of JobSeeker Payment will be the rate of payment on the final day of the Financial Quarter that the Quarterly Report covers. The Provider must calculate the Participant's average net income from their Business across the period identified on the Quarterly Report. Where appropriate, a Full Performance Outcome will be credited to the Provider.



The Department's IT Systems will automatically identify Participants who have met the conditions for a Full Performance Outcome.

## Partial Performance Outcomes

There are 2 ways the Provider can be credited a Partial Performance Outcome.

Splitting a Full Performance Outcome into 2 Partial Performance Outcomes

Where a Participant transfers between Self-Employment Assistance Providers during their Period of Small Business Coaching and otherwise meets the conditions for a Full Performance Outcome, both Providers will each receive a Partial Performance Outcome.


This means that both Self-Employment Assistance Providers will be credited a Partial Performance Outcome for a Participant who exits Small Business Coaching if the Participant:

- accessed the Services from the Provider at the time of either their Small Business Coaching Commencement or their exit from Small Business Coaching, and
- was, at the time of their last submitted Quarterly Report, earning an average net income from their Business of at least:
  - 30% of the Basic Rate of JobSeeker Payment, if it was their first Quarterly Report;
  - 60% of the Basic Rate of JobSeeker Payment, if it was their second Quarterly Report; or
  - the Basic Rate of JobSeeker Payment, if it was their third or a subsequent Quarterly Report.

Participants who remain off Income Support Payments

The Provider will be credited a Partial Performance Outcome for a Participant who did not immediately meet the conditions for a Partial Performance Outcome or Full Performance Outcome upon exiting Small Business Coaching where the Participant:

- was receiving Income Support Payments on the day prior to their Small Business Coaching Commencement, and
- is not receiving Income Support Payments 12 weeks following their exit from Small Business Coaching.

 The Department’s IT Systems will automatically identify Participants who have met the conditions for a Full Performance Outcome.

## KPI 2 Methodology

The methodology of KPI 2 is as follows:

$$\frac{\text{Number of Full Performance Outcomes} + (\text{Number of Partial Performance Outcomes} / 2)}{(\text{Number of exited Participants who have commenced and/or exited Small Business Coaching with the Provider}) - (\text{Number of Partial Performance Outcomes for transferred Participants} / 2)}$$

As Performance Outcomes have significant lead times, KPI 2 will be measured on a contract-to-date basis.

### 11.2.3. KPI 3 – Quality and Assurance (20%)

KPI 3 assesses the quality of the Provider’s service delivery, the Provider’s compliance with the Deed, Participant feedback and the outcomes of assurance activities carried out by the Department. Each Performance Period, the Department’s Provider Lead may consider the evidence outlined below in **Table 11-B** to assess the Provider’s performance against the [Self-Employment Assistance Assessment Matrix](#).

**Table 11-B: KPI 3 - Measures of Quality and Assurance**

| Practice Requirement   | Evidence   |
|--|--|
| The Provider assists Participants accessing Small Business Coaching with their Business Cost. The Department expects that over 90% of the fees received by the Provider for supporting Participants’ Business Costs (\$300 per Small Business Coaching Commencement after GST has been paid by the Provider) will be used to support Participants. | The Department’s IT Systems will identify the Participants who have received help with their Business Costs, and the amount of assistance they have received.  |
| The Provider ensures the Services delivered are flexible and tailored to the Participants individual needs and are not requiring Participants to access every Service.   | The Department’s IT Systems will identify the number of unique Participants who have accessed: <ul style="list-style-type: none"> <li>• help to develop a Business Plan</li> <li>• Small Business Coaching</li> <li>• Business Advice Sessions</li> <li>• Business Health Checks.</li> </ul> |
| The Provider delivers the Services to Participants in accordance with Deed.  | <ul style="list-style-type: none"> <li>• Staff are consistently applying the correct policies and procedures when servicing Participants</li> </ul>  |

