# Workforce Australia Guidelines

## Part B: Transition to Work

### 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 - Transition to Work Deed 2022-2027 (the **Deed**), including any relevant Guidelines and 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 1.21** **Published on:** 2 October 2026 **Effective from:** 26 October 2026

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

- Eligibility, Referral and Commencement
- Job Seeker Assessments
- Period of Service, Suspensions, Transfers and Exits
- Performance

A full version history of this Guideline can be found 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 'Work, Health and Safety Steps' – information contained under this dot point will relate to matters of Work, Health and Safety.


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.

**'25 Plus Course'** means an EST Course (delivered as either a Training Block 1 Course or a Training Block 2 Course) provided to EST Eligible Participants aged 25 years and older.

**'Aggregator Model'** means a WorkFoundations delivery model where a lead organisation or Employer (aggregator) coordinates Placements across multiple host employers, managing compliance and reporting on their behalf.

**'Australian Apprenticeships Incentives System' (AAIS)** is an Australian Government Program which provides employers with incentives to employ an apprentice, with incentive payments based on a skill shortages list of trades as well as a set of high priority occupations.

**'All Ages Course'** means an EST Course (delivered as either a Training Block 1 Course or a Training Block 2 Course) provided to EST Eligible Participants aged 15 years and older.

**'Barrier'** is a circumstance specific to a Participant that impedes their ability to obtain and maintain employment or engage in education.

**'Capability Management Tool' (CMT)** means the tool that Providers use to record, review and manage Vocational and Non-vocational Barriers that may be affecting a Participant’s capacity to secure and maintain employment.

**'Continuous Supervision'** means that a Participant must be with or alongside the Supervisor or within the Supervisor’s line of sight at all times while undertaking the Activity.

**'Early School Leaver'** means an individual who falls within the meaning given to the term 'early school leaver' by the *Social Security Act 1991* (Cth) and who has early school leaver participation requirements under the Social Security Law.

**'Education Placement'** means Education that meets the Outcome Requirements specified in the Deed (Annexure B1 Table 1 - Outcome Requirements) that is recorded or lodged on the

Department's IT Systems by the Provider as being undertaken by the Participant in accordance with this Deed.

**'Employer (Aggregator)'** means, for the purposes of a WorkFoundations Placement, a type of Employer contracted to the Department to deliver WorkFoundations and is responsible for all aspects of delivery.

**'Employer (Placement)'** means, for the purposes of a WorkFoundations Placement, a type of Employer which will employ the Participant in a WorkFoundations Placement and work with the Employer (Aggregator) to meet the Employer (Aggregator)'s grant obligations.

**'Family Member'** means, in relation to a particular individual (such as a Participant or an Employer):

(a) any spouse, de facto partner, child, parent, grandparent, grandchild or sibling, including where any of these are adopted relations, of the particular individual;
(b) any child, parent, grandparent, grandchild or sibling, including where any of these are adopted relations, of the spouse or de facto partner of the particular individual; or
(c) any in-law of any individual referred to in paragraph (a) or (b) above, including any in-law of the particular individual.

**'Full-Time Study'** has the same meaning as the definition of full-time study (for tertiary students and secondary students) within the Social Security Guide.

**'Generalist Course'** means a Training Block 2 Course which provides EST Participants with training in relation to a mix of industries and occupations that address the needs of a broad range of Employers, in accordance with any Guidelines. A Generalist Course may be a Youth Course or 25 Plus Course.

**'Goal Plan'** is a tailored agreement between a Parent Pathways Provider and Participant that sets out the Participant's short, medium and potentially longer term aims for themselves and where participation in Parent Pathways can help them. This may include personal, family, health and wellbeing, Education and/or Employment goals and includes the steps to be undertaken that will help the Participant reach their goals.

**'Head Agreement'** - The Head Agreement contains the general terms and conditions of the Wage Subsidy Agreement. The Wage Subsidy Agreement consists of both a Head Agreement and a separate Schedule for each new Wage Subsidy.

**'Humanitarian Settlement Program'** is a Department of Home affairs program which, supports humanitarian entrants and other eligible visa holders during their initial settlement.

**'Inbound Employer Visit'** means a visit by an Employer to the premises of an EST Provider for the purpose of providing Participants with an insight into the tasks and duties of a particular occupation or industry.

**'Incident'** means:

- an unplanned, accidental or deliberate event or happening resulting in personal injury (physical or mental), illness or damage to equipment, property, plant, site or building;
- an event or happening that had the potential to result in personal injury (physical or mental), illness or damage to equipment, property, plant, site or building;

- unacceptable or hostile behaviour that could result in legal proceedings or potential personal injury (physical or mental), illness or damage to equipment, property, plant, site or building.

**'Learning Outcomes'** means, in respect of an EST Course, the specifications of knowledge and skills expected to be attained by a Participant as a result of their participation in the EST Course.

**'Mandatory Activity Requirement'** means a requirement, specified in a Participant (Mutual Obligation)'s Job Plan, to undertake a Mandatory Activity.

**'Manual Claim'** means an Outcome claim made by the Provider in exceptional circumstances, such as when a system error occurs with no work around available or when the Department cannot complete an Override which creates a new Outcome record or replaces an existing claim in the Department's IT Systems.

**'National Employment Standards'** is a set of 11 minimum employment standards that have to be provided to all employees in Australia.

**'Non-Government Program'** means work-focused programs or vocational interventions delivered by private and community based organisations, as approved by the Department and identified as such on the Provider Portal.

**'Override'** means an amendment to a record in relation to Job Placements and Education Placements in the Department's IT Systems, as requested by a Provider and approved by the Department.

**'Payslip Verified Outcome'** means an Employment Outcome where the Participant's earnings or hours worked have been verified by the Provider uploading Documentary Evidence to the Department's IT Systems.

**'Partial Capacity to Work' (PCW)** means a person with a physical, intellectual or psychiatric impairment, where the impairment prevents them from working at least 30 hours per week at the relevant minimum wage or above, independently of a program of support, within the next 2 years.

**'Personal Event'** means a Participant's personal event that has been recorded in their Electronic Calendar.

**'Points Based Activation System' (PBAS)** means the system which allows Participants to meet their Mutual Obligation Requirements by undertaking sufficient tasks and activities to meet a monthly Points Target. PBAS only relates to Workforce Australia Services or Digital Services.

**'Pre-existing Education'** means Education that started prior to a Participant's Commencement in Transition to Work.

**'Pre-Training Assessment' or 'PTA'** means an assessment conducted by the SEE Provider to determine the Participant's capability levels against the Australian Core Skills Framework and their capacity to benefit from the SEE program.

**'Principal Carer Parent'** means a person who is the main care provider of a dependent child under 16, as set out in the Social Security Guide.

**'Recurring Employment'** means Employment, Unsubsidised Self-Employment, apprenticeship or traineeship which results in more than one Employment Outcome for a Participant with the same Employer during the same Period of Unemployment.

**'Self-Employment Assistance'** means the Commonwealth program of that name that delivers services including: Exploring Self-Employment Workshops, Small Business Training, Business Plan development, Small Business Coaching, Business Health Checks, and Business Advice Sessions.

**'Services Australia Fortnight'** means the fortnightly periods that align with the fortnight for which a Participant has reported earnings and income to Services Australia.

**'Service Offer Commitment'** or **'Service Offer'** means a commitment the Workforce Australia - Transition to Work (TtW) Provider made in its response to the request for Tender to this Deed.

**'Specialist Course'** means a Training Block 2 Course which provides EST Participants with training in the context of a particular industry's or industries' work environment (e.g. retail, hospitality, construction), in accordance with any Guidelines. A Specialist Course may be a Youth Course or 25 Plus Course.

**'Temporary Reduced Work Capacity' (TRWC)** means a temporary assessment of work capacity, which can be concurrent with an assessment of ongoing PCW.

**'Training Block 1 Course'** means the EST Course as described in the Benefits of Training Block 1 section.

**'Training Block 2 Course'** means the EST Course as described in the Benefits of Training Block 2 section.

**'Transition Plan'** means the plan prepared under the Time to Work Employment Service that identifies a Time to Work Participant's post-release requirements for parole; reintegration and rehabilitation services; vocational education, employment and other activities; and support services.

**'Volunteer Period'** means the period of time in which a Participant (Mutual Obligations) is Suspended and chooses to voluntarily engage in Services.

**'Workforce Australia Online for Individuals Base Service'** or **'Online Base Service'** refers to the Department's *Self-managing in Workforce Australia Online for Individuals* service that is available to any Australian wishing to participate in employment services who is not otherwise considered a fully eligible Participant. Access is via myGov, with no referral from Services Australia required. The Online Base Service will enable users to look for jobs, develop their résumé and access complementary programs, based on the eligibility of each program.

**'Workforce Australia Online for Individuals Full Service'** or **'Online Full Service'** refers to the Department's *Self-managing in Workforce Australia Online for Individuals* service available to fully eligible Participants who are assessed as able to self-manage their search for work. The Online Full Service allows Participants to self-manage their participation in employment services with a range of supports available such as access to the Digital Employment Fund, pre-employment pathways for eligible Participants and support provided by the Digital Service Contact Centre (DSCC).

**'Youth Course'** means an EST Course (delivered as either a Training Block 1 Course or a Training Block 2 Course) provided to EST Eligible Participants aged under 25 years.

# Chapter 1. Eligibility, Referral and Commencement

Supporting Documents for this Chapter:

- Direct Registration Form
- Formal Notification Fact Sheet
- Managing Sensitive/Restricted Records in Employment Systems (KB0013282)

Refer to the TtW System Steps Guide.

## 1.1. Chapter Overview

Workforce Australia – Transition to Work (TtW) is a time limited employment service that supports disadvantaged young people at risk of long-term unemployment. TtW assists young people to develop practical skills to get a job or connect with education or training.

This Chapter outlines the eligibility for Participants, the Referral and Commencement processes, as well as group-specific considerations.

## 1.2. Eligibility for Transition to Work

The TtW service supports young people aged 15-24 years who are considered at risk of long-term unemployment and meet both core eligibility and additional eligibility requirements.

### 1.2.1. Core Eligibility

The core eligibility requirements that apply to young people in TtW are:

- aged 15-24 years, and
- 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).

Note: Information on visas is available from the Department of Home Affairs website.

### 1.2.2. Additional Eligibility Criteria

Along with the core eligibility, Participants must fall into one of the following groups:

Group One includes a young person who is:

- receiving an Activity Tested Income Support Payment [other than Youth Allowance (student)], and
- assessed as being at higher risk of not successfully transitioning to employment, and
- not a Parent Pathways Participant.

Group Two includes a young person who is:

- not receiving an Activity Tested Income Support Payment, and
- not already in provider-delivered employment services, and

either

- does not hold a Year 12 Certificate or Certificate III (or higher), has limited recent work history (8 hours per week), and either

    - is not enrolled or engaging (previous 4 weeks) in secondary education (if they are not of compulsory school age), or
    - has an approved exemption from legal requirements to attend school (if they are of compulsory school age), or
- holds a Year 12 Certificate or Certificate III (or higher) and are disengaged from education and/or employment (for the previous 6 months), or
- is an Indigenous Australian, irrespective of their level of or engagement in Employment/Education, and has an approved exemption from the legal requirement to attend school (if they are of compulsory school age), or
- is a Parent Pathways Participant who is participating in TtW.

(Deed Reference(s): Attachment 1 – Definitions: 'Group One Participant' and 'Group Two Participant').

### Activity Tested Income Support Payment recipients (Group One)

TtW Services are targeted to disadvantaged young people who are most likely to benefit from them. Eligibility for young people receiving an Activity Tested Income Support Payment (Group One) is determined through an assessment of their vocational and non-vocational risk factors, such as whether the young person has completed Year 12, is Indigenous, homeless or at risk of homelessness, etc.

Young people who are assessed as able to self-manage their job search efforts in a digital environment will be referred to the Online Full Service in Workforce Australia Online rather than TtW.

### Young people not on an Activity Tested Income Support Payment (Group Two)

The TtW eligibility criteria recognise that some disadvantaged young people may not be in receipt of an Activity Tested Income Support Payment. Disadvantaged young people who meet the eligibility criteria for Group Two can choose to voluntarily participate and access youth-focused Services.

## 1.3. Referrals to and Direct Registration in Transition to Work

Young people are connected to the Services through different pathways which reflect their individual circumstances.

Eligible young people will be Referred directly by Services Australia, the Digital Services Contact Centre (DSCC) or through the Department's IT Systems to the Workforce Australia - Transition to Work (TtW) Provider (Provider)'s Caseload as potential Group One Participants.

A young person may become eligible for TtW while accessing a different employment service if they disclose factors through the Job Seeker Snapshot that change their eligibility, or they move from a location that is not currently serviced to one that has a Provider.

A young person may also present directly to a Provider without a Referral, in which case the Provider must check the young person's eligibility. If eligible, the Provider can Directly Register the young person as a Group Two Participant (see Direct Registration of Group Two Participants).

If a Provider becomes aware that the young person may be eligible for an Income Support Payment, they should advise the young person to contact Services Australia.

(Deed Reference(s): Clause 90)

### 1.3.1. Receiving Referrals for recipients of Activity Tested Income Support Payments (Group One Referrals)

Providers must accept all Referrals to TtW received through the Department's IT Systems for an Initial Interview. Typically, Services Australia makes the booking directly into the Provider's Electronic Calendar and notifies the young person of the Appointment details.

Providers must ensure their Electronic Calendar always has a selection of Initial Interviews available within the next 2 Business Days, to allow Services Australia, the Department, or a Workforce Australia Employment Services Provider to refer young people.

Note: Eligibility for TtW is determined on Referral to the Service. The Program eligibility tile on the Servicing and Eligibility tab in the Department's IT Systems should only be used to assess program eligibility when Exiting Participants and should not be used to assess the eligibility of Referred Participants prior to Commencement in TtW.

### 1.3.2. Direct Registration of Group Two Participants

Eligible young people not on Activity Tested Income Support Payments may Directly Register with a Provider. Services Australia may also refer eligible Group Two Participants to a Provider.

Providers are required to undertake engagement activities in their local communities to promote and attract disengaged young people to participate in the Service. This could include working with schools and community youth advocacy groups to identify potential Group Two Participants.

(Deed Reference(s): Clause 90)

#### Direct Registration process

There are a number of steps involved in assessing a young person's eligibility for TtW and registering them as a Group Two Participant. Providers are expected to develop their own process to facilitate this. The process must include the following steps at a minimum.

##### Direct Registration Form

The Direct Registration Form must be used by Providers to help determine whether a young person is eligible to volunteer for TtW Services, in accordance with the eligibility requirements set out in the Deed and under Eligibility for Transition to Work. Providers must complete the Direct Registration Form and complete the Direct Registration process in the Department's IT Systems.

**Note:** The 'Program Eligibility' tile on the Servicing and Eligibility tab in the Department's IT Systems should not be used to assess the eligibility of a Group Two Participant for TtW.

For detailed system steps refer to the Digital Solutions Support (Knowledge Base) - Employment Systems Task Cards – Registration – Direct Registering a Participant (KB0016396).

Providers must retain a signed copy of the Direct Registration Form

Note: Providers should ensure the Participant completes a Job Seeker Snapshot if they do not have a current one.

## Provider of choice

Providers should give the young person a choice of who they will be registered with if they live close to 2 or more Providers, and it is more convenient to attend another Provider.

If a young person chooses to be registered with another Provider, both Providers should work together to facilitate this.

## Check whether the young person is already in the Department's IT Systems

The Provider must determine whether the young person has a record in the Department's IT Systems.

Note: if the young person is already registered with Services Australia, the Department's IT Systems can obtain information from Services Australia such as current Income Support Payment type, recent Referrals or Mutual Obligation Requirements. For this to occur, the Provider must link the job seeker identification number (JSID) to the customer reference number (CRN) through the Department's IT Systems.

**Table 1-A: Checking Registration Status**

| If the young person… | Then the Provider should… |
|---|---|
| **Is currently registered with another TtW Provider but wants to transfer to a new Provider** | Refer to information on Transfers in the Period of Service, Suspensions, Transfers and Exits Chapter. |
| **Has an inactive registration and is eligible for TtW** | Re-activate and re-register the young person. Complete the Direct Registration Form with the young person, connect them to their Caseload, Commence Participant and provide Services in accordance with the Deed. |
| **Has no registration and is eligible for TtW** | Create a new record and register the young person. Connect to their Caseload, Commence Participant and provide Services in accordance with the Deed. |
| **Has Exited after receiving up to 18 months Service (including under the TtW 2016-2022 Deed) and is returning 13 weeks or more after Exiting** | Reassess the Participant's eligibility for TtW. If eligible, the Participant can be re-registered and be Commenced and provided Services in accordance with the Deed. |

(Deed Reference(s): Clause 107.5, 107.6)

## Privacy Notification and Consent

The Provider must give the young person the Privacy Notification and Consent Form and seek express written consent to collect their sensitive information by asking the individual to sign it. This can be done at the Initial Interview. More information can be found in the Part A Guidelines: Privacy Chapter.

Providers must retain a signed Privacy Notification and Consent Form.

### Proof of Identity

The Provider must sight proof of identity acceptable documentation (as listed in the Direct Registration Form) and record this in the Department's IT Systems. A copy of this documentation does not need to be retained.

If photographic documents are provided for proof of identity, these should be sighted in-person when the Participant is able to attend the Provider's Site or attend an in-person interview.

Other documents that contain the young person's name and address may be used if the young person has genuine difficulty providing one of the acceptable documents.

### Legal right to work in Australia

Providers must only Directly Register young people who satisfy the core eligibility requirements. Providers can be legally liable for referring non-citizens who are not allowed to work, or who are restricted from undertaking certain work in Australia, to a job. If the Provider cannot confirm the young person's status, they should refer the young person to Services Australia or an appropriate community service for assistance and encourage the young person to check their legal right to work in Australia with the Department of Home Affairs. The Visa Entitlement Verification Online service can be used to check a non-citizen's visa status after sighting their international passport.

Schedule 8 of the Migration Regulations 1994 sets out the visa conditions that prohibit or restrict the work a visa holder can do in Australia.

### Exemption from the legal requirement to attend school

Providers must comply with state and territory compulsory school enrolment and attendance requirements and should not encourage young people to leave school to participate in TtW.

For all Participants, including Indigenous Participants, of mandatory school age the Provider must seek and retain an exemption from that jurisdiction's legal requirement to attend school or a copy of a Year 12 certificate or a Certificate III or higher.

Further information on the enrolment and attendance requirements is available through the relevant government website in each state or territory.

Note: A young person with an approved temporary exemption from legal requirements to attend school (for example, 100 days or less) is not eligible for TtW. This is because temporary exemptions (such as for medical reasons) are granted by education institutions with the expectation the young person must return to school on an ongoing basis by the end of the exemption period.

Providers must retain evidence of either:

- an exemption (or Notice of Arrangement) from the legal requirement to attend school (if applicable), or
- a Year 12 certificate or Certificate III (or higher).

(Deed Reference(s): Clauses 34, 90)

## 1.4. Commencement of Participants in Transition to Work

The Department expects Providers to Commence Group One Participants in a timely manner.

Commencing Participants within appropriate timeframes will be monitored through the Efficiency of Service module, see the Performance Chapter for further information.

To Commence a Participant a Provider must:

- result the Initial Appointment as 'Attended' in their Electronic Calendar
- create and approve a Job Plan (see Job Plan Chapter).

**Note**: A Participant's Group (i.e. Group One or Group Two) is captured in the Department's IT Systems based on the Participant's circumstances at Commencement. The Group does not update if their circumstances change during their time in TtW (e.g. a Group Two Participant starts receiving an Activity Tested Income Support Payment).

(Deed Reference(s): Clause 90.2)

### 1.4.1. Commencement of Group One Participants

Once a Participant is Referred to TtW, their receipt of Income Support Payments (other than a Participant receiving Parenting Payment) will be contingent on attending an Initial Interview with a TtW Provider and Commencing in the Service. A Temporary Income Suspension will apply if the young person does not attend the Initial Interview.

Participants are Commenced once the Provider has recorded the completion of their Initial Interview (which includes entering into, or updating, a Job Plan, as relevant) on the Department's IT Systems.

(Deed Reference(s): Clause 93.6)

#### Participants subject to RapidConnect

Eligible young people who have lodged a new claim for JobSeeker Payment or Youth Allowance (other) will be subject to RapidConnect unless exempted by Services Australia. RapidConnect is a requirement to promptly engage with their TtW Provider through an Initial Interview.

In most cases, a person who is subject to RapidConnect will start receiving JobSeeker Payment or Youth Allowance (other) in arrears from the date they attend their Initial Interview with their Provider. The exception is where no Initial Interviews are available within 2 Business Days from the time the young person lodges their Income Support Payment claim. In these cases, the first available Appointment will be booked and, once the young person attends the Initial Interview, their Income Support Payment will be backdated to the date on which they were informed of their requirement to attend the Initial Interview.

If a young person who is subject to RapidConnect fails to attend the Initial Interview, the Provider must enter the result and reason into the Department's IT Systems, by no later than close of business on the day of the Appointment. The individual circumstances and the reasons why they failed to attend are then considered by Services Australia to determine the relevant start date for their Income Support Payment. If a young person fails to comply with the RapidConnect requirement to attend the Initial Interview and does not have a Reasonable Excuse, as determined by Services Australia, commencement of their Income Support Payment will be delayed until the Participant does attend an Initial Interview with their TtW Provider.

## Participants not subject to RapidConnect

Eligible young people claiming, or already receiving, Activity Tested Income Support Payments (other than Parenting Payment) who are not subject to RapidConnect, and are Referred to TtW, have up to 3 opportunities to attend their Initial Interview with their Provider before a Temporary Income Suspension is automatically triggered after the third 'Did Not Attend' is recorded.

Note: Where a Participant has Commenced in TtW and is subsequently transferred to another Provider (for example due to change of address), their contract Referral status will revert to Pending, however, the Temporary Income Suspension will not apply.

### Temporary Income Suspension

The Temporary Income Suspension mechanism is designed to encourage participant attendance at an Initial Interview when all other appropriate attempts to engage the participant have failed. The mechanism is triggered after three 'Did Not Attend' results are entered in the Department's IT Systems following a Participant's non-attendance at the Initial Interview Appointment.

### Providers should be flexible and assist in rescheduling the Initial Interview

Where the Provider or a Participant needs to reschedule an Appointment, the Provider must make an Appointment with the Participant at the next available opportunity. Where a Participant has demonstrated a level of engagement, Providers must 'cancel' or 'Reschedule' the Initial Interview Appointment instead of resulting it as a 'Did Not Attend' in the Department's IT Systems.

### Providers should make reasonable and respectful attempts to contact the Participant

Where the Participant does not attend an Initial Interview, the Provider should work with the Participant to identify and book a time suitable for both parties. The Provider must not result Appointments as 'Did Not Attend' before attempting to contact the Participant to discuss their non-attendance.

What constitutes 'reasonable attempts' will depend on the Participant. Providers must work with the Participant to understand their personal circumstances, including barriers that may be impacting their attendance at the Initial Interview.

The nature and frequency of attempts to engage with the Participant should be based on the Provider's understanding of the Participant, the Participant's receptiveness to engage, and the different types of communication methods available. A Participant's preferred communication method is listed in the Personal details screen of the Participant's profile in the Department's IT Systems.

*Participants should be given time to consider and respond to appointments*

Unless otherwise agreed with the Participant, a new Initial Interview Appointment should be made in line with the requirements outlined in the TtW Formal Notification Fact Sheet. Appointments should never be backdated.

Providers must advise Participants of the consequences of failing to attend.

Advising Participants of the consequences of failing to attend must include the following:

- that failure to attend three appointments will result in the Participant's Activity Tested Income Support payments being suspended by Services Australia
- if the Participant attends an appointment within 28 days of the suspension, their payments will be reinstated and backdated to the date of the suspension, and
- if the Participant fails to attend an appointment within 28 days of the suspension, their payments will be cancelled. They will be Exited from employment services and will need to reapply for Activity Tested Income Support payments.

Note: Providers must not action a Provider Exit, due to failure to engage, while the Participant's Income Support Payment is suspended under the Temporary Income Suspension.

Until the Participant is automatically Exited due to Income Support cancellation, Providers are encouraged to continue to try contact the Participant, to engage them in the service and assist them to have their Income Support Payment restored.

All attempts at contact should be detailed by Providers in the comment section of the Department's IT Systems. This information will be monitored by the department and may also be used by Services Australia if a participant lodges an appeal relating to a Temporary Income Suspension.

*Contingency arrangements and the impact on the Temporary Income Suspension*

When contingency arrangements are activated and Mutual Obligation requirements are suspended, all current Temporary Income Suspensions will automatically be lifted.

New Initial Interview Appointments made while contingency arrangements are in place will not be considered as part of the Temporary Income Suspension process.

Providers will need to book new Initial Interview Appointments for Participants following the reinstatement of Mutual Obligations for the Temporary Income Suspension process to apply. If the Participant fails to attend the new Appointment they will be suspended as per the usual process, with the 28 days commencing again.

(Deed Reference(s): Clause 93, 95)

## Participants with sensitive records (restricted access)

Participants whose contact information requires protection due to personal safety concerns may have access to their information restricted in the Department's IT Systems.

In Workforce Australia Online for Providers, the contact information is hidden for Participants with a sensitive record.

Services Australia will contact these Participants and if they wish to be serviced by a Provider, Services Australia will make a referral to the Provider. Participants will be required to provide their contact details to the Provider at the first appointment.

Refer to Digital Solutions Support (Knowledge Base) - Managing Sensitive/Restricted Records in Employment Services (KB0013282).

## Participants with a history of serious incidents and Managed Service Plans

Provider staff can see the details of a Participant's incident and Managed Service Plan (MSP) history in the Department's IT Systems when they have a Pending status. Provider staff should review these details prior to scheduling an Initial Interview so they can implement appropriate interview safety

measures to protect Participants and staff to improve engagement with the Participant. This may include implementing a proactive MSP limiting face-to-face servicing where appropriate.

For information on Servicing Participants with Challenging Behaviours, including Incident Reporting and Managed Service Plans refer to Part A: Universal Guidelines - Servicing Participants with Challenging Behaviours Chapter.

### Commencing a Refugee in TtW

Under the Better Targeting of Support for Refugees measure, from 1 January 2020, newly arrived refugees receiving activity tested income support receive an exemption from mutual obligation requirements for their first 13 weeks after arrival in Australia.

After their initial 13-week exemption, eligible young people who are refugees will be referred to TtW and they must be Commenced and provided Services in accordance with the Deed.

Note: The 12 month exemption from employment services under the Better Targeting of Support for Refugees measure does not apply to refugees Referred to or Commenced in TtW.

## 1.4.2. Commencement of Group Two Participants

Once a Provider has determined that a young person is eligible to volunteer to participate in TtW, they must conduct an Initial Interview to Commence the Participant.

Eligible Group Two Participants should be Commenced as soon as possible after they have completed the Direct Registration Form and been registered (see Direct Registration Process). Group Two Participants are Commenced once the Provider has recorded the completion of their Initial Interview in the Department's IT Systems and the Participant has agreed to participate in TtW Services.

A Provider may complete the Initial Interview at the same time as the Direct Registration Form or they may schedule it for a later date if that is the Participant's preference.

If the Participant chooses not to start TtW Services during the Initial Interview, the Provider may Commence a Group Two Participant at another time if they later agree to participate.

Once a Participant is Commenced, the Provider must deliver TtW Services in accordance with the Deed.

Where a Group Two Participant does not attend the Initial Interview and has a valid excuse, the Provider must record this in the Department's IT Systems and reschedule the Initial Interview with the Participant.

Where a Group Two Participant chooses not to Commence in TtW Services, the Provider must facilitate the Exit of the Participant from their pending Caseload, in the Department's IT System (see the Period of Service, Suspensions, Transfers and Exits Chapter). The young person who chooses not to Commence in TtW may register for the Online Base Service in Workforce Australia Online through myGov or access local youth services.

(Deed Reference(s): Clause 90)

### 1.4.3. The Initial Phase

The Initial Phase is the first 4 weeks of a Participant's Period of Registration from Commencement in TtW. The Initial Phase allows time for the Provider to build a positive relationship with a Participant and to assess the Participant's skills and strengths. It allows the Provider to tailor their service to the Participant, taking into account any barriers or issues that may impact on a Participant's ability to transition to sustainable Employment or undertake further Education.

During the Initial Phase for each Participant, the Provider must:

- conduct an Initial Interview,
- for Group Two Participants, conduct the Job Seeker Snapshot if the Participant does not have a current Job Seeker Classification Instrument (JCSI). See the Assessments Chapter for more detail on how to conduct a Job Seeker Snapshot, and
- assist the Participant to identify relevant Activities to take part in and record these Activities on the Department's IT Systems.

Providers should work with Participants to identify their skills and capabilities, along with capturing relevant training or qualifications, employment history, and previous work experience in the Job Seeker Profile in the Department's IT Systems.

Through the Initial Phase, Providers should identify and record significant barriers and the associated interventions or Activities in the Capability Management Tool (CMT). This forms part of the TtW Provider Performance and Quality Framework. See the Performance Chapter for further information.

Providers must record Participant Barriers in the Capability Management Tool.

**Note**: Barriers may already be in the CMT, identified through an ESAt or added by the Participant. A Provider may use these barriers and does not need to replicate them as a Provider identified barrier.

#### Personal Events

Personal Events are a way for Participants to communicate times they have important commitments which could stop them from meeting a Mutual Obligation Requirement such as attending a Provider appointment. Providers should take into consideration any Personal Events the Participant may have when scheduling Provider appointments.

Providers and Participants can book Personal Events between 6am and 9pm up to 8 weeks in advance on the Workforce Australia app or website. This can be a one-off event such as medical appointments or recurring events such as school pick-up. (For additional information on Personal Events refer to the TtW System Steps Guide).

Providers must, as part of ongoing servicing, discuss Personal Events with their Participants. This includes encouraging, and assisting where necessary, the Participant to create Personal Events in their Electronic Calendar.

**Note**: For Principal Carer Parents (PCPs), the Department's IT Systems already recognise the importance of school hours and therefore will not allow anything, including Personal Events to be scheduled before 9am or after 3pm.

(Deed Reference(s): Clause 94)

## Initial Interview

Providers should be flexible and work with eligible young people to identify and schedule a suitable Initial Interview Appointment.

During the Initial Interview the Provider must:

- explain the Services the Provider will offer to them
- verify the Participant's identity and update contact details in the Department's IT Systems, where required
- prepare or update a Job Plan, based on the initial assessment of the Participant's skills, strengths and circumstances

  **Important:** A Job Plan should be prepared for a Parent Pathways Participant in consultation with the Participant's Parent Pathways Provider and taking into consideration their Goal Plan activities.
- provide the Participant with details of the current National Minimum Wage including the special national minimum wage for Junior Employees, and the website and contact details for the Fair Work Ombudsman
- unless signed during Direct Registration, provide and ask the Participants to sign the Privacy Notification and Consent Form and ensure the Participant is aware of the types of personal information they may be required to provide and how this information will be used and disclosed (see the Part A Guidelines: Privacy Chapter)
- explain the consequences of not participating appropriately in TtW Services:
  - for Participants with Mutual Obligation Requirements, explain their rights and obligations under the Social Security Law, that their participation in TtW for 25 hours a week fully meets their Mutual Obligation Requirements (reduced for Participants with part-time Mutual Obligation Requirements, or who are a Principal Carer Parent), and the consequences of not meeting their Mutual Obligation Requirements
  - for Participants with Disability Support Pension Recipient (Compulsory Participation Requirements), explain their rights and obligations under the Social Security Law and the consequences of not participating in accordance with their Job Plan.

See the Participant Requirements Chapter for further information.

When booking a Provider Appointment for a Participant, the Provider must:

- select the correct Appointment type and schedule the Appointment in the Electronic Calendar
- issue a Participant formal notification within appropriate timeframes, before the Appointment is scheduled to occur. Refer to the TtW Formal Notification Fact Sheet for notification requirements and additional information.

For detailed system steps on how to book appointment with Participants, refer to the Digital Solutions Support (Knowledge Base) – Employment Systems Task Cards – Calendar - Booking an Appointment (KB0016426).

Note: Timeslots must be equal to or greater than the default TtW Initial Interview duration time recorded in the Department's IT Systems, for them to be visible to, and used by Services Australia, Workforce Australia Service Providers or the Department.

(Deed Reference(s): Clause 95)

## Preparing for Appointments and conducting the Initial Interview

The Provider must conduct an Initial Interview for all Participants who:

- are Transitioned Participants
- were Referred by Services Australia, the DSCC or a Workforce Australia Employment Services Provider
- Directly Registered for assistance, or
- were Referred by a Parent Pathways Provider.

A Provider must conduct an Initial Interview face-to-face, however under exceptional circumstances a Provider may choose to conduct an Initial Interview using modes other than face-to-face where this is agreed by the Participant.

For information on Face-to-face Service Delivery, including exceptional circumstances, refer to the Face-to-face Service Delivery section in the Part A: Universal Guidelines.



Where a Provider determines face-to-face servicing is not appropriate, a comment must be recorded in the Comments section of the Department's IT Systems, outlining why it is not suitable for the Participant, including what other alternative solutions were explored prior to choosing non face-to-face delivery. Providers must update their reasons and record new comments as circumstances change.

When the Initial Interview takes place in-person, the agreed location must be accessible, appropriate and safe for Participants (who may be as young as 15 years old), and Provider staff. Providers must not conduct Initial Interviews or other Contacts at a Participant's home in any circumstance.

When preparing for the Initial Interview, Providers should contact the young person to determine if they have any special requirements, for example, if they need an interpreter. These requirements should also be accommodated in subsequent Contact Appointments. Further information can be found in the Interpreters and support persons section.

Humanitarian entrant (refugee) Participants may also be accompanied by their Humanitarian Settlement Program Case Manager who can provide advice on appropriate employment strategies and activities that can help the Provider to develop a suitable Job Plan. (Note that a Case Manager is not an interpreter, and the Provider must provide an interpreter to facilitate communication between the Provider and the Participant wherever necessary).

Note: A Parent Pathways Participant may choose to have their Parent Pathways Provider attend the Initial Interview with them.

(Deed Reference(s): Clauses 7, 89, 95)

## Connecting the Participant's profile to myGov and accessing Workforce Australia Online

TtW Providers must support Participants to register and use Workforce Australia Online for Individuals, for access to resources to improve their prospects of Employment, including online tools and information and Online Learning Modules.

As part of Commencing a Participant in TtW, or during the Initial Phase, the Provider should discuss with them whether the Participant has connected their myGov profile to the jobsearch website

(workforceaustralia.gov.au/jobsearch) and if not connected, the Provider should support the Participant to do so. Connecting their profile will enable the Participant to use all the features of the online platform.

(Deed Reference(s): Clause 79.4)

## 1.5. Group Two Participants who apply for Income Support Payments

A Group Two Participant may contact Services Australia and apply for Income Support Payments. Providers must recommend the Participant contact Services Australia online or call 132 850 if they would like to apply for Income Support Payments. The Participant should also advise Services Australia that they already have a TtW Provider to ensure this is taken into to consideration when Services Australia make a potential Group One Referral.

If the Participant has an existing Services Australia CRN the Provider should encourage the Participant to provide this to Services Australia when they apply. Providing the CRN upfront should avoid duplication of any records in the Department's IT Systems.

Note: If a Provider identifies that a duplicate JSID has been created in error by Services Australia and actioned as a Referral, the Provider must log a request with Digital Solutions Support to resolve the duplicate JSID.

Refer to Digital Solutions Support (Knowledge Base) - Preventing, Identifying and Reporting Duplicate Participant Records (KB0013284).

(Deed Reference(s): Clause 90.4)

# Chapter 2. Job Seeker Assessments

Supporting Documents for this Chapter:

- Explanation of the Job Seeker Snapshot
- Job Seeker Snapshot offline Form
- Job Seeker Snapshot Overview
- Assisting Job Seekers and Participants in Crisis Factsheet

## 2.1. Chapter Overview

This Chapter describes the role and purpose of the Job Seeker Assessment Framework (JSAF) under Workforce Australia Services and TtW. It provides instructions on the JSAF assessments used to determine the services a Participant is eligible for and supports they may need to secure employment.

## 2.2. The Job Seeker Assessment Framework

The JSAF assists in determining the employment services that Participants are eligible for and supports them in making appropriate choices. The JSAF is intended to be ongoing and dynamic, to support and encourage Participant disclosure and engagement and to minimise reporting duplication for Participants.

It acknowledges that Providers may have their own tools, assessments, and resources to provide servicing that is tailored to the Participant's individual needs, circumstances, skills, strengths, and any barriers or issues they may have in relation to finding employment or reconnecting with education.

The Job Seeker Snapshot and Employment Services Assessment (ESAt) both perform a fundamental role in Workforce Australia Services and TtW. The results of a Participant's Job Seeker Snapshot and ESAt should be used in conjunction with other assessments to understand a Participant's goals and personal circumstances. Providers may also support Participants to access and use the assessments and tools available on Workforce Australia Online, including the Job Seeker Snapshot and Profile.

(Deed Reference(s): Section B2.4)

## 2.3. The Job Seeker Snapshot and the Job Seeker Classification Instrument

The Job Seeker Snapshot is the questionnaire completed by the Participant, Services Australia or the Provider. It includes questions that determine the Participant's Job Seeker Classification Instrument (JSCI) score, support the Participant to make an informed decision when given a choice between TtW and Workforce Australia Services, and helps identify if the Participant requires an ESAt (see Referring Participants for an Employment Services Assessment).

The JSCI is the statistical tool that determines a Participant's risk of becoming long term unemployed. It considers the relative labour market disadvantage of a Participant to determine the level of support and assistance required. The JSCI score is a product of various personal factors such

as a Participant's work experience and qualifications. For further information see the Job Seeker Snapshot Overview supporting document.

See the Eligibility, Referral and Commencement Chapter for information regarding Eligibility for TtW.

### 2.3.1. When to conduct the Job Seeker Snapshot

For Participants receiving Activity Tested Income Support, the Job Seeker Snapshot is generally first completed as part of the Income Support claim process, prior to a Participant's Referral to Workforce Australia Services or TtW.

If a Participant has not completed the Job Seeker Snapshot (which includes those Participants who are Direct Registered or not on an Activity Tested Income Support Payment), or has an inactive Job Seeker Snapshot upon Referral, any Provider must:

- ask the Participant to complete the Job Seeker Snapshot; or
- conduct the Job Seeker Snapshot with the Participant (e.g. if the Participant cannot access the internet, or has limited digital ability).

Note: Providers must ensure that all Participants have a completed Job Seeker Snapshot by the end of the Initial Phase.

The Provider may, at any time, record changes in the Participant's personal circumstances (for example a loss of licence) or include new information (for example a change in living circumstances) in a Participant's record in the Department's IT system by conducting a Change in Circumstances Reassessment by editing the relevant questions in the Job Seeker Snapshot.

Where a Participant supplies documentation to support their answers in the Job Seeker Snapshot, it is good practice for the Provider to retain this documentation.

Providers should inform Participants they can access and update their Job Seeker Snapshot at any time and that this will assist in identifying services and supports that may be beneficial to them. When a Participant updates their Job Seeker Snapshot, their Provider is notified via Workforce Australia Online for Providers. Some data such as their age or length of time in an employment service will update the Job Seeker Snapshot automatically. See the Eligibility, Referral and Commencement Chapter for information regarding Eligibility for TtW.

If Workforce Australia Online for Providers is unavailable for any reason, a Job Seeker Snapshot Offline form can be used for updates. Any information obtained this way must be recorded by the Provider in the Department's IT Systems as soon as practicable. Until the Participant's responses are captured, the level of assistance and support required is unable to be determined.

Note: TtW Providers do not need to conduct the Job Seeker Snapshot for Parent Pathways Participants in TtW.

(Deed Reference(s): Clause 94.2)

### 2.3.2. How to conduct the Job Seeker Snapshot

Should the Provider need to conduct a Job Seeker Snapshot the Explanation of the Job Seeker Snapshot Questions document available on the Provider Portal will assist Providers to administer the Job Seeker Snapshot. The Provider should ensure:

- the Job Seeker Snapshot is conducted in a private setting and in a professional and culturally appropriate manner
- the Participant has given their consent for the Provider to collect and use the sensitive information collected through the Job Seeker Snapshot (refer to Part A Guidelines: Privacy Chapter for further information)
- an interpreter is offered and provided to the Participant when a Provider considers it appropriate
- the Participant understands they may be accompanied by a support person of their choosing
- the Participant is informed their responses to the questions will not affect their payments in any way, are not provided to prospective employers and that the questions are designed to ensure they receive the services and support best suited to their needs
- the Participant understands some of the questions in the Job Seeker Snapshot are voluntary questions and the Provider will inform the Participant if a question is voluntary before the question is asked.

If a Participant discloses the need for crisis assistance or other support, the Provider should refer them to services appropriate to their needs. Refer to the Assisting Job Seekers and Participants in Crisis Factsheet on the Provider Portal. Services Australia may also assist with counselling, child support payments and accessing a crisis payment. For further information, please visit Services Australia's website.

## 2.4. Referring Participants for an Employment Services Assessment

An Employment Services Assessment (ESAt) is an assessment of a person's medical evidence and other relevant circumstances by a Services Australia Health or Allied Health Professional. Services Australia conducts an ESAt to determine if a Participant has a long-term reduced work capacity (known as a Partial Capacity to Work) or is eligible for Inclusive Employment Australia.

If the Provider considers the Participant, receiving Activity Tested Income Support, has a medical condition(s) or disability that may require further assessment, the Provider should refer the Participant for an ESAt. See section How to refer a Participant for an ESAt.

If the Participant has a medical condition(s) or disability that requires further assessment, the Participant will need to provide medical evidence to Services Australia by uploading it via their Centrelink online account or the Express Plus Centrelink Mobile app. Information on how to do this is available on the Services Australia website for Centrelink self service.. Providers should support Participants through this process, as required.

If the Job Seeker Snapshot indicates that the Participant may benefit from a further assessment through an ESAt, Workforce Australia Online for Providers will automatically set the Job Seeker Snapshot to a status of 'pending'. Further details can be found in JSCI - Pending JSCIs - 'Withdraw Need for ESAt / JCA' (KB0013414).

The Provider needs to determine whether the Participant would benefit from an ESAt before referring them for an ESAt Appointment.

A referral for an ESAt must be of genuine benefit to the Participant and should generally not be completed for the Participant if:

- they have had an ESAt and their disability or health condition(s) have not substantially changed
- their disability or health condition(s) will not/do not have a significant long-term impact on the Participant's ability to work or participate in other activities, including Transition to Work or Workforce Australia Services.
- an ESAt referral is not likely to result in a change to the Participant's Services or their currently assessed work capacity e.g. because there has not been a significant change in the Participant's barriers or medical conditions or there is no medical evidence available and the Participant will not benefit from further assessment, or
- they are expected to be exempt from Mutual Obligation Requirements for an extended period for up to two years and are unlikely to benefit from further Assessment while the Exemption is current.

A Provider may adjust a Participant's Mutual Obligation Requirements to reflect a short-term or temporary change in circumstances in certain situations, such as an injury or temporary medical condition. Refer to Participant Requirements Chapter and Job Plan Chapter for further information.

