



COVID-19 Frequently Asked Questions for Employment Services Providers

If you have any questions or issues that you want to raise in regard to COVID-19 impacts on employment services provision, please send them to your Account Manager via Question Manager.

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1. Information on COVID-19

Where do I source the most up-to-date advice on COVID-19?

The latest information on COVID-19 can be found at australia.gov.au/ and on the Department of Health website at health.gov.au/news/health-alerts/novel-coronavirus-2019-ncov-health-alert

This site has a range of resources and information that includes:

- Current status – local outbreak information
- How to protect others and stop the spread
 - practice good hygiene
 - Practise physical distancing
 - Follow the limits for public gatherings
 - understand how to isolate if you need to
- Vaccines and treatments
 - COVID-19 vaccines
 - Medical care for COVID-19

Each state or territory health authority may issue additional advice. You can contact your state or territory public health agency through the following channels:

- ACT visit health.act.gov.au
- NSW visit health.nsw.gov.au
- NT visit health.nt.gov.au
- QLD visit health.qld.gov.au
- SA visit sahealth.sa.gov.au
- TAS visit health.tas.gov.au
- VIC visit health.vic.gov.au
- WA visit healthywa.wa.gov.au

What are providers' WHS obligations to their employees?

Work Health and Safety (WHS) laws require a person conducting a business or undertaking (in this instance the person responsible for managing the employment service provider) to ensure, so far as is reasonably practicable, the health and safety of their workers and others at the workplace. This includes providing and maintaining a work environment that is without risk to health and safety and adequate facilities for workers in carrying out their work, so far as is reasonably practicable.

Safe Work Australia provides information for workplaces: safeworkaustralia.gov.au/covid-19-information-workplaces

The Safe Work Australia advice includes the following:

- How to keep your workplace safe
- Risk assessments
- Physical distancing
- Hygiene and cleaning
- Industry information

Are providers' personnel considered 'essential workers' when there are restrictions due to COVID-19?

Since the early pandemic period there has been considerable work undertaken by individual states and territories to further develop their approach to essential workers. There are now varying and rapidly changing definitions of essential workers across the country, depending on a jurisdiction's local circumstances.

Given the ever evolving nature of the COVID situation across the country and the severity of circumstances in some jurisdictions, the department requires providers to apply the local health advice set by the relevant state/territory government in relation to essential workers.

2. Delivering employment services when regions are affected by COVID-19 restrictions

What happens with MORs for job seekers and participants affected by COVID-19 restrictions?

State and territory governments determine which local government areas are subject to restrictions in their jurisdiction.

Job seekers and participants with Mutual Obligation Requirements (MOR) will generally have their requirements temporarily suspended for the duration of any restrictions impacting either the area where they reside or are serviced by a site in an area subject to restrictions.

Providers will be notified by temporary suspensions of MORs in a restricted area via the Provider Portal ecsnaccess.gov.au.

Job seekers and participants in affected areas will be sent SMS communication to advise about the temporary suspension to their MORs.

Information about all current MOR suspensions is also on the jobactive site at jobsearch.gov.au/mor.

Through periods of restrictions, the department expects providers will continue to ensure job seekers and participants are supported to access the full range of assistance available – including mental health services, if required. Servicing should always occur in line with the Direction on Face-to-Face Servicing issued on 23 Feb 2021 and state or territory health requirements.

Should providers have appointments with job seekers when regions are under COVID-19 restrictions?

While face-to-face servicing arrangements were reinstated on 9 March 2021, providers must not deliver face-to-face services during periods where this would be against local restrictions. However, there is an expectation that services continue to be delivered and, while it is important that services are delivered by providers safely, and in line with all local health advice in your area, providers must continue to engage participants and commence them in a timely manner.

Job seekers and participants whose mutual obligations have been suspended can continue to voluntarily participate in non face-to-face provider appointments delivered in line with local health advice.