| Practice Requirement  | Evidence  |
|---|---|
|   | <ul style="list-style-type: none"> <li>Participants are provided with the Services outlined in the Deed within the required timeframes.</li> </ul>  |
| <p>The Provider has strategies and practices in place to ensure Documentary Evidence, Participant records and branding requirements are adhered to.</p>   | <ul style="list-style-type: none"> <li>All Participant records maintained by the provider in the Department's IT Systems and/or in third party systems are accurate, align with Documentary Evidence requirements and are in accordance with the Deed</li> <li>The Provider prominently displays the Service Guarantee in its all its Sites and on its website.</li> </ul>  |
| <p>The Provider has in place strategies for monitoring Participant satisfaction of the Services delivered and addressing complaints when raised.</p> <p>The complaints and feedback process is implemented consistently across the organisation.</p> <p>The Provider's complaints policies details:</p> <ul style="list-style-type: none"> <li>how complaints and feedback are used to improve service delivery</li> <li>how the outcome of a complaint is communicated to the complainant</li> <li>escalation procedures.</li> </ul> <p>Records of complaints are maintained and include:</p> <ul style="list-style-type: none"> <li>detailed information relating to the complaint, including the date of the complaint and who the complaint relates to</li> <li>steps taken to resolve the complaint</li> <li>the outcome of any investigation</li> <li>any follow-up action required.</li> </ul> | <ul style="list-style-type: none"> <li>The number and nature of validated complaints received by the Department via: <ul style="list-style-type: none"> <li>the Department's National Customer Service Line</li> <li>the Department's Employment Services Tip Off Line</li> <li>the Departments Post-Program Monitoring Survey</li> <li>ministerial correspondence, and</li> <li>the Ombudsman.</li> </ul> </li> <li>The Provider's feedback mechanism is open and transparent, meaning that: <ul style="list-style-type: none"> <li>Participants are aware of feedback and complaints procedures and feel comfortable to raise a complaint without fear of retribution.</li> <li>feedback from Participants indicates that complaints lodged have, or are being, resolved.</li> </ul> </li> <li>Staff can readily access the complaints procedure and can articulate the process</li> <li>Complaints are referred to the Department when required</li> <li>Complaints are investigated by a relevant senior staff member.</li> </ul> |

#### 11.2.4. Benchmarks

Provider performance will be measured against an overarching benchmarked single performance score at an Employment Region level. The Department has set individual benchmarks for each Key

Performance Indicator, each of which contribute to the overarching benchmark single performance score as shown in **Table 11-C**.

**Table 11-C: Key Performance Indicator Weightings and Benchmarks**

| <b>KPI</b>   | <b>Weighting</b> | <b>Benchmark</b> |
|--|------------------|------------------|
| <b>KPI 1A – Small Business Coaching Places usage</b> | 25%              | 85%              |
| <b>KPI 1B – Other Places usage</b>                   | 15%              | 85%              |
| <b>KPI 2 – Outcomes Achieved</b>                     | 40%              | 68%              |
| <b>KPI 3 – Quality &amp; Assurance</b>               | 20%              | 80%              |
| <b>Total</b>   | 100%             | 77%              |

Providers should use the KPI benchmarks to identify where they are performing well, as well as any areas for improvement.

The overarching benchmarked performance score at an Employment Region level will be the basis for determining which providers are in scope for business reallocation. The Department may also consider performance in relation to individual KPIs during business reallocation and in regular performance discussions.

The Department may adjust these benchmarks at any stage.

## **11.3. Reallocation of Places**

### **11.3.1. Handback of Small Business Coaching Places**

To maximise the opportunities available for Participants, the Department may invite Self-Employment Assistance Providers to:

- hand Small Business Coaching Places back, where the Provider considers these Places will not be used by the end of the Financial Year, and/or
- request additional Small Business Coaching Places, where the Provider can demonstrate demand for Small Business Coaching Places are greater than their current allocation of Places at an Employment Region level.

The Department will Notify the Provider of the relevant dates for the handback process each Financial Year.

Self-Employment Assistance Providers will generally not be able to use the handback process to:

- move Places between their Employment Regions, or
- handback Places for Workshops, Business Health Checks or Business Advice Sessions.

(Deed Reference(s): Clause 107.5)

### **11.3.2. Business reallocation**

The Department will undertake a business reallocation process on an annual basis following the end of the Financial Year (based on performance as at 30 June).



The business reallocation process may result in Places being reallocated from poorer performing Providers to higher performing Providers. Where Places are reallocated, the changes will apply to the allocation of Places each Financial Year until the Deed Completion Date. The business reallocation process will impact the Provider's allocation of all Places (including for Workshops, Business Health Checks and Business Advice Sessions).

Following the completion of the business reallocation process, the Provider's allocation of Places for Services other than Small Business Coaching will generally be in accordance with the following ratios:

- for Workshops, 25% of their number of Small Business Coaching Places
- for Business Advice Sessions, 33% of their number of Small Business Coaching Places
- for Business Health Checks, 16% of their number of Small Business Coaching Places.

The Department has absolute discretion in its allocation of Places and may deviate from the above ratios to better achieve the Objectives of Self-Employment Assistance.