### 2.4.1. Medical evidence needed for the ESAt referral

Prior to referring the Participant for an ESAt, the Provider must confirm that the Participant:

- has appropriate medical evidence supporting their condition(s) or
- needs assistance to obtain appropriate medical evidence supporting their condition.

The Provider should assist the Participant where required.

Appropriate medical evidence can include:

- a Services Australia medical certificate
- a standard general practitioner medical certificate
- a specialist medical report
- a hospital/outpatient's report
- a psychologist's report (by a certified/registered psychologist)
- a special school report (IQ report for people with intellectual disability)
- x-rays and related reports
- psychometric test results
- prescription medication
- reports from community services and organisations (for example, drug and alcohol support services)
- medical evidence prepared and collated on behalf of the Participant by a medical practitioner, registered nurse, nurse practitioner or a registered Aboriginal and Torres Strait Islander Health Practitioner.

The Verification of medical conditions form (SU684) - Services Australia should be given to the Participant for their treating doctor, registered nurse, nurse practitioner or Aboriginal and Torres Strait Islander health practitioner to complete. The completed form provides appropriate information to assess medical conditions for an ESAt. Providers should encourage Participants to upload medical evidence to Services Australia online through either their Centrelink online account or the Express Plus Centrelink mobile app if not already uploaded through Health Professional Online Services (HPOS) by their healthcare professional. The Provider does not need

to retain medical evidence to justify an ESAt referral, unless presented by the Participant to have on their record for other purposes.

### 2.4.2. Preparing the Participant for the ESAt

When a Provider refers a Participant to an ESAt appointment the Provider must advise the Participant of the following:

- the reason for the ESAt
- that the ESAt is an interview to assess their work capacity and/or their eligibility for specialist employment services assistance
- that attending the appointment is compulsory and if they are unable to attend they are to contact the Services Australia assessor at least 24 hours before the appointment
- the importance of disclosing all of their barriers to employment at the ESAt appointment
- the importance of providing medical evidence via their Centrelink online account prior to the appointment and the steps they will need to take to gather the medical evidence
- they may have a support person present to assist them.

### 2.4.3. How to refer a Participant for an ESAt

Providers must request all ESAt referrals through the Department's IT Systems, using the '**ESAt Referral Request**' tile within the **Servicing and Eligibility** section.



When submitting an ESAt referral request, Providers must select the reason in the Department's IT Systems.

### 2.4.4. Viewing ESAt Referral Request Status

The ESAt Referral Request screen within Servicing and Eligibility will display the status of the referral and any outcome provided by Services Australia.

The Table 2-A outlines the different status reasons for an ESAt request.

**Table 2-A: ESAt request status reason**

| Request Status | Explanatory Notes |
|---|---|
| **In Progress** | Services Australia has received the Provider's request and sis considering whether to proceed with an ESAt. |
| **Approved** | Services Australia has screened the request and booked an ESAt appointment. This appointment can be seen in the Participant's Electronic Calendar. |
| **Completed** | Services Australia has submitted the ESAt report.<br><br>The status reason will give further advice on the referral outcome:<br><br>• **ESAt Applied** - an assessment was completed. The outcomes can be seen on the ESAt/JCA screen in Servicing and eligibility.<br>• **ESAt Unable to Complete** – an assessment could not be finalised e.g. the Participant stopped receiving income support payment. |

| | |
|---|---|
| **Rejected** | The request has been rejected by the Department's or Services Australia's IT Systems. The status reason will explain why the request was rejected. |
| **Withdrawn** | Services Australia has screened the request and decided **not** to book an ESAt appointment.<br><br>The status reason will give further advice on the referral outcome:<br><br>• **Medical Evidence Not Provided** - Services Australia did not receive any suitable medical evidence to support the request.<br>• **Assessment is Current and Valid** – the Participant has had an ESAt or JCA within the last two years and Services Australia identified no changes in the Participant's circumstances that would require a new assessment of their work capacity.<br>• **Assessment Not Required** – Services Australia determined there was no need to conduct an assessment (e.g. the Participant stopped receiving an Income Support Payment.)<br>• **Assessment in Progress** – there is already a medical assessment in progress, e.g. an ESAt, JCA, or a claim for Disability Support Pension has been lodged.<br>• **Provider Requested Withdrawal** – the Provider contacted Services Australia and asked to withdraw their request (see Withdrawing an ESAt Referral Request below).<br><br>Note: Providers can re-request an ESAt if the Participant's circumstances change (e.g. they confirm they have since supplied supporting medical evidence to Services Australia). |

### 2.4.5. Withdrawing an ESAt Referral Request

Providers must call the **FOCUS Response Team** on 1800 110 608 if an ESAt referral request through the Department's IT Systems needs to be withdrawn.

Services Australia will consider the Provider's reasons for requesting a withdrawal but may decide to proceed with the assessment if it is in the Participant's best interests.

### 2.4.6. ESAt outcomes

When the ESAt assessor submits the ESAt report, it will appear on the Department's IT Systems with a status of 'submitted.' A submitted ESAt takes effect immediately. The Provider must take account of the recommendations for interventions made by the Services Australia assessor in the ESAt report – as well as work with the Participant to reflect any assessed Partial Capacity to Work when determining appropriate activities, and tailoring their services. Refer to Participant Requirements Chapter and Job Plan Chapter for further information.

The ESAt report status will change to 'finalised' 28 days after it is submitted and accepted.

Should an ESAt result in the Participant no longer being serviced by the Provider, for example the Participant is referred to Inclusive Employment Australia or no longer required to Participate in Employment Services at all, the Provider will be able to see this Exit through Workforce Australia Online for Providers.

Note: TtW Providers are unable to refer a Participant directly to Inclusive Employment Australia through Workforce Australia Online for Providers.

An ESAt report will capture the Participant's:

- medical conditions
- barriers to employment
- recommended interventions
- current baseline work capacity
- future work capacity with intervention
- recommended Workforce Australia Service.



Providers can view the relevant dates on the ESAt/JCA screen in the 'Servicing and Eligibility' section of a Participant's record on the Department's IT Systems.

### Requesting a review of the ESAt report

A Provider may contact Services Australia to request a review of the ESAt if new information is made available or if the Provider believes an error has been made. This must be made within 28 calendar days of the ESAt report being submitted.

To request a review, Providers must contact Services Australia by sending an email to FOCUS.RESPONSE.TEAM@servicesaustralia.gov.au with the subject line "Requesting a review of participant's ESAt" and outline the request, including their reason(s).

The Provider will need to justify the review with supporting evidence. If the Services Australia assessor does not agree to change their referral recommendation, the Provider must accept the assessor's decision as final.

A Participant can also contact Services Australia directly to discuss the decision with a Service Officer and discuss their options to request an explanation or apply for a formal review of the decision.

## 2.4.7. Releasing the ESAt report to the Participant

The ESAt report may be released to a Participant except where Services Australia has indicated in the report that it contains information that may be detrimental to the Participant's health such as: "This report contains information which if released to the client, might be prejudicial to his/her health". In this circumstance, the Participant has the option of requesting the report through the Department's Freedom of Information team, email: foi@dewr.gov.au.

Additional information regarding disclosure of information and privacy considerations can be found in the Part A Guidelines: Privacy Chapter.

# Chapter 3. Period of Service, Suspensions, Transfers and Exits

Supporting Documents for this Chapter:

- Request to Transfer form
- Transfer by Agreement Form

Refer to the TtW System Steps Guide.

## 3.1. Chapter Overview

TtW is a time limited service. All eligible Participants are entitled to receive up to 18 months of Services. A smaller cohort of Participants – those with more complex Non-vocational Barriers – can receive up to 24 months of Services.

Participants in TtW who turn 25 years of age may continue to receive Services for the remainder of their Period of Service.

This Chapter outlines the Period of Service and how it is affected by periods of Suspension, and when Participants are transferred or Exited from TtW.

(Deed Reference(s): Clause 101)

## 3.2. Period of Service

The Period of Service is the period of time a Participant has actively been receiving Services in TtW as calculated by the Department's IT Systems. The Period of Service:

- starts when a Participant Commences in TtW,
- is paused whenever a Participant is Suspended from Services and restarts when the Suspension ends,
- ends when the Participant is Exited (see Exits), and
- can continue for up to 18 months for all TtW Participants, and
- may be extended to up to 24 months depending on the result of an Additional Servicing Assessment (for Group One Participants).

Where a Group One Participant is tracking toward an Outcome after 18 or 24 months Period of Service, the Participant may remain in TtW until either the Outcome is achieved, or the Participant stops continually progressing toward the Outcome. In either case, once the Outcome is achieved or ceases, the Participant should be Exited from the Service.

Refer to the Vacancies and Outcomes Chapter for information on Outcomes.

(Deed Reference(s): Clauses 101, 104)

A Participants Period of Service can be identified in the Department's IT Systems. Refer to the 'How to view Period of Service on a Participant's profile' section of the TtW System Steps Guide.

Period of Service is referred to differently between the Deed and Guidelines, the Department's IT Systems and Provider reports. Providers can use the following table to assist in determining Period of Service for Participants.

| Reference Point | Reference / count | 18 months | 24 months |
|---|---|---|---|
| **Deed and Guidelines** | Months | 18 months | 24 months |
| **Workforce Australia Online for Providers** | Weeks and days | 78 weeks and 1 day | 104 weeks |
| **Provider Caseload Reports** | Days | 547 days | 730 days |

### 3.2.1. Additional Servicing Assessment (ASA)

#### What is an ASA?

The ASA is the review process a Provider must follow to determine if a Participant receiving an Activity Tested Income Support Payment will have their Period of Service extended in TtW.

A Provider should only complete an ASA if they believe a Participant with more complex Non-vocational Barriers would benefit from an additional 6 months of Servicing.

Note: It is not valid to extend a Participant's time in TtW solely to allow them to participate in an Education or Employment Placement, or to undertake Post-placement Support.

#### Undertaking an ASA

If an ASA is to occur, it must be completed after the Participant reaches a Period of Service of 16 months and before they reach a Period of Service of 18 months. An ASA cannot be conducted retrospectively.

If an ASA is needed, Providers should complete a file review and arrange a time to meet with the Participant to discuss the possibility of an extension of Servicing. The Provider and Participant complete the Job Seeker Snapshot in the Department's IT Systems and this will trigger the ASA, if completed within the correct Period of Service window.

If a Participant has passed 18 months Period of Service, the ASA will not be triggered in the IT Systems.

#### What are the outcomes from completing the ASA?

Once the ASA is conducted, the Department's IT Systems will display whether a Participant is approved for the extension of Service. The result will be displayed on the Additional Servicing Assessment tile in the Servicing and Eligibility tab.

If the result of the ASA is endorsed, the Period of Service will automatically be extended in the Department's IT Systems.

If the result of the ASA is not endorsed, the Provider may override this if the Participant's circumstances justify the additional 6 months Servicing. The Provider should explain to the Participant that the override process may require disclosure of additional personal information that will be recorded in the Department's IT Systems. If the Provider and Participant agree to the extension of Servicing, the Provider can override the ASA outcome and must enter the reasons into the Department's IT System.

**Note**: The Department's Caseload modelling suggests that around 15 per cent of TtW Participants are likely to have sufficiently complex Non-vocational Barriers to justify additional time in Service. The Department will monitor the Provider's use of the ASA override function to ensure it is used in a way that is consistent with the policy intent.

For detailed system steps refer to the Digital Solutions Support (Knowledge Base) - Employment Systems Task Cards – Caseload - Completing an Additional Servicing Assessment (ASA) KB0017349 (KB0017349).

Providers must record a file note (comment) outlining the Participant's circumstances and reasons for an ASA override.

(Deed Reference(s): Clauses 101, 102)

## 3.3. Suspensions from Services

A Suspension is a period of time in which a Participant is not required to participate in TtW.

Providers must not deliver Services to Suspended Participants unless the Suspended Participant advises they want to voluntarily participate in Services.

Providers must resume delivery of Services to the Participant once the Suspension period has ended.

Suspensions do not affect a Participant's Period of Unemployment. However, the Participant's Period of Registration and Period of Service pause when a Participant is Suspended and restart when the Suspension ends.

(Deed Reference(s): Clauses 104, 105)

### 3.3.1. Suspension reasons

Suspensions are applied when Participants are experiencing a situation that prevents them from participating in TtW for a specified period. Participant circumstances that may warrant a Suspension include:

- major personal crisis such as domestic violence, death of an immediate family member, family dislocation or physical, emotional and/or sexual abuse
- housing instability or homelessness
- declared natural disaster such as bushfire, flood or cyclone.

#### Group One Participants

Participants who are in receipt of an Activity Tested Income Support Payment are automatically Suspended from Services when an Exemption is applied by Services Australia.

If a Provider considers a Participant may need a Suspension, they should direct the Participant to Services Australia to test their eligibility for an Exemption.

Details of Exemptions applied by Services Australia can be viewed on the Suspensions screen in the Department's IT Systems.

A Participant may elect to volunteer for services while Suspended.

Providers must record a Volunteer Period where a Participant has been granted an Exemption to Mutual Obligation requirements by Services Australia and elects to volunteer in the Department's IT Systems.

- Where the Participant chooses to end the Volunteer Period earlier than originally agreed, the Provider must adjust the end date for the Volunteer Period.

Providers must record a file note (comment) verifying the Participant's agreement to Volunteer while on an exemption, including the dates.

## Group Two Participants

Group Two Participants may be manually Suspended from Services for up to 13 weeks if the Provider determines the Participant, due to their personal circumstances, is unable to participate for a specified time.

The Suspension period will end after the 13 weeks, or earlier if the Provider and Participant agree that the Participant's circumstances have improved, and they are able to resume participation in the Service.

If the circumstances under which the Participant cannot participate are likely to continue beyond 13 weeks, the Provider should consider if the Participant will continue to benefit from Services. If the Provider considers the Participant won't benefit, they should be Exited from TtW.

Providers must manually add a Suspension in the Department's IT Systems

Providers must record a file note (comment) outlining the details of the suspension.

## Parent Pathways Participants

A Parent Pathways Participant in TtW may be Suspended if:

- the Participant has an Exemption recorded by the Parent Pathways Provider or Services Australia, or
- the TtW Provider identifies the Parent Pathways Participant has experienced circumstances which prevent them from participating in Services for a specified period of time and the Participant's Parent Pathways Provider agrees to the Suspension from TtW.

The Parent Pathways Participant will remain Suspended until:

- the Exemption has reached its end date, or
- the TtW Provider determines the Participant is able to participate in the Services and the Participant's Parent Pathways Provider agrees to their Suspension ending.

(Deed Reference(s): Clause 105)

## Youth Bonus Wage Subsidy Allowance Suspension

If a Participant is placed into a job and:

- both the Participant and the Vacancy meet the eligibility requirements for a Youth Bonus Wage Subsidy, and
- the Participant subsequently stops receiving Income Support Payments for employment-related reasons, then

the Participant's record will be marked in the Department's IT Systems as a "Youth Bonus Wage Subsidy Allowance Suspension." This Suspension will apply for a 26-week period and will result in the Effective Exit of the Participant from TtW.

This Youth Bonus Wage Subsidy Allowance Suspension means that if the Participant loses their job, through no fault of their own, within 26 weeks of being Exited, they can then be reinstated with their Provider and may immediately be eligible for another Youth Bonus Wage Subsidy.

Providers should continue to provide Post-placement Support to the Participant.

For more information on the Youth Bonus Wage Subsidy see the Wage Subsidies Chapter.

(Deed Reference(s): Clauses 105, 131)

## 3.4. Transfers

Participants may transfer between TtW Providers for a range of reasons. Transfers can be automatic or involve a manual process and may be initiated by the Participant or the Provider. Transfer arrangements are designed to support continuity of servicing when Participants are transferred.

(Deed Reference(s): Clause 91)

### 3.4.1. Reasons for Transfers

#### Change of address

When a Participant changes address and the new address is outside their current Provider's service area, they are automatically transferred to a new Provider, when Services Australia or the Provider make the address change in the IT Systems.

The Participant will be transferred to a new Site of their current Provider if that Provider has a Site which services their new address.

Participants on Activity Tested Income Support Payments will be referred to a Workforce Australia Employment Services Provider if there is no TtW Provider servicing their new address.

Participants transferred due to a change of address can request a transfer back to their previous Provider/Site, where the previous Site is within the same Employment Region as the Site the Participant was transferred to.

Automatic transfers through the Department's IT Systems do not happen if the Participant is the subject of a Youth Bonus Wage Subsidy Agreement or has a current Serious Incident Report and/or a reactive Managed Service Plan (MSP). The current Provider should continue to support the Participant.

See the Part A Guidelines: Servicing Participants with Challenging Behaviours Chapter for more information.

Refer to Digital Solutions Support (Knowledge Base) - Referrals / Transfers – Transferring or Referring Participants with a Serious Incident Report or/and a Managed Service Plan (MSP) (KB0013540).

## Participant initiated Transfer by agreement

Participants may transfer to a different TtW Provider if their current Provider, their proposed Provider and the Participant all agree to the transfer. An online request for a transfer can be initiated by any of the parties. The Participant should be advised by their Provider the transfer will be actioned within 3 Business Days and they will receive an Appointment notification from the new Provider once complete.

The new Provider must cooperate with the Provider facilitating the transfer so that Services can be continued to the Participant, including, scheduling an Initial Interview within 2 Business Days of the transfer.

The Participant is automatically transferred by the Department's IT Systems, with an alert to both Providers once the transfer is completed.

## Transfers due to Provider/Participant relationship breakdown

Where the relationship between a Participant and Provider has broken down, the Participant can be transferred to a new Provider subject to the Department's agreement. Requests for such transfers can be made by Participants or Providers.

### Participants

If a Participant thinks a reasonable and constructive relationship cannot be maintained with their Provider, they can contact the Department's National Customer Service Line (NCSL) on 1800 805 260 or by emailing nationalcustomerserviceline@dewr.gov.au.

### Providers

If a Provider thinks it cannot maintain a constructive servicing relationship with a Participant, it can complete the Transfer Due to Relationship Failure Form and submit this to nationalcustomerserviceline@dewr.gov.au for investigation. The Department will consider the request based on the evidence provided, including whether the Provider has followed the process outlined in the Part A Guidelines: Servicing Participants with Challenging Behaviours Chapter.

### Departmental action

If the Department's NCSL approves a transfer due to relationship breakdown, it will transfer the Participant in the Department's IT Systems. The Participant will receive a letter advising them of their new Provider and their next Appointment.

Eligible Participants will be referred to a Workforce Australia Employment Services Provider if there are no other TtW Providers in the Employment Region.

The Department's NCSL will notify the Provider and/or the Participant in writing if they do not approve the transfer.

Providers must retain a copy of the Transfer due to Relationship Failure form.

### Better Servicing Transfers

If a Participant thinks they will receive better servicing from another Provider, they can request a transfer by contacting the Department's NCSL on 1800 805 260 or by emailing nationalcustomerserviceline@dewr.gov.au.

If the Department does not agree to the request, it will inform the Participant of the decision.

## 3.4.2. Challenging Behaviours and Transfers

Alternative transfer arrangements apply to Participants with current Provider-lodged Serious incident reports and/or a reactive MSP. Refer to the Part A Guidelines: Servicing Participants with Challenging Behaviours Chapter for more information.

Refer to Digital Solutions Support (Knowledge Base) - Referrals / Transfers – Transferring or Referring Participants with a Serious Incident Report or/and a Managed Service Plan (MSP) (KB0013540).

## 3.4.3. Reviewing a decision on a transfer

Any party involved can request a review in writing of the decision from the Department's NCSL by emailing nationalcustomerserviceline@dewr.gov.au within 14 Business Days of the original decision if they are not satisfied with the outcome of any transfer decision.

(Deed Reference(s): Clause 91)

## 3.4.4. Outcome payments following a Participant transfer

The original Provider may claim an Outcome where a Participant is transferred from them to a different Provider and the Participant is tracking towards an Outcome as long as the Participant was on the Provider's Caseload at the Job Placement Start Date or the Outcome Start Date.

(Deed Reference(s): Clause 137.10)

# 3.5. Exits

Participants should be Exited from TtW if they no longer wish to participate, are not participating in TtW appropriately, have reached maximum Period of Service, or are no longer eligible.

There are two types of exits in TtW: Effective Exits which occur automatically; and Provider Exits (manual Exits).

Note: A Participant does not need to be Exited from TtW where they commence in an Education or Employment Placement, or when the Provider claims an Outcome, if the Participant is still within their Period of Service.

(Deed Reference(s): Clause 107)

## 3.5.1. Effective Exits

An Effective Exit occurs when Participants are Exited automatically from TtW, which also ends their Period of Service. An Effective Exit will be triggered in the system for Participants who:

- have stopped receiving an Activity Tested Income Support Payment (including those who are subject to a Youth Bonus Wage Subsidy Agreement), as determined by Services Australia
- have Commenced in an Other Service
- have changed allowance type from Youth Allowance (other) or JobSeeker Payment to Youth Allowance (student) or Youth Allowance – Australian Apprentice
- are volunteers and not in receipt of an Activity Tested Income Support Payments who have reached 18 months Period of Service.

An Effective Exit will also occur on advice from Services Australia that a Participant:

- is deceased
- has been imprisoned (and their allowance is cancelled)
- has moved permanently overseas.

Note: A Group Two Participant is automatically Exited at 18 months Period of Service, even if they are tracking toward an Outcome. These Outcomes will continue to track and where the requirements are met, Providers will still be able to claim the Outcome. Post-placement Support must be provided to these Participants while they are tracking to an Outcome.

### 3.5.2. Provider Exits

Providers must manually Exit any Participant who:

- is Referred but does not Commence in TtW
- advises they no longer wish to participate in TtW (see Opting out of Transition to Work Services)
- is not meeting Participation Requirements or ceases to participate appropriately
- the Provider confirms has committed a Work Refusal Failure or an Unemployment Failure
- is an Activity Tested Income Support Participant and is not tracking toward an Outcome at 18 months Period of Service and has not been endorsed for additional servicing through an ASA
- is an Activity Tested Income Support Participant and is not tracking toward an Outcome at 24 months Period of Service, with an endorsed ASA
- becomes a voluntary Participant after 18 or 24 months Period of Service and has not been automatically exited
- is a Parent Pathways Participant and is assessed as unsuitable for TtW by the TtW Provider. The TtW Provider must notify the Parent Pathways Provider as soon as practicable
- requires a referral to Workforce Australia Services to facilitate access to other programs and services that are not considered a Complementary Service with TtW (i.e. Self-Employment Assistance).

**Note**: Participants receiving an Activity Test Income Support Payment must be Referred to Workforce Australia Services upon Exit. Where applicable, the Provider must refer the Participant in line with requirements set out in the Exiting Group One Participants from Transition to Work to Workforce Australia Services section. Providers must record the reason for the Exit in the Department's IT Systems.

Refer to the Participant Requirements Chapter for more information.

Note: A Participant does not need to be Exited from Transition to Work once a Provider claims an Outcome if the Participant is still within their Period of Service.

Providers must action a Provider Exit, record the reason, and make a comment in the Department's IT Systems.

For Provider Exits of Voluntary Participants due to 'failure to engage', Providers should have attempted to contact the Participant within the last 2 days prior to actioning the exit.

**Important:**

- The Department monitors Period of Service. Failure to Exit a Participant at 18 months where they have not been through an ASA and identified as needing an additional 6 months or are not tracking (and continuing to progress) towards an Outcome, may result in the Department taking action under the Deed. This action may include invalidating anchored Placements and associated Outcome Payments after this date. These Participants will not be included in calculations for allocation of Places and Upfront Payments.
- Where a Group One Participant has completed their Period of Service (i.e. 18 or 24 months of servicing) and is tracking to an Outcome, their Employment or Education must be continuous to remain in TtW. The Participant must be immediately Exited by the TtW Provider if there are any fortnights where there are:
    - Insufficient hours worked,
    - No hours worked, or
    - No participation in Education.

### 3.5.3. Exiting Group One Participants from Transition to Work to Workforce Australia Services

TtW Providers and Workforce Australia Employment Services Providers must cooperate when moving young people between the two Services.

Note: Any Participants Exiting TtW after 6 months Period of Service, who are transferring to a Workforce Australia Employment Services Provider may have Mandatory Activity Requirements in Workforce Australia Services.

A TtW Provider must organise and attend a handover meeting with the Participant and the Workforce Australia Employment Services Provider before 18 months of Service, or 24 months of Service if their Period of Service has been extended through an ASA.

A Provider does not need to conduct a handover meeting for a Participant who Exits less than 3 months after Commencement in TtW or is Exited to Workforce Australia Services due to failing to engage in the Service.

Where a Group One Participant is not tracking towards an Outcome at the seventeenth month in TtW (or the twenty-third month for those who have been given an extra 6 months of Service) the Provider must start the handover process of the Participant to a Workforce Australia Employment Services Provider. This should include:

- advising the Participant of the upcoming end of TtW Servicing and their transition to Workforce Australia Services
- helping the Participant to identify the Participant's choice of Provider
- organising and attending an initial planning meeting with the new Provider, and

- organising and attending a Commencement meeting with the new Provider and Participant.

**Note**: When a TtW Provider refers a Participant to Workforce Australia Services the only Appointment type available will be an Initial Appointment.

### Ending a Referral upon Exit

Where a Participant is Referred to an Other Service from TtW, the Department's IT Systems are designed to automatically end the TtW Referral when the Participant is Commenced in the new service. However, where the Participant has been Referred to the new service for an extended period of time without Commencing, a TtW Provider may choose to manually end the TtW Referral.

For information on the process to manually Exit the TtW Referral, refer to the TtW Systems Steps Guide.

## 3.5.4. Exiting Group Two Participants to Online Base Services

Participants not in receipt of an Activity Tested Income Support Payment (Group Two) will be eligible for the Online Base Service after Exiting TtW. Providers should provide information and assistance to Participants to register for the Online Base Service, if not already connected.

## 3.5.5. Opting out of Transition to Work Services

Following Commencement, Group One Participants can decide to opt out of TtW Services at any point and elect to participate in Workforce Australia Services instead. A Provider should provide the Participant with information on both services to make an informed decision, ensuring they explain that TtW is a dedicated youth service and that there will be additional compliance implications when in Workforce Australia Services. If a Group One Participant does opt out, the Provider must refer the Participant to Workforce Australia Services and perform a Provider Exit (see Exits).

### Implications when Participants wish to Exit

If a Participant advises their Provider that they wish to Exit TtW, the Provider should ensure the Participant understands:

- in the case of Participants who are receiving an Activity Tested Income Support Payment, they must be referred to a Workforce Australia Employment Services Provider and will be subject to compliance requirements associated with Workforce Australia Services,
- they may not be able to access TtW Services in the future,
- the Provider may continue to provide Post-placement Support to the Participant and/or Employer if the Participant is currently tracking towards an Outcome, as agreed, and
- in the case of Group Two Participants, once they Exit, they may not be eligible to access TtW Services in the future. In these circumstances, they can choose to register for the Online Base Service.

### 3.5.6. Participants returning to services after an Exit

## Group One Participants

Where an Exit occurs and the Participant returns to Services less than 13 Consecutive Weeks after the Exit, the Participant's Period of Service and Period of Registration (if relevant) continue from the date of the Participant's return, and the Provider must resume providing appropriate Services.

**Note**: Where a Commenced Group One Participant is Referred to Workforce Australia Services with the Exit reason 'Job Seeker confirms request to Exit' or 'Job Seeker not Participating not contactable', the Participant will be unable to be Referred back to TtW in the same Period of Unemployment.

Where an Exit occurs and the Participant subsequently returns to the Service, after reassessment by Services Australia 13 Consecutive Weeks or more after the date of the Exit, the Participant will begin a new Period of Service and Period of Registration (if relevant).

Where the Participant is Exited to commence in an Other Service, the Participant's Period of Unemployment generally continues in the new service. The Period of Unemployment also continues in the case of the reactivation of Participant's record (e.g. the restoration of a cancelled allowance if the Participant returns within 13 consecutive weeks after the cancellation). Otherwise, a new Period of Unemployment begins.

## Group Two Participants

If a Group Two Participant is Exited due to:

- advising they no longer wish to participate in the Service,
- ceasing to participate appropriately, or
- completing their Period of Service,

they will be excluded from Services for 13 Consecutive Weeks. After this time the Provider must reassess the Participant's eligibility in order to re-register them.

See Direct Registration Process.

# Chapter 4. Employer and Participant Servicing

Supporting Documents for this Chapter:

- Service Delivery Plan – Information for Providers delivering Workforce Australia Transition to Work Services

## 4.1. Chapter Overview

TtW Providers must deliver high-quality, personalised, culturally appropriate and holistic Services for Participants and Employers within their Employment Region(s). A Provider's Service Offer and strategies for delivering TtW Services in each Location they are operating in must be detailed in the Service Delivery Plan.

This Chapter provides information on Funded Places, Service Delivery Plans and the Employer and Participant Servicing expectations in the TtW Service.

(Deed Reference(s): Clauses 78, 79, 82.1)

## 4.2. Funded Places

Providers are allocated funded Places to provide Services to Participants under the Deed.

A Place may be occupied by one or more Participants, but not generally at the same time. A Place is not the same as a single Commenced Participant on a Provider's Caseload, i.e. when a Participant is Exited from TtW, another Participant can occupy that Place.

Providers may have higher or lower numbers of Commenced Participants to allocated Places at any point in time due to labour market demands and the flow of Participants into and out of the Service.

Providers are expected to utilise a minimum of 90 per cent of their Places and may, on occasion, utilise more than 100 per cent of their Places. The Department reviews and adjusts Place allocations on a regular basis to ensure Providers have sufficient funding to service their Caseload.

Providers will be paid an Upfront Payment for each funded Place they are allocated in each Financial Quarter. See Provider Payments Chapter for further information.

(Deed Reference(s): Clauses 88.2, 136)

## 4.3. Service Delivery Plans and Service Offer Commitments

Service Delivery Plans communicate to Participants, Employers and other stakeholders the Services they can expect to receive from the Provider.

Providers must develop a Service Delivery Plan (Plan) for each Employment Region they service. The Plan must capture commitments made in the Provider's tender response (Service Offer) and outline the Provider's strategies for delivering TtW Services.

Providers must ensure that copies of the Plan are available to Participants and Employers and are prominently displayed in all Sites. Plans will be published on the Workforce Australia website.

Not all commitments made in a Provider's Tender can or should be incorporated into their Plan. The Provider and the Department will identify other key commitments that it considers are core to the

Provider's overall servicing strategy. These commitments will be monitored and assessed throughout the Deed period.

A Provider's compliance with their Service Delivery Plan, the Service Guarantee, and Service Offer Commitments is an integral part of the TtW Performance and Quality Framework. See Performance Chapter for further information.

For more information about changing Service Delivery Plans and/or Service Offer Commitments throughout the Deed period, refer to Service Delivery Plan – Information for Providers delivering Workforce Australia Transition to Work Services.

(Deed Reference(s): Clause 82)

## 4.4. Delivering services to Participants and Employers

### 4.4.1. Responsive to stakeholder needs

#### Participants

Providers must have regular contact with Participants and deliver high quality, personalised services. Services should engage Participants in a range of Activities that align with their aspirations and interests, and which meet their Participation Requirements.

Participants should understand the value of participating in the Activities and how participation helps them progress towards their education and employment goals. The overall engagement and delivery of Services to Participants should reduce the risk of them becoming or remaining long-term unemployed.

Providers have the flexibility to determine the type of Activities that best support the individual circumstances of each Participant. Activities, both vocational and non-vocational, should assist the Participant to address their individual barriers and help them progress toward employment. Providers should:

- work with each Participant to understand their goals and personal circumstances/barriers and develop strategies to help achieve those goals and actively manage or overcome associated barriers. This may require Providers helping Participants to develop goals and build their personal aspirations
- ensure Participants understand the range of Activities available, and that they can undertake an appropriate mix of individual, group and self-directed Activities that are aligned to their individual needs and goals
- tailor Activities and employment/education pathways for Participants to match current and emerging local labour market opportunities. Participant's work readiness and employability skills should be developed in line with the needs of relevant industries that are likely to provide employment in their local area.

Providers must jointly develop a Job Plan with each Participant and keep it updated. This sets out the Services the Participant will receive, and the vocational and non-vocational Activities the Participant will undertake to improve their work readiness. Refer to Job Plan Chapter and Activity Management Chapter for more information.

(Deed Reference(s): Clauses 78, 79, 80, 92, 96)

## Employers

Providers are expected to build relationships and deliver recruitment services to Employers. These services must be high quality, reflect an understanding of the needs of the Employer's business and assist them to fill vacancies from suitable Participants on their Caseload. Providers should proactively approach Employers to raise awareness of how they can support their workforce strategies.

Providers must undertake activities to promote and market the abilities of individual Participants to Employers.

Providers have a range of Financial Incentives they can use to deliver a tailored response to an Employer's needs, including training and preparing a participant to succeed in the business.

Providers must work with Employers and local industries to identify their future and current needs. This may include:

- arranging pre-employment soft skills development and training to equip the Participant with the skills the Employer needs. This includes accredited and Employer-recognised training to build the capability of the Participant
- helping to arrange an apprenticeship or traineeship to ensure the Participant develops the required work-integrated skills and experience
- arranging a work trial or work experience placement (including Observational Work Experience placements) to see if Participants are the right fit for the business and the available roles
- assisting with projects delivered by Workforce Australia – Workforce Specialists, Job Coordinators or the Department
- working with Employers to determine and articulate their needs and requirements in a way that can inform better matching and recruitment
- using available tools, such as a Youth Bonus Wage Subsidy, to encourage Employers to take on Participants by assisting with the costs of their hiring, onboarding and training
- providing Post-placement Support tailored to what the Employer and Participant need to sustain the young person in the job.

(Deed Reference(s): Clauses 78, 80, 81, 92, 108, 109)

## Low Participant to Provider staff ratio

Providers must maintain a Participant to frontline staff ratio that matches or improves on the commitment made in their tender response (Service Offer). A low Participant to frontline staff ratio ensures Providers see and interact with Participants regularly and can respond to participant needs in a timely manner. A low Participant to Provider ratio also ensures the Provider has the resources to source and arrange a range of tailored Activities that are suitable for each Participant.

The Department monitors both Participant to frontline staff ratios and the active servicing of Participants. Refer to Performance Chapter for more information on the TtW Performance and Quality Framework.

## Vocational assistance

Many young people are unfamiliar with the types of jobs that align with their skills and interests and what different types of jobs involve. Providers must work with Participants to help them understand their strengths and the types of work for which they have an aptitude and that they can realistically secure.

Providers must work with each Participant to identify and address any Vocational Barriers that prevent them gaining Employment or undertaking suitable vocational training. It is expected that Providers help Participants into work that is rewarding and meaningful for the young person and provides opportunities for progression. This may include helping Participants:

- understand local occupations or industries in demand, both now and into the future, along with the type of experience and qualifications needed for entry level opportunities in these businesses
- build their aspiration and confidence about the jobs they can achieve and understand career pathways
- develop resume writing, job applications and job interview skills
- obtain proof of identity documentation
- improve their employability skills, such as the ability to work in a team, their communication skills, motivation and reliability and willingness to work
- address barriers such as language and literacy issues, for example through referral to Skills for Education and Employment (SEE) or the Adult Migrant English Program (AMEP)
- improve their digital literacy or financial management skills
- undertake work experience placements
- undertake targeted training, to gain appropriate licences and qualifications, such as a driver's licence, Responsible Service of Alcohol, Forklift Licence, White Card or First Aid Certificate
- identify labour markets in other locations that may have jobs available in industries they want to work in and provide them with the support, including through Relocation Assistance, should they need to relocate.

(Deed Reference(s): Clauses 78, 79)

## Non-vocational assistance

Providers should seek to establish trust-based relationships with Participants to support the disclosure of Non-vocational Barriers that require intervention and assistance. Non-vocational Barriers are sensitive and often impact the ability of the young person to engage in TtW and participate in Activities. Non-vocational Barriers may include:

- homelessness
- physical ill health
- mental illness
- drug or alcohol addiction
- trauma from sexual abuse or violence and physical or mental abuse
- limited transport options, economic disadvantage, and lack of family support.

Providers must support each Participant to address any Non-vocational Barriers they may have. Non-vocational support underpins the Participant's wellbeing, participation in TtW, related services and Activities, and their ability to engage in the labour market.

Where Participants with Non-vocational Barriers are engaging in employment or education, Post-placement Support should be provided to ensure these challenges are able to be managed. Failing to address these issues leads to increased risks that Participants could become long-term unemployed.

Addressing Non-vocational Barriers may include helping Participants connect with local:

- social support services, such as housing, domestic violence, crisis/trauma or legal services
- general practitioners (doctors)
- peer support services and social groups
- cultural or counselling services
- health services, such as drug and alcohol treatment
- mental health services, for example Headspace.

When referring a Participant to non-vocational services, Providers should provide personalised assistance to help the Participant connect to the service. This may involve, for example, making a phone call and booking the appointment with the Participant, asking the Participant if they know where the appointment is and if they need assistance to attend the appointment, and following up with the Participant in a non-judgemental manner to see if they attended the appointment or if they need help to make another booking. Developing relationships with community organisations that provide Non-vocational services will support these personalised referrals (see Locally Connected).

Mental health is inextricably linked to young people's resilience and capacity to find and sustain employment, and mental health related issues are prevalent among young people. Providers must develop an integrated and coherent response to mental health and suicide prevention support. Providers should recognise that all interactions with Participants should be delivered in a manner that recognises that every Participant could be experiencing mental health challenges, even if they have not been disclosed.

Mental health supports could include creating an environment where young people feel safe and supported, ensuring Participants have a contact to talk to in difficult times, supporting personalised referrals to mental health services in their local communities and providing quality mental health services directly to young people (such as providing access to a qualified mental health expert).

(Deed Reference(s): Clause 123)

## Maintaining a dedicated Youth Space and Self-help facilities

Providers must ensure they have a dedicated Youth Space for TtW Participants. This should be a welcoming and youth friendly area, where Participants feel safe and comfortable. This may include:

- a separate room where the Provider and the Participant can have a private conversation
- partitions separating areas, or
- a safe space that only young people and specialist Provider staff can access.

Providers should consider providing Participants with the opportunity to have an active and on-going role in creating and maintaining the youth friendly space.

Providers delivering services, in addition to TtW, at the same Site should maintain a clear delineation between those services.

Providers must also ensure that at each Site, they make available a range of Self-help Facilities to support Participants in accessing career and training information and undertaking job search activities. This can include personal computers (or similar devices) with broadband internet connectivity, printers, Wi-Fi access, charging stations, reference material and brochures. These must be provided at no charge to Participants.

(Deed Reference(s): Clauses 6, 103)

### Supporting Participants after they are placed in a job or education

Providers must provide regular Post-placement Support for Participants, Employers and education organisations.

Providers must maintain contact during the Job or Education Placement to ensure the Participant is settling in and any issues are identified quickly and addressed. The frequency of contact and the length of time over which the contact is maintained should reflect the needs of the Participant and Employer or Education provider, and how well the Participant is adjusting to the placement. Particular care should be taken to ensure Participants with Non-vocational Barriers are supported.

(Deed Reference(s): Clause 108)

## 4.4.2. Locally connected

TtW is a national service with flexibility to operate effectively in, and be tailored to the needs of, local communities and labour markets. Providers should have a detailed and current knowledge of their local labour market and maintain strong connections with local businesses, Employers and training providers, and collaborate effectively with locally available services, including:

- a wide range of community and social support services
    - Providers must connect and refer Participants to local community service organisations, support services and programs based on their individual needs. Community service organisations and support programs promote, provide and carry out activities or projects for the benefit or welfare of the community. They include services targeted at meeting the needs of community members, such as assistance with find housing, counselling services, drug and alcohol services, and parenting programs. A Provider should provide personalised help to Participants to access and navigate the range of different government and community support/services available (see Non-vocational assistance).
- schools and other education and training institutions
    - TtW is designed to support young people who have experienced difficulty transitioning from Education to Employment. Providers must build and maintain strong connections with a range of local education and training institutions to identify opportunities to help Participants transition from school and develop the skills and qualifications they may need for sustainable employment.
    - Providers are expected to develop and maintain close connections with local schools to ensure they understand the purpose and benefits of TtW for students who may be disengaged from school.
- Employers and industry associations

- Providers are expected to understand current and future local labour market conditions and the current and future needs of local Employers and Industry. This understanding should inform the Activities, Education and Training opportunities offered to Participants to ensure their skills and employment pathways align with the emerging needs of the local labour market or another identified labour market the Participant can access.

A Provider's strong connections with the above community stakeholders help Participants be aware of and navigate a wide range of services that can assist them in pursuing their goals. It also helps the Participant to see themselves as a valued part of, and contributor to, their community and gives Providers additional resources to leverage for the benefit of Participants.

Providers should build and maintain a network of local industry groups and Employers to ensure strong business connections the Provider can leverage to:

- identify, or be made aware of, local job opportunities
- monitor local labour market conditions for new businesses or emerging industry opportunities
- effectively plan for the likely future state of the labour market. This may help Employers deal with supply and demand challenges or industry growth trajectories
- build employer and industry confidence in the Provider's service and the Participants who are looking for work
- address areas of skill shortage and boost the productive capacity of the youth workforce
- promote jobs fairs.

(Deed Reference(s): Clauses 78, 81)

### Local Jobs Program and Workforce Specialists

Providers should also proactively connect with and leverage the Local Jobs Program and Workforce Specialists in their local region. This may include referring Participants to Local Jobs Program Activities or Workforce Specialist Projects. To engage with the Local Jobs Program, Providers should contact their local Job Coordinator. Refer to Local Jobs Program Chapter and Activity Management Chapter for further information.

(Deed Reference(s): Clauses 118, 119)

## 4.4.3. Citizen centric and collaborative

TtW is a voluntary service, and Participants and Employers must perceive the service as adding value in order to continue engaging. Providers should have clear strategies for seeking feedback from Employers and Participants about how they perceive the service and how it could be improved, and processes for iteratively improving services.

Providers must consider the needs of Participants and Employers when delivering Services to ensure they receive the best service possible. This may include:

- engaging with Participants and Employers on the Provider's service delivery design and engagement strategies
- trying innovative approaches to bring Employers and Participants together and iterating on them to continually improve their effectiveness, for example through social events

- helping Employers to attract and employ young people so they can harness the skills and perspectives they bring
- working together with other TtW Providers to meet the needs of an Employer with a coordinated and streamlined service, where relevant, e.g. where an Employer has a larger scale recruitment/higher volume need
- sharing experience and knowledge with other Providers and relevant stakeholders
- collaborating with community, employers and industry to develop opportunities.

### 4.4.4. Non-competitive service delivery

TtW has a non-competitive service delivery model with only one Provider operating per Location. This supports Providers to develop a strong collaborative approach with local Employers and industry representatives, other TtW Providers in different Locations, providers of local community and support services and other stakeholders.

Providers are expected to share best practices, experiences and learnings with other TtW Providers about what works to engender the most useful forms of engagement with the range of Complementary Programs and services, along with the most effective strategies for creating outcomes that benefit Participants and Employers. Providers are encouraged to consider developing a community of practice with other Providers, holding regional forums/ meetings, and organising joint training or information sessions for Participants.