- Where face-to-face delivery is **partially restricted** by the requirements of a relevant state or territory government, Providers must provide face-to-face servicing up to the limit of the relevant restriction until the restriction is revoked, and provide services remotely by phone, video or online where face-to-face services cannot otherwise be delivered.
- Where face-to-face delivery is **entirely prevented** by the requirements of a relevant state or territory government, non face-to-face services may be delivered until the relevant requirement is revoked, and for four weeks after the revocation date for non face-to-face activities booked during the restriction period.

How do providers deliver Initial Interviews, sight Proof of Identity documents, and complete Privacy Consent Forms when COVID-19 restrictions are in place?

From 9 March 2021, Initial Interviews must be delivered face-to-face as required by the Deed. Where face-to-face servicing is restricted by the requirements of a relevant state or territory government, Initial Interviews can be held via phone, video or online options, including skype teleconferencing.

When face-to-face service delivery is restricted, alternative methods of confirming participant's identity include:

- confirming personal information recorded in the department's IT system with the participant over the phone or via videoconferencing.
- If this is not possible, obtaining identification numbers (e.g. driver's licence number) over the phone (followed up with the participant providing required documentation as soon as practicable afterwards).

Employment Services Providers can process Privacy Consent Forms via phone or online. For participants who have Initial Interviews via phone or video conferencing, Providers should:

- During the Initial Interview, read out the privacy statement/notification (Part A of the Privacy Notification and Consent form) over the phone or online, and provide it to the job seeker/participant online or via email.
- If the Initial Interview is being held online or via a telephone call and the job seeker/participant has access to emails, send the Privacy Notification and Consent form to the job seeker and seek their consent to the collection of their sensitive information. Obtain consent from the job seeker/participant via email, where possible.
- If the Initial Interview is being held via a phone call and the job seeker/participant does not have access to emails, read out Part B of the Privacy Notification and Consent Form and seek the job seeker/participant's consent to the collection of their sensitive information verbally. If consent is received verbally, the department suggests providers immediately make a file note of the consent provided by the job seeker/participant, why the physical signature could not be obtained e.g. COVID-19 restrictions. Where possible, the department also recommends providers email the jobseeker/participant's nominated person or sends a text/SMS message acknowledging that consent was provided verbally.
- Ensure that Part B of the Privacy Notification and Consent form is subsequently signed by the relevant job seeker/participant when the job seeker next attends the provider's premises. Where identity is confirmed via phone or video conference based on the

information recorded in the Registration screen by Services Australia, providers are required to add a comment in the system that the Initial Interview was done via phone or video conference.

How will provider performance be monitored/reviewed in light of COVID-19 restrictions?

The department will take a “no disadvantage approach” in relation to assessing provider performance during periods of COVID-related restrictions.. This means that wherever mutual obligation requirements for job seekers are suspended, the department will take this into consideration when assessing performance.

3. Work for the Dole and Activities

Can Work for the Dole and other Activities continue when COVID-19 restrictions are in place??

Work for the Dole and other Activities that are delivered in a face-to-face setting should operate in line with health advice and any restrictions put in place by a relevant state or territory government.

What do providers do if notified that an Activity Host location is an identified COVID-19 exposure site?

Providers must ensure the Activity Host complies with all requirements set by state or territory governments where an Activity location is identified as an exposure site.

Providers must report details of the exposure to their Account Manager as soon as practicable. Providers should include relevant information about the exposure site including:

- the date and time of exposure
- details of any job seekers, supervisors or other provider personnel that were at the location at the exposure time and the follow up action taken to communicate with them
- advice about any COVID-19 isolation or testing required
- advice about action taken to ensure the health and safety of people at the affected location i.e. temporary closure for deep cleaning, and other action as required by local health advice.

4. jobactive and NEST Outcomes

What flexibilities are in place for Outcomes in regions impacted by COVID-19 restrictions?