Poor performance may lead to a Provider receiving a Notice from the Department to discontinue providing the Services.

(Deed Reference(s): Clause 107)

## Right of Reply

The Department will formally notify Self-Employment Assistance Providers subject to a reduction in Places and they will have the opportunity to submit a 'right of reply'. The 'right of reply' may describe:

- labour market or geographical factors that affected performance, or
- extenuating circumstances that may have affected their ability to use their Places. Extenuating circumstances are outside the Provider's control, have not affected other Self-Employment Assistance Providers and are not situations internal to the Provider's organisation.

Providers that elect to submit a 'right of reply' will need to include strategies for responding to these challenges in their submission.

Providers will have 5 Business Days from notification to submit a 'right of reply' for the Department's consideration.

The Department's decision to reallocate or not reallocate Places on the basis of a 'right of reply' submissions will be final.

# Chapter 12. Payments

## 12.1. Chapter Overview

The Self-Employment Assistance Payment structure has been designed to allow Self-Employment Assistance Providers to deliver targeted and relevant Services to each Participant, with Payments reflecting the services being delivered to the Participant.

This Chapter outlines the requirements that must be met for the Provider to receive Payments for delivering the Services.


**Note:** All Provider payment amounts in this Guideline are inclusive of GST.

## 12.2. Activity-based Payments

### 12.2.1. Payments for commencing an activity

The following Payment types will be payable when eligible Participants commence the relevant activity and Payment requirements are met in accordance with the Deed and Guidelines:

- Workshop Fee (\$700)
- Training Fee (\$1,320), and
- Small Business Coaching Fee (\$2,430).


 Placing a Participant in a relevant activity in the Department's IT Systems will, where appropriate, trigger payment of the relevant Fee and use an appropriate Place (where applicable).


(Deed Reference(s): Clauses 95.1, 96.1 and 98.1)


### 12.2.2. Payments for completing an activity

The following Payment types will be payable when eligible Participants successfully complete the relevant Service and Payment requirements are met in accordance with the Deed and Guidelines:

- Business Advice Fee (\$165)
- Business Health Check Fee (\$330)
- Business Plan Fee (\$495), and
- Certificate Completion Fee (\$1,430).

 Placing a Participant in a Business Advice Session or Business Health Check activity in the Department's IT Systems with an activity placement status of 'Placement Confirmed' will, where appropriate, trigger payment of the Business Advice Fee and use an appropriate Place.

 The Provider must record the outcome and date of a decision to approve a Business Plan in the Department's IT Systems. The approved Business Plan in the Department's IT Systems will, where appropriate, trigger payment of the Business Plan Fee.


 A Certificate Completion Fee will be payable once the Provider has entered an eligible activity outcome for a relevant qualification in the Department's IT Systems.


(Deed Reference(s): Clauses 103.1, 102.1, 101.1 and 97.1)

### 12.3. Business Progress Fees

Business Progress Fees (\$985 each) are payable to the Provider when an eligible Participant on their Caseload has accessed Small Business Coaching for 4, 8 or 12 months and Payment requirements are met in accordance with the Deed and Guidelines. These periods do not include durations where the Participant was suspended from accessing Business Mentoring under their Small Business Coaching Agreement. This means that with the exception of suspension type 'Failed External Income Test (FINT)', the date on which a Participant's Business Progress Fees will be payable will be delayed by duration of the relevant suspension.

Where a Participant transfers Self-Employment Assistance Providers while accessing Small Business Coaching, the gaining provider will be eligible for any payable Business Progress Fees that arise after the date of the transfer.

 The Department's IT Systems will automatically pay the Provider a Business Progress Fee for each eligible Participant on their Caseload who has accessed Small Business Coaching for 4 and 8 months.

 The Department's IT Systems will automatically pay the Provider a Business Progress Fee for each eligible Participant who exits after successfully completing 12 months of Small Business Coaching.

(Deed Reference(s): Clause 99)

### 12.4. Annual Service Fees

The Annual Service Fee (\$20,000) supports the Provider's promotion of Self-Employment Assistance and encouragement of self-employment throughout its Employment Regions and/or Locations (as appropriate). The Provider will receive an Annual Service Fee for each of its Employment Regions in July of each Financial Year, and it must be used to deliver the Provider's obligations as specified in the [Stakeholder Engagement and Promotion Chapter](#).

The Provider will report on the activities delivered using the Annual Service Fee through the submission of Stakeholder Engagement Report approximately 12 months following the payment of the relevant Fee. For more information about the timing and detail of these reports, refer to [Stakeholder Engagement Reports](#).