### 4.4.5. Youth engagement in service delivery

Genuine engagement of youth in Provider decision-making processes and service delivery design fosters stronger involvement from young people. It gives young people an opportunity to build new capabilities and skills, makes them feel valued and increases their sense of responsibility. Many Participants may not be equipped or confident enough to engage with Providers at this level, and Providers are encouraged to build the capability of Participants to provide feedback and represent their views. Providers must be committed, and support young people, to participate in considered and meaningful ways to shape the design and on-the-ground delivery of their TtW Services, for example, through hosting Participant representative forums or involving Participants in governance processes.

Providers should ensure youth consultation and engagement is done in a way that is appropriate for the Service and for young people.

(Deed Reference(s): Clause 78)

### 4.4.6. Continuous improvement culture

Providers are expected to embed a culture of continuous improvement in their organisation to:

- foster innovation and ownership from their staff
- ensure Participants receive the best possible support to gain and retain suitable Employment or participate in education and training
- ensure Employers and industry bodies receive the best possible support to meet their workforce requirements.

Providers are able to demonstrate continuous improvement through evidence of a culture of monitoring and responding to Participant and Employer feedback by:

- engaging in ongoing staff professional development to encourage learning and innovation
- extending their network of positive and proactive relationships with stakeholders,
- incorporating in their service delivery the ability to foresee and plan for Caseload changes and future labour market needs.

(Deed Reference(s): Clause 78)

# Chapter 5. Participant Requirements

## 5.1. Chapter Overview

Participants are generally expected to participate in TtW Services for 25 hours per week (reduced for those with part-time Mutual Obligation Requirements). Providers must work with Participants to set an appropriate mix of Activities or Services to support full participation in TtW Services. Providers are required to ensure Participants are aware of and meet their Participation Requirements.

Participants who continue to fail to meet their requirements, as agreed in their Job Plan, may be Exited from TtW. Participants receiving an Activity Tested Income Support Payment will be Exited and Referred to Workforce Australia Services.

This Chapter outlines the different participation requirements for TtW Participants, depending on their circumstances.

## 5.2. Participants with Mutual Obligation Requirements

Under the Social Security Law, people receiving an Activity Tested Income Support Payment, with Mutual Obligation Requirements, must participate in a range of Activities or Services that will help them into employment, unless Services Australia has granted the person a temporary Exemption from the activity test.

When setting requirements for Participants, the Provider must review the Participant's identified Vocational and Non-vocational Barriers and negotiate and agree with the Participant the Activities or Services that will assist them to address these issues while still meeting their Mutual Obligation Requirements.

Providers must assist Participants to understand and meet their Mutual Obligation Requirements. If a Participant continues to fail to meet these requirements, the Provider must Exit and Refer the Participant to a Workforce Australia Employment Services Provider.

A Participant may choose to opt-out of TtW Services at any time. If a Participant advises their Provider that they wish to opt-out, the Provider must Exit the Participant in accordance with Period of Service, Suspensions, Transfers and Exits Chapter.

Providers must also identify if any Work Refusal Failures or Unemployment Failures occur. Where a failure has occurred, Providers must report and Exit the Participant to Workforce Australia Services (see Managing Work Refusal or Unemployment Failures for Participants with Mutual Obligation Requirements).

(Deed Reference(s): Clauses 95.1, 107, 126)

### 5.2.1. Full-time Mutual Obligation Requirements

Participants with full-time Mutual Obligation Requirements are expected to participate for 25 hours per week throughout their Period of Service, excluding any temporary Suspension from employment services that may occur.

Providers must monitor Participants to ensure they meet their Mutual Obligation Requirements while in the TtW service.

(Deed Reference(s): Section B4.1)

### 5.2.2. Part-time Mutual Obligation Requirements

Some Participants in TtW may have part-time Mutual Obligation Requirements. These can be due to an assessed Partial Capacity to Work, a Temporary Reduced Work Capacity or being a Principal Carer Parent. For further information, see ESAt outcomes.

#### Partial Capacity to Work

Providers must ensure that Activities and the level of Participation are in line with the Participant's Partial Capacity to Work when setting requirements. Partial Capacity to Work is assessed by Services Australia and recorded in the Department's IT Systems.

Participants will be assessed as having a Partial Capacity to Work if both their baseline work capacity and work capacity within 2 years with intervention are less than 30 hours per week. This can be because of a physical, intellectual or psychiatric impairment.

A Participant's Mutual Obligation requirement is generally based on their future assessed capacity with intervention. Participants are not required to immediately participate at the higher work capacity; however, it is intended that a Participant's capacity to participate would be built up gradually through appropriate activities and support.

A Participant with an assessed Partial Capacity to Work of 15 to 29 hours per week is considered to be fully meeting their Participation Requirements if they are undertaking 15 hours per week of paid work (including self-employment) or approved study (or a combination of the two).

Note: When a job seeker's work capacity with intervention is less than their baseline work capacity due to a deteriorating condition, their Mutual Obligation requirements are based on their baseline work capacity.

#### Temporary Reduced Work Capacity

A Participant may have a temporary medical condition and Services Australia may assess that they have a Temporary Reduced Work Capacity. Participants have reduced requirements for the period of their Temporary Reduced Work Capacity.

Providers must ensure that Activities and the level of participation are in line with the Participant's Temporary Reduced Work Capacity when setting requirements for these Participants. In some cases, the ESAt will recommend a program of assistance.

#### Principal Carer Parent

A Participant who is also a Principal Carer Parent, as recorded in the Department's IT Systems, has a part-time Participation Requirement of 15 hours per week. They will be fully meeting their Participation Requirements if they are undertaking 15 hours per week of paid work (including self-employment) or approved study (or a combination of the two).

Providers must consider the Participant's family and caring responsibilities including the availability and affordability of childcare, when setting requirements and Activities for a Participant who is also a Principal Carer Parent.

Providers should take into consideration the requirements for Principal Carer Parents during school holiday periods, due to a need for alternative arrangements if childcare is not available or alternatives to face to face Appointments.

For information on requirements for Parent Pathways Participants, see Parent Pathway Participants in TtW.

### 5.2.3. Early School Leavers

A young person who has been determined to be an Early School Leaver, as defined in the Social Security Act, will be flagged in the Department's IT Systems and be subject to specific Mutual Obligation Requirements. However, Early School Leavers who Commence in TtW are not subject to these requirements as participation in TtW fully meets their Mutual Obligation Requirements.

Once an Early School Leaver has completed Year 12 (or an equivalent qualification) or turns 22 years of age, they will no longer be an Early School Leaver. They will be subject to the Mutual Obligation Requirements that apply to other Participants.

Providers should advise Participants to notify Services Australia on completion of a qualification to have it recorded and the Early School Leaver flag removed.

## 5.3. Requirements for voluntary Participants

### 5.3.1. Group Two Participants

Participants Direct Registered by a Provider into TtW are voluntary Participants and do not have Mutual Obligation Requirements under Social Security Law.

Group Two Participants are still expected to engage for the required 25 hours a week if they choose to access the Service, unless there are factors affecting their capacity to engage (for example, they are a parent of a child under 6 years old or have mental/physical barriers). If this is the case, Providers should tailor a Group Two Participant's Participation Requirements to reflect their capacity.

### 5.3.2. Parent Pathways Participants in TtW

Parent Pathways Participants may choose to voluntarily participate in TtW.

Parent Pathways Providers may refer a Participant for concurrent servicing in TtW if the Participant's goal is to gain employment or the Participant wants to be with a youth cohort.

TtW Providers must consider each Parent Pathways Participant's circumstances and ability to participate in Activities.

Note: Parent Pathways Providers are required to continue to service and support Participants when they are participating concurrently in TtW.

## 5.4. Setting Activities to meet Participation Requirements and monitoring Participants

Providers must determine an appropriate mix of Activities or Services for all Participants. This may include:

- Employment
- Work experience, for example, Observational Work Experience Activities hosted by the Provider such as:
  - meetings and group sessions
  - mentoring
  - self-directed Activities
- attending Education and Training Courses
- attending Activities or appointments to address non-vocational barriers.

Note: Job search can be included as an Activity if the Provider believes it will benefit the Participant.

Activities should be in accordance with the requirements set out in the Activity Management Chapter and consider the Participant's unique circumstances such as:

- age
- education level
- Vocational and Non-vocational Barriers
- cultural factors
- caring responsibilities
- assessed work capacity
- access to transport.

Further information can also be found in the What must be included in a Job Plan section.

### 5.4.1. Education and training Activities

Participation in a full-time approved Education or training course meets a Participant's Requirements even if the full-time course is less than 25 hours per week. Full-time is at least 75 per cent of the course-load of an approved educational course, or if determined as full-time by the Training Institution.

No further Activities or Services need to be undertaken by the Participant when they are in full-time Education or training. However, Providers are required to support and assist Participants to ensure they continue and maintain engagement in the Education or training course.

### 5.4.2. Monitoring participation

Providers are required to maintain regular contact with each Participant to monitor progress against the agreed Participation Requirements and ensure that they are participating in their agreed Activities.

Providers must keep a record of Participants' Activities in the Department's IT Systems in line with the requirements set out in the Activity Management Chapter.

### When a Participant does not participate

Providers should refer to the Period of Service, Suspensions, Transfers, Exits Chapter for action to Suspend Participants who are unable to participate of a period of time, or Exit those who are failing to meet their Participation Requirements.

## 5.4.3. Monitoring Parent Pathways Participants

If a Parent Pathways Participant in TtW does not attend appointments and/or participate in the Activities discussed, the TtW Provider should contact the Parent Pathways Participant to discuss their continuing engagement in TtW and also discuss the best course of action with their Parent Pathways Provider.

(Deed Reference(s): Clauses 96.3, 126.1)

## 5.4.4. Managing Work Refusal or Unemployment Failures for Participants with Mutual Obligation Requirements

A Work Refusal Failure is committed when a Participant who has Mutual Obligation Requirements refuses or fails to accept an offer of suitable employment.

An Unemployment Failure is committed when a Participant who has Mutual Obligation Requirements becomes unemployed as a direct or indirect result of their voluntary act or as a result of their misconduct as an employee.

If the Provider considers that a Participant may have committed a Work Refusal Failure or Unemployment Failure, the Provider must contact the Participant as soon as possible to discuss the circumstances and determine if a failure has occurred.

If, after discussing the circumstances with the Participant, the Provider is satisfied that the Participant's reason is due to an event or factors outside the individual's control or the employment was unsuitable, then no further action is required.

If, after discussing the circumstances with the Participant, the Provider considers a Participant has committed a Work Refusal Failure or Unemployment Failure the Provider must inform the Participant that they will be Referred to a Workforce Australia Employment Services Provider. The Provider must document evidence that supports the assessment of a failure and provide this to the Workforce Australia Services Provider. The Provider must retain a copy of the evidence for future reference.

The Workforce Australia Employment Services Provider will report the Participant's Work Refusal Failure or Unemployment Failure to Services Australia for further investigation. Services Australia will determine compliance action in accordance with Social Security Law.

Providers must document any evidence that supports the assessment of a Participant's Work Refusal Failure or Unemployment Failure. This should include:

- details of how the Provider became aware that a Work Refusal Failure or Unemployment Failure appears to have been committed
- any comments from the Employer

- any reasons given by the Participant.

(Deed Reference(s): Clause 126.1)

# Chapter 6. Complementary and Excluded Programs

## 6.1. Chapter Overview

Providers are expected to maintain effective relationships and collaborate with providers who deliver Complementary Programs and services in their Employment Region(s), to ensure they can be leveraged to benefit young people in TtW. This includes, but is not limited to, private and community-based providers of other services; education and training institutions; healthcare organisations; State or Territory government service providers.

Providers are expected to identify local initiatives and support services to deliver a comprehensive range of activities that address Participants' Vocational and Non-vocational Barriers, to support young people to work towards and achieve Employment and Education Outcomes.

This Chapter outlines what needs to be considered when deciding on whether a program is Complementary or Excluded.

(Deed Reference(s): Clause 109.4)

## 6.2. Complementary Programs

A Complementary Program is a program or service Participants can undertake concurrently with TtW, that is designed to assist young people address Vocational and Non-vocational Barriers.

Participation in Complementary Programs will contribute towards the 25 hours a week participation requirement for TtW Participants.

Complementary Programs should provide additional specialised assistance that is different from the core assistance and Service TtW Providers are funded to deliver. However, Providers may additionally choose to access specialised assistance, that has elements of the core service for TtW, on a fee-for-service basis.

> **Example:** Employability Skills Training (EST) is made up of two training Blocks.
>
> - EST Block 1 covers employability and advanced job search skills which TtW Providers are already funded to provide to Participants on their Caseload. Accordingly, a TtW Provider will be charged a fee (the full EST Block 1 training fee) if they decide to outsource this training for their Participants.
> - EST Block 2 training goes beyond the core service offering expected of TtW Providers and focuses exclusively on delivering industry specific training. This training will address local labour market needs and offers direct links to work trials. EST Block 2 includes the delivery of relevant micro-credentials through Registered Training Organisations. As this goes beyond the scope of services TtW providers are funded to deliver, a TtW Provider will only be charged a small fee for Participants undertaking EST Block 2.

Services that can be delivered in a complementary way alongside participation in TtW can include, but are not limited to, programs and services that support Participants to:

- improve or learn new vocational skills, for example literacy and numeracy, training, and education opportunities
- access local industry, employment or training opportunities, for example Local Jobs Program or Workforce Specialist projects
- address a wide range of Non-vocational Barriers including mental health, drug and alcohol support services, domestic violence service, housing services, justice services, and other family related services.

Providers must not demand or receive any payment, either directly or indirectly, from any Participant for, or in connection with, the Complementary Program. If required, Providers should use part of the Upfront Payments to provide or purchase Complementary Programs and service assistance.

Examples of programs funded by the Department or the Australian Government more broadly that have been determined to be complementary to TtW are listed below:

- Australian Apprenticeship Support Network (AASN)
- Adult Migrant English Program (AMEP)
- Employability Skills Training (Note: Employability Skills Training is a fee-for-service Complementary Program for TtW Participants)
- Launch into Work
- Local Jobs Program
- Skills for Education and Employment (SEE)
- Workforce Specialists.

Further information on these programs and Activities can be found in the relevant Activity Chapters in this Handbook.

## 6.3. Excluded Programs

Excluded Services or programs that cannot be delivered concurrently (with the Participant continuing in TtW) are programs and services where the Participant will receive the same or similar support TtW Providers are funded to deliver. For example, providing intensive case management and support to improve work-readiness, and employment preparation assistance such as coaching in interview techniques and workplace presentation, tailored career advice, preparing a resume and developing job applications.

Excluded Services or programs include:

- other employment services funded by the Australian Government, including but not limited to:
    - Workforce Australia Services
    - Inclusive Employment Australia
    - Remote Australia Employment Service
    - Self-Employment Assistance (S-EA)
    - Headspace Individual Placement and Support (IPS) program
- State and Territory Government activities or programs funded specifically to support young people to be ready for employment or to reconnect with education/training, for example the Reconnect program (Victoria), and the NSW Get Back in the Game program.

Providers must avoid duplicating services and outcomes already paid for by either Commonwealth or State/Territory government services unless the Department has made an exception.

Before using another program or service, Providers must determine if it is considered complementary or excluded. If they are unable to, Providers can contact their Provider Lead for a determination on whether a particular government service, program or initiative is complementary or excluded to Transition to Work.

If a Participant commences in an Excluded Service or Program, the Provider must Exit the Participant in line with the Period of Service, Suspensions, Transfers and Exits Chapter.

Note: TtW Providers must not directly refer Participants to a Self-Employment Assistance Provider. Participants must first be referred to a Workforce Australia Employment Services Provider who will facilitate a referral to S-EA.

# Chapter 7. Job Plan

Supporting Documents for this Chapter:

- Job Plan template – Compulsory
- Job Plan template – Voluntary

Refer to the TtW System Steps Guide.

## 7.1. Chapter Overview

The Job Plan details the agreed Activities or Services the Participant will undertake to meet their Participation Requirements. Actively participating in TtW for 25 hour per week (or as applicable for those who are Principal Carer Parent or have reduced work capacity as outlined in the Participant Requirements Chapter) also satisfies any Mutual Obligations requirements a Participant may have under the Social Security Act.

For Participants in Transition to Work, a Job Plan is an 'employment pathway plan' and a 'participation plan' for the purposes of the Social Security Law.

This Chapter outlines the TtW Provider's responsibilities and required actions when creating, reviewing and updating a Participant's Job Plan. The requirements for a Job Plan, as outlined in this Guideline, apply to all Participants.

## 7.2. What is a Job Plan?

The Job Plan records the Activities or Services Participants have agreed to undertake to meet their Participation Requirements for TtW. For Group One Participants, this meets their Mutual Obligation Requirements under Social Security Law.

The Job Plan must be recorded in the Department's IT System.

The Job Plan must be regularly updated and must be tailored to the Participant's individual needs and circumstances as they complete activities, learn to manage barriers and progress toward employment.

(Deed Reference(s): Clause 96; Section B2.3)

## 7.3. Who must have a Job Plan?

Providers must ensure all Participants have a current Job Plan in place.

Social Security Law requires Participants with Mutual Obligation Requirements to enter into a Job Plan if they receive the following Income Support Payments:

- JobSeeker Payment
- Youth Allowance (other)
- Parenting Payment Single (when the youngest child turns 6)
- Special Benefit (Nominated Visa Holders).

Group Two Participants are also required to have a Job Plan outlining their participation in TtW.

Parent Pathways Participants will have a Goal Plan in place created by their Parent Pathways Provider. TtW Providers are required to create a Job Plan with consideration of the commitments in the Participant's existing Parent Pathways Goal Plan.

(Deed Reference(s): Clause 96; Section B2.3)

## 7.4. Creating a Job Plan

Providers and Services Australia have been delegated certain powers under Social Security Law including the power to require a Participant to enter into a Job Plan and to approve or update it. Providers must ensure that a new Job Plan is created and explained to the Participant and the Participant is provided time to consider the Job Plan before agreeing to it. The Participant must agree to the Job Plan either online or by signing a hardcopy (see Approving a Job Plan).

The Job Plan must be prepared (or updated) at the Initial Interview.

Providers must understand and comply with its obligations as a Delegate under Social Security Law, in relation to Job Plans.

The Job Plan must be created and recorded using the Department's IT Systems.

- The online Job Plan can be used for both Group One and Group Two Participants, noting the declaration is for those with mutual obligation requirements which does not apply for those not on Income Support Payments.
- If the Department's IT Systems are temporarily unavailable or there is no computer access, Providers must use the Job Plan template(s) available on the Provider Portal.
- Details of the Activities included in the Job Plan must be entered into the Department's IT Systems as soon as possible after the Job Plan is created. The contents of the Job Plan recorded must be exactly the same as the hardcopy Job Plan.
- For detailed system steps on how to create, update and withdraw a Job Plan refer to the Digital Solutions Support (Knowledge Base) – Employment Systems Task Cards;
    - Job Plan - Adding a Transition to Work (TtW) Job Plan (KB0017334)
    - Job Plan - Updating a Job Plan for Transition to Work (TtW) (KB0017324)

(Deed Reference(s): Clauses 87.1, 96.4, 97.1, Section B2.3)

### 7.4.1. Considering a Participant's circumstances when deciding the Activities in the Job Plan

Under the Social Security Law, a Job Plan must contain the Activities or Services in which the Participant must participate and that are suitable for the person. When deciding the Activities in a Participant's Job Plan, the Provider should engage with the Participant and consider the following (at a minimum):

- Participant's individual circumstances. In particular:
    - assessed work capacity, capacity to participate and personal needs
    - impact of any disability, illness, mental or physical condition or other non-vocational issues on their ability to work, look for work or participate in Activities.

    - vulnerabilities or vulnerability indicators such as homelessness, psychiatric problems or mental illness, severe drug or alcohol dependency, traumatic relationship breakdown, etc
    - family and caring responsibilities of the Participant (including availability of childcare)
    - cultural factors
    - history of the Participant not participating (where relevant) to help ensure they do so in the future
    - education, experience, skills and age. For Early School Leavers, the Provider should consider whether education/further study is appropriate for the Participant
    - any other relevant matters (including if the Participant discloses they are a victim of family violence)
- state of the local labour market and transport options available to the Participant in accessing that market
- participation opportunities and Activities available to the Participant
- financial costs (including travel costs) of participating and the Participant's capacity to pay for such costs
- length of travel time required to participate. Generally, reasonable travel time is up to 90 minutes each way, or 60 minutes if the Participant is a Principal Carer Parent or has a Partial Capacity to Work.

Barriers identified through this process must be entered in the Capability Management Tool and any Activities the Participant undertakes to learn to manage these barriers should be linked to the relevant barrier.

(Deed Reference(s): Clauses 92, 95.1)

### 7.4.2. What must be included in a Job Plan

Providers must ensure a Job Plan contains Activities or Services that will enable the Participant to meet their Mutual Obligation Requirements under the Social Security Law (Group One) or their TtW Participation Requirement (Group Two).

Most Participants will need to undertake a range of different Activities or Services to meet their Mutual Obligation Requirements.

Providers should determine the appropriate mix of individual, group and self-directed Activities for a Participant to meet their Participation Requirement and which are aligned to the Participants' needs and areas of interest. This may include:

- training or education Activities
- Provider Appointments
- Job Search
- referrals to jobs
- Activities designed to develop Job Search and job interview skills or soft skills needed in the workplace
- financial management assistance
- Observational Work Experience
- participation in the Local Jobs Program or in Launch into Work Placements
- Part-Time work

- Voluntary Work
- Skills for Education and Employment (SEE) program
- Adult Migrant English Program (AMEP)
- Defence Force Reserves
- any of a range of Activities that help to address non-vocational issues.

The Activities or Services included in the Job Plan should generally be aimed at addressing Vocational and Non-vocational Barriers a Participant is experiencing that are impeding their progress towards Employment or further Education. Refer to the Employer and Participant Servicing Chapter and Performance Chapter for further information.

(Deed Reference(s): Clauses 96, 97)

### Participants aged 22 years or older

Under Social Security Law, Job Plans for Participants receiving Youth Allowance (other) aged 22 years and over, should include Job Search requirements. Where a Job Plan does not include Job Search requirements for someone 22 years or older with Mutual Obligation Requirements, Social Security Law requires that Providers must either:

- be satisfied that the Activities in the Job Plan are currently more appropriate for the Participant than Job Search and therefore that they can fully satisfy the activity test by undertaking those Activities for at least 25 hours per week (or the hours in line with their Mutual Obligation requirements); or
- adjust the Participant's Job Plan to also include a Job Search requirement; or
- Exit the Participant.

## 7.4.3. What must not be included in a Job Plan

Under Social Security Law, the following items must not be included in a Job Plan:

- an Activity that would aggravate an illness, disability or injury
- a requirement the Participant undertake an Activity where the appropriate support or facilities (that take account of a person's illness, disability or injury) are unavailable
- a requirement the Participant involuntarily undergo medical, psychiatric or psychological treatment
- an Activity involved in the sex or adult entertainment industry
- an unlawful activity, including an Activity that would contravene Commonwealth, state or territory laws relating to discrimination or workplace health and safety
- an Activity outside of Australia
- a requirement the Participant participate or otherwise be involved in a criminal activity
- any other terms contrary to Social Security Law.

A Job Plan must not include detailed personal medical information or details of medical conditions and medications. Providers must not include an Activity (or combination of Activities) in the Participant's Job Plan if the Participant cannot reasonably undertake them.

### 7.4.4. What must be explained to the Participant?

Providers should discuss the contents of the Job Plan with the Participant to ensure they understand what they are agreeing to do and the potential consequences of not agreeing to enter into the Job Plan or failing to meet the requirements outlined in the Job Plan.

Providers must explain the Job Plan to each Participant including:

- the purpose of the Job Plan
- how the Provider intends to support the Participant
- how participating in the activities in the Job Plan are designed to help them learn to manage or overcome some of their barriers to employment
- the Provider's Service Guarantee and Service Delivery Plan
- the section entitled 'Information You Need to Know' in the Job Plan
- the Participant's rights and responsibilities under the Job Plan (including two business days 'thinking time' to consider the Job Plan before accepting it)
- what the Participant needs to do if they have a change in circumstances that affects their ability to meet the requirements in their Job Plan
- the consequences of failing to meet those requirements, including being Exited from TtW
- that the Participant should give prior notice when they cannot attend Appointments or participate in Activities
- the Participant's right to appeal decisions and where they can find assistance to do so, and
- how their information is protected under privacy legislation and under Social Security Law.

Under Social Security Law, Participants must be formally notified of the date, time, location and other additional requirements for attending Appointments and participating in Activities.

(Deed Reference(s): Clause 97)

## 7.5. Approving a Job Plan

The Job Plan must be provided to the Participant for their agreement once the Activities and Services in the Job Plan have been negotiated and the Job Plan created in the Department's IT Systems. This may be done by the Participant agreeing to their Job Plan online (through the Workforce Australia website), or by signing a hard copy.

Regardless of how a Participant agrees to their Job Plan, Participants can request two Business Days 'think time' to consider the proposed requirements of their Job Plan or to discuss the content with a third party before signing or agreeing to their Job Plan. If the Participant requests to have two Business Days 'think time' the Provider should book another Appointment in two Business Days' time.



If the Participant signs a hard copy of the Job Plan, Providers must give a copy to the Participant and also retain a copy.

### 7.5.1. Refusal or failure to enter into a Job Plan

If a Participant refuses to sign a Job Plan prior to the end of the Initial Phase, the Provider should record in the Department's IT Systems the discussion with the Participant. Participants with Mutual

Obligation Requirements must be referred to Workforce Australia Services and Exited from TtW. Participants without Mutual Obligation Requirements must be Exited from TtW.

(Deed Reference(s): Clauses 97, 107)

## 7.6. Reviewing and updating the Job Plan

Providers must regularly review and update the Job Plan including when the:

- Participant's circumstances change
- Participant commences a new Activity or Service, and/or
- Participant completes an Activity or Service that was in their Job Plan.

Job Plan content should be reviewed regularly to ensure all Activities are up-to-date and remain relevant.

When an Activity is completed, the Provider should discuss with the Participant whether the Activity or Service helped to overcome or manage their barrier. If the Activity or Service did not help or did not help enough, the Provider should consider other similarly focused Activities or Services which can support and assist the Participant and update the Job Plan with the new Activities or Services accordingly. If the Activity or Service did help the Participant overcome or manage their barrier, a new suite of Activities or Services should be entered into the Job Plan to address any other Vocational or Non-vocational Barriers the Participant may have or to provide other forms of assistance the Participant may need.

(Deed Reference(s): Clause 96.2)

## 7.7. Interpreters and support persons

When a Participant requests, or where the Provider considers it appropriate, Providers must use an interpreter to ensure each Participant understands their requirements before the Participant agrees to or signs the Job Plan.

Participants may bring a third party to the negotiation of the Job Plan if they wish.

Providers must work cooperatively with Humanitarian Settlement Program Case Managers, who may accompany some humanitarian entrant (refugee) Participants to interviews. A Humanitarian Settlement Program Case Manager can provide advice on appropriate employment strategies and activities that can help the Provider to develop a suitable Job Plan. (Note: A Case Manager is not an interpreter).

(Deed Reference(s): Clause 7)

## 7.8. Using Job Plan codes

Providers must use the comprehensive list of available Job Plan codes as they have been developed to be consistent with legislative requirements. This will enable pre-population and linkages through the Department's IT Systems, the Participant's Job Seeker Profile page on the Workforce Australia website, and the Services Australia's IT system.

Note: The JS06 (Job Search with Disability) code must be used where the Participant is eligible for Mobility Allowance. More information on Mobility Allowance can be found on Services Australia's website.

The Free-text code can only be used where no available code covers an Activity the Provider has decided to include in the Job Plan. Free-text is auto-populated into the Job Plan and, as such, is viewable to Providers and Services Australia.

(Deed Reference(s): Clause 98)

**Table 7-A: Job Plan Codes and Descriptor**

| Code | Code No and Descriptor |
|---|---|
| **Appointment** | AI01—Attend Appointment |
| | AI12—Provider Contact Appointment |
| **Job Search** | JS04—Job Search Contacts Voluntary |
| | JS06—Job Search with Disability |
| | JS07—Research and Prepare Applications |
| | JS09—Job Search monthly |
| | JS10—Job Interviews |
| **Employment** | EM54—Self Employment |
| | EM56—Paid Work |
| **Participation Activities** | ET52—Adult Migrant English |
| | ET53—Apprenticeship/Traineeship |
| | ET56—SEE or ESL course |
| | ET57—SEE and/or ESL assessment |
| | ET59—Study - Part-Time or Full-Time |
| | ET60—Updating work related licences/quals/m-ships |
| | ET64—Work preparation |
| | WE11—Voluntary Work |
| | WE15—Defence Force Reserves |
| **Non-vocational** | NV02—Counselling |
| | NV04—Non-Vocational Training |
| | NV05—Parenting Skills Program |
| | NV07—Drug and Alcohol Rehabilitation |
| | NV09—Self-help Group or Support Group |

| Code | Code No and Descriptor |
|---|---|
| | NV10—Undertake an Assessment |
| | NV12—Child Care |
| | NV13—Intervention – Non Specific |
| | NV14—Health Maintenance Program |
| **Free-text** | FTXT—Free-text |

**Table 7-B: Job Plan Assistance Codes and Descriptor**

| Assistance Code No | Assistance Code Description |
|---|---|
| **AS02** | Health and Allied Services Assistance |
| **AS03** | Interpreter Services Assistance |
| **AS04** | Non-Vocational Assistance |
| **AS05** | Provider Services Assistance |
| **AS06** | Relocation Assistance |
| **AS07** | Self-Employment Assistance |
| **AS08** | Short-Term Child-Care Assistance |
| **AS09** | Provided JET CCFA Information and Assistance |
| **AS10** | Training - Books and Equipment Assistance |
| **AS11** | Training - Courses Assistance |
| **AS12** | Transport and Licensing Assistance |
| **AS13** | Wage Subsidy Assistance |
| **AS14** | Work Experience Activities Assistance |
| **AS15** | Work Related Clothing and Presentation Assistance |
| **AS16** | Work Related Tools and Equipment Assistance |
| **AS17** | Other Assistance |
| **AS18** | On The Job Assistance |
| **AS19** | Psychological Assistance |
| **AS20** | Ongoing Support Assistance |

# Chapter 8. Vacancies and Outcomes

Supporting Documents for this Chapter:

- TtW Outcomes - Documentary Evidence Checklist
- TtW Manual Claims - Provider Advice

Refer to the TtW System Steps Guide.

## 8.1. Chapter Overview

TtW supports young people to improve their work readiness skills and assists them into employment (including apprenticeships or traineeships) or education.

Providers must work with Employers and Industry to understand their needs and ensure Participants are equipped to meet those needs. By supporting Participants and working with Employers and Education providers, Providers can achieve a range of Outcome types.

This Chapter outlines Outcome types (Education, Employment and Hybrid) as well as managing and claiming Outcomes and sourcing and lodging Vacancies.

## 8.2. Summary of Outcomes

Providers can claim a range of Outcomes when assisting Participants to become work ready or move into Employment. These include:

- 12 Week Employment Outcomes
- Education Outcomes
- 12 Week Hybrid Outcomes
- 26 Week Employment Sustainability Outcomes
- 26 Week Hybrid Sustainability Outcomes.

All Outcomes above will be available where Employment is with, or Education or training is delivered by, a Related Entity or Own Organisation of the Transition to Work Provider.

(Deed Reference(s): Clause 135, 137, Chapter B6, Annexure B1 – Outcomes, Table 1 – Outcome Requirements)

## 8.3. Impact of a Participant's characteristics on Outcomes

A Participant's Income Support Payment status and Mutual Obligation Requirements inform the requirements that need to be met for an Outcome to be achieved.

Please refer to Annexure B1 – Outcomes, Table 1 – Outcome Requirements of the Deed.

## 8.4. 12 Week Employment Outcomes

12 Week Employment Outcomes can be achieved once a Participant has been in 12 cumulative weeks of:

- Employment

- Unsubsidised Self-Employment (i.e. Participant does not receive a personal income subsidy of any kind, such as Self-Employment Assistance)
- an apprenticeship or traineeship (unless a Provider decides to claim the apprenticeship or traineeship as a Hybrid Outcome).

To count towards a cumulative 12 Week Employment Outcome, Participants must satisfy either;

- 60 per cent rate reduction requirement (averaged over 6 Services Australia Fortnights), or
- meet the average hours requirement

as outlined in Annexure B1 – Outcomes, Table 1 – Outcome Requirements and Attachment 1 - Definitions, '12 Week Period (Employment Outcome)'.

Note: Each period of two Services Australia Fortnights (or four-week block) must satisfy a 60 per cent average rate reduction (or average hours requirement) to be included in a cumulative 12 Week Outcome Period.

Employment Outcomes can comprise multiple Job Placements, which can be with different Employers.

A Participant can consolidate multiple jobs to accrue sufficient hours or earnings to achieve the Employment Outcome. As such, a 12 Week Employment Outcome can take longer than 12 weeks to achieve. For example, a 12 Week Employment Outcome could be achieved over a 5-month period.

To be eligible to track for an Outcome, all Job Placements must begin within the Participant's current Period of Service. The Outcome tracker will commence tracking from the Outcome Start Date and then displays a result after the following time periods have elapsed:

- 4 weeks for a Participant not on Income Support Payments, or
- 2 Services Australia Fortnights for a Participant receiving Income Support Payments.

Providers cannot claim a 12 Week Employment Outcome earlier than 12 weeks or 6 Services Australia Fortnights (for Participants receiving an Activity Tested Income Support Payment).

The Employment Outcome Start Date for a Participant on Income Support is set by the Department's IT Systems based on the day the Job Placement Start Date is set to 'Placement Confirmed'. The Outcome tracker will move the Outcome Start Date to the first day of the Participant's first full Services Australia Fortnight.

For Participants who are not on Income Support, the Employment Outcome Start Date is the Job Placement Start Date recorded by the Provider in the Department's IT Systems.

(Deed Reference(s): Clause 135, Chapter B6, Annexure B1 – Outcomes, Table 1 – Outcome Requirements)

### 8.4.1. Pre-existing Employment

Generally, where a Participant is already undertaking Employment prior to them Commencing in TtW and receiving Services from any TtW Provider, this is not eligible to count towards an Employment Outcome.

However, where a Provider supports a Participant to increase their working hours or earnings after Commencing in TtW, an Outcome may be payable where it is a Significant Increase in Pre-existing Employment.

Pre-existing Employment includes a situation where a Participant, prior to Commencement, has entered into an employment contract with an Employer but has not yet started work with the Employer.

Note: The Fair Work Ombudsman defines an employment contract as an agreement between an employer and employee that sets out terms and conditions of employment. A contract can be in writing or verbal.

Participants with Pre-existing Employment are considered to be marginally attached to the labour force. The requirements to achieve an Employment Outcome are, therefore, higher for this group of Participants.

To determine whether a Significant Increase in Pre-existing Employment has occurred, the Provider must determine the initial earnings or hours that applied;

- prior to Commencement in TtW, and/or
- in the first 4 weeks from Commencement, and/or
- to the period prior to the Significant Increase in Pre-existing Employment after Commencement

(as applicable).

Providers must record a file note (in Comments) with the date of the Significant Increase in Pre-existing Employment.

Providers must retain evidence of the Participant's Employment earnings or hours for at least the four weeks prior to the Significant Increase in Pre-existing Employment.

The evidence must show that the Participant was not already achieving the required rate reduction or hours as outlined in Annexure B1 – Outcomes, Table 1 – Outcome Requirements.

Documentary Evidence must be uploaded into the Department's IT Systems.

## Placements for Pre-existing Employment

To track an Employment Outcome for Pre-existing Employment a Provider must enter a Vacancy with a Vacancy type of Pre-existing Employment selected in the Department's IT Systems.

If a Participant has Pre-existing Employment the Provider must lodge this as a Job Placement prior to lodging any other subsequent Job Placements. This will ensure the Pre-existing Employment Outcome tracks appropriately.

The Job Placement Start Date for Participants in Pre-existing Employment is different to standard Job Placements. The Job Placement Start Date cannot occur prior to the Participant's Commencement in Transition to Work.

Providers must record the Pre-existing Job Placement Start Date as the Transition to Work Commencement Date. The Provider must note the actual start date of the employment in the comments screen in the Department's IT Systems.

## Managing Outcome Tracking for Pre-existing Employment

The cessation of a Participant's Pre-existing Employment does not automatically justify the deletion of Outcome tracking based on Pre-existing Employment conditions.

If a Pre-existing Employment Vacancy placement has been recorded and an Employment Outcome is being tracked under those conditions, Providers may delete the Outcome tracker only if:

- the Pre-existing Employment ends,
- the Participant is placed into a new Vacancy, and
- the Job Placement Start Date for the new employment does not overlap with the dates or earnings/hours of the original Pre-existing Employment placement.

In such cases, Providers may use the delete Outcome tracker functionality to begin tracking the new placement under Employment Outcome conditions relevant to that subsequent job.

Note:

- Earnings or hours from Pre-existing Employment must only be attributed to Outcome Payments claimed under the Significant Increase in Pre-existing Employment provisions.
- If the Participant retains their Pre-existing Employment, the Outcome tracking must continue under Pre-existing Employment conditions.

 Providers must record the end date of the Pre-existing Employment Vacancy in the Department's IT Systems.

(Deed Reference(s): Clause 135.2, Annexure B1 – Outcomes, Table 1 – Outcome Requirements)

### 8.4.2. Vacancy Management

Providers must engage and work with Employers to understand their needs and to identify job opportunities. Providers must source suitable Job Placements for their Participants. These are recorded on the Department's IT System as a Vacancy.

When entering a Vacancy in the Department's IT Systems, Providers need to enter a range of information including a job description, employer details, hours, salary, Vacancy type and whether the job was sourced by the Participant.

To record and manage Vacancies, apprenticeships and traineeships, Providers must:

- ensure that the details of each Vacancy, apprenticeship and traineeship are complete, up-to-date and compliant with the Workforce Australia Online Conditions of Use.
- ensure the Vacancy, apprenticeship and traineeship is not an Unsuitable position.
- ensure the Job Placement Start Date is within the Participant's Period of Service.
- record the Job Placement Start Date in the Department's IT Systems within 56 calendar days of each Participant commencing Employment.
- for a job with a Paid Induction Period or employer-funded work trial the Provider can decide whether to use the date on which the Participant commences the induction/work trial or the first day of continuous Employment following the induction as the Job Placement Start Date.
- for a WorkFoundations Placement, this Vacancy type will not track for Outcomes. It relates to paid employment placements under the WorkFoundations program. If a Participant gains employment following the WorkFoundations Placement with the same WorkFoundations Employer or another Employer, a new Vacancy and Job Placement must be recorded on the day they commence employment.
- for Participants who are not on Activity Tested Income Support and are undertaking self-employment, the Vacancy must identify that the Participant's Employment is Unsubsidised Self-Employment.

- record the Job Placement End Date and End Reason when the Job Placement ends.

Note: The status of any Outcomes that were tracking, as a result of the Job Placement, will depend on the specific scenario, the type of Outcome that was tracking and whether the Participant is in any other jobs.

Note: Multiple Job Placements will contribute to the one Employment Outcome. The first of these Job Placements will set the Employment Outcome Start Date, and the Outcome tracker will commence, as detailed in the Tracking for an Employment Outcome section. Subsequent jobs will then contribute to this tracking Employment Outcome until the Outcome is claimed.

The Outcome tracker will not generate an Outcome for any subsequent Job Placements while the initial Job Placement is tracking.



The Department's IT Systems will not allow Providers to backdate a Job Placement Start Date by more than 56 days. The Department expects Providers to remain in regular contact with Participants, including awareness of gaining Employment.



Vacancies entered as apprenticeships or traineeships will contribute towards an Employment Outcome. If being claimed as a Hybrid Outcome, rather than an Employment Outcome, they will need to be combined with an Education Activity Placement (see Hybrid - Apprenticeships and Traineeships).



Providers must have Documentary Evidence to support the entering of a Job Placement Start Date in the Department's IT Systems. This Documentary Evidence can take a range of forms, including a file note that records how the Provider became aware of the Employment or written communication about the Employment from the Participant or Employer.



Providers should be aware that Outcome requirements and Documentary Evidence requirements may differ according to the type of Vacancy selected. See Documentary Evidence for Outcome Claims.

(Deed Reference(s): Clauses 79.4, 81.4, 128)

## Check Minimum Wage

Where a Provider has sourced a Vacancy they must, at the time they lodge the Vacancy in the Department's IT Systems, make sure the relevant minimum wage is satisfied.

The minimum wage may be set out in the Modern Award that relates to the Vacancy. The National Minimum Wage will apply if a Modern Award is not in place. As Providers will check this at the Vacancy lodgement stage, they will not be expected to check minimum wages again when they claim an associated Outcome Payment.

Where a Participant has sourced a Vacancy, Providers are not required to check the applicable minimum wage. The Participant will already have information relating to the National Minimum Wage and the Fair Work Ombudsman as Providers must give this information to all Participants when they Commence in Services.

The information must include the following, which is contained in the Minimum wages fact sheet available on the Fair Work Ombudsman website:

- details of the latest National Minimum Wage rates,

- where to access information about the Pay and Conditions Tool and any changes to the National Minimum Wage rates, and
- the contact details of the Fair Work Ombudsman.

(Deed Reference(s): Clause 95.1)

### 8.4.3. Tracking for an Employment Outcome

An Employment Outcome will begin to track once a Provider has:

- recorded a Vacancy in the Department's IT Systems, and
- placed the Participant against it in a Job Placement, and
- recorded the Job Placement Start Date.

Note:

- The Outcome tracker will not generate a result until after 4 weeks, for a Participant not on Income Support Payments, or 2 Services Australia Fortnights, for a Participant receiving Income Support Payments, has passed.
- WorkFoundations Placements will not track for Outcomes as they relate to paid employment placements under the WorkFoundations program and are not eligible for Employment Outcomes.

The Outcome tracker on the Department's IT Systems enables a Provider to view and track Employment Outcomes and lodge a claim when it becomes available.

Note: Where a Participant is not receiving an Income Support Payment, Employment Outcomes cannot be tracked using Services Australia data, and all Employment Outcomes must be claimed as Payslip Verified Outcomes to confirm total hours worked over the Outcome Period and the date Outcome requirements were met.

If a Job Placement is contributing to a Sustainability Outcome and at the same time is tracking to a 12 Week Employment Outcome in its own right, the Provider must only claim one of these Outcomes.

Providers are required to support and provide assistance (Post-placement Support) to all Participants and/or Employers to help sustain their Employment.

Note: Outcomes will continue to track for a Participant after they have been Exited, and Providers will still be able to claim the Outcome where the requirements are met. Post-placement Support must be provided to Participants while they are tracking to an Outcome. Post-placement Support can still be provided after a Participant has Exited.

(Deed Reference(s): Chapter B6, Annexure B1 – Outcomes, Table 1 – Outcome Requirements)

## 8.5. Education Outcomes

Providers can claim an Education Outcome (Participation) or an Education Outcome (Attainment or Completion) if a Participant satisfies the respective requirements as outlined in Annexure B1 – Outcomes, Table 1 – Outcome Requirements.

Providers must only claim one Education Outcome Type in relation to the same course being undertaken by a Participant (i.e. either an Attainment or a Participation).

Regardless of the length of the course, Providers cannot claim two Education Outcomes (Participation) for the same course. For example, a 52-week course cannot be claimed as two 26-week Participation Outcomes. However, Providers may claim multiple Education Outcomes where a Participant undertakes different courses, for example, completion of Year 12 and a Certificate III.