A number of flexibilities for jobactive and NEST Outcomes impacted by COVID-19 were introduced in March 2020. A [Provider Portal notice](#) was published on 31 July 2021, reminding providers of these flexibilities that remain in place for providers in areas impacted by COVID-19 restrictions.

Employment Services Providers should monitor the information published on the Provider Portal for up to date information. Key information on the flexibilities is outlined in the following questions.

Are there documentary evidence flexibilities for Pay Slip Verified Outcomes?

Where the provider is satisfied that the participant has worked enough to achieve Outcome requirements, but does not have pay slips because of COVID-19, a signed and dated written statement (or email) from the participant or employer will be accepted.

This document must include all of the information outlined in the Documentary Evidence section of the jobactive Vacancies and Outcomes Guideline. The documentary evidence must be uploaded onto ESSWeb at the time of claim.

Are Permissible Breaks allowed for regions impacted by COVID-19 restrictions?

There are a total of six additional Permissible Breaks (12 weeks) available for Employment Outcomes affected by COVID-19, where a participant:

- was in isolation or quarantine and unable to work, and/or
- has lost their job, or is working reduced hours, and needs to find a new or supplementary job.

The provider may use a total of eight Permissible Breaks across the entire Outcome period where the participant was impacted by COVID-19 (two existing Permissible Breaks and six additional Permissible Breaks).

ESSWeb functionally was modified to support the additional Permissible Breaks.

What arrangements are in place for Education Outcomes affected by COVID-19 restrictions? (not applicable to NEST)

Where a Participant cannot continue their course due to closures of educational institutions, Providers should hold off claiming Education Outcomes until the participant has completed participation or attainment requirements.

If the Participant has completed their requirements but the Provider is unable to obtain Documentary Evidence due to closures, the Provider can upload an email or statement from the Participant indicating that they have completed the course or participation requirements.

5. Transition to Work

Flexibilities for Transition to Work Outcomes impacted by COVID-19 restrictions

Providers are reminded that flexibilities introduced in March 2020 are still available to providers in areas impacted by COVID-19 restrictions.

Transition to Work Outcomes will be paid where current Deed and Guideline requirements are met. While the requirements to achieve an Outcome are unchanged, there may be flexibilities for Providers around Documentary Evidence and Breaks during periods of COVID-19 restrictions.

12-week Employment Outcomes

Breaks

12-week Employment Outcomes are already highly flexible and allow:

- multiple job placements with different Employers. A Participant can consolidate multiple jobs to accrue sufficient hours or earnings to achieve the 12 week Employment Outcome.
- cumulative attainment of the 12 weeks. This naturally allows for breaks in employment.
- attainment over the time in service – a 12 week outcome can be achieved over 18 months.
- providers can contact their Account Manager if they believe a participant has been unable to meet requirements due to COVID-19 restrictions, for example due to the two consecutive Services Australia fortnights not being met due to isolation requirements.

Documentary Evidence – Pay Slip Verified Outcomes

- If the Participant has worked sufficient weeks to satisfy Outcome requirements, but has no pay slip because of COVID-19 restrictions, a signed and dated written statement (or email) from the Participant or employer will be accepted.
- This document must include all of the information outlined in the Documentary Evidence section of the TtW Vacancies and Outcomes Guidelines.
- The documentary evidence must be uploaded onto ESSWeb at the time of claim.
- If there are cases where a payslip verified outcome is not available, it may be lodged as a Manual Special Claim, noting how the participant was affected by COVID-19 restrictions and how this impacted the claim.

Education Outcomes

Breaks

Education (Attainment) Outcomes - if a Participant is delayed in completing the qualification consider eligibility for an Education (Participation) Outcome.

Education (Participation) Outcomes - the Guideline permits breaks in study in accordance with the Education Providers policy (e.g. term breaks) and will include directives from the Education Provider for additional breaks due to the impacts of COVID-19 restrictions.