Following a review of the Provider's Stakeholder Engagement Report, the Department will consider whether the Provider has achieved value for money for the activities delivered under the relevant Annual Service Fee. In considering whether the Provider has achieved value for money, the Department may examine the services delivered by other Self-Employment Assistance Providers.

If the Department considers that the Provider has failed to achieve value for money, the Provider will be Notified of this determination, and some or all of the relevant Annual Service Fee may be recovered from the Provider as a debt.

(Deed Reference(s): Clauses 19, 54.1(c), 54.2(i), 94)

# Chapter 13. Incident Management

## Supporting Documents for this Chapter:

- [Public and Products Liability Incident Report](#)
- [WHS Employment Assistance Program Incident Report](#)
- [WHS Incidents and Insurance Readers Guide - Providers](#)

### 13.1. Chapter Overview

Participants may be involved in incidents while accessing or traveling to the Services. This Chapter identifies how and when incidents need to be reported to the Department and outlines the scope of the insurance policies taken out by the Department to cover Participants accessing the Services.

### 13.2. Reporting and Managing Incidents

The Provider must Notify the Department as soon as possible, and on the same day, of any incident involving the Services, including direct travel to and from the Services, for example:

- any accident, injury or death occurring during or as a result of the Services, including in relation to Personnel, Participants or members of the public
- any incident or near miss which relates to a WHS issue
- any incident that may negatively impact upon the Department or bring the Provider or the Services into disrepute.

The Provider must ensure that Personnel and Participants:

- understand their obligations to report incidents and near misses
- have access to reporting mechanisms.

If a Participant involved in an incident is accessing services from an Other Program Provider, the Provider must also notify the Other Program Provider of the incident.

The Provider must Notify the Department of any incident that may result in a liability claim by completing the [Public and Products Liability Incident Report](#) and submitting it to the department, regardless of whether a claim is being made at the time.

 The Provider must retain copies of Public and Products Liability Incident Reports.

#### 13.2.1. Challenging Behaviour Incidents

The Provider must manage incidents involving Participants demonstrating challenging behaviour in accordance with [Part A Guidelines: Servicing Participants with Challenging Behaviours Chapter](#).

#### 13.2.2. WHS Incidents

The Provider must Notify the Department as soon as possible and on the same day of any WHS incident or near miss involving the Services by completing the [WHS Employment Assistance Program Incident Report](#) and submitting it to the Department (and if relevant, a Participant's Other Program Provider) in accordance with the [WHS Incidents and Insurance Readers Guide - Providers](#) and the Communication Protocol.

The Provider must manage critical WHS incidents in accordance with the [WHS Incidents and Insurance Readers Guide - Providers](#) and the Communication Protocol. This will include the Provider notifying the Department via telephone as soon as possible and within one hour of the Critical WHS Incident, in addition to providing written Notification to the Department. A Critical WHS Incident has the same definition as a Notifiable Incident under the WHS Act and means an incident that results in the death of a person, a serious injury or illness of a person, or a dangerous incident.

A dangerous incident is an incident that exposes a person to a serious risk to health or safety due to an immediate or imminent exposure to electric shock, spillage or leakage of a substance, uncontrolled implosion, explosion or fire.

Examples of Critical WHS incidents include:

- injuries requiring immediate treatment as an in-patient in a hospital
- a serious head or eye injury
- a serious burn
- a spinal injury, or
- an amputation of any part of the body



The Provider must retain copies of WHS Employment Assistance Program Incident Reports.

The Provider must support affected individuals and manage WHS incidents in accordance with the [WHS Incidents and Insurance Readers Guide – Providers](#).

For Participants who are serviced by an Other Program Provider, the Provider should work with the relevant Other Program Provider to support the affected Participant after a WHS incident.

### **13.3. Insurance Coverage for Participants**

The insurance policies purchased by the Department for Participants cover them while they access Small Business Training or a Workshop. These insurance policies are intended to cover Participants in the event of an incident that the Provider's insurance fails to cover.

Where a Participant submits a valid claim for insurance following an incident that occurred due to the Participant's participation in Small Business Training or a Workshop and there is a dispute over whether the Provider's insurance or the Department's insurance should cover the Participant, the Provider's insurance take precedence over the Department's insurance in addressing the claim.

The Department's insurance policies are detailed in the [WHS Incidents and Insurance Readers Guide – Providers](#), and copies of the insurance policies are available on the Provider Portal.



The Provider must retain copies of the insurance policies relied upon by the Provider to be compliant with the requirements for additional insurance.