Providers must record all Education Placements for a Participant in the Department's IT Systems within 28 calendar days of the Participant commencing the course.

The Outcome Start Date for an Education Outcome is based on the Participant's Education Placement Start Date in the course.

The Outcome tracker on the Department's IT Systems enables a Provider to view and track Education Outcomes and lodge a claim when it becomes available.

- An Education Activity Placement must be recorded in the Department's IT Systems for an Education Outcome to track.
- When adding an Education Activity Placement, the Provider must ensure the Activity Sub-type is correct and aligns with the level of the course being undertaken. Selecting an Activity Sub-type which is not eligible for an Outcome (i.e. Cert II) will prevent an Outcome tracker from generating. Refer to the TtW System Steps Guide for additional information.
- Providers must indicate that the 'course provides skills identified as in-demand by National Skills Commission, approved for Austudy/Abstudy or Youth Allowance (student) and may result in an Education Outcome'.
- If an Education course changes from part-time to full-time (or vice-versa) after the Education activity has been confirmed, the first Education activity must be ended and a new one created.
- Providers must have Documentary Evidence to support recording an Education Placement in the Department's IT Systems. This Documentary Evidence can take a range of forms, including a file note that records when and how the Provider became aware of the Education Placement (start date) or written communication about the Education Placement from the Participant or the education or training institution delivering the course.

(Deed Reference(s): Clause 135.1, Chapter B6, Annexure B1 – Outcomes, Table 1 – Outcome Requirements)

### 8.5.1. Education Outcome based on Participation

For an Education Outcome (Participation), Participants must attend and engage in one of the following education courses full-time for 26 Consecutive Weeks as described in the Deed:

- Secondary Education leading to Year 12 (this includes participation at school, for example Year 10, Year 11 or Year 12)
- a Certificate III or higher course (this includes a Diploma or Advanced Diploma, Associate Degree or Bachelor Degree, Undergraduate Certificate, a University Bridging Course or Unilearn Course (University Bridging Courses and Unilearn Courses must be delivered by an Australian University or RTO))
- the Skills for Education and Employment (SEE) program or
- the Adult Migrant English Program (AMEP).

Note: Education Outcomes for Certificate III or higher courses are not inclusive of Masters or Doctoral Degrees, please refer to the listed inclusions above. An eligible course for an Education

Outcomes must satisfy the requirements as specified in Annexure B1 – Outcomes, Table 1 – Outcome Requirements of the Deed.

The education or training institution delivering the course determines the full-time status of a course for the purposes of tracking towards an Education Outcome.

It is important that Providers help Participants understand the local labour market and employment available in their area when discussing education/training options with them. The Department does not support 'training for training's sake' so a Participant should not be unnecessarily or repeatedly cycled through training.

Note: During the 26-week Period, Participants must achieve the average weekly hour requirement or other participation requirements outlined in Annexure B1 – Outcomes, Table 1 – Outcome Requirements.

Note: Participating in Education courses which are not full-time must not track towards an Education Outcome (Participation). However, it can contribute towards a Participant's 25 hours requirement for a Hybrid Outcome if combined with Employment (see 12 Week Hybrid Outcomes and Sustainability Outcomes).

(Deed Reference(s): Chapter B6, Annexure B1 – Outcomes - Table 1 – Outcome Requirements)

### 8.5.2. Education Outcome based on Attainment or Completion

An Education Outcome based on Attainment or Completion will entail either the Participant's successful Completion of Year 12, or Attainment of a Certificate III or higher.

The Participant does not have to undertake a full-time course for a Provider to claim an Education Outcome based on Attainment or Completion.

There is no specified or minimum length in which a Participant can attain a Certificate III or higher course qualification, except for a University Bridging Course which must be a minimum of 12 weeks duration.

(Deed Reference(s): Chapter B6, Annexure B1 – Outcomes, Table 1 – Outcome Requirements)

### 8.5.3. Delivery of Online Education

Education which involves distance learning, online or self-paced study methods can track to an Education Outcome. However, Providers should take into account the quality of education provider, the course content/learning outcomes, access and assistance that will be available to Participants, and the individual circumstances of the Participant when determining the most appropriate mode of study.

The Department prefers Providers to use face-to-face learning, and local courses, given the characteristics of TtW Participants. However, a Provider can track and achieve Education Outcomes for Participants doing online education.

### 8.5.4. Monitoring Participants in an Education Activity

Providers must regularly monitor the Participant's engagement in the Education Activity. This may involve contacting the relevant educational institution to ensure the Participant is fully engaged in the course or checking to ensure the Participant is completing relevant modules of an online course.

Note: If a Participant in an Education course changes from part-time to full-time (or vice-versa) after the Education activity has been confirmed, the first Education Activity must be ended and a new one entered.



A Provider can backdate an Education Activity Start Date up to 28 days including where a Participant may have Exited. However, the Education Activity Start Date must fall within the Participant's Period of Service.

When an Educational Activity Placement has ended, or the Participant stops attending, the Provider must update the Activity Placement with an end date and Exit reason.

(Deed Reference(s): Clause 79.4, Chapter B2)

### 8.5.5. Periods of leave

Educational institutions will have individual policies about how much leave students can take before their absence starts to impact their enrolment and progression.

Providers must consider the individual institutions' policies regarding acceptable levels of leave when determining whether the 26 Consecutive Weeks of Participation has been reached. The 26 Consecutive Weeks includes normally scheduled breaks in study as determined by the training institution (i.e., term or semester breaks).

### 8.5.6. Pre-existing Education

Pre-existing Education is:

- Education that started prior to a Participant's Commencement in TtW. This includes deferred study, or
- participation in the SEE program which started between the Participant's Referral to and Commencement in TtW

Except in relation to the SEE program, a Participant's part-time Pre-existing Education must increase to full-time before a Provider can track towards, and claim, an Education Outcome (Participation). If the Participant's Pre-existing Education is full-time, an Education Outcome is not payable.

(Deed Reference(s): Clause 135.3; Chapter B6, Annexure B1 – Outcomes, Table 1 – Outcome Requirements)

## 8.6. 12 Week Hybrid Outcomes

A 12 Week Hybrid Outcome is achieved where a Participant participates for 12 consecutive weeks for the minimum average weekly hours required in the Deed in a combination of Education and Employment at the same time or in an apprenticeship or traineeship.

There can be any ratio of Education to Employment if the placements run concurrently.

The Education component must be a Certificate III or higher course, secondary education leading to Year 12, the SEE program or AMEP and can include normally scheduled breaks determined by the education institution.

Providers cannot claim both a Hybrid Outcome and an Education Outcome for the same Education activity or both a Hybrid Outcome and an Employment Outcome for the same Job Placement.

To start a Hybrid Outcome tracking, the Provider must:

- refer and result the Participant in a Vacancy, and
- refer the Participant to an Educational Activity Placement, for the same period.

(Deed Reference(s): Chapter B6, Annexure B1 – Outcomes - Table 1 – Outcome Requirements)

### 8.6.1. Using Pre-existing Employment for a Hybrid Outcome

Pre-existing Employment can be combined with Education to track towards a Hybrid Outcome. However, Pre-existing Employment cannot be combined with Pre-existing Education to track towards a Hybrid outcome.

A Hybrid Outcome will start to track if a Participant's Education Placement is confirmed in an Education course within the Department's IT Systems and the Participant already has a pre-existing Job Placement recorded in the Department's IT Systems.

The Hybrid Outcome will track even if the pre-existing Job Placement has insufficient rate reduction to achieve an Employment Outcome in its own right.

(Deed Reference(s): Clause 135.4; Chapter B6, Annexure B1 – Outcomes, Table 1 – Outcome Requirements)

### 8.6.2. Using Pre-existing Education for a Hybrid Outcome

Pre-existing Education can be combined with Employment to track towards a Hybrid Outcome. However, Pre-existing Education cannot be combined with Pre-existing Employment to track towards a Hybrid Outcome.

A Hybrid Outcome will start to track if a Participant's Job Placement is recorded in the Department's IT Systems and the Participant already has a Pre-existing Education Placement confirmed in the Department's IT Systems.

Where a Participant was undertaking part-time Pre-existing Education and later commences Employment that overlaps with the Education Activity, the Provider must end the first Education Activity Placement and start a new one in the Department's IT Systems.

(Deed Reference(s): Clause 135.4; Chapter B6, Annexure B1 – Outcomes, Table 1 – Outcome Requirements)

### 8.6.3. Apprenticeships and Traineeships

Apprenticeships and traineeships may be tracked as Hybrid Outcomes, where:

- the Provider considers participation in the apprenticeship or traineeship will not, in conjunction with any other jobs, satisfy the requirements of an Employment Outcome, and

- the education component of the apprenticeship or traineeship is, or will be, at Certificate III level or above.

An apprenticeship or traineeship entered as a Hybrid Outcome must meet the requirements outlined in the Deed.

The Provider should enter the Job Placement and Education Activity Placement into the Department's IT Systems so that they start at the same time the Participant commences the apprenticeship or traineeship (even if the education component actually starts later).

When entering an Education Activity Placement associated with an apprenticeship or traineeship the Provider must identify in the comments section:

- that the Education Activity Placement is for an apprenticeship or traineeship,
- the Vacancy ID of the corresponding apprenticeship Job Placement,
- the anticipated start date of the Education component (Certificate III or above) of the apprenticeship, where this differs from the Job Placement Start Date of the apprenticeship/traineeship.

(Deed Reference(s): Clause 135.4, Chapter B6, Annexure B1 – Outcomes, Table 1 – Outcome Requirements)

### 8.6.4. Hybrid Outcome Start Date

A Hybrid Outcome starts to track for a Participant when the Education and Employment components occur in the same fortnight, for the required combined hours per week as set out in the Deed.

### 8.6.5. Tracking for a 12 Week Hybrid Outcome

12 Week Hybrid Outcomes will appear on the Outcome tracker on the Department's IT Systems. This will enable Providers to view and track Hybrid Outcomes and consider lodging a claim when it becomes available.

## 8.7. Sustainability Outcomes (Employment and Hybrid)

There are two types of Sustainability (26 Week) Outcomes for TtW:

- Employment Sustainability Outcomes
- Hybrid Sustainability Outcomes.

Sustainability Outcomes start immediately after a 12 Week Employment or Hybrid Outcome period is completed and must continue for an additional 14 consecutive weeks (7 Services Australia Fortnights for a Participant on Income Support Payments) for the required hours.

A 12 Week Employment Outcome can lead to a Hybrid Sustainability Outcome and a 12 Week Hybrid Outcome can lead to a Sustainability Outcome (Employment).

The course types allowed for Hybrid Sustainability Outcomes are the same as for 12 Week Hybrid Outcomes and Job Placements for Employment Sustainability Outcomes track as per the 12 Week Employment Outcomes.

There are no separate Sustainability Outcomes for Education as Education Outcomes already require 26 weeks' participation in relevant Education Activities.

(Deed Reference(s): Chapter B6, Annexure B1 – Outcomes, Table 1 – Outcome Requirements)

### 8.7.1. Breaks in Sustainability Outcomes

Sustainability Outcomes have flexibility to allow a Participant to have short unpaid breaks, such as for illness. The Outcome can be claimed if the Participant still achieves the rate reduction or hours requirements, over the consecutive 14 weeks.

Mandatory breaks (Permissible Breaks) may prevent the Participant from achieving an Employment Sustainability Outcome or a Hybrid Sustainability Outcome. For example, an unpaid Christmas shutdown mandated by the Employer or a declared natural disaster may cause a break in the Employment Sustainability Outcome or the Employment element of the Hybrid Sustainability Outcome. In these circumstances, Providers should contact their Provider Lead about submitting a Manual Claim where the break alone will prevent the claiming of the Sustainability Outcome.

For mandatory breaks, the Provider must provide Documentary Evidence additional to that required by the Outcome claim. They must upload a signed and dated written statement or email from the Employer which confirms:

- the break in employment including the reason for the break and that the break is mandated or an expectation by the Employer or in the industry,
- the duration of the break including start and end dates,
- the Participant is employed in the same position following the break.

## 8.8. Non-Payable Outcomes

There are some Employment types that are not eligible for Employment Outcome payments, even where the Participant works sufficient hours or earns sufficient income to meet the Employment Outcome requirements. These are referred to as Non-Payable Outcomes. The following are Non-Payable Outcomes:

- Employment in a position that is Unsuitable
- any Employment involving the Participant generating their income or earnings directly from gambling work. For example, if the Participant works as a bookmaker or card dealer and keeps their ‘winnings’ as declared earnings, an Employment Outcome is not payable. However, an Outcome could still be payable where Employment is in a venue where legal gambling occurs (for example, working in a bar in a licensed venue with poker machines) but the Employment does not involve earnings derived from gambling
- Employment that started before the Participant Commenced in TtW, except where a Significant Increase in Pre-existing Employment applies
- Recurring Employment
- concurrent or overlapping Outcomes
- 12 Week Employment Outcome, 12 Week Hybrid Outcome or Education Outcome, where the Outcome Start Date occurs outside of the Participant’s Period of Service
- 12 Week Employment Outcome or a Sustainability Outcome, where the Participant is placed in Employment and the Participant ceases to receive their Income Support Payment due to reasons other than that employment (i.e. moves to Full-time Study, Overseas absence)
- any other situation advised by the Department.

Pre-existing Education is a Non-Payable Outcome unless it is the SEE Program or if part-time Pre-existing Education increases to full-time. Refer to Pre-existing Education for further details.

(Deed Reference(s): Clauses 135.1, 137.7, 137.8; Annexure B1 – Outcomes)

## 8.9. Managing and Claiming Outcomes

Different time periods are used to achieve the various Outcomes available under TtW. Table 1 – Outcome Requirements in ANNEXURE B1 – OUTCOMES in the Deed contains all relevant information to determine the Outcome Period.

Providers cannot claim multiple Outcome Payments for Employment Outcomes, Education Outcomes or Hybrid Outcomes when the Outcome periods overlap.

If a Participant is tracking towards multiple Outcomes, the Provider may choose which Outcome to claim. Once claimed, the Outcome Start Date for the remaining overlapping Outcomes will move to the claimed Outcome end date plus one day and commence tracking.

Sustainability Outcomes are treated slightly differently. They must continue to track for the 14 consecutive weeks immediately following completion of a 12 Week Employment or a 12 Week Hybrid Outcome regardless of any other overlapping Outcome claims. This means, if another Outcome is claimed that overlaps with the Sustainability Outcome, the Sustainability Outcome will become unclaimable.

The Outcome tracker enables a Provider to view and track Outcomes and lodge a claim when it becomes available. To access the tracker from the Provider landing page:

- select Payments from the blue ribbon at the top of the page
- select Payments hub from the ribbon that appears
- select Outcome tracker.

(Deed Reference(s): Clause 136, Chapter B6, Annexure B1 – Outcomes, Table 1 – Outcome Requirements)

### 8.9.1. Claiming Outcomes

All Personnel must complete Claims Processing Training before lodging a claim for Outcome Payments in the Department's IT Systems.

It is recommended that Providers claim Outcome Payments which satisfy Deed requirements promptly after the Outcome is achieved. Delayed claims may adversely impact a Provider's performance data and the tracking of an Outcome for new placements and Sustainability Outcomes.

The 'last date to claim' field in the Outcome Tracker is not applicable to TtW Outcomes, however Providers are encouraged to use the date as a guide to identify if Outcomes are being claimed in a timely manner after they have been achieved.

Note: A Participant does not need to be Exited from TtW where a Provider claims an Outcome if the Participant is still within their Period of Service.

When an Outcome for a Participant on Income Support becomes available to claim, and the Participant's Income Support has been stopped (for example, '*failure to report*'), the Provider must

confirm that the Participant remained Employed for any fortnights where the Outcome tracker indicates the result is 'system derived' before the Outcome can be claimed.

When an Employment Outcome is tracking under hours and the Outcome tracker records a fortnight with a default 76 hours and a basic rate payment of zero, Providers must confirm that the Participant remained Employed before the Outcome can be claimed.

Providers must have Documentary Evidence supporting the confirmation. This can include a file note (in Comments) that records how the Provider confirmed the system derived fortnights were due to Employment, or written communication from the Participant or Employer.

Providers must only claim an Outcome if the Participant has achieved the relevant outcome requirements.

Documentary Evidence requirements vary based on Outcome type, Participant characteristics and whether the Outcome is a result of Pre-existing Employment.

Providers must upload all Documentary Evidence to support their Outcome claim into the Department's IT Systems at the time of the claim unless otherwise stated. Outcome claims are monitored and reviewed by the Department on an ongoing basis.

See Documentary Evidence for Outcome Claims.

(Deed Reference(s): Clause 47.3, 137; Chapter B6, Annexure B1 – Outcomes, Table 1 – Outcome Requirements)

### 8.9.2. Outcomes if a Participant transfers between Transition to Work Providers

If a Participant on a Provider's Caseload is tracking towards an Outcome and the Participant transfers to another TtW Provider during the Outcome Period, the original Provider may claim the related Outcome or Sustainability Outcome as long as all relevant requirements are met.

(Deed Reference(s): Clause 137; Chapter B6, Annexure B1 – Outcomes, Table 1 – Outcome Requirements)

### 8.9.3. Outcomes after the completion of Period of Service

Group One Participants may remain in TtW after they have completed their Period of Service (i.e. 18 or 24 months of servicing) where they are tracking to an Outcome until either the Outcome is achieved, or the Participant stops continually progressing toward the Outcome.

For the purposes of determining when a Group One Participant should remain in TtW where they have completed their Period of Service, 'tracking to an Outcome' means:

- at a minimum, a Participant is participating in Employment or Education, on the last day of their Period of Service,
- there are sufficient earnings/hours that will meet the requirements outlined in Annexure B1 – Outcomes, Table 1 – Outcome Requirements, and
- in the case of 12 Week Employment Outcomes, the Participant is likely to achieve an Outcome within 12 weeks.

The Participant must be immediately Exited by the TtW Provider if there are any fortnights where there are insufficient, or no, hours worked or no participation in Education.

Note: Sustainability Outcomes may have fortnights of no hours worked because they are calculated over a consecutive 14-week period using an average of Employment earnings/hours. However, the Provider must immediately Exit Participants who remain on the caseload while tracking to a Sustainability Outcome either:

- at the end of the 14-week period regardless of whether the Outcome has been claimed or not, or
- if the Provider determines that the Outcome cannot be achieved over the 14-week period, such as in cases where the Participant's employment ends or there are extended periods without work.



Where a Provider retains a Participant past their Period of Service and the tracker does not show continued earnings/hours, Providers should record a file note (in comments) outlining the specific circumstances/reason to support the decision (i.e. the Provider has confirmation of a break or leave due to injury, etc).

Note: A Group Two Participant will be automatically Exited at 18 months Period of Service, even if they are tracking toward an Outcome.

After a Participant is Exited, Outcomes will continue to track in the Department's IT Systems and where the requirements are met, Providers will be able to claim the Outcome.

Post-placement Support must be provided to all Participants while they are tracking to an Outcome.

Refer to the Period of Service, Suspensions, Transfers and Exits Chapter and Eligibility, Referral and Commencement Chapter for more information.

(Deed Reference(s): Clauses 104, 107; Annexure B1 – Outcomes, Table 1 – Outcome Requirements)

## 8.9.4. Verification of Employment Outcomes

There are two ways that Outcomes can be verified – by information from Services Australia or by Documentary Evidence (Payslip Verified Outcome Payment). The process will be different if the Participant is:

- on Income Support Payments and the Department's IT System is receiving correct Services Australia data
- on Income Support Payments and there is a discrepancy between Services Australia data displayed in the Department's IT System and what the Participant received from the Employer(s), or
- not on Income Support Payments.

(Deed Reference(s): Chapter B6, Annexure B1 – Outcomes, Table 1 – Outcome Requirements)

### Participants on Income Support Payments (Services Australia data-based claim)

For Participants on an Income Support Payment, Employment Outcomes are verified by the Department's IT Systems using the earnings or hours declared to Services Australia by Participants each fortnight.

The Department's IT Systems will consider the Participant's earnings each fortnight, to calculate the amount their Income Support has been reduced due to those earnings (i.e. the rate reduction). For example, if the Participant's earnings from Employment mean they only receive 30 per cent of their JobSeeker Payment in a fortnight, their rate reduction for that fortnight is 70 per cent.

Earnings/hours information will be imported from Services Australia's IT system.

Outcomes will become available to claim once Services Australia data has verified that the appropriate hours or rate reductions have occurred to meet the Outcome requirements and if all other Outcome requirements are met.

Documentary Evidence is not required for Employment Outcomes where the Department's IT Systems are able to use only Services Australia data to verify that an Employment Outcome is payable.

## Participants on Income Support Payments (Variation)

Where a Provider disagrees with the earnings or hours information received from Services Australia, they can add a variation to the Outcome. A Provider is required to enter earnings or hours in a way that aligns with the Services Australia fortnight.

To add a variation, a Provider must:

- select the Outcome in the Outcome Tracker
- select 'add a variation' in the Outcome detail screen and record;
    - for earnings-based Outcomes, the Participant's earnings based on the payment date (as shown on the Payslip) that aligns within the relevant Services Australia fortnight.
    - for hours-based Outcomes, the Participant's hours to align with the Services Australia fortnight in which the Participant worked, not when they received their earnings.

After the variation has been added to the Department's IT Systems, Payslips for the period of the variation must be uploaded as Documentary Evidence. The Outcome will become available for the Provider to claim in the Department's IT System if the appropriate rate reductions or hours have occurred to meet the Outcome requirements and the Provider is satisfied that all other Outcome requirements are also met.

## Participants not on Income Support Payments

Providers must submit a claim for a Payslip Verified Outcome Payment to claim an Employment Outcome for Participants who are not on an Income Support Payment or are in Unsubsidised Self-Employment and meet all other participation requirements (as outlined in Annexure B1 – Outcomes, Table 1 – Outcome Requirements).

To claim an Employment Outcome, Providers must:

- select the Outcome in the Outcome tracker
- record the total number of hours the Participant has worked over the relevant Employment Outcome Period
- record the date the Participant achieved the total number of required hours to achieve the Employment Outcome
- upload Documentary Evidence and record the Documentary Evidence type.

The Department's IT Systems will check that the hours entered meet the Deed requirements for an Employment Outcome and will allow the claim to be lodged for payment where they do.

(Deed Reference(s): Chapter B6, Annexure B1 – Outcomes, Table 1 – Outcome Requirements)

### 8.9.5. Employment Outcomes Triggered by another organisation

Providers may be able to claim an Employment Outcome where the Participant gains Employment through another organisation or Other Service Provider, assuming all other Outcome requirements are met. If a Job Placement is entered into the Department's IT Systems, this will track Outcomes for the Provider.

Provider should work with these Other Providers to confirm details and arrangements for providing Post-placement Support for the Participant.

(Deed Reference(s): Clause 137.6)

### 8.9.6. Documentary Evidence for Outcomes Claims

Providers must hold the required Documentary Evidence at the time of making the claim in the Department's IT Systems.

(Deed Reference(s): Clause 10, 18.4, 19, 137; Chapter B6, Annexure B1 – Outcomes, Table 1 – Outcome Requirements)

#### Documentary Evidence – Employment Outcomes

Documentary Evidence must be:

- a payslip (record of Employer payment to a Participant generated by an Employer which satisfies the requirements of the *Fair Work Act 2009* and *Fair Work Regulations 2009*), or
- Employer payroll summary (record of the Participant's official payment history generated by an Employer)

The document must include the following information:

- Employer's and Participant's name
- Employer's Australian Business Number (ABN) or Australian Company Number (ACN) (if applicable)
- Payment Period
- date of payment
- gross and net pay
- if the Participant is paid an hourly rate:
    - the ordinary hourly rate
    - the number of hours worked at that rate
    - the total dollar amount of pay at that rate.

The Provider must obtain an email from the Employer confirming any details which are not included on the payslip/Employer payroll summary.

If using an Employer payroll summary, the Provider must attach an email from an Employer confirming the hours worked per Payment Period if the Participant does not receive a payslip with an hourly wage identified because they undertake piece-work (i.e. the Participant is paid per item of work).

Where variations are entered for Participants on Income Support, the Provider is only required to provide payslips or Employer payroll summary report/s for the period of time/fortnight in the Outcome period that cannot be verified by Services Australia data.

Note: As per section 3.6.2. of the Workforce Australia Universal Guidelines Part A, Tax File Numbers must be redacted from pay slips prior to being uploaded into the Department's IT Systems as Documentary evidence to support Pay Slip Verified Outcomes.

## Unsubsidised Self-employed Participants

For Participants undertaking Unsubsidised Self-Employment, different Documentary Evidence requirements apply for Pay Slip Verified Outcomes.

This must be supported by dated Documentary Evidence from the Participant in one or more of the following forms:

- sales records, contracts with clients or contracts of employment and a statement from a Certified Practising Accountant or Chartered Accountant (for example, a Profit and Loss Statement) relating to the Participant's business for 12 or 26 Week Period
- signed and dated statement of earnings from an accountant and/or registered bookkeeper for the 12 or 26 Week Period, or
- a copy of records from the Australian Taxation Office (ATO) for the 12 or 26 Week Period verifying the Participant has an income as self-employed.

Proof of business establishment alone is not sufficient evidence to support an Outcome Payment.

The records or statements provided should confirm the National Minimum Wage rate has been achieved and demonstrate the Participant's business has generated sufficient personal income (net of business expenses, including tax) to meet Outcome requirements, i.e. the Participant has either:

- worked the required hours each week/fortnight to achieve sufficient hours (such as a record of the Participant's appointments or diary entries) for hours-based Outcomes, or
- earned sufficient income to achieve the necessary rate reduction for earnings-based Outcomes.

More than one form of written evidence may be used as long as the combined written evidence contains all of the above information.

Note:

- Providers do not need to hold Documentary Evidence for self-employed Participants who are on Activity Tested Income Support if the Department's IT Systems are able to use Services Australia data to verify that an Employment Outcome is payable.
- Providers may need to wait for Participants to report their income or business statements to Services Australia prior to lodging Outcome or Manual claims.

## Declaration of earnings and hours to Services Australia

Services Australia data will automatically inform the Department's IT Systems of a Participant's earnings or hours worked for Participants on Income Support and tracking towards an Employment Outcome.

If the Services Australia data does not reflect the Participant's earnings or hours worked, it may be because the Participant is not declaring or is under-declaring their earnings or hours to Services

Australia. If a Provider becomes aware of this, they should discuss the discrepancy with the Participant to remind them of their obligations and encourage them to correctly declare any Employment hours or earnings. The Provider could also support the Participant to call or visit Services Australia.

The Provider should lodge a 'variation' in the Department's IT Systems where they have evidence the information returning from Services Australia is incorrect due to non-declaration or under-declaration.

If the Provider is not lodging a Payslip Verified Outcome Payment claim and becomes aware that a Participant is not declaring, or is under declaring their work hours or earnings to Services Australia, the Provider must inform Services Australia either:

- through the Services Australia Reporting Fraud form on the Services Australia Website, or
- by calling the Services Australia Fraud Tip-off Line on 131 524.

## Documentary Evidence for Education Outcomes

### Participation Outcomes

Documentary Evidence must be a statement or email from the education institution that is signed, dated and sent after the completion of the required 26 weeks. The evidence of participating in Education must include:

- confirmation the Participant engaged in Education for 26 weeks after the commencement date
- the course is full-time study as defined by the education institution or reflects any hours of study undertaken (in accordance with the Participant's requirements outlined in the Deed, and
- the study periods (i.e. term, trimester or semester) and the start and end dates. Noting, this includes breaks which occur over the Christmas/summer holiday period.

In addition to the statement/email above, the Provider may also provide an academic transcript issued by the education institution to demonstrate progress through the course.

Note: Where Providers are unable to obtain evidence from an education institution for an Education Participation Outcome, the following Documentary Evidence will be accepted:

- an email from the education institution stating that they will not provide the requested information,
- confirmation the Participant engaged in Education for 26 weeks after the commencement date, dated after the completion of 26 weeks of participation in that Education,
- the course is full-time study as defined by the education institution,
- the study periods (i.e. term, trimester or semester) and the start and end dates, and
- an academic transcript issued by the education institution to demonstrate progress through the course (the Participant should be able to provide this).

### Online or self-paced learning Participation Outcomes

In the instance of distance learning/online or self-paced components, Documentary Evidence must include evidence of modules completed, progress of a year level completed, unit of a Certificate III,

or a statement from a supporting education provider detailing the units of study successfully completed.

As with all Education Participation Outcome claims, the evidence provided must also confirm the study has occurred for 26 weeks, that it has been full-time as defined by the Education institution or reflects the hours of study undertaken (in accordance with the Participant's requirements outlined in the Deed.

Part-time participation in an Education Activity can count towards a Participant's 25-hours-per-week requirement or Hybrid Outcome, but will not count towards an Education Participation Outcome, unless the Participant has a reduced hour participation requirement.

### Attainment Outcomes

Evidence of completing a year 12 Certificate or a Certificate III or higher must be an electronic or a hard copy of the qualification and must show:

- the details of the qualification the Participant has achieved
- the Participant's name
- details of the Authority, Institution or Registered Training Organisation (including national provider number) that issued the qualification
- the date of the qualification
- the course code or unit code identified on training.gov.au or TEQSA (or equivalent verification from a state government authority for a Year 12 qualification), and
- for a University Bridging Course, evidence that the course ran for a minimum of 12 weeks.

Note: Documentary Evidence for Education Attainment Outcomes cannot be a statement of attainment. These documents detail units of competency a Participant has completed in a course but do not demonstrate that the entire course has been completed and a qualification achieved. The Documentary Evidence date must be after the Activity Placement Start Date.

## Documentary Evidence for Hybrid Outcomes

For a Hybrid Outcome, Documentary Evidence must prove the Participant has met the required hours through a combination of Education and Employment.



Evidence is required for both the Education and Employment components. This evidence must demonstrate the hours of study and hours of work undertaken per week or fortnight over the 12 week Outcome period. This requires:

- a signed and dated written statement or dated email from the education institution confirming the Participant's contact hours per week/fortnight and the dates of the course. This evidence must be dated after the Outcome end date, and
- payslips or Employer payroll summary/ies indicating the hours worked (for details on what constitutes an appropriate Payslip see Participants in Employment in this section).

Hybrid Outcomes require manual calculation of hours to determine whether the Outcome has been achieved, regardless of whether the Participant is on Income Support or not.

In the case of an apprenticeship or traineeship tracking as a Hybrid Outcome, Providers must upload Documentary Evidence relevant to the completed Employment and Education components, unless the Participant has not yet commenced in the Education component.

### Hybrid Sustainability Outcomes

The Provider is required to upload Documentary Evidence in the Department's IT Systems at the time of lodgement. This Documentary Evidence must demonstrate the combined number of hours the Participant has participated in Education and worked over the relevant 14 Week Period.

For example, if the Participant did not commence the Education component of the apprenticeship/traineeship within the Hybrid Outcome period, the Provider is only required to upload Documentary Evidence for the Employment component. Note, the Provider must include details of when the Education component will commence, see Record course details on the Education Activity Placement in the Create a Participant's Education Activity Placement section.

## 8.9.7. Manual Claims

The Department's IT Systems include functionality to enable Providers to manually request payment where they are unable to process the claim using standard functionality, but they consider an Outcome should be payable.

For information on how to request a Manual Claim, the circumstances where it is appropriate and what evidence is required, please refer to the Transition to Work Manual Claims Provider Advice.

# Chapter 8A. WorkFoundations

## 8A.1. Chapter Overview

WorkFoundations is a two-year grant initiative that funds businesses to offer tailored, paid employment placements for Participants facing complex barriers to employment. WorkFoundations Placements include integrated wrap-around services to support participants in entering or re-entering the workforce.

The program targets individuals who are not yet competitive in the open labour market and require additional support to become job ready. All WorkFoundations Placements are real jobs, paid at the relevant award or enterprise agreement rate, with legal entitlements including superannuation and leave.

Unlike employment Activities, WorkFoundations Placements are job Vacancies, with durations ranging from two weeks (14 days) up to, but not exceeding, six months (181 days). Participation is voluntary for eligible Participants.

Placements may span across financial years or be completed within a single financial year.

## 8A.2. Objectives of WorkFoundations

The objectives of WorkFoundations Placements are to fund paid employment vacancies that:

- Support Participants with complex barriers: by addressing challenges such as long-term unemployment and limited work experience by helping individuals build work readiness.
- Provide tailored, paid employment placements: by offering real-world work experience through paid roles, enabling participants to develop practical skills and demonstrate their potential to employers.
- Deliver integrated wrap-around services: by offering coordinated support, including vocational and non-vocational training, allied health services, and personal development programs, to address individual barriers to employment.
- Foster inclusive employment pathways: by partnering with businesses committed to inclusive recruitment and retention practices to create sustainable employment opportunities.

## 8A.3. Outcomes of WorkFoundations

WorkFoundations is designed to deliver meaningful and measurable outcomes for Participants, WorkFoundations Employers, and the broader community. These outcomes reflect the program's commitment to inclusive, supportive, and sustainable paid employment pathways.

WorkFoundations Placements are expected to provide Participants with a range of personal and professional experiences, including:

- Development of foundational employability skills: WorkFoundations Participants will build essential workplace competencies such as communication, time management, teamwork, problem-solving, and adaptability.

- Increased confidence, self-agency, and motivation: Through structured support and real work experience, Participants will gain a stronger sense of self-worth, independence, and belief in their ability to succeed in the workforce.
- Improved understanding of workplace culture and expectations: WorkFoundations Participants will learn about employer expectations, workplace norms, and professional conduct, as well as their rights and responsibilities.
- Clarification of career goals and pathways: Exposure to different roles and industries will help WorkFoundations Participants identify their interests, strengths, and long-term career aspirations, enabling more informed decisions about future employment or training.
- Pathways to sustainable outcomes: Upon completing a WorkFoundations Placement, individuals can transition into ongoing employment, pursue further education or training, or continue receiving tailored support from their Provider to overcome barriers and pursue their employment goals.

## 8A.4. Program Duration and Structure

WorkFoundations Placements are voluntary, paid employment opportunities of up to six months in duration.

The Department will negotiate with WorkFoundations Employers and approve an Activity Work Plan at the beginning of an agreement or reporting period. The Activity Work Plan details how Employers will deliver services under WorkFoundations Placements.

### The four stages of WorkFoundations Placements

WorkFoundations follows a structured four-stage journey to ensure a consistent and supportive experience for each Participant:

**Referral:** Eligible Participants can request to be referred into a WorkFoundations Placement vacancy by their TtW Provider.

**Placement:** Once a Participant agrees to undertake a Placement, they receive a Participant Handbook outlining:

- placement role and location
- key contacts and support personnel
- details of wrap-around services to be provided
- information on workplace rights and responsibilities
- income declaration and Mutual Obligation Requirements (where applicable)

**Commencement:** The Participant enters into a formal Employment Agreement with the WorkFoundations Employer and begins their WorkFoundations Placement. Paid work and wrap-around services commence simultaneously. For the duration of the WorkFoundations Placement, a TtW Participant will not be required to meet their usual participation requirements (i.e. activities for 25 hours per week), ensuring full focus on the Placement experience.

**Completion and Transition:** Approximately two to four weeks before the Placement ends, the WorkFoundations Employer and Participant meet to discuss future pathways. Providers and WorkFoundations Employers should work together to ensure a warm handover during the transition stage to ensure continuity of service.

Upon Placement completion, Participants may:

- transition into ongoing employment with the WorkFoundations Employer
- be supported into employment with another organisation, or
- resume engagement with their Provider and continue TtW Services, including further support, training, or job search assistance, or until ongoing employment with the WorkFoundations Employer is arranged.

## 8A.5. Employer Responsibilities for Ongoing Employment

WorkFoundations Placements recognise the importance of diverse employment pathways in achieving sustained employment outcomes for Participants. The Department will regularly monitor the employment outcomes to ensure accountability and continuous improvement of the program.

The responsibilities for supporting ongoing employment vary depending on the type of organisation delivering the Placement. The two distinct WorkFoundations Employer organisation types are:

### 8A.5.1. Business Stream

WorkFoundations Employers in the Business Stream must show how completing a Placement leads to an offer of ongoing, sustainable employment within their organisation.

### 8A.5.2. Social Enterprise Stream

Social enterprises provide Placements and connect with local employers. If they cannot offer ongoing employment directly, they must demonstrate strong links with local employers who can.

## 8A.6. Role of Transition to Work Providers

Providers play an important role in the Placement process, especially at commencement and completion. At the beginning, they work with WorkFoundations Employers to understand their business and the vacancy, check for eligible Participants, and explain the available supports. Providers should look at their Caseloads, identify suitable WorkFoundations vacancies, manage referrals and help prepare and approve the Participant Handbook. During the Placement, Providers will remain available to help both Participants and WorkFoundations Employers when needed. After the Placement, Providers will support Participants as they resume engagement with servicing or move into an ongoing job.

### 8A.6.1. Provider Workflow for WorkFoundations Placements

#### Engaging with WorkFoundations Employers and identifying Participants

WorkFoundations Employers will maintain regular communication with Providers to help them stay informed about the WorkFoundations Placement. This ongoing engagement helps Providers monitor their Caseloads and identify Participants who may be eligible and interested in the program.

## Introducing the program and arranging interviews

Once a Participant is introduced to the WorkFoundations opportunity and agrees to proceed, Providers must arrange an interview with the WorkFoundations Employer at a mutually convenient time.

## Post-Interview decisions and feedback

Following the interview, the Provider and WorkFoundations Employer discuss whether to offer a WorkFoundations Placement. If the Participant is not selected, the Provider must collect feedback to refine future support strategies. If the Placement is confirmed, the Provider must work closely with both the WorkFoundations Employer and the Participant to move forward.

## Creating and referring to a Placement vacancy

If the Placement is confirmed and a WorkFoundations Placement vacancy has not yet been created, the Provider will need to initiate one in the Department's IT Systems and refer the Participant to it. The Department's IT Systems will then prompt the creation of the WorkFoundations Participant Handbook.

See the WorkFoundations Supporting Documents for more information.

## Completing the WorkFoundations Participant Handbook

The Provider must complete the WorkFoundations Participant Handbook in collaboration with the WorkFoundations Employer. This document includes key details such as Placement information, contact details for the WorkFoundations Employer and Provider, wrap-around services, and any relevant notes.

After both parties approve the Handbook, the Provider must update the Participant's status in the Department's IT Systems. At this stage, the Provider's active involvement pauses unless additional support is requested during the Placement.

See the WorkFoundations Supporting Documents for more information.

## Concluding the Placement and re-engaging the Participant

At the end of the Placement, including if it concludes earlier than expected, the Provider must follow up with the WorkFoundations Employer to gather feedback on the Participant's experience and, if necessary, understand the reasons for early termination. The Provider must then update the Participant Handbook and close the vacancy in the Department's IT Systems.

To complete the process, Providers must schedule a follow-up appointment with the Participant to resume servicing.

### 8A.6.2. Notifications and tasks

Throughout the duration of a WorkFoundations Placement, WorkFoundations Employers, Providers, and Participants will receive notifications and tasks via Workforce Australia Online. These are

designed to support the review and completion of key actions required for the Placement to begin, progress, and conclude successfully.

See the WorkFoundations Supporting Documents for more information.

### 8A.6.3. Participant Engagement

Participation in WorkFoundations is voluntary. When engaging with Participants who may be interested in participating in WorkFoundations, the Provider must explain the benefits of the program, including the paid work experience, wrap around support services to encourage participation.

### 8A.6.4. Wrap-Around Support Services

When promoting WorkFoundations Placements, WorkFoundations Employers will inform Providers about the wrap-around supports they offer and may adjust these based on future Participants' needs. Providers must use this information to match suitable Participants from their Caseload.

Acknowledging that each Participant may require targeted services dependent on their personal situation and circumstances, the range of wrap-around services could include:

- developing the Participant's capability to engage in employment through:
  - assistance to access suitable housing and transport and meet food and clothing needs
  - addressing substance misuse or addiction issues
  - developing knowledge around health (including mental health), fitness and hygiene
  - growing their social and psychological well-being
  - guiding the development of goals and aspirations
  - building core skills such as language literacy and numeracy
- assisting the Participant to understand employment-related matters, including:
  - wages, onboarding, workplace rights (educating to understand employer and employee rights), obligations and entitlements including pay conditions and superannuation
  - the reporting requirements of receiving income support whilst being in paid employment
- improving their financial literacy and ability to manage money
- engaging with the Participant during the Placement through regular check-in and feedback mechanisms (e.g. to identify and facilitate additional development needs)
- collaborating with the Participant to increase their hours of employment and scope of responsibility as they gradually grow capability and capacity for work.

When the wrap-around services that will be offered are agreed to, the Provider will enter them into the Participant Handbook. Once the Participant Handbook has been approved it is then up to the Employer to implement the delivery of these wrap around services to assist the Participant resolve their barriers to employment and work towards improving their employability.

### 8A.6.5. Referrals and Eligibility Requirements

During the referral process Providers will engage with potential Participants to determine eligibility, suitability and commitment to see the WorkFoundations Placement through to completion and

towards on-going employment. Once the eligibility criteria have been determined, Providers must meet with the Participant to explain the WorkFoundations Placement, including Mutual Obligations Requirements (where applicable), reporting of income, and the expectations of the WorkFoundations Placement.

The Participant will then meet with the WorkFoundations Employer to complete an interview to determine suitability. The Employer will then inform the Participant and Provider of the outcome. If the Participant was successful, the Provider must create the vacancy in the Department's IT Systems and refer the Participant.

Once referred to the vacancy, the Provider will be able to create the WorkFoundations Participant Handbook in the Department's IT Systems. The Provider must populate the Participant Handbook with the required information and send it to the Employer to review and approve in the Department's IT Systems.

Once approved by the WorkFoundations Employer, the Participant receives a notification through the Department's IT Systems that a copy of the WorkFoundations Participant Handbook is available.

## Eligibility Requirements

All WorkFoundations Participants must meet the below eligibility criteria and be Commenced with a relevant Workforce Australia Services, Transition to Work or Parent Pathways Provider.

Before referring a Participant to a WorkFoundations Placement, the Provider must be satisfied that the Participant is eligible by checking the eligibility requirements outlined below.

### Eligible Participants

To be eligible to participate in WorkFoundations, Participants must meet the following minimum eligibility criteria:

- must be Commenced with a Workforce Australia Services, Transition to Work, or Parent Pathways Provider,
- have a minimum of one barrier to employment which they are open to address through support,
- have a positive attitude towards understanding their skills, abilities and aptitude for work, as well as undergo employment related testing if required,
- be able to accept an ongoing paid employment opportunity if offered.

Eligibility for WorkFoundations may expand to other Participants over time. The Department may, under extenuating circumstances, consider approving participation for Participants who do not meet all eligibility requirements. Providers may contact the Department to request approving participation for Participants who do not meet all eligibility requirements. The Department will make a decision based on the information provided by the Provider. Any decision will be final, and no dispute process will be made available.

See the WorkFoundations Supporting Documents for more information.

### Ineligible Participants

Participants who are ineligible to participate in WorkFoundations Placements include those who are registered with:

- Inclusive Employment Australia (delivered by the Department of Social Services),
- Workforce Australia Online Base Services
- Remote Australia Employment Service (delivered by the National Indigenous Australians Agency)
- In addition, people registered with Yarrabah Employment Services, Broome Employment Services or Norfolk Island Employment Services are not eligible to participate in WorkFoundations.