Documentary Evidence

Attainment Outcomes - if a Participant cannot collect their certificate because the institution is closed, the Provider can upload an email or statement from the educational institution indicating that the Participant has completed the course requirements and will obtain the qualification. This statement must include the same information required in the Vacancies and Outcomes Guideline.

Participation Outcomes - Providers must obtain a signed and dated written statement (including email) from the Education Institution to verify an Education Outcome (outlining participation requirements have been met). If a break has occurred due to COVID-19 restrictions this should be recorded.

12-week Hybrid Outcome

Breaks

Where the Employment or Education component of a Hybrid Outcome is affected by the COVID-19 Pandemic, a break of up to 6 weeks is permitted. This can be 6 weeks consecutively or multiple shorter periods across the outcome period that total up to 6 weeks.

- A break may be permitted if a Participant was in isolation or quarantine and unable to work and/or study.
- A break may be permitted if a Participant lost their employment or is working reduced hours due to COVID-19 restrictions.
- A break may be permitted if the Participant was studying face-to-face and was unable to attend or study while the education provider transitioned to distance or online learning - break covers the period needed for the Participant to re-commence their studies with the education Provider.

A break must be supported by evidence that achievement of the outcome was impacted due to COVID-19 restrictions.

Outcomes impacted by these situations will be assessed on a case by case basis through the Manual Special Claims process. Providers should note how the Participant was affected by COVID-19 and how this impacted the claim.

Documentary Evidence for Hybrid Outcomes

Flexibilities for Documentary Evidence set out above for 12 Week Employment and Education Outcomes will apply to 12 Week Hybrid Outcomes and must include all of the information outlined in the Documentary Evidence section of the TtW Vacancies and Outcomes Guidelines and be uploaded in ESSWeb at the time of claim.

Sustainability Outcomes

Breaks

Where the Outcome is affected by the COVID-19 Pandemic and does not meet requirements, the department allows some flexibility in the consecutive nature of the Outcome achievement.

A break of up to 6 weeks is permitted. This can be 6 weeks consecutively or multiple shorter periods across the outcome period that tally to up to 6 weeks. A break must be supported by evidence that achievement of the outcome was impacted due to COVID-19 restrictions.

- A break may be permitted if a Participant was in isolation or quarantine and unable to work and/or study.
- A break may be permitted if a Participant lost their employment or is working reduced hours due to COVID-19 restrictions.
- A break may be permitted in a Hybrid Outcome if the Participant was studying face-to-face and was unable to attend or study while the Education Provider transitioned to distance or online learning - break covers the period needed for the Participant to re-commence their studies with the Education Provider.

Documentary Evidence

Providers should obtain the required documentary evidence for Sustainability Outcomes by email or post. Evidence must support 14 weeks have been achieved as per the requirements in the TtW Vacancies and Outcomes Guidelines

In practical terms, when assessing whether the Sustainability Outcome requirements have been met Providers can look at up to a 20 week period (after the Outcome start date) and exclude up to 6 weeks of reduced hours to ensure the required average is met over 14 weeks.

Outcomes impacted by these situations will be assessed on a case by case basis through the Manual Special Claims process. Providers should note how the participant was affected by COVID-19 and how this impacted the claim. Please talk to your Account Manager for clarification if required.

Further information is available is on the Provider Portal [TtW COVID-19](#).

6. Harvest Trail Services and Seasonal Worker Programme

COVID-19 travel restrictions have had an impact on Harvest Trail Services (HTS) and the Seasonal Worker Programme (SWP) as Working Holiday visa holders and seasonal workers from the Pacific Islands and Timor-Leste are not able to freely enter the country and limitations of movements across some state/territory borders.

Job seekers should still continue to search for Harvest trails jobs within state borders, following local COVID regulations.

Further information is available at jobsearch.gov.au/harvest/workers/relocation-assistance

7. ParentsNext

While face-to-face servicing arrangements were reinstated on 9 March 2021, where face-to-face servicing is restricted by the requirements of a relevant state or territory government, services can be delivered via phone, video or online options, including skype teleconferencing.