See the WorkFoundations Supporting Documents for more information.

## 8A.6.6. Participant Referrals to WorkFoundations Vacancies

Providers must refer eligible Participants to a WorkFoundations Placement flagged Vacancy in the Department's IT Systems. WorkFoundations Employers are responsible for promoting their Placements directly to local Providers. Providers will then review their Caseloads to identify suitable Participants and discuss the opportunity during scheduled appointments. Alternatively, if a Participant learns about WorkFoundations independently, they may contact their Provider to assess their eligibility.

Before referring a Participant to a Placement vacancy, the Provider must ensure the opportunity is appropriate, and likely to support the Participant's progress toward employment. The Provider must confirm that the Participant meets the general eligibility criteria, as well as any specific requirements for the Placement.

In assessing suitability, the Provider must consider the Participant's education, experience, skills, and capacity to undertake the Placement. They must also consider the Participant's strengths, any barriers to participation, and how those barriers may impact their ability to engage. Where possible, the Participant's preferences and employment goals should also be considered, along with any other relevant personal circumstances.

Once a suitable Placement is identified, the Provider must clearly explain the details to the Participant. This includes the expected start date and the consequences of not commencing on time, the wrap-around services that will be provided and their frequency, and how the Participant will meet their participation requirements during the Placement. The Provider must also outline the required frequency of contact, the importance of reporting income to Services Australia, and the available complaints processes.

See the WorkFoundations Supporting Documents for more information.

## 8A.6.7. Creating a WorkFoundations Placement vacancy

Providers are responsible for creating a WorkFoundations-flagged Vacancy in the Department's IT Systems. They must work closely with WorkFoundations Employers to ensure all vacancy details – such as the WorkFoundations Employer name, job description, position attributes, and key contact information – are accurately recorded.

Providers should note, that when WorkFoundations Vacancy flag is selected in the Department's IT Systems, the Outcome will not be tracked using the same features as a standard employment position.

See the Provider Payments and Vacancies Chapter and WorkFoundations Supporting Document for more information.

## 8A.7. WorkFoundations Participant Handbook

The purpose of the WorkFoundations Participant Handbook is to provide eligible Participants with information about their WorkFoundations Placement and Employer. It helps Participants understand what to expect, their rights and responsibilities, and where to find further support.

The WorkFoundations Participant Handbook is the foundation of the WorkFoundations Placement.

The WorkFoundations Participant Handbook is not a legal document and does not replace:

- the Job Plan or Goal Plan the Participant has with their Provider
- the Employment Agreement the Participant has with the WorkFoundations Employer.

The WorkFoundations Participant Handbook is developed in consultation with the WorkFoundations Employer and the Participant. It contains key information such as:

- Placement Overview: Details about the practical skills and experience the Participant will gain during the Placement.
- Award Wage and Entitlements: Information on payment at award or enterprise agreement rates, including legal entitlements such as superannuation and leave.
- Tailored Placement: How the Placement is adapted to suit the Participant's personal circumstances. This includes negotiating work type, schedule, and duration and providing personalised support and wrap-around services to support ongoing employment.
- Mutual Obligations Requirements (where applicable): confirms Participant can meet mutual obligation requirements (where applicable) through participation in WorkFoundations Placement.

Once all required information has been gathered, the Provider will finalise the WorkFoundations Participant Handbook in the Department's IT Systems. The completed WorkFoundations Participant Handbook is then submitted to the WorkFoundations Employer for review. If any revisions are needed, the WorkFoundations Employer will request changes from the Provider, who will update and resubmit the document in the Department's IT Systems.

After the WorkFoundations Employer approves the WorkFoundations Participant Handbook, the Provider is notified through the Department's IT Systems A final version is then shared with the Participant through the Department's IT Systems, along with a notification that it is available in their personal account.

See the WorkFoundations Supporting Documents for more information.

## 8A.8. Employment Agreement

Before a Participant begins their WorkFoundations Placement, the Employer ensures they complete all necessary employment documentation. This includes, at a minimum:

- an Employment Agreement outlining the terms and conditions

- superannuation nomination forms
- a Tax File Number Declaration

## 8A.9. Mutual Obligation Requirements (only where applicable)

All Participants who commence a WorkFoundations Placement will meet their Mutual Obligation Requirements (where applicable) for the duration of the WorkFoundations Placement. This allows Participants to focus fully on the sustainability of their Placement without the need to undertake additional activities, apply for other jobs, or attend Provider appointments.

To support this, Providers must, for the duration of the WorkFoundations Placement:

- set the Participant's PBAS requirements to zero for the length of the Placement (noting that reinstatement can only occur at the end of a reporting period).
- set the Participant's job search requirements to zero for the length of the Placement (noting that reinstatement can only occur at the end of a reporting period).
- not schedule any Appointments with the Participant for the length of the Placement (unless specifically requested by the Participant)

Before making a referral, Providers must discuss the opportunity with the Participant and obtain their agreement. Participation in a WorkFoundations Placement is voluntary and must align with the Participant's work capacity, goals, aspirations, and skills.

If the WorkFoundations Placement ends early:

- The Provider must update the Department's IT Systems to reflect the end of the WorkFoundations Placement.
- Providers must recommence delivery TtW Services to the Participant

See the WorkFoundations Supporting Documents and Participation Requirements for more information.

## 8A.10. Compulsory Appointments

Providers must not schedule compulsory Provider Appointments in the Participant's Electronic Calendar during the WorkFoundations Placement. Participants can attend Provider Appointments on a voluntary basis if they choose.

If a Provider Appointment is inadvertently booked and compliance is raised, Providers must remove any non-compliance events.

See the Targeted Compliance Framework and Mutual Obligation Failures Chapter and WorkFoundations Supporting Documents for more information.

## 8A.11. Funded assistance during WorkFoundations Placement

All costs associated with the WorkFoundations Placement will be covered by the WorkFoundations Employer. This includes funding all items listed within the wrap-around support services section of the WorkFoundations Participant Handbook, which could include clothing (uniforms), travel costs or allied health services, as examples. If there was an agreement for support in place prior to commencement, then this agreement would continue through to completion.

If a Participant requests additional assistance from a Provider during the WorkFoundations Placement, the Provider must review the WorkFoundations Participant Handbook to verify if the support is already funded. If not, the Provider should consult with the WorkFoundations Employer to confirm whether the cost is already being covered.

See the WorkFoundations Supporting Documents for more information.

## 8A.12. Supporting Participants with Income Reporting

Participants will earn income during their WorkFoundations Placement, which may impact their payments from Services Australia (where applicable). Providers are responsible for supporting Participants in understanding and managing this process.

## 8A.13. Providing support to a Participant in a WorkFoundations Placement

Once the Participant commences their WorkFoundations Placement, the responsibility for the Participant transitions to the WorkFoundations Employer. The WorkFoundations Employer must support each Participant to fully engage in the Placement.

While the Participant is undertaking a WorkFoundations Placement, Providers must:

- not schedule any regular appointments or other activities during the WorkFoundations Placement period
- receive feedback from the WorkFoundations Employer and Participant on progress and be available to support Participants if they reach out
- contact the Participant and continue TtW Servicing on completion of the WorkFoundations Placement, if an on-going employment opportunity is not offered.

## 8A.14. Monitoring Participant participation

The WorkFoundations Employer is responsible for actively monitoring each Participant's attendance and engagement throughout the Placement. If a Participant fails to attend as outlined in the WorkFoundations Participant Handbook and cannot be contacted, the WorkFoundations Employer must notify the Participant's Provider promptly.

Providers are responsible for taking appropriate action when notified of a Participant's non-attendance or disengagement. If necessary, the WorkFoundations Employer must contact the Provider to request that the Placement be ended in the Department's IT Systems. The Provider can action this by updating the end date in the WorkFoundations Participant Handbook, which will automatically trigger a notification to both the WorkFoundations Employer and the Participant.



The Provider is required to update the Department's IT Systems when a Participant withdraws from or completes a WorkFoundations Placement. This includes the date the Participant ended the Placement and the Exit reason.

See the WorkFoundations Supporting Documents for more information.

## 8A.15. Challenging Behaviours

WorkFoundations Employers must promptly notify the Participant's Provider in writing (e.g., via email) of any incidents where a Participant displays challenging behaviour, in accordance with established processes.
Providers must then complete an Incident Report for each such incident, following the appropriate reporting procedures.

See the Servicing Participants with Challenging Behaviours Chapter in the Part A: Universal Guidelines for more information.

## 8A.16. Ending the WorkFoundations Placement prior to Completion Date

If a Participant is no longer participating in a WorkFoundations Placement, the WorkFoundations Employer must:

- contact the Provider to request that the WorkFoundations Placement be ended in the Department's IT Systems
- provide this notification in writing (e.g. email) on the same Business Day they are informed
- include any reasons given by the Participant or the reason the WorkFoundations Employer ended the Referral

The Provider is responsible for taking appropriate action when notified of a Participant's withdrawal, non-attendance or disengagement. The Provider can end the WorkFoundations Placement prior to the completion date by updating the end date in the Vacancy and WorkFoundations Participant Handbook, which will automatically trigger a notification to both the Provider and the Participant. The Provider must contact the Participant to schedule a time to discuss the WorkFoundations Placement and outline their return to servicing requirements.

Where a Participant is no longer participating in the WorkFoundations Placement, the Provider must end the Participant's Placement in the Department's IT Systems by updating the Vacancy and WorkFoundations Participant Handbook and recording an end reason against the Placement record.

See the WorkFoundations Supporting Documents for more information.

## 8A.17. Preparing for Placement Completion and Transition

A key objective of WorkFoundations is to transition Participants into sustainable, ongoing employment following the completion of their WorkFoundations Placement.

Approximately two to four weeks prior to the end of a WorkFoundations Placement, the WorkFoundations Employer and Participant must meet to:

- Review progress and readiness for ongoing employment.
- Discuss potential employment opportunities within the host organisation or externally.
- Review the WorkFoundations Participant Handbook and Employment Agreement if transitioning to a new role.
- Notify the Provider of the outcome and next steps.

If ongoing employment is not secured:

- The Provider must contact the Participant to resume servicing.

Seven days prior to the scheduled WorkFoundations Placement completion date, the Provider and WorkFoundations Employer will both receive a notification confirming the Placement will conclude.

See the WorkFoundations Supporting Documents for more information

## 8A.18. Provider Progress payments during the WorkFoundations Placement

When using the WorkFoundations flag to create a Vacancy, please note that Outcomes will not be tracked, and the Vacancy will not be eligible for Outcome payments. However, Providers can track Outcomes for subsequent vacancies created outside of the WorkFoundations flag, provided they meet the eligibility criteria outlined in the Vacancies and Outcomes Chapter.

## 8A.19. Transitioning from Placement completion to ongoing employment

After a Participant successfully completes a WorkFoundations Placement and is offered ongoing employment, the Provider must support their transition by creating a new vacancy in Workforce Australia Online for Providers that reflects the ongoing role.

Once the vacancy is created, the Provider must refer the Participant to it and facilitate their continued employment pathway.

See the WorkFoundations Supporting Documents for more information.

## 8A.20. Post-Placement Support

Providers must deliver tailored post-Placement support after a Participant completes a WorkFoundations Placement and enters ongoing employment.

## 8A.21. Aggregator Models

For situation where the Employer is using an Aggregator Model to deliver WorkFoundations Placements, there will be a number of additional steps that the Provider will need to include in the vacancy and the WorkFoundations Participant Handbook to ensure all involved parties are included in the Placement.

### 8A.21.1. Creating the Vacancy

Providers will need to create a WorkFoundations flagged Vacancy by entering key details such as the employer, job description, position attributes, and contact information. For an Aggregator Model vacancy, the Provider will need to create the vacancy with the WorkFoundations Employer (Placement) and add the WorkFoundations Employer (Aggregator) to the additional employer section of the vacancy.

When using the WorkFoundations flag to create a Vacancy, please note that Outcomes will not be tracked, and the vacancy will not be eligible for Outcome payments. However, Providers can track Outcomes for subsequent vacancies created outside of the WorkFoundations flag, provided they meet the eligibility criteria.

See the WorkFoundations Supporting Documents for more information.

### 8A.21.2. WorkFoundations Participant Handbook

The Provider must liaise with the WorkFoundations Employer (Aggregator) to create and populate the WorkFoundations Participant Handbook. The WorkFoundations Employer (Aggregator) will need to have spoken to the WorkFoundations Employer (Placement) to ensure they have all the required information.

It will be at the discretion for the WorkFoundations Employer (Aggregator) if they would like the Provider to liaise with the WorkFoundations Employer (Placement) to populate the WorkFoundations Participant Handbook. This will need to be negotiated prior to creating the WorkFoundations Participant Handbook, noting that the Participant Handbook will be sent to the WorkFoundations Employer (Aggregator) as listed as the Employer in the Participant Handbook.

During the creation of the WorkFoundations Participant Handbook, the Provider will need to enter the following for the WorkFoundations Employer (Aggregator) and the WorkFoundations Employer (Placement):

- **Placement details section:** Employer and Address will be the WorkFoundations Employer (Placement)
- **Supervisor details section:** Name, Phone and Email will be the WorkFoundations Employer (Placement)
- **Employer contact details section:** Name, phone and email will be the WorkFoundations Employer (Aggregator)

Once the WorkFoundations Participant Handbook has been created, it will be sent to the WorkFoundations Employer (Aggregator) to review and approve as they hold the responsibility for the grant. It will then be the WorkFoundations Employer (Aggregator) to liaise with the WorkFoundations Employer (Placement) to ensure the information in the WorkFoundations Participant Handbook is correct before approving.

Once the WorkFoundations Participant Handbook has been approved by the WorkFoundations Employer (Aggregator), the WorkFoundations Employer (Aggregator) will need to send a copy of the Participant Handbook to the WorkFoundations Employer (Placement) so they have a copy and can provide a copy to the Participant on commencement of the WorkFoundations Placement.

See the WorkFoundations Supporting Documents for more information.

## 8A.22. WorkFoundations Performance

The Department will monitor and evaluate the WorkFoundations Employers' delivery of WorkFoundations Placements, focusing on milestones and Key Performance Indicators (KPIs) as outlined in the Grant Agreement and Activity Work Plan. These KPIs include satisfaction levels among Participants, Providers, and WorkFoundations Employers; program efficiency; and achievement of outcomes. Together, these indicators assess the program's effectiveness and

alignment with its strategic goals.
Performance monitoring will support continuous improvement through structured feedback and evaluation processes.
Providers' engagement in the WorkFoundations Program may also contribute to overall performance outcomes within the relevant Performance Framework.

## 8A.23. Assurance Activities, Feedback and Evaluations

The WorkFoundations Program maintains quality and integrity through regular assurance activities, including compliance checks and quality reviews.

Providers are encouraged to document success stories, share examples of good practice, and use case studies to support enhanced service delivery. Feedback is collected regularly from Participants, Providers, and WorkFoundations Employers through surveys and stakeholder consultations, helping to ensure the program remains effective and responsive to the needs of those involved.

Regular program evaluations are also conducted to assess impact, identify areas for improvement, and guide future planning.

## 8A.24. Managing Work Health and Safety

WorkFoundations Employers are responsible for ensuring a safe working environment for all WorkFoundations Participants by complying with all applicable WHS laws, including conducting relevant risk assessments.

If the Provider is notified by the WorkFoundations Employer, or otherwise becomes aware, of any incident involving a WorkFoundations Placement, including:

(a) any accident, injury or death occurring during, or as a result of, the WorkFoundations Placement, including in relation to a WorkFoundations Participant or a member of the public;

(b) any incident which relates to a work, health and safety issue; and

(c) any incident that may negatively impact upon the Department or bring the Provider, the Services or the WorkFoundations program into disrepute,

the Provider must Notify the Department as soon as possible, and on the same day, of becoming aware of the incident.

# Chapter 9. Wage Subsidies

Supporting Documents for this Chapter:

- Sample Copy of the Head Agreement
- Wage Subsidy Operations Guide
- Wage Subsidy Calculator

## 9.1. Chapter Overview

Wage Subsidies are a financial incentive Providers can offer to eligible Employers to encourage them to hire eligible Participants in ongoing jobs by contributing to the initial costs of hiring a new employee.

TtW Participants with Mutual Obligations and who are within their current Period of Service as at the Job Placement Start Date are eligible to attract the Youth Bonus Wage Subsidy, which offers eligible Employers a maximum of $10,000 over 26 weeks. The Youth Bonus Wage Subsidy is funded from a demand-driven pool.

Providers are expected to work directly with Employers to understand their recruitment needs, the needs of the job placement, and to recommend Participants whose skills and experience make them a good fit for the role. Providers should develop productive relationships with Employers and offer Wage Subsidies as part of an ongoing program of support to assist Participants into eligible jobs that are decent, safe, appropriately secure, and provide workers the flexibility to balance their work and lives.

Providers are best placed to assess the needs of Participants and Employers in their local labour market and based on this, Providers can decide whether to offer a Wage Subsidy to an Employer. This means a Provider may choose not to offer a Wage Subsidy to an Employer even if all eligibility requirements are met.

In determining whether to offer a Wage Subsidy, Providers must ensure that the following principles are met:

- providing value for money, by ensuring a Wage Subsidy is used as an intervention to secure a suitable and decent job for an eligible Participant
- compliance with any work, health and safety requirements under the relevant state or territory legislation
- withstanding public scrutiny
- not bringing employment services or the Australian Government into disrepute.

Providers must ensure Employers are aware they are not entitled to receive a Wage Subsidy until such time as:

- the Provider has offered a Wage Subsidy to the Employer, and
- the Employer has entered into a Wage Subsidy Agreement with the Provider via a Wage Subsidy Agreement, and
- this is approved within 28 days of the Participant commencing Employment (see Head Agreements and Schedules).

(Deed Reference(s): Clauses 79.4, 81.4, 131)

## 9.2. Wage Subsidy Eligibility Requirements

### 9.2.1. Participant Eligibility

Participants are eligible to attract the Youth Bonus Wage Subsidy if they:

- are commenced with a TtW Provider, and
- were subject to Mutual Obligations on the Job Placement Start Date, and
- have participated in 6 months' continuous provider-based employment services (Period of Service), or
- had 12 months' Online Full Services (Period of Service), prior to commencing in Transition to Work, or
- are flagged in the Department's IT Systems as Indigenous, in which case they are eligible on commencement in TtW, and
- have not exceeded their Period of Service as at the Job Placement Start Date, including any extensions.

The period of continuous provider-based employment services can include participation in TtW, Workforce Australia Services, ParentsNext, Parent Pathways, Inclusive Employment Australia, Remote Australia Employment Service, Disability Employment Services and/or the Community Development Program. A job seeker's eligibility will not be affected if they Exit and return to the service within an allowable break of 13 weeks.

If a Youth Bonus Wage Subsidy Participant loses the wage-subsidised job through no fault of their own within 6 months of the Job Placement Start Date, they may return to a Provider (subject to eligibility requirements) and immediately be eligible for another Youth Bonus Wage Subsidy. Participants who no longer meet the eligibility requirements for a Youth Bonus Wage Subsidy and/or Transition to Work may be eligible for the Workforce Australia Services Wage Subsidy, where they commence in Workforce Australia Services.

The Department's IT Systems will assess a Participant's eligibility for a Wage Subsidy, based on their time spent participating in relevant employment services. Eligibility is determined based on the Job Placement start date. The Department's IT Systems are unable to factor a Participant's Period of Service into the eligibility assessment. Providers must confirm a Participant has not exceeded their Period of Service before offering a Wage Subsidy to an eligible Employer.

As part of confirming a Participant's eligibility, Providers must check if the Participant has an active Wage Subsidy Agreement in place with their organisation that overlaps with any potential new Agreement. Where an overlapping Agreement is identified, Providers must confirm the Employment has ended and then end the existing Agreement in the Department's IT Systems with the correct Employment end date before creating the new Agreement within the 28-day timeframe.

If you identify an overlapping Wage Subsidy Agreement managed by another Provider, you must speak to your Employment Region Lead immediately who can assist with contacting the previous Provider to end the concurrent Agreement. Refer to the Wage Subsidy Operations Guide for further details.

### 9.2.2. Employer Eligibility

A Wage Subsidy Employer must be a legal entity with a valid Australian Business Number (ABN) which complies with all eligibility requirements under the Wage Subsidy Head Agreement terms and conditions. A Wage Subsidy Employer must also have a verified and active Workforce Australia Online for Business account before they can be offered a Wage Subsidy.

A Wage Subsidy Employer must not be:

- the Provider's Own Organisation
- a Related Entity of the Provider
- a government entity, unless specified below
- a prior employer or host business of the Participant (within the last two years)
- a Family Member of the Participant, to ensure there is no real or perceived conflict of interest or unfair advantage
- suspended or excluded from receiving Wage Subsidies
- a labour hire company or group training organisation, except where the requirements below are met, or
- as otherwise advised by the Department.

#### Labour Hire Companies and Group Training Organisations

A Wage Subsidy Employer can be a labour hire company or a Group Training Organisation, provided the company is paying the Participant's wages and the placement/s with the host business/es meet all eligibility criteria of the Wage Subsidy Placement and Employer.

If a labour hire company or a Group Training Organisation is receiving a Wage Subsidy for an employee, they must disclose:

- to the host business/es that they are receiving a Wage Subsidy for the employee. The Wage Subsidy Employer must retain documentary evidence of the disclosure and supply it to the Provider. See Summary of Documentary Evidence section for details the disclosure must contain.
- to the Provider, prior to being eligible for any Wage Subsidy payments, the ABN of the host business/es the Wage Subsidy Participant was placed with for the duration of the Wage Subsidy Agreement.

Host businesses who subsequently employ a Wage Subsidy Participant on an ongoing basis are not eligible to receive a Wage Subsidy for that Participant, where they hosted the same Participant within the previous two years. Likewise, a labour hire company is not eligible for a Wage Subsidy where they place a Participant with a host business who has previously employed the Participant within the past 2 years. See Not eligible – Prior Employment for details.

#### Not eligible – Government Entities

A Wage Subsidy Employer or host business must not be an Australian Government or state or territory government entity.

Similarly, the Employment position cannot be funded by an Australian, state or territory government entity.

**Example:** A Wage Subsidy Agreement cannot be entered into for: a labour hire company which places a Participant in an Australian Government-operated call centre, or in a state government-operated manufacturer of ships.

A Wage Subsidy Employer can be a local government entity, provided the Employment position is not funded by an Australian, state or territory government entity.

Providers can use the Australian Government's website ABN Lookup (abr.business.gov.au) to determine if an Employer is a government entity, and/or request proof from the Employer.

### Not eligible – Prior employment

An Employer will not be eligible to receive a Wage Subsidy where, prior to the Job Placement Start Date, the Participant has been employed by the Employer (including placements with host businesses via a labour hire company), or any other entities associated with the Employer, within the previous two years.

Paid work trials (up to a maximum two weeks' duration) and periods of unpaid work trials, whether recorded in the Department's IT Systems or agreed between an Employer and Participant, are not considered prior Employment where they occur immediately prior to a Wage Subsidy Agreement.

Wage Subsidy Placements cannot include periods of unpaid work (e.g. unpaid trials or voluntary work). Providers can use Wage Subsidies for Employment that starts after an unpaid work trial ends, if all other eligibility requirements for the Participant, Employer and Placement are satisfied.

Where a Wage Subsidy Participant commenced Employment up to 14 days earlier than the Job Placement Start Date recorded in the Department's IT Systems, Providers can allow the wage subsidy to proceed, where payroll evidence is provided.

Paid work trials that took place earlier than 14 days prior to the Wage Subsidy Agreement start date may be considered prior employment unless the Employer can provide a reasonable explanation for the delay between the paid work trial ending and ongoing, paid employment commencing. Providers can request assistance from the Department (via Question Manager) in assessing evidence where it is not clear whether this explanation can be accepted.

Providers must retain payroll evidence of the Wage Subsidy Placement start date, where it differs from the Job Placement Start Date recorded in the Department's IT Systems. Refer to the Wage Subsidy Operations Guide for further details on how to apply this approach.

## 9.2.3. Placement Eligibility

A Wage Subsidy Placement is an Employment position with an eligible Employer that meets all eligibility requirements. The Employment position can be:

- full-time, part-time or casual
- an apprenticeship or traineeship, and/or
- found by the Provider or by the Participant.

A Wage Subsidy Placement must:

- be a sustainable and ongoing position expected to continue indefinitely. This means the Employment is not intended to end when the Wage Subsidy ceases

- offer at least a minimum average of 20 hours per week which can be averaged over the duration of the Wage Subsidy Agreement to flexibly support Participant and Employer needs
- comply with all Employment standards for the Employment position under any Commonwealth, state and/or territory laws, including but not limited to:
    - complying with the National Employment Standards – Fair Work Act 2009 (Cth).
    - complying with the minimum terms and conditions of Employment prescribed in any Modern Award that covers or applies to the Employment position
    - paying the relevant Wage Subsidy Participant at least the equivalent of the minimum rate prescribed in any Modern Award that covers or applies to the Employment position or, if no Modern Award covers or applies to the Employment position, at least the equivalent of the National Minimum Wage.
- comply with all relevant laws and requirements of any Commonwealth, state, territory or local authority, including work, health and safety legislation
- provide a safe system of work for the Wage Subsidy Participant at all times during the Wage Subsidy Placement
- not displace an existing employee
- not be a commission-based, self-employment or subcontracted position (excluding Placements with labour hire companies or group training organisations)
- not otherwise be an Unsuitable position as defined in the Deed.

## 9.3. Offering and Negotiating Wage Subsidy Agreements

Providers are responsible for negotiating and managing all elements of a Wage Subsidy Agreement including making payments to Wage Subsidy Employers. Providers must not charge Wage Subsidy Employers to manage Wage Subsidy Agreements.

Providers must ensure Employers are aware of the requirement to approve and manage their Wage Subsidy Agreements online via their Workforce Australia Online for Business account, and ensure they have an active account before they commence negotiating a Wage Subsidy Agreement.

In negotiating a Wage Subsidy Agreement, Providers must first confirm a Participant was both eligible to attract a Youth Bonus Wage Subsidy and had not exceeded their Period of Service as at the Job Placement Start Date, and that there are no other active Wage Subsidy Agreements for that Participant. Any advice to the Employer regarding the Participant's eligibility must be underpinned by advice that the Employer is not guaranteed a Wage Subsidy until the Provider offers a Wage Subsidy Agreement for the Employer to approve. Providers must ensure communication regarding the availability of a Wage Subsidy is clear and must ensure the Employer is provided with an outcome within a reasonable timeframe.

### 9.3.1. Head Agreements and Schedules

The Wage Subsidy Agreement consists of the general terms and conditions of the Head Agreement and the specific terms relating to the Wage Subsidy Placement, Wage Subsidy Participant, and the Wage Subsidy Period/s set out in the relevant Schedule.

The Wage Subsidy Period means the payment period for a Wage Subsidy, which are instalment payments of the agreed maximum amount.

Providers must enter into a Head Agreement once with each Wage Subsidy Employer, via the Department's IT Systems and the Employer's Workforce Australia Online for Business account (refer to the Wage Subsidy Operations Guide for further information). A Sample Copy of the Head Agreement can be found on the Provider Portal.

Once a Head Agreement has been entered into, a separate Schedule for each new Wage Subsidy Participant is attached to the Head Agreement. Schedules contain the specific details of the Wage Subsidy Placement for each new Wage Subsidy Participant.

Each Schedule the Provider attaches to the Head Agreement will relate to a single Wage Subsidy Placement and will create a separate contract (Wage Subsidy Agreement) between the Provider and the Wage Subsidy Employer in relation to that Wage Subsidy Placement. Both the Head Agreement and the Schedule must be in the form specified by the Department, created in the Department's IT Systems.



Where the Department changes the terms and conditions of the template Head Agreement, the Provider must enter into a new Head Agreement with each Wage Subsidy Employer in accordance with the updated terms and conditions before attaching any new Schedules in respect of Wage Subsidy Placements. This includes having to enter into a new Head Agreement with those Employers with whom the Provider already has a Head Agreement.

### 9.3.2. Negotiating Terms of the Wage Subsidy

Providers must explain the terms and conditions of the Wage Subsidy Agreement to the Employer to ensure they fully understand their rights and obligations in accepting the Wage Subsidy. This includes explaining the Documentary Evidence required from the Employer to confirm the Employer's compliance with the terms and conditions over the course of the Wage Subsidy Agreement, and that the Employer must advise immediately if the Placement terminates early.

The Provider must consider the Participant's ability to meet a weekly average hour requirement when determining the suitability of the Wage Subsidy Placement for the Participant, including whether they have an Employment Services Assessment and/or assessed Partial Capacity to Work. Youth Bonus Wage Subsidy Participants must work a minimum average of 20 hours per week over the duration of the Wage Subsidy Agreement Placement and meet all other eligibility requirements.

The term of a Wage Subsidy Agreement begins (Wage Subsidy Placement start date) on the Job Placement Start Date. The Wage Subsidy Agreement ends 26 weeks after the Job Placement Start Date, or on the date Employment ceases where a Wage Subsidy Placement terminates earlier than the date recorded in the Department's IT Systems.

The Provider must negotiate with the Wage Subsidy Employer a Wage Subsidy Period that works best for the Wage Subsidy Employer's business, subject to the agreed duration of the Wage Subsidy Agreement. A Wage Subsidy Period can be weekly, fortnightly, monthly, quarterly, on completion, or any other timeframe as agreed by the Provider and Wage Subsidy Employer. Wage Subsidy Periods must be recorded on the Schedule. See Payments to Wage Subsidy Employers for more information.

Providers should refer Wage Subsidy Employers to the 'Manage Wage Subsidies' help guide (located on the Workforce Australia website) for details on how to manage their Wage Subsidy Agreements, including submitting documentary evidence.

Wage Subsidy Agreements must be created in the Department's IT Systems by the Provider, and approved online by the Wage Subsidy Employer via their Workforce Australia Online for Business account.

- Wage Subsidy Agreements will not be accepted in an offline format. Should the Provider or Wage Subsidy Employer experience difficulties using the Department's IT Systems and/or Workforce Australia website to approve the Wage Subsidy Agreement, they must contact the Employer Hotline on 13 17 15 prior to the 28-day timeframe expiring.

### 9.3.3. Time requirements for approving a Wage Subsidy

In line with the policy intent of wage subsidies, Providers are expected to commence negotiating a Wage Subsidy Agreement with an eligible Employer prior to the Job Placement Start Date. Providers must ensure that the Wage Subsidy Agreement has been approved by the Employer in the Department's IT Systems within 4 weeks (28 days) of the Wage Subsidy Placement commencing.

Wage Subsidy Agreements will not be approved outside of 28 days from the commencement of Employment, and Providers will not be Reimbursed for any payment to Employers where there is not a Wage Subsidy Agreement in place. Providers must ensure Employers are aware of the 28-day timeframe and the consequences of not meeting it.

Providers are required to have appropriate administrative processes in place to meet the 28-day timeframe and must work with Wage Subsidy Employers to ensure that this timeframe is met. If the Department determines there is evidence (e.g., correspondence and/or a draft Wage Subsidy Agreement in the Department's IT Systems) that the Provider delayed the Employer's approval, the Department may take compliance action against a Provider. For example, this includes (but is not limited to) delays caused by Providers:

- not confirming the Employer's eligibility prior to offering a Wage Subsidy
- offering a Wage Subsidy to an Employer until well after Employment commenced
- offering a Wage Subsidy for a Participant who has already exceeded their Period of Service but not been Exited
- failing to respond to Employer enquiries in a timely manner.

In these cases, compliance action may include directing the Provider to make Wage Subsidy payments to the Wage Subsidy Employer without reimbursement and/or blocking Outcome payments associated with the Employment position.

See Head Agreements and Schedules for more information.

## 9.4. Payments to Wage Subsidy Employers

The Provider must have entered into a Wage Subsidy Agreement with the Wage Subsidy Employer and all terms and conditions of the Wage Subsidy Agreement must be satisfied before the Provider can make a payment to the Wage Subsidy Employer.

Wage Subsidy payments must not exceed 100 per cent of the Participant's wages at any point over the Wage Subsidy Placement period.

Wage Subsidy Employers must invoice the Provider to receive a Wage Subsidy payment and submit the required Documentary Evidence to support payment (see Summary of Documentary Evidence section). Documentary Evidence from the Wage Subsidy Employer must confirm the

Wage Subsidy Participant worked at least the minimum weekly hour requirement averaged over the Wage Subsidy Period being assessed.

### 9.4.1. Assessing Periods of Leave

Where a Wage Subsidy Participant's hours worked are less than required for the Wage Subsidy Employer to be eligible for payment, Documentary Evidence must also include all periods of leave taken.

Where a Wage Subsidy Participant requests and has leave approved in accordance with entitlements under a relevant Modern Award or the National Employment Standards – Fair Work Act 2009 (Cth), and the leave is recorded in Documentary Evidence, it can count towards the minimum average hours per week requirement. However, a Wage Subsidy Employer cannot use approved leave to regularly supplement a Wage Subsidy Participant's work hours for the purpose of meeting the minimum average number of hours per week.

Refer to the Wage Subsidy Operations Guide for further details on considering approved leave when calculating payments to Wage Subsidy Employers.



Evidence of approved leave (paid or unpaid) must show that the Wage Subsidy Employer agreed to the leave at the time the Wage Subsidy Participant requested it, and either be:

- recorded on the Wage Subsidy Participant's pay slip; or
- on a written declaration from the Employer.

### 9.4.2. Change of Business Ownership

If a Wage Subsidy Employer changes ownership, the new owner is eligible to claim the remaining Wage Subsidy payment/s, provided all other eligibility requirements are met. The Wage Subsidy Agreement must be novated between the parties before the new owner can claim the remaining Wage Subsidy payment/s.

### 9.4.3. Calculating Payments for Early Terminations

If a Wage Subsidy Placement terminates early, Providers must calculate any outstanding payments based on the number of weeks the Wage Subsidy Participant worked for the required minimum average hours per week from the Wage Subsidy Placement start date.

If the Wage Subsidy Participant does not work the required minimum average hours per week throughout the Wage Subsidy Placement, the Wage Subsidy Employer will not be eligible to receive the full Wage Subsidy amount.

To work out the Wage Subsidy amount the Wage Subsidy Employer is entitled to divide the total Wage Subsidy amount by the Wage Subsidy Agreement Term to calculate the weekly rate the Wage Subsidy Employer may be entitled to receive. Then multiply this amount by the number of weeks the Wage Subsidy Participant worked the minimum average number of hours per week.

Examples of how to calculate payments for early termination can be found in Wage Subsidy Operations Guide.

### 9.4.4. Wage Subsidy Calculator

The Wage Subsidy Calculator is a tool that assists Providers to calculate the Wage Subsidy amount an Employer is eligible to receive, and the value of the reimbursement the Provider can claim from the Department. Relevant information recorded on the Wage Subsidy Agreement and in the Documentary Evidence, can be entered into the Calculator to confirm:

- the Wage Subsidy Placement meets the required minimum average hours per week over the duration of the Wage Subsidy Agreement, and
- Wage Subsidy payments do not exceed 100 per cent of the Participant's wages at any point over the Wage Subsidy Placement period.

The Wage Subsidy Calculator can be found on the Provider Portal. Information about how to use the Calculator is located in the Wage Subsidy Operations Guide.

### 9.4.5. Concurrent Funding

Under the General Terms and Conditions of the Head Agreement, Wage Subsidy Employers are required to notify Providers of any Australian Government or State or Territory government funding they receive for the Wage Subsidy Participant or placement.

Wage Subsidy Employers cannot access Wage Subsidies if they receive funding from other Australian Government, state or territory wage subsidies or similar employment program funding for the same Participant in the same Wage Subsidy Placement.

The Provider must continue to check whether the Wage Subsidy Employer is following the above requirements before making payments to the Wage Subsidy Employer.

### 9.4.6. Wage Subsidy Employers Not Registered for GST

The total maximum amounts of a Wage Subsidy specified in this Guideline are GST inclusive. Where a non-GST registered Wage Subsidy Employer submits a tax invoice for the correct amount of a Wage Subsidy to a Provider, the Provider must pay the Wage Subsidy Employer the amount (GST Exclusive).

When the Provider submits a claim for Reimbursement, the Department will pay the full (GST inclusive) amount. The Provider is responsible for remitting the GST inclusive amount to the Australian Tax Office.

## 9.5. Claims for Reimbursement

The Provider can only claim a Reimbursement for a Wage Subsidy payment if:

- all terms and conditions of the relevant Deed, this Guideline, the Wage Subsidy Operations Guide (where applicable) and Wage Subsidy Agreement have been met
- they have first made the relevant payment out of their own funds to the Wage Subsidy Employer
- the Reimbursement claim is for the same dollar value they paid the Wage Subsidy Employer
- they have sufficient Documentary Evidence to demonstrate the above which must be uploaded at the time of claiming Reimbursement.

### 9.5.1. Time requirements for claiming a Reimbursement

The Department permits claims for Reimbursement to be rendered:

- after each Wage Subsidy payment is made in accordance with the Wage Subsidy Period/s recorded in the Schedule of the Wage Subsidy Agreement, or
- collectively at the end of the Wage Subsidy Placement.

Providers must submit all claims for Reimbursement no later than 56 days after the end of the Wage Subsidy Placement. This includes where a Wage Subsidy Placement ends early.

The Wage Subsidy Head Agreement (clause 6) requires Wage Subsidy Employers to notify providers immediately if the Wage Subsidy Participant's Employment ends prior to the Wage Subsidy Agreement end date. In accordance with this, Providers must ensure that, where a Wage Subsidy Placement has terminated early, the correct Placement end date is recorded in the Department's IT Systems, and that claims for Reimbursement are submitted no later than 56 days from the end of the Wage Subsidy Placement.

Providers are required to have appropriate administrative processes in place to meet the 56 day timeframe. Providers must work with the Wage Subsidy Employers to ensure that this timeframe is met. Providers who fail to meet the 56 day timeframe may not be Reimbursed.

Under the Head Agreement, Providers are required to make the final Wage Subsidy payment to the Wage Subsidy Employer where the Employer:

- requests the final Wage Subsidy payment, and
- supplies the required documentary evidence for that payment to the Provider within 28 days from the end of the Wage Subsidy Placement.

Providers may choose to make the final Wage Subsidy payment to the Wage Subsidy Employer where they submit the required documentary evidence after the 28 day timeframe, if all other eligibility requirements are met. However, the Provider must claim the Reimbursement from the Department no later than 56 days from the end of the Wage Subsidy Placement.

### 9.5.2. Recovery of Reimbursement Claims Paid

The Department may recover any Reimbursements made to the Provider, where the Department determines, at its absolute discretion that the Wage Subsidy Employer has:

- misused the Wage Subsidy, including, but not limited to, breaching clause 12 of the Head Agreement
- not met the terms and conditions of the Wage Subsidy Agreement
- been suspended and/or excluded by the Department from participating in Wage Subsidies, or
- otherwise engaged in activity that may bring, or could be perceived to bring, the use of Wage Subsidies or the Commonwealth of Australia into disrepute.

The Department may also recover any Reimbursement made to the Provider where the Department determines, at its absolute discretion, that the Provider has not met the requirements of the Deed this Guideline and/or the Wage Subsidy Operations Guide.

## 9.6. Managing Wage Subsidy Agreements for Wage Subsidy Participants

### 9.6.1. Supporting Participants on Wage Subsidies

Providers are expected to provide Post-Placement Support to Wage Subsidy Participants and Wage Subsidy Employers to maximise the success of Wage Subsidy Placements, including after a Wage Subsidy Participant is Suspended or Exited from a Provider's Caseload.

Providers should immediately advise the Department if a Wage Subsidy Participant reports any incidents of inappropriate or unsafe workplace behaviour and follow the appropriate departmental process and protocols.

### 9.6.2. Managing Wage Subsidy Agreements for Transferred Participants

When a Wage Subsidy Participant transfers to another Provider, the gaining and outgoing Providers must ensure both the Participant and Wage Subsidy Employer continue to be supported.

A Wage Subsidy Agreement must remain with the original Provider if the Participant transfers to another Provider, including if the Provider is exiting the market completely, unless otherwise Directed by the Department.

## 9.7. Summary of Documentary Evidence

Providers must obtain, upload and retain sufficient Documentary Evidence which demonstrates the Wage Subsidy Participant was Employed by the Wage Subsidy Employer in the Wage Subsidy Placement in accordance with the terms and conditions of the Deed, Guideline and Wage Subsidy Agreement, to process a Wage Subsidy payment to an Employer and to claim Reimbursement from the Department.

### 9.7.1. Wage Subsidy Agreements

For all Wage Subsidies, a Wage Subsidy Agreement, linking Vacancy, Employer and Placement details, must be entered into the Department's IT Systems and approved via the Wage Subsidy Employer's Workforce Australia Online for Business account.

See Head Agreements and Schedules for more information.

### 9.7.2. Evidence from Wage Subsidy Employers – Participant Employment

Documentary Evidence must confirm the Wage Subsidy Employer's details (including name and ABN) and the Wage Subsidy Participant's name. Documentary Evidence must include:

- evidence to confirm the Wage Subsidy Participant's Employment which demonstrates the hours worked (including any periods of approved leave taken) and wages paid (including the relevant Award the Participant was paid under) for the entire Wage Subsidy Period, which may be in the form of (but is not limited to):
    - a completed Wage Subsidy payment template (refer to the Wage Subsidy Operations Guide), or

    - payslips or a printout from the Wage Subsidy Employer's payroll software to demonstrate the hours worked (including any periods of approved leave taken) and wages paid for the entire period, or
    - a statutory declaration, email or other correspondence from the Wage Subsidy Employer to confirm the Wage Subsidy Participant's Employment, and
- if the Wage Subsidy Employer is a labour hire company or group training organisation:
    - the ABN of the host business/es the Wage Subsidy Participant was placed with throughout the Wage Subsidy Agreement Term. This can be recorded on the Wage Subsidy payment template, provided via email or included in the statutory declaration, and
    - evidence they disclosed to all host businesses the Wage Subsidy Participant is placed with that they were receiving a Wage Subsidy. This disclosure must include details of the sender and recipient, and demonstrate it was sent during the Wage Subsidy Participant's placement with the host business. Additional details can be found in the Wage Subsidy Operations Guide, and
- where a Wage Subsidy Participant's Employment ends prior to the Wage Subsidy Agreement end date, a written statement of the reason why the Employment ended.

Providers may request the Employer provide additional Documentary Evidence relating to a Wage Subsidy Placement, Wage Subsidy Participant and/or Wage Subsidy Agreement. In requesting additional Documentary Evidence the Provider must ensure the Employer understands the:

- evidence required
- purpose of the evidence, and
- timeframe for providing the evidence.

The Department can request additional Documentary Evidence from Providers relating to a Wage Subsidy Placement, Wage Subsidy Participant and/or Wage Subsidy Agreement, to support Program Assurance Activities. If Providers do not have this Documentary Evidence, they can request it from Wage Subsidy Employers, as per the Employer's obligations under the Wage Subsidy Agreement.