Participants whose mutual obligations have been suspended can continue to voluntarily participate in non face-to-face provider appointments delivered in line with local health advice. During periods of lockdown, in lieu of quarterly appointments, providers must make monthly phone calls to participants to provide support and offer appropriate outreach services such as mental health or domestic violence support services.

Providers are requested to consider where use of the Participation Fund could assist all participants in overcoming barriers they may face during this time.

8. Links to program specific information

Program	Additional resources/information
Employment Fund	Employment Fund and Wage Subsidies flexibilities for COVID-19
Wage subsidies	
jobactive and NEST outcomes	jobactive & NEST COVID-19
Transition to Work	COVID-19 TTW
Employability Skills Training	Provider Portal > EST > Communication > COVID-19 FAQs for EST Providers
Career Transition Assistance	COVID-19 CEO Letters - 2021 or COVID-19 Response - Info for CTA Providers
ParentsNext	COVID-19
Work for the Dole	Work for the Dole - Information for Host Organisations on the recommencement (ecsnaccess.gov.au) Work for the Dole and COVID-19 (ecsnaccess.gov.au)
Harvest Trail Services and Seasonal Worker Program	Communication (ecsnaccess.gov.au)



Employment Services COVID-19

Vaccination and Safety

Frequently Asked Questions (FAQs) for Providers

Introduction

In recognition that the National Plan to transition Australia's response to COVID-19 is approaching Phase C (Vaccination Consolidation), on 8 November the Department of Education, Skills and Employment (the department) issued a CEO letter, Directions and Fact Sheet on the approach to face-to-face servicing.

The [Directions](#) and [Provider Fact Sheet](#) provide guidance on face-to-face servicing, collection of Participants' vaccination status and how you can continue to support Participants to meet their mutual obligation requirements.

The [Directions](#) and [Provider Fact Sheet](#) apply to providers of all employment and related services administered by the department, including jobactive, ParentsNext, New Employment Services Trial, Entrepreneurship Facilitators, Employment Facilitator Services, Local Jobs Program, Career Transition Assistance, New Enterprise Incentive Scheme, Harvest Trail Services, Employability Skills Training and Transition to Work.

This approach is temporary and will be revised as Phase D of the National Plan is reached.

The Frequently Asked Questions (FAQs) offer guidance to Providers on how to continue to offer servicing to Participants that is appropriate to their individual circumstances. If a conflict or inconsistency exists between the advice provided in the FAQs and the Direction, the Direction prevails.

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Face-to-Face Servicing

Are Providers required to deliver face-to-face appointments and services to Participants?

Providers must offer face-to-face servicing where it is safe, beneficial to the Participant and permitted under local health orders.

Providers should consider each Participant's circumstances and the local COVID-19 situation when deciding on how to deliver appropriate services to Participants.

Each Provider must have a COVID-Safe plan that meets the requirements of the relevant State or Territory health authority and supports measures to maintain the safety of staff and Participants.

Are Providers obliged to check on a Participant's circumstances before making a face-to-face appointment?

Yes. To inform a decision about whether it is safe, beneficial, and permitted under local health orders, Providers must talk to Participants about their current circumstances, including their vaccination status.

These conversations can also inform Job Plans and Participation Plans (whichever is applicable).

Is a Participant's concern about COVID-19 reasonable grounds to justify offering them alternative servicing arrangements to face-to-face servicing and/or activities?

Participants who raise concerns about face-to-face appointments affecting their safety or that of an immediate family or household member should be offered alternative servicing arrangements.

Relevant factors are set out in the [Provider Fact Sheet](#).

Providers should offer alternatives to face-to-face servicing and activities where appropriate and update individual Job Plans and Participation Plans to reflect any changes.