### 9.7.3. Evidence from Provider – Claims for Reimbursement

Providers must ensure Documentary Evidence demonstrates that payment was made to the Wage Subsidy Employer before claiming a Reimbursement. From 1 November 2025, Providers must upload all Documentary Evidence against the Wage Subsidy Agreement via the Reimbursements screen of the Department's IT Systems at the time of claiming Reimbursement.

As per section 3.6.2 of Part A - Workforce Australia Universal Guidelines, Tax File Numbers must be redacted from pay slips prior to being uploaded into the Department's IT Systems as Documentary Evidence to support Wage Subsidy payments.

Documentary Evidence may be in the form of a:

- record of transaction (bank statement or report from the Provider's financial system), or
- tax invoice and corresponding receipt from the Wage Subsidy Employer, or
- tax invoice from the Wage Subsidy Employer and a remittance advice, or
- statutory declaration, email or other correspondence from the Provider.

All Documentary Evidence to support a claim for Reimbursement must confirm:

- the Wage Subsidy Participant's name and JSID, and

- the Wage Subsidy Employer's details (including name and ABN), and
- the amount of the Wage Subsidy payment, and
- the date the Wage Subsidy payment was made.

While not mandatory, Providers are encouraged to include a copy of their results from the Wage Subsidy Calculator when uploading evidence. Refer to the Wage Subsidy Operations Guide for instructions on how to obtain these.

Providers are also encouraged to include other relevant evidence (correspondence or files notes) to support payment integrity activities, particularly if there were unusual or complex circumstances that require explanation. Documentary Evidence uploaded will be used to assess Providers' compliance with the Guideline requirements where a claim is selected for Continuous Assessment of Payment Integrity (CAPI) or other program assurance activities. Providers should ensure the evidence uploaded is sufficient for these purposes.

# Chapter 10. Relocation Assistance

Supporting Documents for this Chapter:

Refer to the TtW System Steps Guide.

## 10.1. Chapter Overview

Relocation Assistance provides financial assistance to Participants who relocate to participate in employment.

Relocation Assistance is funded through a demand-driven pool for TtW Providers.

This Chapter outlines the eligibility requirements and process for seeking reimbursement for Relocation Assistance.

(Deed Reference(s): Clauses 79.4, 134)

## 10.2. Eligibility

### 10.2.1. Participant Eligibility

Participants will be eligible for Relocation Assistance immediately on commencement in Transition to Work.

In assessing a Participant's request for Relocation Assistance, Providers have discretion to consider the individual circumstances of the Participant and their suitability to relocate for work.

### 10.2.2. Placement Eligibility

Providers may assist a Participant taking up a job in another location with Relocation Assistance if the Participant has accepted an offer of employment more than 90 minutes away from their current residence.

Before offering Relocation Assistance to a Participant, the Provider must verify the placement details with the Employer and enter a Vacancy in the Department's IT Systems. The Provider must also ensure the Placement is not a Non-Payable Outcome, self-employment or commission based.

## 10.3. Relocation Assistance Payments

Relocation Assistance can be used to pay a supplier directly or reimburse a Participant for costs incurred prior to and after relocating. Payments are flexible and can be used to help a Participant:

- prepare to move
- move
- settle into the new location.

Relocation Assistance can include, but is not limited to:

- removalist costs
- travel costs (including for verified dependents)

- disturbance costs (e.g. utility connections, license and/or vehicle registration transfer costs where they are moving interstate)
- prepaid cards (excluding prepaid debit cards) to support Participants during their relocation, for example with fuel or food for the journey, and
- short-term (up to a maximum of two weeks') accommodation costs.

Before agreeing to provide Relocation Assistance, Providers must ensure that any support offered meets the following principles:

- provides value for money
- supports compliance with any work, health and safety requirements under the relevant state or territory legislation
- withstands public scrutiny
- will not bring the Services, the Provider or the Department into disrepute.

To ensure the above principles are met, Providers must exercise discretion and only agree to reasonable costs that are proportionate to the Participant's circumstances. This means that Providers can choose not to provide support or offer a lower amount of support in order to meet the principles.

**Examples:**

- A Participant wants to move from Sydney to Newcastle to accept a casual job in a fast-food restaurant. The Provider confirms the position details with the Employer including that only limited shifts will be available for the Participant each week. The Provider agrees to pay for the Participant's bus fare to relocate to Newcastle.
- A Participant in Adelaide is offered ongoing employment at a new abattoir facility in Darwin. The Participant has two school aged children who will be moving with them. The Provider confirms the position details with the Employer who confirms the position is full time and ongoing. The Provider agrees to support their relocation with airfares for the Participant and their children, removalist costs and one weeks' accommodation until the Participant's new home is available.

In determining whether a Relocation cost is appropriate, Providers may request a Participant provide one or more quotes, prior to making payments.

Relocation Assistance must not be used for:

- assisting Participants to relocate overseas
- rental bonds
- Pre-paid debit cards
- ongoing costs (e.g., utilities or school fees)
- purchasing assets (e.g., whitegoods), or
- a Participant who is a member of a couple as defined in 1.1.M.120 of the Guide to Social Security Law, and the other member has received relocation assistance for the same relocation.

### 10.3.1. Definition of a dependent

A dependent may include a member of the Participant's household who is a:

- dependent child/children under 24 years of age who is:
    - financially dependent on the relocating Participant; or
    - is the dependent child of the partner of the Participant where they are a member of a couple under social security law and the partner is receiving a government payment related to the child or children.
- spouse/partner of the Participant who is also receiving an Australian Government Income Support Payment or pension
- an elderly parent/s who:
    - has reached Australian Pension age
    - lives in the same residence as the Participant
    - is dependent on the Participant for day-to-day care
    - is relocating to reside with the Participant.

Where the dependent of the Participant does not meet these requirements, Providers can assess whether there is a genuine dependency relationship, for example if the Participant has legal caring responsibilities for an adult child with a disability.

## 10.4. Claims for Reimbursement

Prior to claiming Reimbursement, Providers must ensure they have paid the Supplier and/or reimbursed the Participant in full, from their own funds.

Providers must submit a claim for Reimbursement within 56 days of the purchase/payment date.



To claim reimbursement for Relocation Assistance, all relevant information and evidence must be entered into the Department's IT Systems. This includes items that in combination clearly identifies:

- prior payment from a Provider to the Participant or supplier which reflects payment in full or a zero outstanding balance the details of the supplier (including ABN)
- the details of the items purchased and/or details of the service delivered
- whether the purchase was GST inclusive or GST free
- if quotes were requested, copies of the quotes
- the date the payment was made, and
- if a prepaid card was purchased for the Participant, evidence that the card was issued to the Participant (for example, the date issued, amount, card reference number).

Where a Participant receives assistance to relocate with a dependent, the Provider must retain a file note outlining the reason for their approval, based on their assessment of the genuine dependency of the relationship.



To claim Relocation Assistance:

- from the Payments Hub landing page, select Request payment
- select TtW6 Relocation Assistance Payment
- enter the Contract ID
- add Payment Details (Jobseeker ID, Vacancy ID and Amount)
- upload Documentary Evidence

- review the Declaration and accept and submit. This will create an Unconfirmed Relocation Assistance Payment claim which needs to be reviewed and processed by your Provider Lead
- send an email to your Departmental Provider Lead advising that a Request Payment claim has been lodged and include the Payment ID to assist them to identify and process the claim.

# Chapter 11. Provider Payments

## 11.1. Chapter Overview

This Chapter provides information on the range of Payments that TtW Providers can receive. There are a number of payment types available to TtW Providers to incentivise personalised support and achieve Outcomes for disengaged and disadvantaged young people:

- Upfront Payments
- Outcome Payments
- Youth Advisory Session Provider Payments
- Relocation Assistance.

Refer to Part A Guidelines: Operational Requirements Chapter for information relating to recipient created tax invoices.

(Deed Reference(s): Clauses 136, 137, 138, 139, 140, 141)

## 11.2. Upfront Payments

An Upfront Payment of $1,609.48 (GST inclusive) will be paid to a Provider for each funded Place they are allocated each Financial Quarter under the Deed. Upfront Payments are paid at the Deed Commencement Date and at the start of each Financial Quarter for the Term of the Deed.

Providers are expected to use Upfront Payments to fund services or activities and purchase equipment that will support a Participant to overcome or sufficiently manage their Vocational and Non-vocational barriers, participate in education, increase work readiness, and gain employment.

The Department will review and adjust Place allocations based on the Commenced Caseload periodically throughout the life of the Deed.

Where a Provider is allocated an additional Place, the Upfront Payment will be paid from the start date of the additional Place. If the additional Place start date is part way through a Financial Quarter, the Upfront Payment will be paid on a pro-rata basis in accordance with the calculations set out in the Deed.

If the number of funded Places is modified, a Provider will be paid Upfront Payments for the revised Places from the start of the next Financial Quarter. See the Employer and Participant Servicing Chapter for further information on Funded Places.

(Deed Reference(s): Clause 88.2, 136, Annexure B2 - Payments)

### 11.2.1. Utilisation of funded Places

The use of funded Places by Providers will be monitored regularly with a quarterly review undertaken at the start of each Financial Quarter. The Department will review the number of Places allocated to the Provider for each Employment Region and vary that number as required to reflect changes in labour market demands.

The review helps to determine whether a Provider's level of servicing is commensurate with their funded Places and whether a Provider is meeting the expectation that average utilisation of funded

Places is at least 90 per cent over each year (excluding the initial Commencement stage for each service).

Providers will be notified in writing of the outcomes of the quarterly review through a Places review letter and Deed Notice.

Action may be taken outside of the quarterly review process where significant variations in utilisation are identified and verified between Performance Assessments.

(Deed Reference(s): clauses 88.2, 88.3, 136, Annexure B2 - Payments - Table 1)

## 11.3. Outcome Payments

Outcome Payments of $4,251.60 (GST inclusive) are available to encourage and reward Providers when their Participants achieve Employment and Education Outcomes. Outcome Payments can be claimed for the following Outcome types:

- 12 Week Employment Outcome
- Education Outcome (Participation or Attainment/Completion)
- 12 Week Hybrid Outcome
- 26 Week Employment Sustainability Outcome
- 26 Week Hybrid Sustainability Outcome.

Outcome Payments can be claimed for a Participant who is or was on the Provider's Caseload and who has satisfied the requirements of the Outcome type in the Guidelines and the Deed. Refer to Vacancies and Outcomes Chapter for Outcome requirements.



To claim an Outcome Payment, all relevant Documentary Evidence must be entered into the Department's IT Systems.

(Deed Reference(s): Chapter B6, Annexure B1 – Outcomes, Table 1 – Outcome Requirements, Annexure B2 - Payments)

## 11.4. Youth Advisory Session Provider Payments

The following Youth Advisory Session Provider Payments can be claimed by the Provider in accordance with the Youth Advisory Sessions requirements outlined in the Guidelines and the Deed:

- $125 (GST inclusive) for each Session delivered
- $62.50 (GST inclusive) for Sessions cancelled by Participants without a sufficient reason.

The Payment recognises a Provider's efforts in arranging and delivering Youth Advisory Sessions. To claim a Youth Advisory Session Provider Payment for an Online Full Service Participant, all relevant information and evidence must be entered into the Department's IT Systems.

To claim a Youth Advisory Session Provider Payment for an Online Base Service Participant, the Provider must fill in a manual claim spreadsheet, which can be located on the Provider Portal, and send it to their Provider Lead.

Refer to Youth Advisory Sessions Chapter for further information.

(Deed Reference(s): Clause 140, Chapter B3.4, Annexure B2 - Payments)

## 11.5. Relocation Assistance Payments

Reimbursement for Relocation Assistance can be claimed for Payments made to, or on behalf of, a Participant eligible for Relocation Assistance as outlined in the Guidelines and the Deed. See Relocation Assistance Chapter for further information.

To claim reimbursement for Relocation Assistance, all relevant information and evidence must be entered into the Department's IT System.

(Deed Reference(s): Clause 134, Chapter B5)

# Chapter 12. Youth Advisory Sessions

Supporting Documents for this Chapter:

- Calendar – Booking Youth Advisory Sessions (YAS) for Full Service Participants (KB0017336)
- Calendar - Booking a Youth Advisory Session for an Online Base Service Participant (KB0017404)
- Refer to the TtW System Steps Guide.

## 12.1. Chapter Overview

Youth Advisory Sessions (Sessions) are delivered by Transition to Work Providers to young people in Workforce Australia Online, to address barriers to employment, maintain work readiness and/or motivation and to help them find employment.

Sessions are voluntary (for the young person) with flexible content that can cover a range of topics that will assist the young person to remain work-ready and reduce their risk of prolonged unemployment.

This Chapter outlines eligibility requirements, Session management (creating, delivering, and cancelling Sessions) and Provider payments.

## 12.2. What are Youth Advisory Sessions?

The Sessions offer eligible young people the opportunity to undertake up to 3 free, one-hour consultations with a Transition to Work Provider.

The Sessions complement Workforce Australia Online and should be:

- appropriate and tailored for young people, being flexible and responsive to their needs, and
- effective in helping the target cohort of young people address barriers and develop life skills to improve their ability to self-manage through Workforce Australia Online and connect with education or employment.

(Deed Reference(s): Clauses 78.2, 124)

## 12.3. Eligibility

Eligible Session Participants are:

- aged 15 to 24
- participating in Workforce Australia Online Full Service or Workforce Australia Online Base Service, and
- have 1, 2 or 3 Sessions remaining.

**Note:** Only eligible Online Full Service Participants can see and book Sessions on their Job Seeker Profile, through the Electronic Calendar. Online Base Service Participants will need to contact a Provider to book a Session manually.

**Important:** Transition to Work Participants are not eligible for Youth Advisory Sessions.

(Deed Reference(s): Clause 124)

## 12.4. Creating and booking Session timeslots

### Online Full Service Participants

Providers are required to have Sessions available in their Electronic Calendar for Online Full Service Participants to book into.

- The Provider must schedule single or multiple one-hour timeslots for Sessions in their Electronic Calendar, using the "Create Consultation Session" functionality in the Department's IT Systems.
- For multiple Sessions, once a Session has been created, left click on the Session and select "Duplicate Session". Copy the URL from the browser window to the clipboard. In the duplicate session, all details will be prefilled the same as the existing session. To repeat this process as many times as desired, open new tab(s) in your browser and paste the URL that copied to the clipboard.

When a Participant books a Session, they will be provided with the Department's Privacy and Confidentiality Declaration to agree to.

### Online Base Service Participants

A manual booking process is required for Online Base Service Participants, as they do not have access to the Electronic Calendar to book into a Session.

An Online Base Service Participant will be able to search for a TtW Provider and will need to call to book a Session directly.

Providers will be required to manually book the Session appointment offline, such as in a spreadsheet, paper-based diary or similar.

- Provider cannot book an Online Base Service Participant into an available YAS appointment (Consultation Session) in their Electronic Calendar.
- Providers may choose to use a 'Provider Event' timeslot in their Electronic Calendar to block out time for appointments with Online Base Service Participants. Providers can manually add the Participant and employment consultant details to the timeslot.

### 12.4.1. Second and third Sessions

At the end of each Session, the Provider may encourage the Session Participant to book their next Session (up to a total of 3). The Provider and the Session Participant may agree to a time that is suitable to both parties and the Provider should ensure that timeslot is available in the Electronic Calendar as a 'Consultation Session'. The Participant can then self-book that timeslot (Online Full Service Participant only) or book directly with a Provider (Online Base Service Participant).

If the Session Participant decides to access a second or third Session with the same Provider, the Provider must try to ensure the Session Participant can talk to the same consultant for continuity, unless:

- the Session Participant requests a different person
- the consultant is not available, or

- the Provider deems it better for the Session Participant to talk to a different consultant due to the issues the young person wants to discuss in this next Session.

If the Session Participant had previously booked a Session with the same Provider, the Provider will be able to check who the consultant was by viewing the previous booking on the Department's IT Systems.

### 12.4.2. Notification of Session Booking

Providers do not receive notifications of new Session bookings and must monitor their Electronic Calendar in the Department's IT System to ensure they are aware of upcoming Sessions.

Providers should contact the Session Participant more than 24 hours before the Session where possible to:

- confirm Session details (for example: date and time, site address, phone number, or videoconferencing information)
- remind the Session Participant that they will lose one of their 3 Sessions if they do not attend the booking on the day or fail to cancel more than 2 calendar days in advance, unless there is a sufficient reason (see Sufficient reason below).

## 12.5. Delivery of Sessions

Providers must conduct Sessions from a TtW Site, either in person, via phone or virtually, and Sessions can only be delivered by an employee of the Provider. Where a Provider needs to conduct a Session from a different location, or at a different time than originally agreed, the Provider and Session Participant must agree on the proposed changes. The Sessions must be conducted in a manner that ensures privacy for the Session Participant so that they can be confident when disclosing personal information.

Providers may receive Session requests from Session Participants outside of the area mapped to the Provider for the delivery of Transition to Work Services because:

- the Provider in that area has not made enough available Session timeslots to meet local demand, or
- the Participant has identified they wish to speak to a Provider outside of their local area.

Providers are encouraged to deliver Sessions to Session Participants outside of the mapped area. When doing so, the Session Consultant must ensure they have awareness and information on the current labour market conditions and community support available in the Session Participant's local area.

### 12.5.1. What topics can be discussed in the Sessions?

Session content should be flexible and driven by the Session Participant's needs. Sessions may focus on one topic if the young person or the Provider deems it appropriate to do so. However, Providers are also encouraged to open the conversation up to other potential opportunities and topics that may benefit the Session Participant.

Topics that may be covered in these Sessions include (but are not limited to):

- advice on education and training options

- advice on local labour market opportunities, both now and in the future
- résumé writing assistance
- job interview tips
- different ways to apply skills
- support to grow skills and build expertise
- support to stay motivated, resilient and reduce isolation
- career advice
- information on, or connection to, other government assistance or local community services that may help the Session Participant.

Examples of other government assistance or services the Provider may refer a Sessions Participant to include:

- mental healthcare providers
- housing services
- financial management guidance
- the School Leavers Information Service on 1800 CAREER (1800 227 337) or the School Leavers Support website.

Providers must advise Session Participants if there is a cost involved with the assistance or services that the Provider discusses. Providers must not coerce a Session Participant to undertake training or activities that have an associated cost.

Session Participants should be referred to the DSCC on 1800 314 677 for any questions about Workforce Australia Online.

### 12.5.2. Delivery format

Providers are encouraged to think broadly and innovatively about how they deliver Sessions. Some examples include:

- in person face to face meetings
- videoconferencing meetings
- phone meetings.

Providers must specify the formats in which they are able to deliver the Sessions when they create them in the Electronic Calendar.

The Provider should utilise the full hour for each Session and discuss other areas that may help the Session Participant gain sustainable employment.

Providers must not deliver a Session to more than one Session Participant at the same time.

## 12.6. Cancelling a Session

### 12.6.1. Provider cancellation

Providers should only cancel a Session if it is unavoidable. If a Provider needs to cancel a Session, they must provide the Session Participant with at least 24 hours' notice, where possible.

If the Provider initiates a cancellation, the Session Participant will not lose a Session from their total of 3 Sessions and the Provider will not receive Payment.

The Provider may cancel a booked or unbooked Session in their Electronic Calendar. Further details can be found in the Calendar – Booking Youth Advisory Sessions (YAS) for Full Service Participants (KB0017336).

### 12.6.2. Participant cancellation

Session Participants may cancel a Session at least 48 hours prior to the Session without consequence.

Session Participants will lose one of their 3 Sessions where they:

- do not attend on the day, or
- cancel with less than 2 calendar days' notice

unless they have a sufficient reason for not attending.

The Provider will receive a partial Session Payment if the Session Participant cancels their booking less than 2 calendar days before the date of the Session without a sufficient reason.

#### Sufficient reason

Providers should contact Session Participants as soon as possible after a failure to attend or late cancellation to give them the opportunity to provide a sufficient reason for the non-attendance or cancellation.

The Provider has discretion whether to accept the reason provided by the young person or not. Providers are encouraged to take what the young person says in good faith and use their judgement when determining whether to accept the reason.

If the Provider accepts the Session Participant's reason, the Provider must update the Department's IT Systems to reflect this.

If the Session Participant fails to provide a sufficient reason the Provider will receive a partial Session Payment, and the Session Participant will lose one Session credit.

Examples of a sufficient reason include (but are not limited to):

- work reasons (for example, a last-minute request to work by their Employer)
- natural disasters
- illness or injury
- State or Territory government advice (for example, due to a pandemic)
- caring responsibilities
- mental health issues
- inability to get to the Session (for example, IT failure, transportation issues)
- death in the family.

The Session Participant may ask the Department to review a Provider's decision to reject a Participant's reason. The Department will then investigate the case and, where appropriate, work with the Provider and the Participant on a suitable resolution.

Providers must update the Attendance in the Department's IT Systems by entering the reason code and whether it was accepted or rejected. The Department's IT Systems will then trigger the correct Session Payment. Providers must update the manual payment spreadsheet for Online Base Participants entering the reason code and whether it was accepted or rejected.

### Personal Crisis

Where it is identified that a Session Participant is experiencing a personal crisis, the Provider may encourage the Session Participant to contact:

- Kids Helpline on 1800 551 800
- a crisis care specialist, for example:
  - Lifeline Australia on 13 11 14
  - National Sexual Assault, Family & Domestic Violence Counselling Service on 1800 737 732 (1800 RESPECT)
  - Homelessness Australia on 1800 474 753
  - Headspace (https://headspace.org.au/)
  - ReachOut on (02) 8029 7777
  - Beyond Blue on 1300 224 636
- the DSCC on 1800 314 677 to discuss their circumstances or conduct or update their JSCI
- Services Australia to discuss a potential exemption from Mutual Obligation requirements due to a personal crisis, or for a Social Worker who can help the Session Participant in a crisis situation, depending on the nature of the crisis and the Session Participant's ability to seek assistance.

### 12.6.3. Automatic cancellation due to eligibility change

If a Session Participant is no longer eligible due to having been Exited from Workforce Australia Online prior to the booked Session, the Session will be automatically cancelled in the Department's IT Systems and the Provider will not receive a Session Payment, regardless of timeframes.

## 12.7. Marking attendance

The Provider is required to mark the attendance for each Session on the same day where possible, or within 7 calendar days from the date of the Session.

The Provider must record attendance at the end of each Session in the Electronic Calendar in the Department's IT Systems. This will trigger a Payment for the Session.

## 12.8. Provider payments for Sessions

Providers will be paid $125 (GST inclusive) for each Session marked as attended.

Providers will be paid a partial payment of $62.50 (GST inclusive) where a Session Participant does not attend on the day or cancels less than 2 calendar days prior.

Under no circumstances are Providers allowed to charge Session Participants for Sessions.

Payment for a Session is automatically paid through the Department's IT Systems for Online Full Service Participants, upon recording of attendance.

Payments for a Session for Online Base Service Participants are requested through a manual claim. For information on the Youth Advisory Session manual payment request process refer to the TtW System Steps Guide and the Calendar - Booking a Youth Advisory Session for an Online Base Service Participant (KB0017404).

(Deed Reference(s): Clause 140, Annexure B2: Payments – Table 5)

## 12.9. Points Based Activation System

The Points Based Activation System (PBAS) is a flexible approach by which relevant Participants can meet their Mutual Obligation Requirements by undertaking sufficient tasks to meet a specified Points Target.

Participating in a Session is a task that can be counted towards a Session Participant's Points Target. Points will be automatically attributed to the Session Participant's Points Target by the Department's IT systems when a Session is marked as Attended.

PBAS are only available to Workforce Australia Online for Individuals Full Service Participants who attend a Session.

## 12.10. Quality review of Sessions

The Department may, from time to time, assess the quality and delivery of these Sessions against the following criteria:

- Efficiency – The Session was conducted seamlessly. For example, the Provider gave concise information and instructions to the Session Participant and the format of the Session worked for all parties.
- Quality – The Session Participant found the Session/s helpful.
- Engagement – Session Participants were engaged and received valuable information from the Session/s, have booked future Sessions or advise they would recommend the service to other young people.

The Department will employ various ways to measure these, including via Provider and Participant surveys, and feedback to the DSCC.

# Chapter 13. Activity Management

Supporting Documents for this Chapter:

- WHS Incidents and Insurance Readers Guide – Providers
- WHS Incidents and Insurance Readers Guide – Participants
- Workforce Australia Services Activities Information Sheet
- Risk Assessment Example Template (optional)
- Competent Person Register Example Template (optional)

## 13.1. Chapter Overview

Participating in Activities helps Participants to improve their skills and motivation so they can progress towards Employment or Education. Activities help address Vocational Barriers and Non-vocational Barriers and develop a Participant's ability to take directions, work independently or as part of a team and communicate effectively.

This Chapter outlines the requirements for the Provider when setting up and managing Activities, which may also apply to other Activities that do not have specific requirements in the Deed. Additional information on specific Activities can be found in the relevant Chapters in this Handbook.

The Provider is strongly encouraged to innovate and deliver Activities that support diverse pathways to Employment or Education. The Provider is able to develop and deliver custom Activities tailored to Participants' needs in addition to the formal Activities detailed in these Guidelines.

## 13.2. Identifying suitable Activities for Participants

A suitable Activity will help the Participant to address their Vocational or Non-Vocational Barriers, improve work readiness and progress them towards Employment or Education. A suitable Activity is appropriate for the Participant's individual circumstances and needs.

The Provider must not arrange any Activity for any Participant to participate in, or refer any Participant to any Activity, where the Activity may involve:

- the Participant undertaking any Services that the Provider is contracted to deliver under the Deed or any other contract or arrangement between the Provider and the Department or another Government department or agency
- an illegal activity or the Participant undertaking tasks that the Participant is not permitted to do under the law (e.g. a task can only be undertaken by a licensed person and the Participant does not hold that licence)
- the Participant undertaking tasks or working for any:
    - organisation owned or controlled by the Participant; or
    - Family Member of the Participant
- the participant displacing an existing employee of the Host Organisation or undertaking work that would reduce an existing employee's hours of work (full-time, casual, or part-time), including reducing an existing employee's customary overtime
- the Participant undertaking tasks associated with the sex industry or involving nudity (including retail or hospitality positions)
- the Participant undertaking tasks directly involving gambling; and/or

- in the case of any Specified Activity, the Participant undertaking tasks in the Participant's own home.

Information on any specific eligibility criteria for Activities is contained in the relevant Activity Chapters in this Handbook.

(Deed Reference(s): Clause 109)

## 13.3. Arranging Activities

Activities assist Participants to meet their 25 hours per week Participation Requirements for TtW (see Participant Requirements Chapter). The Provider must arrange Activities for Participants according to their individual needs, including referral to Complementary Programs, other non-vocational interventions, Education, training and other opportunities. Further information on the range of Activities that Participants can undertake is in the Job Plan Chapter.

The Provider must comply with its obligations relating to work health and safety set out in Chapter B3.2 of the Deed. Activities must not proceed where work health and safety issues cannot be addressed.

For guidance on establishing and managing Activities in the Department's IT Systems please refer to the TtW System Steps Supporting Document.

The Provider may refer Participants to Activities arranged by the Department or Workforce Specialists and may also develop and arrange a broad range of other activities, for example:

- résumé writing sessions
- interview preparation sessions
- group information sessions, and/or
- employer meet and greet sessions.

Further information on Provider responsibilities when arranging Activities is in the Deed and in the relevant Chapter for each Activity type in this Handbook.

(Deed Reference(s): Clauses 109, 110)

## 13.4. Collaboration with other Providers and community organisations

The Provider should develop and maintain effective relationships with Complementary Program providers and Other Service Providers to support the successful delivery of programs and Activities.

The Provider must also engage other organisations and services to ensure delivery of a comprehensive range of activities and support that address Vocational and Non-vocational Barriers for Participants. This includes private and community-based service providers, education and training institutions, healthcare organisations and local governments.

(Deed Reference(s): Clauses 80.1, 109.4)

## 13.5. Engaging with Host Organisations

The Provider should engage with a range of businesses, other employment services providers and community organisations to arrange Activities that prepare Participants to meet Employers' needs.

The Provider must ensure Host Organisations meet all Host Organisation eligibility and work health and safety requirements.

Some Specified Activities arranged by the Provider are hosted by a Host Organisation, including:

- Observational Work Experience
- Provider Sourced Voluntary Work
- Non-Government Programs.

### 13.5.1. Eligible Host Organisations

The types of organisations which can be a Host Organisation for a particular Activity type and any additional eligibility requirements are provided in the relevant Activity specific Chapter.

Eligible Host Organisations can host more than one Observational Work Experience Placement and/or Provider Sourced Voluntary Work Placement concurrently where they meet the requirements for each relevant Activity type.

The Provider must not arrange, or refer any Participant to, any Activity that is hosted by a Host Organisation that:

- does not have a valid ABN
- has engaged in any illegal operations or promote or condone any form of unlawful conduct
- has been or is associated with the sex industry
- promotes or condones gambling that the Department deems inappropriate
- promotes or condones any form of violence, self-harm or suicide
- promotes or condones any form of discrimination, including on the grounds of race, ethnic group, language, sex, religion or disability; and/or
- provides any other service or conducts themselves in a manner that is likely to bring the Participant, the Provider or the Department into disrepute.

If the Provider suspects or becomes aware that a Host Organisation has engaged in any conduct described in the list above, the Provider must:

- ensure that no Participant commences participating in, or continues to participate in, any Activity that the Host Organisation hosts
- notify the Department immediately and provide information as requested by the Department, and
- if requested by the Department, cease or vary the Activity.

### 13.5.2. Host Organisation Agreements

Host Organisation Agreements between the Provider and a Host Organisation (and, where applicable, the Participant) assist all parties to understand their rights and obligations in relation to the provision of, and participation in, hosted Activities.

The Provider must arrange the following Activities under a Host Organisation Agreement:

- Observational Work Experience
- Provider Sourced Voluntary Work.

For the Activities listed above, the Provider must discuss with the Host Organisation, and document in the relevant Host Organisation Agreement, all the Host Organisation's obligations, regarding the relevant Activity.

The obligations that the Provider must impose on the Host Organisation in relation to a particular Activity will depend on the type of Activity in question and the provisions of the relevant template Host Organisation Agreement issued by the Department in relation to that type of Activity. The Provider should ensure that the obligations imposed on the Host Organisation under any Host Organisation Agreement enable the Provider to comply with its obligations under the Deed. To assist the Provider to comply with its obligations under the Deed, the Provider must ensure that each Host Organisation Agreement includes the following (at a minimum):

- details of the proposed Activity that the Host Organisation must provide, including details of the tasks that will be undertaken by Participants while participating in the Activity
- details of how the Host Organisation will support and accommodate varying Participants' needs and capabilities (including work restrictions)
- details of the Supervision that the Host Organisation must provide while Participants are participating in the relevant Activity
- details of training and induction that must be provided to Participants before they commence participation in the relevant Activity and/or before they commence undertaking particular tasks as part of their Participation in the relevant Activity (and which party will be providing the training and induction)
- details of the Host Organisation's obligations in relation to work health and safety and incident reporting.

Host Organisation Agreement templates for individual Activities can be found on the Provider Portal or generated via the Department's IT Systems where relevant.

The Host Organisation Agreement must be signed by all relevant parties before the Participant commences in the Activity.

The Provider must retain evidence (either hard copy or soft copy) of Host Organisation Agreements and any other required Documentary Evidence.

### 13.5.3. Misuse of programs

If the Provider suspects or becomes aware that a Host Organisation has breached a Host Organisation Agreement, the Provider must immediately Notify the Department and provide information about the relevant breach as requested by the Department.

Where the Department determines that a Host Organisation has engaged in any conduct described under Eligible Host Organisations, the Department may give a direction to the Provider that the Provider must not arrange, and/or must not refer any Participants to, any Activities hosted by that Host Organisation. If the Department gives such a direction, the Provider must immediately comply with the direction.

## 13.6. Referrals and Commencement of an Activity

When identifying appropriate Activities for a Participant, the Provider must ensure the Activity is suitable and safe, will assist the Participant to progress towards Employment or Education and takes into account the Participant's individual circumstances and capacity.

The Provider must not refer a Participant to an Activity unless the Provider has first:

- confirmed that the Participant is eligible to participate in the Activity. Information on Activity specific eligibility criteria is contained in the relevant Chapter relating to that Activity
- confirmed that the Activity is appropriate for the Participant, taking into account the individual needs and circumstances of the Participant, including:
    - the Participant's education, experience, skills and age
    - the Participant's capacity to undertake the Activity
    - the Participant's strengths and barriers to participating in the Activity
    - the impact of any disability, illness, physical or mental health condition or other non-vocational issue that the Participant has, including drug and alcohol dependency, on the Participant's ability to participate in the Activity
    - the Participant's preferences and goals; and
    - any other matters that the Provider considers relevant to the Participant's circumstances.
- explained to the Participant when to commence participating in the Activity, and the consequences of not commencing the Activity on time
- explained to the Participant the frequency of the Contact that the Participant must have with the Provider while they are participating in the Activity; and
- advised the Participant where they can access the WHS Incidents and Insurance Readers Guide – Participants for Work Health and Safety guidance.

The Provider must record details of each Activity in the Department's IT Systems, including details of the Participant referred to or placed in the Activity, and the required hours of participation for each Participant.

### 13.6.1. Setting up Activities in the Department's IT Systems

For guidance on establishing, scheduling and managing Activities in the Department's IT Systems please refer to the TtW System Steps supporting document.

## 13.7. Managing participation in an Activity

The Provider must support the Participant to fully engage in any Activity they are referred to. This includes the Provider:

- complying with its work health and safety obligations. For Specified Activities this includes the Provider or Host Organisation ensuring the provision of training, equipment and clothing and the Provider checking the availability of appropriate facilities (such as toilets and access to drinking water) at the Specified Activity location
- complying with its obligations in relation to providing or ensuring adequate and appropriate Supervision so that relevant Participants are undertaking appropriate tasks and operating in a healthy and safe environment

- meeting with or contacting the Participant to obtain feedback on their progress, including checking whether the Participant has any complaints or safety concerns regarding the Activity, or any WHS incidents to report
- ensuring that the Participant is benefiting from the Activity, enhancing their Employment prospects and is not being exploited
- minimising disruptions where a Participant is attending an Activity (e.g. arranging Provider appointments outside Activity times where possible); and
- monitoring the Participant's attendance, behaviour and satisfaction with the Activity.

(Deed Reference(s): Clauses 70.6, 109.6, 110, 111, 112, 113)

### 13.7.1. Transport to and from Activities

Participants will generally be expected to source their own transport to and from an Activity. The Provider should support the Participant by arranging transportation to and from an Activity where:

- the Participant does not have access to a vehicle or does not have a driver's licence, and alternative transport options such as public transport are not available
- the Activity is at an isolated location
- access to the Activity is along an unsealed road or track; or
- the Activity has a residential or overnight accommodation component.

If Providers are transporting Participants to or from an Activity this must be included in the Activity Risk Assessment.

### 13.7.2. Assistance with Activity Costs

Providers are expected to use their Upfront Payments to support Participants with costs associated with participating in the Activity, such as PPE (Personal Protective Equipment), transport, police check, work equipment.

## 13.8. Completion of Activities

At the completion of a Participant's participation in an Activity, the Provider must record the following information in the Department's IT Systems:

- reason the Participant ceased participating in the Activity (completion exit reason)
- last date the Participant participated in the Activity (end date)
- number of hours the Participant participated in the Activity (where relevant).

The Provider does not need to record this information where a Participant on the Provider's Caseload completes an Activity through a Workforce Australia – Employability Skills Training (EST) Provider or Workforce Specialist

## 13.9. Managing work health and safety for Activities

The Provider must at all times ensure that all Participants are in a safe environment when participating in Activities (including Specified Activities and any other activities that the Provider has arranged or referred a Participant to).

In carrying out its obligations under the Deed, the Provider must also:

- comply with all relevant laws and requirements of any Commonwealth, state, territory or local authority, including the WHS Laws, and
- ensure that its Personnel, Subcontractors, Third Party IT Vendors and agents, do the same.

The Provider must ensure each Participant is aware of how to lodge a complaint or voice safety concerns about an Activity. Where the Provider becomes aware of safety concerns, including those raised by a Participant, that cannot be addressed, the Provider must ensure that the Participant immediately ceases participation in the Activity.

(Deed Reference(s): Clauses 70.6, 109.6, 109.10)

### 13.9.1. Ensuring Work Health and Safety measures are in place

Before arranging, or referring any Participant to an Activity, the Provider must confirm:

- that the Activity is not prohibited under relevant state and territory laws
- its delivery is permitted under the Deed and any Guidelines
- the Host Organisation, where relevant, is complying with all work health and safety requirements in the relevant state and territory; and
- its delivery is in line with any advice provided by local authorities.

For example, Host Organisations must have COVID-Safe plans (or similar) in place in accordance with relevant state or territory requirements.

The Provider must consult, coordinate and cooperate as appropriate with relevant parties including but not limited to the Department, Host Organisations, EST Providers, Workforce Specialists and Local Jobs Program Activity Hosts to ensure that any work health and safety issues in relation to an Activity are appropriately managed.

(Deed Reference(s): Clause 70.6)

### 13.9.2. Managing work health and safety on Specified Activities

The Provider must, in accordance with the Deed and these Guidelines, meet their obligations to ensure work health and safety measures are in place for Specified Activities.

The Provider must ensure that there is a safe system of work in place for each Specified Activity, both prior to commencement of, and throughout, the Specified Activity. This includes where a Host Organisation is engaged by the Provider, and that the relevant Host Organisation is complying with all work health and safety requirements in the jurisdiction in which the Specified Activity occurs.

The Provider must take all reasonable steps to minimise the likelihood of injury to Participants and any other people at any location at which a Specified Activity is being conducted.

(Deed Reference(s): Clause 110)

### 13.9.3. Conducting Risk Assessments for Specified Activities

The Provider must meet their Deed and Guideline obligations with regards to Risk Assessments for Specified Activities. This includes Specified Activities where the Provider is the Host Organisation.

- The Provider must ensure that Activity Risk Assessments and Participant Risk Assessments are undertaken by Competent Persons, updated as necessary and meet relevant laws and

Departmental policies and procedures on work health and safety. If the Provider does not have a Competent Person, it must engage a Competent Person for this purpose.

There are 2 types of Risk Assessment that must be conducted in relation to a Specified Activity:

- Activity Risk Assessment - a risk assessment in relation to a potential or actual Specified Activity, which is undertaken and/or updated in accordance with any Guidelines
- Participant Risk Assessment - a risk assessment in relation to each Participant's involvement in a Specified Activity, which is undertaken and/or updated in accordance with any Guidelines.

Note: The term Risk Assessment means, as relevant, an Activity Risk Assessment and/or a Participant Risk Assessment. The Competent Person arranged by the Provider to undertake the Risk Assessments may document an Activity Risk Assessment and a Participant Risk Assessment in a single document, so long as all requirements specified in these Guidelines in relation to the documentation of both Risk Assessments are met.

The purpose of the Risk Assessment process is to:

- determine whether an Activity is suitable to proceed, before the Provider refers any Participants to the Activity
- identify potential risks associated with the tasks that will be undertaken by Participants while they are participating in the Activity; and
- identify if the Activity is suitable for the relevant Participant(s) referred to the Activity, including identifying any risks that may arise from a Participant's personal circumstances.

## Activity Risk Assessment

Before the start of each Specified Activity, the Provider must, in accordance with any Guidelines, undertake an Activity Risk Assessment of:

- the Specified Activity it has arranged, and
- any Launch into Work Project Activity where the Provider intends to place a Participant on their Caseload into the Activity.

The Provider must confirm that an Activity Risk Assessment has been undertaken for any Specified Activity conducted by any:

- Local Jobs Program Activity Host
- EST Provider; or
- Workforce Specialist

in which a Participant on the Provider's Caseload has been placed.

The Provider must ensure a Competent Person conducts and documents the Risk Assessment before a Specified Activity commences.

## Participant Risk Assessment

Subject to the exception noted below, the Provider must, undertake a Participant Risk Assessment for each Participant, with regard to their potential participation in any Specified Activity, before their commencement in the Specified Activity.

The Provider must confirm that a Participant Risk Assessment has been undertaken for any Specified Activity by any Workforce Specialist in which a Participant on the Provider's Caseload has been placed.

## Risk Assessment considerations

The Provider must ensure that each Risk Assessment undertaken or arranged by the Provider takes into account:

- the role of the Host Organisation, or Local Jobs Program Activity Host, or Launch into Work Organisation;
- the specific circumstances of the Participant(s)
- the nature and location of the tasks to be undertaken by a Participant, such as whether the Specified Activity:
    - is located in a non-public area (e.g. a private residence worksite with a tradesperson)
    - is with a sole trader (e.g. a butcher or hairdresser who operates from a small shop or private residence)
    - involves the participant working alone with another person
    - involves the participant working hours of work outside a 9-5 bandwidth (for example, early starts, night work)
    - involves the participant working in a labour hire environment in one or more different workplaces
- the Participant's personal circumstances (that is, working capabilities, any health or other personal issues and level of experience)
- the level of Supervision required
- the nature, cause and likelihood of any risk(s)
- the consequences of an incident
- effective controls, including training and Personal Protective Equipment.

> **Example:** the Provider would need to consider the risks of placing a Participant with medical needs in an Activity in an isolated location, to determine if this is a suitable placement for the Participant.

## Reviewing, maintaining and updating Risk Assessments

The Provider must review risks regularly and take appropriate action on those risks as required.

As part of its obligation to ensure that there is a safe system of work in place for each Specified Activity, the Provider must determine, and ensure there are implemented, appropriate actions to mitigate the identified risks after conducting or updating any Risk Assessment.

Where the Provider becomes aware (including based on an Activity Risk Assessment) that it cannot ensure that there is a safe system of work in place at a Specified Activity, the Provider must:

- if the Provider was intending to arrange the Specified Activity, not arrange the Specified Activity;
- not refer any Participants to the Specified Activity; and
- if the Provider has already referred any Participant to the Specified Activity, immediately ensure that the Participant ceases participation in the Specified Activity.

Where the Provider becomes aware (including based on a Participant Risk Assessment) that it cannot ensure there is a safe system of work in place for any Participant participating in any Specified Activity, the Provider must:

- not refer the Participant to the Specified Activity;
- if the Provider has already referred the Participant to the Specified Activity, immediately ensure that the Participant ceases participation in the Specified Activity.

The Department may, at any time and at its absolute discretion, give a direction to the Provider in relation to an Activity, proposed Activity or type of Activity, including a direction that an Activity must be ceased or varied.

Example Risk Assessment Templates and checklists are available on the Provider Portal.

Please note, the Provider must also refer to specific Activity Chapters in this Handbook for any further details or requirements regarding Risk Assessments that may be in addition to the requirements outlined in this Chapter.



The Provider has the discretion to determine how they document their Risk Assessments. A verbal Risk Assessment does not meet the Department's requirements.



The Provider must retain Records of each Risk Assessment and any action taken in accordance with each Risk Assessment. The Provider must provide these Records to the Department if requested.



The Provider must create and maintain a Record identifying any Competent Person(s) that it engages to conduct any Risk Assessment. Providers must maintain a structured register of Competent Person(s) engaged.

This record must contain:

- the full name of the Competent Person
- a description of the qualification, training or experience (and its relevance, if this is not clear from the qualification, training title, or experience) held by the Competent Person, including:
  - The qualification they hold, including course ID (if formal qualification undertaken),
  - Internal or informal training name, and/ or
  - The number of years of relevant experience
- date of qualification/training completion (if applicable)
- refresher due date (if relevant)
- The Employment Region/s the under which the Competent Person can undertake Risk Assessments

Providers must provide a Record of this format to the Department upon request. A Competent Person(s) Register Template is available on the Provider Portal, however, use of this template is not mandatory. If the template is not used, Providers must use their own structured register which includes at a minimum all the same headings as in the template.

(Deed Reference(s): Clause 109.5, 110.1, 111)

## 13.10. Supervision requirements

The Provider must meet their obligations with regard to Supervision for Activities the Provider arranges for Participants. 'Supervision' means the action or process of directly monitoring and managing Participants participating in Activities.

Note: Supervisors may be engaged/employed by the Provider or a Subcontractor to supervise Activities (including Specified Activities or any other activities arranged by the Provider), or may be engaged/employed by Host Organisations to supervise Activities that they provide. Launch into Work Organisations, Local Jobs Program Activity Hosts, Workforce Specialists and EST Providers are responsible for organising Supervision in relation to Activities they provide and for conducting relevant checks on their Personnel and Supervisors prior to their involvement.

- The Provider must ensure that it or, where relevant, each Host Organisation, provides adequate and appropriate Supervision so that the relevant Participants are undertaking appropriate tasks and operating in a healthy and safe environment.

The Provider must ensure that Continuous Supervision is provided for the entire duration of any Activity where it involves:

- people who are elderly, disabled or otherwise vulnerable, or
- Children (excluding other Participants).

Continuous Supervision should be provided where the Provider otherwise considers that Supervision should be continuous having regard to the nature of the tasks to be undertaken, the potential Participant(s) in the Activity and any other work health and safety concerns identified as part of the relevant Risk Assessment that can be mitigated by Continuous Supervision.

The Provider must ensure that all Supervisors and relevant Personnel have had checks as specified in the Checks and Reasonable Care clauses of the Deed and the background checks section, and Supervisors have met any additional statutory requirements before being given responsibility for the Supervision of Participants.

The Provider must ensure that each Supervisor, whether engaged by the Provider, a Subcontractor or a Host Organisation, is aware of the requirement to notify the Provider of:

- the non-attendance by the Participant at all relevant Activities; and
- any other non-compliance by the Participant in connection with the Activities.

### 13.10.1. Supervision requirements for Specified Activities

The Provider must ensure that all Supervisors and relevant Personnel of the Provider, any Host Organisation or any Subcontractor who has direct involvement (including where they have close contact with Participants) in the Activity:

- is a fit and proper person to be involved in the relevant Activity
- has a high level of skill/knowledge, training and/or experience in:
  - each part of the Activity they are involved in, and
  - working with, training and supervising individuals in such activities; and
- has relevant work health and safety training.

(Deed Reference(s): Clauses 71, 113)

### 13.10.2. Background checks

The Provider must, in accordance with the Deed, these Guidelines, and their local state or territory requirements, establish whether the nature of an Activity requires Participants and/or Supervisors and/or relevant Personnel to have checks, and arrange those checks if required to do so.

> For the purpose of these Guidelines, 'checks' refers to criminal records checks, Working with Children checks and/or Working with Vulnerable People checks.

Activities arranged by the Provider that require checks include those where:

- legislation requires checks to be conducted
- the Activity is subject to industry standards or legal requirements that mean Participants cannot have been convicted of particular crimes
- the Participant and/or Supervisor will have regular or unsupervised contact with Children, the elderly or other classes of vulnerable people
- the Activity is otherwise specified by the Department as requiring checks.

Unless notified otherwise by the Department, the Provider must arrange and pay for any checks to be completed before arranging for, or allowing the Participant to participate in, any Activity.

The obligation set out in Clause 71.1 of the Deed does not apply to Activities delivered by Workforce Specialists, EST Providers and SEE Providers, Launch into Work Organisations (except where the Launch into Work Organisation asks the Provider for assistance in arranging and paying for employer-required checks) and Local Jobs Program Activity Hosts.

Where an Activity requires checks to be undertaken, the Provider should contact the relevant organisation/s in their state or territory to have checks completed. Checks must be completed in line with the relevant state and territory rules and regulations.

Checks may take some time to complete. Where required, Providers should identify interim or alternative Activities for Participants awaiting the outcomes of the checks.

Where checks show that Participants or Supervisors must not do particular Activities, they are no longer eligible and are excluded from participation in or Supervision of that Particular Activity. Alternative Activities should be suggested to the Participant.

The results of checks are personal and confidential. Providers must not disclose the information to other parties unless given permission by the Participant or Supervisor. Additional information regarding disclosure of information and privacy considerations can be found in Part A Guidelines: Privacy Chapter.

If an Activity is repeated or a Participant is to engage in another Activity in the future, Providers must ensure the checks conducted are still valid. Further checks must be conducted where required or where an initial check is no longer valid.

(Deed Reference(s): Clause 71, 113)

## 13.11. Managing Activity-related Incidents

The Provider must Notify the Department as soon as possible of any incident involving an Activity where a Participant is in attendance (including travel to, from or during an Activity), including:

- any Critical WHS Incidents (including in relation to a Participant or member of the public), which must be reported within one hour

> 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/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
> - spinal injury, or
> - amputation of any part of the body.
>
> Please refer to the relevant clauses in the WHS Act.

- any Non-critical WHS Incidents, which must be reported on the same day

> A 'Non-critical WHS Incident' is any incident that relates to a work, health and safety issue or near miss, but is not a Critical WHS Incident. Non-Critical WHS Incidents include incidents such as those involving:
>
> - non-serious injury requiring first aid and/or assistance from a medical practitioner
> - minor property damage, or near misses that could have resulted in serious or non-serious injury, and
> - any other WHS incidents that are non-Critical that may impact upon a Participant or the Department or bring the Provider or the Services into disrepute.

- any other incidents that are non-serious that may impact upon a Participant or the Department or bring the Provider or the Services into disrepute must be reported to the department within 24 hours.

(Deed Reference(s): Clause112.1)

The Provider is required to Notify the Department of all Activity-related accidents or near misses that happen to Participants or other people in accordance with these Guidelines. Refer to the WHS Incidents and Insurance Readers Guide - Providers available on the Incidents and Insurance page on the Provider Portal.

When an incident occurs:

- appropriate medical attention, including contacting emergency services depending on the nature of the incident, should immediately be provided by the Supervisor
- the Supervisor must try and protect any other Participants and other people at the Activity from unnecessary trauma, where possible

- the relevant WHS Regulator must be notified of the incident if it results in the death or serious injury, in accordance with laws of the relevant state or territory
- the relevant WHS Regulator must be notified of any dangerous incident that exposes someone to a serious risk, even if no one is injured, in accordance with laws of the relevant state or territory
- any directions by a WHS Regulator must be followed
- a WHS Employment Assistance Program Incident Report available on the Incidents and Insurance page (on the Provider Portal), must be completed by the Host Organisation when the incident involves a Participant's accident, injury, death or near miss
- the Provider must complete a Public and Products Liability Incident Report when a third party alleges a Participant has been negligent and caused accident, injury or death, or property damage. The Public and Products Liability Claim Form must be completed by the Provider when a third party is making an insurance claim as a result of a reported incident.

Following submission of any incident reports, the Provider will receive confirmation of successful submission and a copy of the information will be sent to the relevant areas of the Department.

An incident may result in the Department issuing safety recommendations to the Provider and/or Host Organisation (or Local Jobs Program Activity Host) to ensure the risk of the same incident being repeated is reduced or eliminated, if possible. The Provider has an obligation to comply with the Department's directions relating to any Activity.

Participants must have access to reporting mechanisms to report an incident, lodge a complaint or provide positive/constructive feedback confidentially. The Provider must ensure that there is an internal, impartial and easily accessible complaints mechanism that can be used by Participants regardless of the nature of the complaint.

(Deed Reference(s): Clauses 29.1, 70.6, 70.7, 109.5, 112.1)

The Provider is required to submit the WHS Incident Report form on the Department's IT Systems on the same day as the Provider becomes aware of any incident referred to in this section. In the event the WHS Incident form is unavailable, the Provider must complete and submit the WHS Employment Assistance Program Incident Report form.

### 13.11.1. Work health and safety incidents

Where an incident includes any accident, injury or death occurring during the Activity, or direct travel to or from an Activity, including in relation to a Participant or a member of the public, the Provider must also, as soon as possible, and on the same day, give full details of the accident, injury or death to the Department in the form specified in these Guidelines.

Detailed information on notifying the Department with regard to WHS Incidents is included in the WHS Incidents and Insurance Readers Guide - Providers on the Incidents and Insurance page under the 'Provider Operations' tab of the Provider Portal.

(Deed Reference(s): Clause 112.2)

The Provider must notify the Department of Critical WHS Incidents within one hour via telephone and followed by formal written notification to the Provider Lead that give full details of the accident, injury or death to the Department.

The Department must be notified of Non-critical WHS Incidents by the Provider as soon as possible and on the same day by completing the WHS Incident form.

The Provider is required to submit the WHS Incident Report form on the Department's IT Systems on the same day as the Provider becomes aware of any incident referred to in this section 13.11. In the event the WHS Incident form is unavailable, (the Provider must complete and submit the WHS Employment Assistance Program Incident Report form. The relevant forms to support Supervisors and Host Organisations to submit a WHS Incident Form are available on the Incidents and Insurance page on the Provider Portal.

The Provider must maintain records of WHS incidents.

### Other Incidents

Any other incidents that are non-serious that may impact upon a Participant or the Department or bring the Provider or the Services into disrepute must be reported to the department within 24 hours. A WHS incident may also be considered a challenging behaviour incident. In these cases, the Provider may need to submit a WHS incident form and also Job Seeker Incident Report in accordance with Deed requirements.

The Provider must report any instances of misconduct or threatening behaviour via the 'Job Seeker Incident Report'. See Part A Guidelines: Servicing Participants with Challenging Behaviours Chapter.

### All Incidents – both Personal Accident and Public and Products Liability

Providers must Notify the Department of any incident that may result in a liability claim (irrespective of whether a claim is being made at the time).

The Provider must also comply with any instructions issued by the Department or the Department's insurance broker. Detailed information in relation to the process for reporting incidents that may result in liability is available in the WHS Incidents and Insurance Readers Guide - Providers.

(Deed Reference(s): Clause 112.3)

The Department's public and products liability insurance provides coverage results when a third party alleges a Participant has been negligent and caused an accident, injury or death, or property damage, while participating in an Activity.

The Provider must, when requested by the Department's insurance broker, provide full details to the insurance broker of any incident that may or does result in a liability claim. The insurer is responsible for determining liability. The Providers must not admit fault or accept responsibility for any alleged negligence that may or does result in a third-party claim.

Forms for the Provider to complete to Notify the Department of any personal accident or public and products liability incidents are available on the Incidents and Insurance page of the Provider Portal.

The Provider must maintain a copy of all incident notifications and records for supporting evidence in any insurance claims

## 13.11.2. Insurance coverage for Participants

The Department purchases the following insurance policies to cover Activities:

- Personal Accident insurance - covers the Participant in respect of personal injury or death that occurs while undertaking Activities, including direct travel to, from or during such Activities
- Public and Products Liability insurance for Participants - covers the legal liability of the Participant arising out of their negligence that causes personal injury to a third party, or damage to a third party's property, while participating in approved activities.

Further information on the insurance purchased by the Department to cover Participants undertaking Activities is in the WHS Incidents and Insurance Readers Guide – Providers, with copies of the insurance policies also on the Incidents and Insurance page of the Provider Portal.

Information for Participants about insurance is included in the WHS Incidents and Insurance Readers Guide – Participants which is available on the Provider Portal for Providers to give to the Participants and is published on the Department's website under 'Insurance arrangements for Employment Services activities'.

The Provider should note the Department's policies have standard exclusions. The Department's purchased insurance policies:

- do not cover illness or sickness contracted by a Participant during an Activity, including COVID-19
- do not cover any Activities that would have been prohibited under these Guidelines
- may have time limits that apply for claims
- do not cover any other exclusions listed within the terms and conditions of each insurance policy.

If alternative insurance is in place, Providers can still deliver Activities where tasks are excluded under the Department's policies.

In addition, Providers are contractually obligated to maintain various insurances as outlined in the Deed and understand the coverage available to them under their own insurance policies.

Providers are also required to confirm that the Host Organisation has appropriate insurance coverage, and where coverage is insufficient the Provider can decide to purchase or fund additional insurance for the Activity.

(Deed Reference(s): Clauses 43, 111.5(f))

## Sourcing additional insurance coverage

The Provider must purchase additional insurance to ensure adequate coverage of the Participant.

The Provider must keep a full copy of any insurance policies relied upon by the Provider to be compliant with the requirements for additional insurance.

As an alternative to purchasing insurance, the Provider may consider modifying the tasks in the proposed Activity so that no part of the Activity would be excluded under the Department's insurance coverage.

(Deed Reference(s): Clause 43.13)

# Chapter 14. Adult Migrant English Program

Supporting Documents for this Chapter:

- Adult Migrant English Program (AMEP) Fact Sheet for Referring Agencies
- AMEP Activity Creation and Referral Guide Supporting document

## 14.1. Chapter Overview

The Adult Migrant English Program (AMEP) provides free English language tuition to eligible migrants and humanitarian entrants to help them learn foundation English language and settlement skills to enable them to participate socially and economically in Australian society.

Participants can access unlimited hours of English classes until vocational English is achieved for clients with a visa commencement date on or before 1 October 2020. No time limits for registration, commencement and completion apply.

Clients who have a visa commencement date after 1 October 2020 also have unlimited hours of tuition until vocational English is achieved, however a five-year completion timeframe applies. This can be extended to 10 years in certain circumstances.

This Chapter outlines the requirements for Providers regarding the AMEP.

## 14.2. Benefits of the AMEP

The AMEP gives Participants the opportunity to learn the English that they need to get a job and participate more in day-to-day life in Australia.

The AMEP provides a range of flexible learning options to help Participants study, including full-time, part-time, evening and weekend classes.

It offers face-to-face and online classes, a volunteer tutor scheme and distance learning. The AMEP also provides free childcare services if participants have under school-aged children when participating in face-to-face classes.

## 14.3. Role of Providers

The role of Providers is to be familiar with the AMEP and its requirements, and actively identify Participants on their Caseload that would benefit from attending the program.

Providers should advise potential AMEP participants of the opportunities and benefits of the program including the varied delivery options.

## 14.4. Eligibility

Participants must generally be 18 years or over (15-17 years in specific circumstances as assessed by an AMEP provider), a permanent resident of Australia or hold an eligible temporary visa, or be a citizen who previously held an eligible visa. More information on eligibility is available by speaking to a local AMEP provider, or through the Department of Home Affairs Website.

## 14.5. Outcomes

Participation for 26 consecutive weeks full-time in the AMEP can track to an Education Outcome (Participation) for TtW Providers. Further information is in the Vacancies and Outcomes Chapter.

## 14.6. Further Information

For more information about AMEP, including contact details for local AMEP providers is available on the Department of Home Affairs Website.

# Chapter 15. Employability Skills Training

Supporting Documents for this Chapter:

- Employability Skills Training Participant Fact Sheet
- Referral Cap Supporting Document and Temporary Exemption Request Form

## 15.1. Chapter Overview

Employability Skills Training (EST) Courses are available on a fee for service basis for TtW Participants. Providers must pay the EST Provider for each Participant Referral prior to the date the EST Course starts.

This Chapter outlines the requirements for TtW Providers regarding EST.

## 15.2. Background

EST is a Complementary Program, administered by the Department, which TtW Providers may access to enhance work readiness of Participants. EST provides intensive pre-employment training through 2 different blocks of targeted training:

- Training Block 1: workplace focused training
- Training Block 2: industry focused training.

Participants can undertake one or both courses, in any order.

Each EST Course runs for 75 hours, in a group setting, for:

- 25 hours per week over 3 consecutive weeks, or
- 15 hours per week over 5 consecutive weeks.

EST Courses can be delivered by EST Providers as Youth Courses, 25 Plus Courses or All Ages Courses. EST Courses can be delivered face-to-face, hybrid (a blend of face-to-face and online) or online.

TtW Providers may approach EST Providers to deliver specific or tailored EST Courses where there is an identified demand, for example for training in a particular location or industry.

## 15.3. Benefits of EST

### 15.3.1. Benefits of both Training Block 1 and 2

Following their Training Block 1 or Training Block 2 Course, Participants will receive:

- an updated, professionally presented resume that identifies the Participant's skills and experience, and
- an assessment that documents the industries and/or occupations that may be suitable for the Participant, and recommendations for next steps for the Participant to pursue employment and/or training opportunities.

### 15.3.2. Benefits of Training Block 1

Training Block 1 Courses help Participants develop job search and workplace skills.

Advanced job search skills training helps Participants gain the skills they need to look for work and a better understanding of the local labour market to help them find sustainable employment opportunities. Training Block 1 Courses help Participants demonstrate they have the attitude and approach to work that employers want.

Upon successful Completion of a Training Block 1 Course, Participants should be able to demonstrate the following Learning Outcomes:

- use a variety of techniques and strategies to seek and apply for work
- identify opportunities in the local labour market
- understand employer expectations
- prepare a résumé
- prepare a job application, including preparing a cover letter, addressing selection criteria, and preparing video applications as relevant to opportunities in the local labour market
- complete an online psychometric and aptitude screening test
- prepare for an in-person and virtual job interview
- manage their digital footprint
- apply conventions of online etiquette
- apply the 10 skill areas described in the Core Skills for Work Developmental Framework, available on the Department's website.

### 15.3.3. Benefits of Training Block 2

Training Block 2 Courses help EST Participants learn more about industries that are in demand or have emerging opportunities in their local labour market.

Upon successful Completion of a Training Block 2 Course, EST Participants should be able to demonstrate the following Learning Outcomes:

- use the most suitable techniques and strategies to seek and apply for work in the industries covered
- understand the duties, requirements, career prospects and employer expectations of the industries covered
- tailor a résumé to the industries covered
- tailor a job application to the industries covered, including preparing a cover letter, addressing selection criteria, and preparing video applications as relevant to the industries covered
- complete an online psychometric and/or aptitude screening test as relevant to the industries covered
- prepare for an in-person and virtual job interview for the industries covered
- use technology relevant to entry-level employment opportunities in the industries covered.

Training Block 2 Courses include Industry Awareness Experiences that aim to provide EST Participants with insight into the tasks and duties of an industry. Examples of Industry Awareness Experiences include guided tours of workplaces arranged with an Employer and Inbound Employer Visits.

There are 2 types of Training Block 2 Courses:

- Generalist Courses

- Specialist Courses.

### Generalist Courses

Generalist Courses give EST Participants a taste of a few different industries to help them decide whether an industry is right for them.

The industries must have entry-level employment opportunities in the local labour market.

Generalist Courses may offer accredited training to support the Learning Outcomes.

### Specialist Courses

Specialist Courses focus on a single industry to help EST Participants build industry-specific skills.

Specialist Courses may offer accredited training to support the Learning Outcomes and to support Participants to build skills relevant to the industry. Examples include a construction Work Health and Safety 'white card' or the Responsible Service of Alcohol unit of competency.

Specialist Courses are endorsed by a relevant industry association to ensure the training is suitably tailored to, and valued by, employers in the industry and to make course Participants more competitive for entry-level employment opportunities in the industry.

## 15.4. Role of Providers

Key responsibilities and actions undertaken by Providers in relation to EST, which must be done in accordance with the Deed and these Guidelines, include:

- only referring Participants who meet the eligibility criteria to participate in an EST Course
- confirming if the Participant would benefit from EST
- confirming if the Participant is capable of undertaking the EST Course for the required hours per week and by the nominated delivery mode (see Referral to EST)
    - if the session time of a course does not suit the Participant, then an alternative EST Course should be selected
- in referring an EST Eligible Participant to an EST Course, Providers must ensure the Participant is:
    - made aware of their responsibilities, such as recording attendance
    - made aware of, and consented to, the disclosure of relevant personal information to the EST Provider for the purpose of managing the Participant's referral and participation in an EST Course
- ensuring that the EST Provider has all the information it requires to inform the required Risk Assessments for any Industry Awareness Experience (other than an Inbound Employer Visit), ensuring any personal information is only disclosed if the Participant has given consent
- paying the relevant EST Provider in accordance with these Guidelines
- providing Participants with or arranging any EST Course pre-requisites
- encouraging Participant attendance at the EST Course, noting that Participants must attend the Course within 7 Business Days of the EST Course starting (including the EST Course start date) or the EST Provider will end the Participant's referral to the EST Course
- working collaboratively with EST Providers to support Participants to successfully complete the EST Course

- reviewing, on completion of the EST Course, the assessment provided by the EST Provider of the Participant's Learning Outcomes and recommended next steps.

EST Providers will identify any Course pre-requisites in the Course description (for example a police check, personal protective equipment or a USB memory stick). Providers should action EST Provider requests to supply or arrange Course pre-requisites in a timely manner.

EST Providers will enter EST Course completion details in the Department's IT Systems. If a Participant is required to exit from the Activity early, the Provider must contact the EST Provider to request they action the exit.

If a Participant transfers to a new Provider, Provider Site or is Exited from Workforce Australia Services whilst participating in EST, they will be automatically Exited from the EST Course by the Department's IT Systems, irrespective of how many hours the Participant has attended. Providers should notify EST Providers where this occurs.

(Deed Reference(s): Clauses 109.1, 109.3, 109.4, 109.6, 121)

## 15.5. Eligibility

To be eligible to participate in EST, a Participant must be aged 15 years or over.

Participants are eligible for referral to EST from their Commencement in Services.

There is no limit to the number of times a Participant can undertake EST if the Provider considers the Participant would benefit.

(Deed Reference(s): Clause 121)

## 15.6. Referral to EST

Local EST Providers are expected to make suitable Courses available to meet the needs of Individuals in their contracted Employment Region, including those on Provider caseloads. Providers can search for and view scheduled EST Courses in the Department's IT Systems. Participants cannot be referred to an EST Course after the first day of the course schedule.

Providers view available EST Course places via the Activity Management component in the Department's IT Systems.

Providers must make referrals to EST in the Department's IT Systems.

EST Providers will contact Participants prior to EST Course Commencement to undertake a range of pre-engagement checks. If the EST Provider identifies concerns about the suitability of the EST Course for the Participant, the EST Provider will contact the TtW Provider to discuss the reasons. The EST Provider will reject the referral if, following discussion with the TtW Provider, the EST Provider determines the Participant would not benefit from or would not be able to participate in an EST Course.

A Participant with a full-time Mutual Obligation Requirement can choose to undertake an EST Course at either 25 hours per week over 3 consecutive weeks, or 15 hours per week over 5 consecutive weeks. A Participant with a part-time Mutual Obligation Requirement can also choose to undertake a 3 or 5 week course, however, if the weekly hours would exceed the Participant's

assessed work capacity, the TtW Provider must agree with the Participant that full-time participation in an EST Course is appropriate before referring the Participant.

(Deed Reference(s): Clause 121)

### 15.6.1. Referral Cap

Providers which are also EST Providers (as their Own Organisation, Related Entity or Subcontractor) delivering Training Block 2 Courses in the same Employment Region are subject to a Referral Cap whereby no more than 50 per cent of total referrals to EST Training Block 2 Courses resulting in a commencement may be made to the Provider's Own Organisation, a Related Entity or a Subcontractor. The Provider must not refer a Participant to an EST Course if to do so would exceed the Referral Cap.

The Referral Cap does not apply to Training Block 1 referrals, or where the only EST Providers in an Employment Region are the Provider's Own Organisation, Related Entities or Subcontractors.

The Referral Cap applies at the Employment Region level and is measured on a cumulative basis over the Term of the Deed. Provider compliance will be reviewed by the Department on a regular basis.

Any Provider that has exceeded the Referral Cap in accordance with these Guidelines may have their capacity to make future EST referrals to their Own Organisation, Related Entity or Subcontractor restricted, which may include the Department issuing a direction to cease referrals to those entities. This restriction will remain in place until the Provider is below the Referral Cap, or unless otherwise advised by the Department.

Providers may request a temporary exemption from the Referral Cap or access further details about the application and review process by referring to the Referral Cap Supporting Document and Temporary Exemption Request Form.

(Deed Reference(s): Clause 121.3)

Providers can use Qlik report wEREF03 to monitor their adherence to the Referral Cap.

## 15.7. On Completion of the EST Course

Once the EST Course ends, the Participant and the TtW Provider will receive an assessment which sets out:

- progress made by the Participant
- the Participant's performance against each of the Learning Outcomes of the EST Course
- any units of competency completed
- industries and/or occupations suitable for the Participant, taking into account the Participant's goals, skills and the local labour market
- recommended next steps the Participant should take to pursue Employment and/or training opportunities based on the Participant's goals, skills and the local labour market.

Note that if a Participant does not attend each day of the EST Course, the EST provider will complete the assessment to the extent possible given the Participant's level of participation.

## 15.8. Payments

TtW Providers must pay the relevant course fee to the EST Provider on a fee-for-service basis of:

- up to $1,335 per Participant for each Training Block 1 Course
- up to $320.40 per Participant for each Training Block 2 Course (full course fee is $1,335, the remaining $1014.60 is subsidised directly to the EST Provider by the Department).

TtW Providers must pay the EST Provider the relevant course fee by the date advised by the EST Provider. The transfer of funds from TtW Provider to EST Provider happens outside of the Department's IT Systems. TtW Providers must make their own arrangements with the EST Provider to facilitate payment. Participants must not pay for an EST Course.

The course fee paid is fully refundable if the EST Provider cancels the EST Course or finds the EST Course is not suitable for the Participant. The TtW Provider should ascertain from the EST Provider whether there are other circumstances in which any proportion of the fee paid will be refundable if the Participant does not attend.

# Chapter 16. Launch into Work

## 16.1. Chapter Overview

This Chapter outlines the requirements for Providers regarding Launch into Work (LiW).

## 16.2. Background

LiW funds employers (i.e. LiW Organisations) to deliver LiW Projects that include:

- Pre-LiW Project events focussed on screening and selection of the Caseload to identify Participants who are suitable for a LiW Project
    - LiW Organisations select candidates based on the essential values and attributes required for success in the participating employer's entry-level jobs
    - Participants who are selected for a LiW Placement are 'LiW Project Participants'
- Delivery of the LiW Project to selected Participants
    - The LiW Organisation prepares LiW Project Participants for employment by providing training, practical workplace activities and mentoring tailored to the roles available with the participating employer(s).

The LiW Organisation, or nominated employer for coordinated projects, is required to commit to employing all suitable Participants who successfully complete the LiW Project. The number of LiW Project Participants must not exceed the number of available jobs.

The LiW Program creates opportunities for Participants who would not otherwise have been offered employment through typical recruitment methods.

LiW Organisations provide information to Providers and potential LiW Project Participants about career pathways in their industry and organisation.

LiW Projects offer Providers the opportunity to place Participants into an Activity that leads to a guaranteed employment outcome for all LiW Project Participants who successfully complete all aspects of the LiW Project. LiW Project Participants will be deemed to have successfully completed the LiW Project when they:

- successfully complete the required training
- participate in mentoring
- participate in practical workplace activities
- have a positive attendance record for the duration of the LiW Placement
- demonstrate the required values and attributes throughout the LiW Placement
- any other requirements of the LiW Project and employer(s).

Providers cannot provide or purchase LiW Projects.

## 16.3. Benefits to Participants

Participants who are selected for and successfully complete all aspects of a LiW Project are guaranteed Employment with the participating employer(s).

LiW is a high intensity form of pre-employment preparation. Projects vary in duration depending on the requirements of the role. They can run for two weeks and up to 12 weeks.

Participation in a LiW Project will contribute towards the 25 hours a week Participation Requirement for TtW Participants.

## 16.4. Role of Providers

The role of Providers in the LiW Project is:

- attending a provider briefing session delivered by the LiW Organisation and department regarding the Project and risk assessments
- collaborating with the LiW Organisation to promote LiW Projects and the associated employment outcome to LiW Project Participants
- identifying and referring potentially suitable and interested Participants to LiW Project information sessions and screening and selection processes
- supporting the preparation of Participants for LiW Project screening and selection, through resume development, interview preparation and organising pre-employment checks where required, e.g., police checks
- placing Participants who are selected by the LiW Organisation for the LiW Project against the Activity ID in the Department's IT Systems
- providing transport support (if required) to Participants to enable them to participate in screening and selection, pre-employment checks, the LiW Project and the early stages of employment and meeting the cost of pre-employment checks and personal protective equipment (where this is not met by the LiW Organisation)
- conducting Participant and Activity Risk Assessments prior to commencement of the LiW Project, updating Participant and Activity Risk Assessments (as required) if any aspects of the LiW Project change during the LiW Project, and critical incident management during the LiW Project (if required)
- working collaboratively with the LiW Organisation to follow-up on any issues throughout the LiW Project and the early stages of employment (e.g. non-attendance of LiW Project Participants on their Caseload).

(Deed Reference(s): Clauses 90, 122, 132)

## 16.5. Eligibility

Participants must be in Transition to Work or Workforce Australia Services and must be aged 18 years or over to participate in a LiW Project.

Other eligibility requirements will vary depending on the job role and the needs of the employer who is offering guaranteed jobs to successful LiW Project Participants. These will be clearly communicated at the Provider briefing and LiW Project information sessions.

## 16.6. Collaboration with Launch into Work Organisations

The Department will notify Providers when there is a LiW Project opportunity in their location and invite them to a LiW Project briefing session with the LiW Organisation. At the briefing session the LiW Organisation will:

- describe the LiW Project duration and the job type, employment outcome and supported career pathways offered by the participating employer(s)
- describe the values and attributes Participants will require to be successful in employment on completion of the LiW Project (Providers must use this information to screen their Caseload prior to referral of a Participant to a LiW Project information session)
- outline the screening and selection process and the pre-employment checks required to determine Participant suitability for commencement in the LiW Project
- provide timelines for Participant referral, screening and selection, project delivery and employment.

Following the briefing session, Providers will:

- screen their Caseload for Participants who are interested and may be suitable for a LiW Placement
- if required, organise a space for a virtual LiW Project information session and support Participants to complete any expression of interest forms
- refer interested and suitable potential Participants (in keeping with the LiW Organisation's requirements) to a LiW Project information session or assessment centre with the LiW Organisation
- provide Participants with:
    - any LiW Project specific marketing material (where applicable), e.g., flyers, position descriptions
    - details of the LiW Project information session and any information they need to bring with them to the session
    - a basic understanding of the employer and positions available.

The LiW Organisation will undertake screening and selection activities to identify their preferred LiW Project Participants and invite them to commence in the LiW Project.

LiW Organisations will ensure all relevant Personnel and Supervisors involved in LiW Projects have undertaken appropriate employment checks for their role and are fit for involvement in the LiW Project.

The LiW Organisation will advise the Provider when the Participant has passed all the required pre-employment checks and has been selected for the LiW Project. The LiW Organisation will provide constructive feedback to those not successful in securing a position on the LiW Project.



The LiW Organisation does not have IT system access and cannot schedule the Activity for the LiW Project Participant. The Provider must place the LiW Project Participant into the Activity using the Activity ID provided by the Department.

Providers should monitor a Participant's attendance and engagement in the Project.

Consistent with the Deed and the Conducting Risk Assessments section, Providers must complete the Participant and Activity Risk Assessments and ensure that the LiW Project is appropriate prior to the Participant commencing in the LiW Project.

Providers must ensure that the Participant is not booked into conflicting appointments for the duration of these LiW events:

- information sessions
- screening and selection processes, including assessment centres

- pre-employment checks, and
- the LiW Project.

## 16.7. Activity management

### 16.7.1. Creation and referral to a Launch into Work Project

The Department will create the Activity for the LiW Project in the Department's IT Systems and provide the Activity ID to the Provider.

The Provider can place Participants into the LiW Project once:

- the LiW Organisation has confirmed with the Provider that the Participant has passed the screening and selection requirements for the LiW Project, and
- the Provider has conducted a Risk Assessment, determined the Activity is suitable for the Participant and implemented a strategy for mitigation of any risks associated with the Activity.



The Department will provide the relevant Activity ID to those Providers whose Participants are invited to join a LiW Project. Providers must refer the eligible and selected Participant to the LiW Project (as expected to start), prior to the start of the LiW Project.



Once the Provider has received confirmation that the Participant has commenced in the LiW Project, the Provider must confirm the Participant's placement in the Department's IT Systems.



Once the Participant has completed the LiW Project, Providers must update the Participant's placement with their actual end date and end reason, for the Participant to be exited from the Activity.



For guidance on establishing and managing Activities in the Department's IT Systems please refer to the Learning Centre IT Task Cards.

### 16.7.2. Risk Assessments for a Launch into Work Project

LiW Placements are Specified Activities. Providers must comply with the requirements set out in the Deed and Guidelines, including the Activity Management Chapter.

LiW Organisations undertake a risk analysis as part of the LiW Project development process. LiW Organisations will share relevant information from this risk analysis with Providers on request. Providers remain responsible for conducting Participant and Activity Risk Assessments for LiW Project Participants.

Before placing the Participant into a LiW Project, the Provider must ensure the Activity is suitable and safe, will assist the Participant to progress towards employment and accounts for the Participant's individual circumstances and capacity. Refer to the Referrals and Commencement of an Activity in the Activity Management Chapter.

The Activity Risk Assessment should take into account the role of the LiW Organisation and the tasks the LiW Project Participants will be undertaking, consistent with Activity Management Chapter.

Providers must review risks regularly and take appropriate action on those risks where required. The Provider and the LiW Organisation must determine and implement appropriate methods to mitigate

the identified risks after the Provider conducts the Activity Risk Assessment, taking into consideration the Participant Risk Assessment.

Where a Participant and/or Activity Risk Assessment identifies significant work health and safety concerns that cannot be mitigated to create a safe working environment and/or cannot be adequately managed by the Provider and/or the LiW Organisation, the Activity must not proceed.

## 16.8. Payments

Providers may be eligible for Outcome Payments. For Employment Outcomes, Providers must refer to and comply with the requirements specified in the Vacancies and Outcomes Chapter and the Deed.

# Chapter 17. Local Jobs Program

## 17.1. Chapter Overview

The Local Jobs Program supports tailored, local approaches to skilling individuals to meet local workforce needs. The program is a collaborative place-based initiative to ensure local labour markets work well for all Australians, in partnership with business and communities.

This Chapter outlines the requirements for TtW Providers regarding the Local Jobs Program.

## 17.2. Background

The Local Jobs Program supports tailored approaches to reskilling, upskilling, training and employment in all 51 Employment Regions across Australia.

The program includes the following elements:

- a Job Coordinator (formerly Employment Facilitator) and a Support Officers/ Program Officer on the ground in each region. They bring together key stakeholders such as employers, employment services providers, education and training organisations to work collaboratively to address the priorities for the region, as identified in the Local Jobs Plan (see below).
- a Local Jobs and Skills Taskforce with representatives from the local region to identify key employment priorities and local workforce needs and then connect and collaborate with stakeholders to design and implement solutions.
- a Local Jobs Plan developed in consultation with the Local Jobs and Skills Taskforce, which outlines employment priorities and actions.
- a Local Initiatives Fund (LIF) that provides a flexible pool of funding for Job Coordinators to use towards identified activities that address community priorities.
- a Local Jobs, Local People grant that provides $10 million over 2025-26 and 2026-27 to fund activities to address local employment and training priorities, and support individuals and businesses to meet local workforce needs and strengthen local labour markets.
- the new Local Jobs, Local People grant replaces the Local Recovery Fund and National Priority Fund which ceased on 30 June 2025.
- Australian Government Job Coordinators deliver the Job Coordinator role in:
    - Three micro regions in WA in Broome, Geraldton and Kalgoorlie (these positions share a Program Officer)
    - The Mid North Coast of NSW (includes a Program Officer).
    - Mackay of QLD (includes a Program Officer)
    - Cairns of QLD (includes a Program Officer)
    - North and North Western Tasmania (includes a Program Officer).

## 17.3. Benefits of the Local Jobs Program

The benefits of the Local Jobs Program include, but are not limited to:

- building strong connections between local stakeholders, including Providers, employers and higher education and training organisations to solve local workforce needs

- developing tailored skills and employment initiatives that meet local labour market and employer needs and create opportunities for Participants with local employers that result in employment outcomes
- providing a mechanism to transition people into new roles by reskilling and upskilling in the skills needed in the Employment Region
- providing an opportunity for Providers to improve their local connections and creating pathways to employment for Participants on their Caseload
- building strong connections between local stakeholders, including Providers, employers and higher education and training organisations
- enhancing collaboration and coordination between the Australian Government, state, territory and local governments and community-initiated skills and employment initiatives
- enabling local responsiveness to retrenchments and structural adjustment events that impact jobs as a part of the Transition Support Network, by working with key stakeholders to respond to company closures and workforce disruptions
- raising awareness of current and upcoming local employment and training opportunities.

The overall goal is to support significant improvements in labour market outcomes for each Employment Region by addressing the issues unique to each region.

(Deed Reference(s): Clause 118)

## 17.4. Local Jobs Program Activities

Activities include:

- Local Jobs Program Activities
    - Local Jobs Program Activities are for the Local Jobs, Local People grant, delivered by a Local Jobs Program Activity Host, funded through a grant agreement.
        - Only the Department can use the Local Jobs Program Activity type (Activity type code: LCJB) when creating these activities in the Department's IT Systems.
- Other Activities
    - Other activities that do not receive funding through the Local Jobs, Local People grant but which may be funded and/or delivered by Job Coordinators under the Local Jobs Program.
    - Activities that leverage existing programs and services, including state and territory government programs, coordinated through the Local Jobs Program.
        - When leveraging existing activities, programs and services, Providers must ensure these programs and services adhere to their relevant requirements as described in these Guidelines.
    - If these activities are to be recorded in the Department's IT System, Providers should use the most relevant Activity type in the Department's IT Systems.

## 17.5. Eligibility

All Participants registered with a Workforce Australia Employment Services Provider, Broome Employment Services Provider, Yarrabah Employment Services Provider, Transition to Work Provider and Parent Pathways Provider are eligible to participate in Local Jobs Program Activities.

Any of these Providers may refer a Participant to the Local Jobs Program Activity.

Local Jobs Program Activities can also be open to any individual.

Participation in Local Jobs Program Activities is voluntary.

(Deed Reference(s): Clause 118)

## 17.6. Local Jobs Program Activity Hosts

Local Jobs Program Activities funded by the Local Jobs, Local People grant will be delivered by a Local Jobs Program Activity Host. The Local Jobs Program Activity Host will be responsible for delivering the Local Jobs Program Activity in accordance with their Local Jobs, Local People grant agreement, including providing Supervision, ensuring that a safe system of work is in place, and reporting attendance and any incidents (where relevant) to any relevant Providers or the Department.

(Deed Reference(s): Clause 118)

## 17.7. Role of Providers

The Local Jobs Program offers Providers the opportunity to improve their local connections and create pathways to training and employment for Participants on their caseload. Key responsibilities and actions undertaken by Providers in relation to Local Jobs Program Activities, which must be done in accordance with the Deed and these Guidelines include:

- collaborating and engaging with Job Coordinators and Support Officers, and key stakeholders in the region such as employers, and Local Jobs Program Activity Hosts
- referring and commencing Participants in Local Jobs Program Activities and supporting broader Local Jobs Program activities, as required
- identifying potentially eligible and suitable participants on their caseload to participate in Local Jobs Program Activities
- referring and commencing Participants on their caseload in the Local Jobs Program Activity
- ensuring referrals and commencements are correctly recorded in the Department's IT Systems, where relevant
- undertaking and updating Participant Risk Assessments, as required and advising the Local Jobs Program Activity Host
- recording participation in the Activity for participants on their caseload
- working with the Local Jobs Program Activity Host to:
    - advise them when they are referring a Participant to the Local Jobs Program Activity
    - manage the replacement of Participants to maximise utilisation.
- following up non-attendance of Participants on their caseload
- reporting incidents to the Department

Job Coordinators, as part of their contractual obligations, will provide regular feedback to the Department regarding Providers' collaboration and participation in Local Jobs Program Activities and the broader Local Jobs Program.

(Deed Reference(s): Clause 118)

## 17.8. Referral to a Local Jobs Program Activity

The Department will set up Local Jobs Program Activities funded by the Local Jobs, Local People grant in the Department's IT system. The Department and/or Job Coordinators and Support Officers will provide relevant Activity IDs to Providers.

Providers must, in accordance with work health and safety requirements, refer eligible and potentially suitable Participants for Local Jobs Program Activities.

It is a priority to ensure that available places in a Local Jobs Program Activity are fully utilised. Job Coordinators and Support Officers may liaise with Providers to maximise participation in Local Jobs Program Activities.

Providers should work with Job Coordinators to refer Participants to Local Jobs Program Activities not funded by the Local Jobs, Local People Grant.

(Deed Reference(s): Clause 118)

## 17.9. Work Health and Safety and Incidents

For the purposes of Work Health and Safety, Providers must also refer to, and comply with, the requirements specified in the Deed and Activity Management Chapter.

Should an incident occur on a Local Jobs Program Activity, the Local Jobs Program Activity Host is responsible for managing the incident, in collaboration with the Supervisor of the Local Jobs Program Activity. The Local Jobs Program Activity Host is responsible for advising the Department of any incidents which involve Participants.

It is the Local Jobs Program Activity Hosts responsibility to ensure that the Participant's relevant Provider is notified.

For further information in relation to the process for reporting incidents and completing incident forms refer to the WHS Incidents and Insurance Readers Guides and the Activity Management Chapter.

Providers must retain Records of any action taken with regard to any Incidents that occur during a Local Jobs Program Activity in accordance with the WHS Incidents and Insurance Readers Guide.

(Deed Reference(s): Clauses 70.6, 118)

### 17.9.1. Conducting Risk Assessments

If the Department has advised that the Local Jobs Program Activity is a Specified Activity. Providers must:

- confirm that the Local Jobs Program Activity Host has undertaken an Activity Risk Assessment on the Specified Activity
- undertake and update Participant Risk Assessments for participants on their caseload that are referred to Local Jobs Program Activities.

Further information on Risk Assessment Requirements is available in the Conducting Risk Assessments for Specified Activities section of the Activity Management Chapter.

Providers have the discretion to determine how they document Risk Assessments, but must retain Records of each Risk Assessment undertaken.

## 17.10. Outcomes

Successful participation in and/or completion of a Local Jobs Program Activity may result in a Job Placement or similar options, which may then track towards an Employment Outcome. Providers must refer to and comply with the requirements specified in the Vacancies and Outcomes Chapter and the Deed.

# Chapter 18. Reserved

# Chapter 19. Non-Government Programs

Supporting Documents for this Chapter:

- List of Approved Non-Government Programs
- Non-Government Programs – Approval Application Form
- Non-Government Programs – Submission and Assessment Guide

## 19.1. Chapter Overview

Non-Government Programs (NGPs) are work-focused programs or vocational interventions run by community and private sector organisations. NGPs are Activities that assist to increase a Participant's employability. NGPs are approved by the Department and identified as such on the Provider Portal.

This Chapter outlines requirements for NGPs, including eligibility and approval.

## 19.2. Eligibility

### 19.2.1. Eligible Participants

To be eligible to participate in NGPs, a Participant must be:

- aged 18 years or over
- registered in Workforce Australia Services – Transition to Work.

Participants are not required to be receiving an Income Support Payment.

Some NGPs may have further specific Participant eligibility requirements depending on the Activity and the target cohort.

Participation in NGPs will contribute towards the 25 hours a week Participation Requirement for Participants in TtW.

### 19.2.2. Eligible Host Organisations

TtW Providers are not eligible to be a Host Organisation for the purpose of delivering NGPs. However, Providers can collaborate with local organisations with established or proposed employment pathways and encourage them to apply to be recognised as NGPs.

To be eligible as a Host Organisation of an NGP, the organisation must:

- not be prohibited due to its conduct as outlined in the Eligible Host Organisations section of the Activity Management Chapter
- have developed a program that comprises more than just the delivery of a training course.

Providers should direct Host Organisations to the Department's website for information on how to have an Activity approved as an NGP.

## 19.3. Approved NGP

The Department will approve NGPs following assessment against the criteria outlined in the NGP application form on the Department's website. Factors that will be considered include the need for a

work or vocational focus and ensuring the NGP does not duplicate Workforce Australia Services or Transition to Work services.

Approved NGPs cannot be hosted by the Provider, Related Entities or Subcontractors.

The Department will notify Providers of programs that are assessed as approved Non-government Programs via the Provider Portal. Activities will be created by the Department in the Department's IT Systems for each approved non-government program.



The Provider must refer Participants to NGPs through the Department's IT systems and in accordance with the Department's training resources.

Providers are responsible for determining whether any costs are involved with Participants participating in the program and should use their Upfront Payments to support the participant, where appropriate.

## 19.4. NGPs are Specified Activities



NGPs are Specified Activities. The Provider must comply with the requirements in the Deed and Guidelines regarding Specified Activities. This includes requirements described in the Activity Management Chapter relating to:

- work health and safety
- Activity Risk Assessments and Participant Risk Assessments, and
- Supervision.

# Chapter 20. Observational Work Experience

Supporting Documents for this Chapter:

- Observational Work Experience Host Organisation Agreement template
- OWE Contact Card
- OWE Fact Sheet

## 20.1. Chapter Overview

This Chapter outlines the requirements for Providers arranging and managing Observational Work Experience (OWE) Placements.

OWE provides voluntary, short-term, unpaid, observational work experience placements to help Participants build soft skills and gain a better understanding of the workplace or potential career opportunities.

OWE is an Activity which Providers may use for Eligible Participants who are not yet job-ready and have limited or no experience in the workplace.

## 20.2. Benefits of OWE

Some of the potential benefits of OWE include being:

- an opportunity for the Participant to gain valuable exposure to workplaces and learn what Employers expect of their workers
- an opportunity to enhance Participants' awareness of different careers
- an effective tool to assist Participants to build employability skills, such as attendance and communication.

## 20.3. Role of Providers

When arranging an OWE Placement, the Provider must:

- ensure the Participant is eligible and suitable for OWE
- ensure the Host Organisation is eligible to host an OWE Placement
- ensure the OWE Placement meets the requirements set out in these guidelines
- ensure an Activity Risk Assessment and Participant Risk Assessment have been completed by a Competent Person
- negotiate and enter into an OWE Host Organisation Agreement with the Participant and the Host Organisation
- monitor the OWE Placement for its duration and respond to any issues that arise.

## 20.4. Eligibility

### 20.4.1. OWE Eligible Participants

The Provider may arrange an OWE Placement for any Participant on their caseload who meets the eligibility criteria if they are of the view that the Participant would benefit from the program and the OWE Placement is suitable and safe for the Participant.

To be eligible to participate in OWE, a Participant must be:

- aged 15 years or over
- registered in Workforce Australia Services or Transition to Work.

Participants are not required to be receiving an Income Support Payment.

### 20.4.2. Eligible Host Organisations

OWE Placements can occur in:

- for-profit organisations
- not-for-profit organisations
- the Provider's Own Organisation, Related Entities or Subcontractor.

The Host Organisation requirements and prohibitions outlined in the Eligible Host Organisations section of the Activity Management Chapter also apply to OWE Placements.

## 20.5. OWE Placement requirements

In addition to the Activity requirements and prohibitions outlined in the Identifying Suitable Activities for Participants section of the Activity Management Chapter, OWE Placements must be:

- no more than 4 weeks duration
- no more than 50 hours per fortnight
- not exceed a maximum of 8 hours per day
- only involve observation (allowing for participation in meetings and discussions where relevant), with no tasks to be undertaken by the Participant.

OWE Placements do not need to have a reasonable prospect of future Employment with the Host Organisation. It is at the discretion of the Provider as to the number of OWE Placements a Participant undertakes (with the same or another Host Organisation).

For each OWE Placement, an Activity record must be created in the Department's IT Systems in accordance with the Department's training resources. An Activity ID will then be created automatically by the Department's IT Systems.

## 20.6. Work Health and Safety

For the purposes of Work Health and Safety, Providers must also refer to, and comply with, the requirements specified in the Activity Management Chapter.

As noted in the Insurance Coverage for Participant section of the Activity Management Chapter, the Department has in place insurance coverage for Participants, but there are exclusions to the Department's policies. The Provider can still deliver OWE Placements which would be excluded under the Department's insurance policies, if the Provider purchases alternative insurance, and the insurance is in place prior to the OWE Placement commencing.

Providers must retain Records of any action taken regarding any Incidents that occur during an OWE Placement in accordance with the WHS Incidents and Insurance Readers Guides.

### 20.6.1. Conducting Risk Assessments

An OWE Placement is a Specified Activity. Prior to referring a Participant to an OWE Placement and entering into the OWE Host Organisation Agreement, the Provider must ensure that an Activity Risk Assessment and Participant Risk Assessment have been completed by a Competent Person.

Further information on Risk Assessment Requirements is available in the Conducting Risk Assessments for Specified Activities section of the Activity Management Chapter.

Providers have the discretion to determine how they document Activity Risk Assessments and Participant Risk Assessments for OWE Placements but must retain Records of each Risk Assessment undertaken.

## 20.7. Managing OWE Placements

### 20.7.1. Referring a Participant to OWE

Prior to referring a Participant to an OWE Placement, Providers must:

- determine the Participant's eligibility for OWE
- ensure the Participant has undertaken any background checks required for the OWE Placement
- ensure the Risk Assessment process has been completed by a Competent Person
- ensure the nature of the observation activities are appropriate and suitable for a Participant (see the Activity Management Chapter for further information).

In addition, Providers should identify any assistance or items the Participant will require for the OWE Placement such as specific clothing and transport. Providers should support Participants through the use of their Upfront Payment to provide these items.

The Provider must refer the Participant against the relevant Activity record in accordance with the Department's training resources.

### 20.7.2. Creating the Host Organisation Agreement

Once a Participant has been referred against the relevant Activity record in accordance with the Department's training resources.

For OWE Placements, the Provider must use the OWE Host Organisation Agreement template. This template can be found on the Provider Portal.

### 20.7.3. Signing the OWE Host Organisation Agreement

The OWE Host Organisation Agreement must be agreed and signed by the Participant, Provider and Host Organisation prior to the Participant commencing in the OWE Placement.

As part of this process, the Provider must:

- explain the terms and conditions to the Participant and Host Organisation to ensure they understand their obligations under the OWE Host Organisation Agreement
- ensure all fields in the OWE Host Organisation Agreement are completed with accurate details

- provide the Participant with the OWE Contact Card and OWE Fact sheet, which are available on the Provider Portal.

The Provider must retain either a hard copy or soft copy of the signed OWE Host Organisation Agreement and provide it to the Department upon request.

### 20.7.4. Commencing the OWE Placement

The Provider must confirm with the Host Organisation that the Participant commenced in the OWE Placement on the start date recorded in the OWE Host Organisation Agreement, and then confirm the Participant's commencement in the Department's IT System.

A Participant must not be commenced in an OWE Placement outside of the Participant's Period of Registration.

The Provider must confirm the OWE Placement start date in the Department's IT Systems by no later than 5 Business Days following the scheduled start date.

Providers must retain evidence the OWE Placement commenced (for example an email from the Host Organisation) and provide it to the Department upon request.

### 20.7.5. Monitoring the OWE Placement

The Provider is expected to proactively monitor the OWE Placement for its duration. The Provider should remain in contact with the Host Organisation and Participant to:

- identify any changes in circumstances affecting the OWE Placement
- ensure the Host Organisation is operating in accordance with the OWE Host Organisation Agreement
- ensure any issues that may arise are quickly resolved.

Prior to the OWE Placement commencing, the Provider should discuss the preferred contact method and frequency and timing of contact with the Participant and Host Organisation to avoid disruption during the activity. The frequency of contact should also be appropriate to the length of the OWE Placement.

### 20.7.6. Transfer Arrangements

If a Participant is required to be transferred between Providers and the OWE Placement can continue, the transfer should be delayed until the OWE Placement concludes. The relinquishing and gaining Providers should work together to ensure the completion of the OWE Placement.

Refer to the Period of Service, Suspensions, Transfers and Exists Chapter for more information in relation to transfers.

Where it is agreed an OWE Placement should not continue to completion, the relinquishing Provider must end the OWE Placement in the Department's IT Systems using the appropriate end reason.

(Deed Reference(s): Clause 91)

### 20.7.7. Ending the OWE Placement

Upon completion of the OWE Placement, Providers must end the OWE Placement in the Department's IT Systems, including inputting the end date and selecting the correct exit reason.

# Chapter 21. Reserved

# Chapter 22. Skills for Education and Employment (SEE)

Supporting Documents for this Chapter:

- Summary of Eligibility Criteria
- SEE and AMEP Client Capability Guide
- 'How to refer to SEE' task cards
- Differentiating between AMEP and SEE: when to refer to which program

## 22.1. Chapter Overview

Low levels of literacy, numeracy and basic digital skills, although a significant barrier to even entry-level Employment, are able to be addressed.

The Skills for Education and Employment (SEE) program provides free accredited training in English language, reading, writing, maths and digital skills, to prepare Participants for work or further study. The program addresses the foundation skill gaps that make Participants unsuitable for many jobs and prevent their successful engagement in training for a specific occupation. After exiting the SEE program, over half the Participants surveyed through post program monitoring reported they were in Employment or education in 3 months.

SEE training can focus on language and literacy only, for example a Certificate in General Education for Adults, or numeracy and digital skills, or contextualised to support learning for those undertaking VET courses such as Childcare or Aged Care courses. SEE can be delivered in classroom settings, remotely via distance learning, or using a combination of both. Participants have flexibility to undertake individual building blocks of a course where they focus on specific skill sets, or to work toward a recognised qualification up to Certificate III level (if Language, Literacy, Numeracy and Digital Literacy skills are embedded in the training). Training is tailored to meet a Participant's needs and goals and can be undertaken either part-time or full-time.

Participants may be eligible for a Language, Literacy and Numeracy Supplement (LLNS) for participating in the SEE programs.

This Chapter outlines the requirements for Providers regarding the SEE program.

## 22.2. Benefits of SEE

SEE prepares Participants for work, or further training/study as a pathway to work, through new or improved foundation and vocational skills, improved confidence, ability to fully engage in the community, and pathways to stable, long-term Employment.

## 22.3. Role of Providers

Providers have the responsibility to:

- work with their local SEE Providers and ensure they are familiar with SEE's service offering
- actively identify Participants likely to benefit, such as those with difficulty completing forms or navigating online environments, or with limited reading or writing ability, and consider referral

- ensure potential candidates are informed about the program, its flexible delivery options, and the opportunities and benefits it offers. Candidates who are hesitant should be encouraged to discuss any concerns about successful participation and be reassured of the Provider's support

The SEE and AMEP Client Capability Guide can be completed by the SEE Provider to help inform the Provider's servicing decisions.

(Deed Reference(s): Clauses 79, 80, 109, 122)

### 22.3.1. SEE First Nations

SEE includes a training stream for First Nations communities. This stream supports the development of local, First Nations-led solutions addressing barriers to access and delivery in First Nations communities.

SEE First Nations is a competitive grant opportunity and there are a limited number of projects. Additionally, as SEE First Nations projects are community designed and led, they will be aligned to the needs of each community and may not all be directly related to employment outcomes. Projects may also have identified the potential cohort for their respective projects.

Due to the community-led nature of these projects, Providers cannot initiate referrals under this stream. If First Nations Participants enquire about SEE First Nations training:

- Providers may advise them if there is a SEE First Nations project in their community. A list of approved First Nations Delivery Grants is available on the department's website. www.dewr.gov.au/skills-education-and-employment/see-first-nations
- If there is a project in their community, Providers must contact the SEE First Nations Delivery grantee to discuss referral, participation requirements and eligibility, prior to any referral being entered into the Department's IT Systems. Note: both the Participant and grantee must agree to a referral.
- Providers may also offer to explore other options available in General SEE, which is also available to First Nations Participants, should a SEE First Nations training project be unsuitable.

Where an individual has been identified by a SEE First Nations Delivery grantee and is registered with a TtW Provider, the SEE First Nations Delivery grantee may contact their TtW Provider to discuss the Participant's interest in the project and seek your assistance with a referral to the Activity.

## 22.4. Eligibility

### 22.4.1. Eligibility

All Participants in TtW Services are eligible for the SEE Program.

To be eligible, individuals must be aged 15 years and over, and have left school, and be an Australian citizen or permanent resident or on an eligible[1] provisional or temporary visa. They must also be deemed suitable for training without any barriers that would prevent successful participation (see Program Eligibility Criteria).

Participants are not required to be receiving an Income Support Payment or have Mutual Obligation Requirements to participate in SEE.

### 22.4.2. Suitability

Potential suitability and benefit will often be indicated by the Job Seeker Snapshot. Under the heading 'Skills for Education and Employment or Adult Migrant English Program', the word 'Yes' is displayed if the job seeker self-identified low ability in speaking, reading or writing English, required an interpreter during appointments, or completed less than year 10 schooling.

Providers should review the Participant's Job Seeker Snapshot and discuss potential referral to SEE with the Participant if any of the above indicators are present.

The Adult Migrant English Program (AMEP) also offers free language and literacy training to eligible migrants and humanitarian entrants. The guide Differentiating between AMEP and SEE will help Providers refer clients to the most appropriate service for their needs.

## 22.5. Referral to SEE

After a potential SEE Participant is identified and agrees to undertake the program, the Provider must make a referral and book a Pre-Training Assessment (PTA) in the Department's IT Systems. Once the referral and appointment booking have been received, the SEE Provider will conduct a PTA, which assesses the Participant's foundation skills capability levels against the Australian Core Skills Framework and determines their capacity to benefit from the program.

The SEE Provider will advise the Participant and the Provider whether or not training is recommended and, if SEE is recommended, will commence the Participant in a course of study aligned to their goals and capabilities. The Provider may also request the SEE and AMEP Client Capability Guide to provide a summary of the assessed Participant's capability level.

Providers refer Participants to SEE via the Department's IT Systems as an Activity. For detailed system steps refer to Knowledge Base Article KB0017282 Activities – Adding a Referral to Skills for Education and Employment (SEE).

Providers book a Pre-Training Assessment for a Participant via the Department's IT Systems. For detailed system steps refer to Knowledge Base Article KB0017021 - Activities – Adding a Pre-Training Assessment (PTA) booking for a Skills for Education and Employment (SEE) referral.

SEE placement information must be entered in the Activity Management screen to ensure eligible Participants receive the Language, Literacy and Numeracy Supplement from Services Australia.

[1] Provisional or temporary visa with working rights and eligible for the Adult Migrant English Program

## 22.6. Monitoring Placements

Providers should liaise with the SEE Provider regarding the Participant's assessed capability levels and to establish agreed communication protocols for advice on attendance and progression. The SEE Provider is responsible for exiting the Participant from SEE should they cease to attend training regularly and are not contactable to ascertain a reason. In this instance, the SEE Provider will notify the Provider.

## 22.7. Completion of SEE

Average participation in SEE is approximately 8 months. SEE clients have 2 years in a single referral period to complete their chosen course(s) or qualification(s). They can continue to access the program, which may involve iterative referrals, until they achieve an exit benchmark, i.e. a Certificate IV in a foundation course or a Certificate III in a VET course. After 2 years in the program, a Participant may again access the program if a new PTA indicates further capacity to benefit.

## 22.8. Outcome Payments

Education Outcome Payments are available to claim when the Participant completes 26 consecutive weeks of full-time participation in SEE. For Education Outcome Payments, Providers must refer to, and comply with, the requirements specified in the Vacancies and Outcomes Chapter.

## 22.9. Transfer arrangements

Where a Participant already participating in SEE moves to the TtW Provider from another Workforce Australia Employment Services Provider, a different employment service or Workforce Australia Online, the Provider should support and encourage the Participant's continuation, particularly if they have not yet achieved an exit benchmark. The receiving Provider may be unable to view the existing Activity in the Activity Management screen or Job Plan if it was set up by another referring agency.

# Chapter 23. Voluntary Work

Supporting Documents for this Chapter:

- Voluntary Work Host Organisation Agreement template

## 23.1. Chapter Overview

In this Chapter, Voluntary Work refers to Provider Sourced Voluntary Work (arranged by the Provider).

This Chapter outlines the requirements Providers must adhere to when sourcing Voluntary Work, in addition to the requirements in the Activity Management Chapter.

Provider Sourced Voluntary Work is a Specified Activity arranged by the Provider.

## 23.2. Benefits of Voluntary Work Placements

The benefits of Voluntary Work placements for eligible Participants include:

- developing practical employability skills such as attendance and communication
- increasing networks, updating referees and building confidence
- demonstrating their skills, knowledge, experience and attitude, and gaining valuable exposure to workplaces to help them understand workplace expectations
- providing service to a Participant's community, such as State Emergency Service and volunteer firefighting.

The benefits of Provider Sourced Voluntary Work placements for the Host Organisation may include:

- access to extra sets of hands to undertake activities and projects that may not normally get done
- access to support from the Provider to source suitable Participants, and contribute towards participation costs, such as relevant checks
- Participants referred by a Provider are covered by personal accident insurance and public and/or product liability insurance.

## 23.3. Role of Providers

The role of the Provider is to:

- arrange suitable Provider Sourced Voluntary Work placements for participants in not-for-profit Host Organisations
- determine the suitability of Activity Host Organisations and their proposed placements and discuss the opportunities with the participant to determine their interests, experience, skills, and suitability for the available placement.

State-based laws may apply to Voluntary Work placements. Please check with the relevant State/Territory government for more information.

(Deed Reference(s): Clause 114)

## 23.4. Eligibility

### 23.4.1. Eligible Participants

The Provider may arrange a Voluntary Work Placement for any Participant on their Caseload if they are of the view that the Participant would benefit from the Activity, and the Activity is suitable and safe for the Participant.

### 23.4.2. Eligible Host Organisations

In addition to the Host Organisation requirements and prohibitions outlined in the Eligible Host Organisations section of the Activity Management Chapter, Voluntary Work Host Organisations must be a:

- not-for-profit organisation/charity, or
- not-for-profit arm of a for-profit organisation,

that provides a community service (examples include firefighter reserves, State Emergency Service, school canteen, etc.) and is adequately insured. At minimum, Host Organisations must have public liability and personal accident insurance.

Voluntary Work can be conducted in an eligible Host Organisation's place of business where all other requirements specified in the Deed and Guidelines have been met.

(Deed Reference(s): Clause 113.3)

## 23.5. Arranging Placements

In addition to the Activity requirements and prohibitions outlined in the Identifying Suitable Activities for Participants section of the Activity Management Chapter, Voluntary Work placements must:

- be of benefit to the Participant and the local community and offer no financial gain to the volunteer organisation
- provide the Participant with the opportunity to gain vocational and nonvocational skills that will directly improve their Employment prospects, such as the ability to work as part of a team, take directions from a Supervisor, work independently, communicate effectively, and become more motivated and dependable,
- not primarily promote a particular religious or political view
- not involve more than 50 hours of attendance per fortnight, and not more than 25 hours per week, and
- not include participation outside core business hours, including on a public holiday, unless a Participant chooses to do so and has agreed in advance.

Voluntary Work placements are unpaid and can be for a period of up to 26 weeks.

For each Voluntary Work Placement, an Activity record must be created in the Department's IT Systems by selecting the Voluntary work - Community/non-profit sector Activity type (Activity Code 'VWRK').

Providers are encouraged to include details of the Core Competencies that will be covered by participation in the Voluntary Work activity when creating the Activity in the Department's IT Systems.

(Deed Reference(s): Clauses 114)

## 23.6. Work Health and Safety

For the purposes of work health and safety, the Provider must refer to, and comply with, the requirements specified in the Deed and the Activity Management Chapter.

## 23.7. Monitoring the Voluntary Work Placement

The Provider is expected to proactively monitor the Voluntary Work Placement for its duration.

In addition to the requirements set out in the Activity Management Chapter, the Provider should remain in contact with the Host Organisation and Participant to ensure:

- they are aware of any changes in circumstances affecting the Placement
- the Host Organisation is operating in accordance with the Host Organisation Agreement, and
- any issues that may arise are quickly resolved.

The Provider must confirm the Voluntary Work Placement start date in the Department's IT Systems by no later than 5 Business Days following the scheduled start date.

## 23.8. Completion

When a Provider Sourced Voluntary Work Placement ends, the Provider must end the placement in the Department's IT Systems and provide an Exit reason.

# Chapter 24. Workforce Specialists

## 24.1. Chapter Overview

Workforce Specialist Projects are designed to meet the workforce needs of identified industries and occupations, connecting them to suitable participants in Workforce Australia Services, Workforce Australia Online and Workforce Australia- Transition to Work Services.

Projects may support Participants to identify, access and engage with:

- labour market opportunities within these industries
- the skills and training pathways to connect with these opportunities
- potential areas for career progression, and/or
- the support available to prepare for and take up these employment opportunities.

On 14 May 2024, the Australian Government announced it would cease approving new projects under the Workforce Specialists initiative, effective immediately. Projects currently being delivered will continue until completion.

Information regarding current Workforce Specialist projects can be found at: Workforce Specialists - Department of Employment and Workplace Relations, Australian Government (dewr.gov.au)

This Chapter outlines the requirements for Providers in regard to Workforce Specialists and Workforce Specialist Projects.

## 24.2. Role of Providers

Key responsibilities and actions undertaken by Providers in relation to Workforce Specialist Projects, which must be done in accordance with the Workforce Australia - Transition to Work Deed and these Guidelines, include:

- identifying if Participants meet any identified eligibility criteria to participate in a Workforce Specialist Project
- confirming, including by reference to the relevant Risk Assessments, if the Workforce Specialist Project is suitable for the Participant
- assisting Participants to submit an expression of interest to participate in the Workforce Specialist Project via Workforce Australia Online.

Where a Participant is accepted to participate in a Workforce Specialist Project, Providers:

- must ensure the Participant is aware of their responsibilities, such as attending the Workforce Specialist Project on the relevant days and times advised by the Workforce Specialist
- must work collaboratively with the Workforce Specialist to support the Participant's participation in the Workforce Specialist Project. This may include accessing Relocation Assistance funding to support moving costs where required or drawing from Upfront Payments to assist Participants for work/training related items such as PPE, uniforms or licences
- must confirm an Activity Risk Assessment has been undertaken for any Specified Activity conducted by the Workforce Specialist as part of a Workforce Specialist Project.

Where a Participant is placed into Employment by a Workforce Specialist, Providers must provide Post-placement Support, in collaboration with the Workforce Specialist if appropriate.

(Deed Reference(s): Clauses, 111.3, 119)

## 24.3. Eligibility

Participation in a Workforce Specialist Project is voluntary. A Provider can assist a Participant from their Caseload to submit an expression of interest to be considered for participation in a Workforce Specialist Project, subject to any additional Workforce Specialist Project specific eligibility criteria. For example, a Workforce Specialist Project may be targeted to Participants of a specific age group or require Participants to have a Driver's Licence.

The Provider can view any additional eligibility criteria in a Workforce Specialist Project description in the Department's IT System.

Participation in a Workforce Specialist Project will contribute towards the 25 hours a week Participation Requirement for Participants.

## 24.4. Collaboration with Workforce Specialists

Providers will need to work with Workforce Specialists to support Participant referrals to, and participation in, Workforce Specialist Projects. Providers will also need to work with Workforce Specialists to provide Post-placement Support to Participants placed into Employment as part of a Workforce Specialist Project.

Providers must provide support to Workforce Specialists to assess the suitability and capacity of a Participant from the Provider's Caseload to undertake any Activity within a Workforce Specialist Project. This includes assisting with the provision of information to support the Workforce Specialist undertake a Participant Risk Assessment and the management of other Work Health & Safety matters, including incidents.

(Deed Reference(s): Clauses 80.1, 80.2, 81.5, 111.3, 112, 119)

## 24.5. Expression of Interest for a Workforce Specialist Project

Once a Workforce Specialist has entered Workforce Specialist Project into the Department's IT Systems, Providers can search for and view that Workforce Specialist Project.

The Provider can view available Workforce Specialist Projects via the Activity Management component in the Department's IT Systems.

Information about each Workforce Specialist Project will be available in the project description.

Workforce Specialists may also promote Workforce Specialist Projects to Providers and Participants outside of the Department's IT Systems.

Providers must identify eligible and potentially suitable Participants for Workforce Specialist Projects. Providers should provide identified Participants with details of Workforce Specialist Projects available in their Employment Region.

Prior to discussing potential referrals with the Workforce Specialist, the Provider must ensure the Participant has been made aware of, and consented to, the disclosure of relevant personal

information to the Workforce Specialist for the purpose of managing the Participant's referral and participation in a Workforce Specialist Project, including any related PMaS.

Before recommending that a Participant submits an expression of interest for a Workforce Specialist Project, the Provider must consider the nature of the tasks involved in the Workforce Specialist Project and whether these are appropriate and suitable for the Participant. The Provider may also discuss potential referrals with the Workforce Specialist to assist in making any determination of the Participant's suitability and capacity to participate in the Workforce Specialist Project.

To be considered for a Workforce Specialist Project, the Participant will need to submit an expression of interest. The expression of interest process will vary from project to project, and may include several screening questions (for example, relevant tickets or licences already held by the Participant, or occupations they may be interested in).



Providers are required to support Participants to submit expressions of interest for Workforce Specialist Projects via Workforce Australia Online.

The Workforce Specialist will assess all expressions of interest to participate in a Workforce Specialist Project. A place in the Workforce Specialist Project will only be confirmed once a Participant's expression of interest has been accepted by the Workforce Specialist.

Participants may submit expressions of interest via Workforce Australia Online without first notifying their Provider. The Workforce Specialist is strongly encouraged to discuss the referral with the Provider prior to accepting an expression of interest from the Participant.

If a Workforce Specialist does not accept a Participant's expression of interest, it should notify the Participant of the reasons for its decision. A Workforce Specialist Project may have a limited number of places available.

(Deed Reference(s): Clauses 109,119)

## 24.6. Payments

The funding arrangements for each Workforce Specialist Project will be outlined in a contract between the Workforce Specialist and the Department. The funding arrangement will consider existing support and funding available under other programs available to assist Participants.

Providers are expected to draw upon their Upfront Payment, to support Participants to successfully take part in Workforce Specialist Projects. For example, a Participant may require workwear or equipment for a job placement that forms part of a Workforce Specialist Project.

The Provider of a Participant placed into Education or Employment by a Workforce Specialist may be eligible to receive Outcome Payments in line with the Deed, the Provider Payments Chapter and the Vacancies and Outcomes Chapter.

(Deed Reference(s): Clause 130, 135)

# Chapter 25. Performance

Supporting Documents for this Chapter:

- TtW Performance Measures Methodology
- TtW – Measure 2.1 Active Servicing Rate – Reference Guide
- TtW – Measure 1.1 Outcome Rates – Reference Guide
- TtW – Measure 2.2 Barriers – Reference Guide

## 25.1. Chapter Overview

The Department will assess Provider performance using the Transition to Work (TtW) Provider Performance and Quality Framework (Framework). The Framework:

- ensures TtW Providers are delivering a high-quality Service and providing Participants with personalised and holistic support that encourages Participants to engage in Education or training and/or reduces the risk of Participants becoming or remaining long-term unemployed,
- encourages innovation and drives continuous improvement over the life of the Deed, and
- ensures Providers are fulfilling their obligations under the Deed and meeting appropriate standards.

This Chapter outlines the Framework, its 5 modules, and how the Department will assess Provider performance.

This Chapter should be read in conjunction with the TtW Performance Measures Methodology supporting document.

(Deed Reference(s): Section B1.4 - Provider Performance and Quality Framework)

## 25.2. Performance monitoring and assessment

TtW Provider performance is monitored and assessed by the Department on a regular basis and takes into account a range of factors. As well as ongoing internal monitoring, there are two key elements to the Department's assessment of Provider performance:

- random and targeted assurance activities; and
- interim and final (annual) performance reviews each year.

These elements allow the Department to review and discuss aspects of each Provider's performance to identify strengths, as well as areas requiring improvement.

Performance reviews assess the performance of each Provider against the Key Performance Indicators (KPIs) in the Framework at the end of each Performance Period. These performance measures (or KPIs) are assessed based on data from either the most recent 12-month period or using data from the most recent six-month Performance Period.

To inform a Provider's performance result, the Department will use data collected through the Department's IT System, as well as information and data collected from sources, including:

- Performance Period reviews
- feedback from Participants, Employers, Host Organisations, and other employment services providers; and

- intelligence from the Department's Employment Services Tip off Line and National Customer Service Line (NCSL).

### 25.2.1. Provider Performance and Quality Framework

The Framework enables the comprehensive assessment of Provider performance against performance measures at the contract level.

The TtW Provider Performance and Quality Framework comprises 5 modules:

- Education and Employment
- Progress to Employment
- Quality of Service
- Efficiency of Service; and
- Deed Compliance and Contract Management.

These modules consist of a range of quantitative and qualitative measures. The frequency of assessment for each measure depends on what is being measured.

The Department may refine the Framework modules and/or measures over time if they are not fully achieving what is intended or if they lead to undesirable behaviour by Providers. Providers will be notified in advance of any changes to the Framework.

Performance ratings will be assigned to each performance measure. At the end of the Performance Period, measure level ratings are aggregated to determine module-level ratings.

See the TtW Performance Measures Methodology supporting document for a detailed description of the methodology used for calculating Provider performance under each measure.

#### Module 1 – Education and Employment

This module measures Education and Employment Outcome Rates achieved across a Provider's Caseload.

The performance measures for this module include:

- 1.1a 12 Week Employment Outcome Rate
- 1.1b 26 Week Employment Outcome Rate
- 1.2 Education Outcome Rate

The Employment Outcome measures assess the rate at which Providers achieve 12 Week Employment Outcomes and 26 Week Employment Sustainability Outcomes (including Hybrid Outcomes) across their entire Caseload.

The Education Outcome measure tracks the rate at which Providers are achieving Education Outcomes across their entire Caseload.

Module 1 performance measures are rated High, Moderate, Low or Very Low at the end of the 12-month Performance Period.

Refer to the Vacancies and Outcomes Chapter for further information on Outcome requirements.

**Table 25-A: Education and Employment Outcomes**

| Performance Measure | What is being measured? |
|---|---|
| **1.1a - 12 Week Outcome Rate (All Participants)** | Proportion of the Caseload who achieved at least one 12 Week Employment Outcome of all those on the Caseload who have been in the program long enough to have been able to achieve a 12 Week Employment Outcome during the assessment period. |
| **1.1b - 26 Week Outcome Rate (All Participants)** | Proportion of the Caseload who achieved at least one 26 Week Employment Outcome of all those on the Caseload who have been in the program long enough to have been able to achieve a 26 Week Employment Outcome during the assessment period. |
| **1.2 - Education Outcome Rate (All Participants)** | Proportion of the Caseload who achieved at least one Education Outcome of all those who have been in the program long enough to have been able to achieve an Education Outcome during the assessment period. |

Note: If a Participant achieves both a 12 and 26 Week Employment Outcome (including Hybrid Outcome) in the assessment period, both will be counted towards the relevant measure.

Note: If a Participant achieves multiple Education Outcomes in the assessment period, only one will be counted towards the measure.

## Module 2 – Progress to Employment

This module assesses a Provider's proactive support and engagement with Participants to help them successfully develop skills which increase their likelihood of achieving sustained Employment. This includes assisting Participants to identify, and learn to sufficiently manage or address, significant Vocational and Non-vocational Barriers which are impacting their ability to secure and maintain suitable Employment or reconnect with Education.

The performance measures for this module include:

- 2.1 Active Servicing Rate
- 2.2 Barriers with linked Activities

The Active Servicing Rate measure (2.1) focusses on Provider engagement with Participants. Participants in TtW are expected to participate for 25 hours per week and this measure ensures Providers are making the most of the time they have with each Participant on their Caseload.

Providers are considered to be actively servicing a Participant where each month:

- the Participant has attended at least one appointment with the Provider, **and**
- the Participant is engaging in at least one Activity (including Job Placement).

The barriers with linked Activities measure (2.2) is designed to assess whether a TtW Provider is supporting, motivating, and engaging their Participants to identify and work towards sufficiently addressing Vocational and Non-vocational Barriers they are experiencing.

Providers are expected to identify and record key individual barriers in the Capability Management Tool (CMT). Where a barrier has already been recorded, Providers are expected to discuss with the Participant whether the barrier remains current or should be closed. Providers must enter and link the associated Job Plan Activities to the identified barriers to demonstrate the Services or supports that are being sourced and made available to the Participant.

Note: The Department's expects Providers to record the Participant's key/ or most significant barriers rather than barriers selected primarily to satisfy performance thresholds. Barriers that are no longer relevant should be closed. If the measure is not being used as intended, the Department reserves the right to change or alter these measures.

Module 2 performance measures are rated High, Moderate, Low or Very Low.

**Table 25-B: Progress to Employment**

| Performance Measure | What is being measured? |
|---|---|
| **2.1 - Active Servicing Rate (All Participants)** | The proportion of Participants on a Provider's Caseload to whom the Provider is actively delivering services in each month, measured over the assessment period. |
| **2.2 - Barriers with linked Activities** | The proportion of Participants where a Job Plan Activity is linked to a barrier in the CMT, within the assessment period. |

## Module 3 – Quality of Service

This module recognises the importance of Providers delivering high quality and flexible services to both Participants and Employers. It assesses the quality of Services provided compared to the expectations of Participants, Employers and the Department.

The performance measures for this module are:

- 3.1 Quality of Service - Participant
- 3.2 Quality of Service – Employer

Module 3 performance measures are rated as 'Meeting expectations', 'Working towards expectations' or 'Not meeting expectations' and are determined based on the criterion ratings.

**Table 25-C: Quality of Service**

| Performance Measure | What is being measured? |
|---|---|
| **3.1 - Quality of Service (Participant)** | The quality of service provided to Participants, using the 4 assessment criteria outlined below. This occurs through a qualitative Provider Lead assessment each Performance Period. |
| **3.2 - Quality of Service (Employer)** | The quality of service provided to Employers, using the 4 assessment criteria outlined below. This occurs through a qualitative Provider Lead assessment each Performance Period. |

### Quality of Service performance measures assessment criteria

Using evidence gathered about the on-the-ground service delivery of the Provider, the local labour market and services available in their region as well as data compiled by the Department, Provider Leads assess and rate Provider performance at the contract level for the above Quality of Services measures against the following 4 criteria:

- **Supported** - How the Provider engages with Participants and Employers to deliver high quality support and individualised services to them
- **Connected** - How the Provider connects with and leverages relationships with key local stakeholders and other community services and programs and uses labour market

intelligence to the benefit of Participants and Employers. Consideration is also given to each Provider's ability to upskill Participants in accordance with local labour market conditions

- **Collaborative** - How the Provider actively shares best practice and strategies for success with other TtW Providers and how they collaborate with a range of other relevant stakeholders to assist Participants and Employers
- **Continuous Improvement** - How the Provider adjusts their service delivery in response to feedback from Participants and Employers, the staff development practices available within the organisation and how the Provider responds to changes in the local labour market or in the face of environmental factors.

Each criterion is rated as Met, Partially Met or Not Met. These criterion ratings are then used to determine the performance measure rating.

## Module 4 - Efficiency of Service

This module measures Provider efficiency in attracting Volunteer Participants and Commencing Participants onto their Caseload, as well as the timeliness of those Commencements.

The performance measures for this module include:

- 4.1a Referral to Commencement Rate
- 4.1b Timeliness of Commencement
- 4.2 Ability to attract and Commence eligible Group Two Participants

The Commencement Rate and Timeliness measures work together to identify both the proportion of all Referrals that Commence in TtW, along with the timeliness of those Commencements for the majority of young people.

The Group Two Participant Commencement measure monitors Provider performance in actively finding and commencing eligible young people onto their Caseload.

Module 4 performance measures are rated High, Moderate, Low or Very Low.

**Table 25-D: Efficiency of Service**

| Performance Measure | What is being measured? |
|---|---|
| **4.1a - Referral to Commencement Rate (All Participants)** | The proportion of all Referrals received that are successfully Commenced into the service in the assessment period. |
| **4.1b - Timeliness of Commencement (All Participants)** | The proportion of Participants who Commenced in the service within the 10 days from date of Referral to date of Commencement in the assessment period. |
| **4.2 - Group Two Participant Commencements** | The proportion of Group Two Participants of all Commenced Participants on the Provider's Caseload. This is measured each month and then averaged over the assessment period. |

## Module 5 – Deed Compliance and Contract Management

This module assesses the Provider's compliance with the requirements set out in the TtW Deed, Guidelines, the Service Guarantee, Service Delivery Plans and Service Offer Commitments.

Provider compliance with the Service Guarantee, and the commitments made in their Service Delivery Plan and Tender response (Service Offer) is an integral part of the Framework. These commitments set out the service and support a Participant can expect from their Provider, as well as the Department's expectations of how Providers will interact with Participants and Employers.

The Department will monitor each Provider's compliance with Deed requirements through ongoing contract management activities (including visits to Provider sites), regular and targeted assurance activities, and feedback received from Participants, Employers and relevant stakeholders, and through the department's National Customer Service Line.

This module has one performance measure and will be based on the assessment of the results from Program Assurance Activities and Audits, and breaches recorded.

The performance measure is rated High, Moderate, Low or Very Low at the end of the 12-month assessment period. See the Supporting document – Service Delivery Plan – Provider Information for more information.

**Table 25-E: Deed Compliance and Contract Management**

| Performance Measure | What is being measured? |
|---|---|
| **Program Assurance Activities and Breaches** | Provider compliance with Deed standards and requirements informed by:<br>• results and recoveries from payment integrity and non-payment integrity Assurance activities, Program Area desktop audits, Provider Lead desktop Audits, and<br>• assessing Provider operations, such as accessibility of Provider sites, having a dedicated youth space, compliance with the Service Guarantee, Service Delivery Plans and Service Offer Commitments, and<br>• recorded breaches under the Breach Management Approach. |

(Deed Reference(s): Clause 82)

## 25.2.2. Module Level Assessment

Provider performance will be assessed against performance thresholds established for each performance measure, under each module, in the Framework. Further information, including thresholds for each performance measure, can be found in the TtW Performance Measures Methodology supporting document.

### Assessing module level ratings for Modules 1, 2, 4 and 5

Performance under module 1, 2, 4 and 5 will be assessed as High, Moderate, Low or Very Low based on the following requirements:

**Table 25-F: Module performance requirements for Modules 1, 2, 4 and 5**

| Performance Category | Requirements |
|---|---|
| **High** | achieving a majority of High at the performance measure level and with no results of Low or Very Low at the performance measure level |

| Performance Category | Requirements |
|---|---|
| **Moderate** | the criteria for either High or Low is not met and there are no results of Very Low at the performance measure level |
| **Low** | a majority of results of Low at the performance measure level |
| **Very Low** | a majority of results of Very Low at the performance measure level |

Where there is an even number of performance measures and a Provider has achieved an even split of adjacent ratings at the performance measure level in a given Module, the lowest rating will determine the final Module score, for example:

- one 'Moderate' and one 'High' = 'Moderate'
- one 'Moderate' and one 'Low' = 'Low'
- one 'Low' and one 'Very Low' = 'Very Low'.

Where the Provider has achieved an even number of non-adjacent ratings at the performance measure level, the combination will be averaged at the whole of module level, for example:

- one ‘High’ and one ‘Low’ = ‘Moderate’
- one ‘Moderate’ and one ’Very Low’ = ‘Low’.

### Assessing module level ratings for Module 3

Performance under Module 3 will be assessed as Meeting expectations, Working towards expectations or Not meeting expectations based on the following requirements:

**Table 25-G: Module 3 performance requirements**

| Performance Category | Requirements |
|---|---|
| Meeting expectations | Meeting expectations for both performance measures. |
| Working towards expectations | Performance does not meet the criteria for either Meeting Expectations or Not Meeting Expectations. |
| Not Meeting expectations | Achieving a Not Meeting Expectations rating for either performance measure. |

## 25.3. Feedback following performance assessment

At the completion of a performance assessment, Providers will be provided a Performance Report, and results will be discussed with Providers through formal performance feedback discussions/sessions at the interim and final performance reviews.

Providers are required to actively engage in the performance discussion by:

- reviewing performance assessment documentation provided by the Department to ensure they are prepared for the feedback discussion
- providing relevant documentation when requested by the Department
- engaging with Provider Leads on an ongoing basis
- undertaking other actions as required by the Department.

Individual Provider performance results will not be published, Providers will generally be advised how their performance compares to other Providers in the Performance Report and during

performance feedback discussions. The Department will periodically publish aggregate results at a Program level, without identifying individual provider performance.

(Deed Reference(s): Clauses 27, Section B1.4)

## 25.4. Provider under-performance

The Department will work in partnership with the Provider to clarify and resolve any issue(s) that arise from the performance assessment to help improve the Provider's performance.

Action the Department may take, where necessary, to address poor Provider Performance include:

- requirement for the Provider to enter into a Performance Improvement Plan (PIP),
- reduction in the Provider's Locations and associated Places,
- recovery of Upfront Payments, and/or
- any other action under the terms of the Deed.

### 25.4.1. Performance Improvement Plan

Where a Provider is failing to perform at an adequate level (i.e. their results are consistently Low or Very Low), they will be subject to performance management action as necessary. Depending on the circumstances, this could include the use of a Performance Improvement Plan (PIP).

Following either the interim or final (annual) performance report, a rating of Very Low (at the performance measure level) will lead to a PIP being implemented. Similarly, where a Provider has been rated as Low over two Performance Periods with no upward trajectory this will be treated as a Very Low result, and they will be placed on a PIP. PIPs will generally target the specific area of underperformance and may not be put in place at the whole of module level unless there is justification for doing so. If the Provider’s performance has not improved sufficiently after the completion of the PIP, remedial action may be taken in accordance with the Deed.

### 25.4.2. Further under-performance action

Where a Provider has demonstrated ongoing poor performance, the Department may take action to address the underperformance. Any action taken will be proportionate to the nature, severity, and duration of the performance issue identified.

Ongoing poor performance may be identified where a Provider receives low performance ratings over consecutive Performance Periods or where there is evidence of sustained underperformance against requirements or performance measures

(Deed Reference: Clause 86)

## 25.5. Periodic Review of the Framework

The Department will periodically initiate broader reviews of the Framework to ensure it is driving the overall policy intent of the model. Such reviews could result in the Department making changes to the Framework, such as adding, removing, or adjusting modules and/or measures as well as changing the thresholds for individual performance measures.