Similarly, Providers must offer unvaccinated Participants alternative servicing arrangements where vaccination is a requirement of a Provider, Activity Host, or jurisdictional health order.

Can Providers require that Participants are vaccinated to attend their sites?

During this transition period, Providers can set vaccination requirements for Participants to attend their sites for face-to-face appointments.

Providers must not act in a way that disadvantages a Participant because of their vaccination status and must ensure appropriate services are offered to all Participants.

Can Providers require staff to be vaccinated?

The department expects Providers to comply with local health requirements. In some states and territories vaccination may be mandatory for staff delivering face-to-face services.

In all other circumstances, Providers should obtain their own advice if they are considering making COVID-19 vaccinations mandatory for staff in their workplace.

[The Fair Work Ombudsman](#) provides resources for employers who are considering mandating COVID-19 vaccinations for employees.

What if a Participant, Provider employee or Activity Host employee tests positive for COVID-19?

The department expects Participants, Provider staff and Activity Host staff to follow the directions issued by State and Territory health authorities if they test positive for COVID-19 or are considered a close or casual contact of a positive case.

Providers must support any impacted Participants to seek medical attention and contact Services Australia for exemptions from mutual obligation requirements.

If a Participant, Provider employee or Activity Host employee breaches jurisdictional health orders by attending a site following a direction to isolate, Providers must report this to the department as a critical incident and activate their COVID-Safe plan.

Participant Vaccination Status

Can a Provider request a Participant's vaccination status?

Yes, Providers are required to ask Participants for their vaccination status and proof of vaccination to help tailor services appropriate to their circumstances.

Providers must make it clear to Participants at the time of the collection that providing COVID-19 vaccination status information is not mandatory.

Providers must advise Participants of the purposes of the collection of their information, including for the purposes of:

- setting the Participant's mutual obligation requirements, including to enable decisions to be made about the contents of Jobs Plans
- screening the Participant for referral to job vacancies and or activities based on the employer's or Host Organisation's requirements regarding vaccination, and of informing the employer or Host Organisation of whether those requirements are met at the time of referral
- informing the department about the Participant's vaccination status and its relevance to the Participant's mutual obligation requirements

If the Participant has already consented to the collection of sensitive information in accordance with the privacy notification and consent forms included in the department's Privacy Guidelines, no further written consent is required for the collection of the Participant vaccination information. However, Providers should advise Participants of the purpose of collection, and how this information will be handled, at the time of collection.

Providers should refer to “Collection and Disclosure of Participants’ COVID-19 Vaccination Status” section in the [Provider Factsheet](#) for further information.

Can a Participant refuse to disclose their vaccination status to an employment services Provider?

Yes. Participants may choose to not disclose their vaccination status to a Provider.

Alternative servicing arrangements and activities should be offered to Participants whose vaccination status is unknown when Providers, employers, Activity Hosts, or jurisdictional health orders require Participants to be vaccinated to attend face-to-face appointments.

Participants whose vaccination status is unknown should not be referred to employers or Activity Hosts who mandate vaccination.

Can Providers record a Participant’s vaccination status?

Yes, where it is collected for the reasons described above and where a Participant has consented, vaccination status should be recorded and used to help tailor services appropriate to a Participant’s circumstances.

Providers are not required to maintain a copy of evidence of a Participant’s vaccination status.

A Participant’s vaccination status is sensitive information and must be collected and handled in accordance with the Australian Privacy Principles, the Deed and Privacy Guideline.

The [Fact Sheet](#) includes instructions on how to record a Participant’s vaccination status.

Can Providers disclose a Participant’s vaccination status to an employer?

Yes, where it is requested and recorded in accordance with the requirements set out above, vaccination status can be disclosed to employers who require vaccinated applicants. Providers should advise Participants of this potential disclosure at the time of collecting this information.

Where an employer requires evidence of vaccination status, they should request this directly from the Participant, in line with the Privacy Guideline.

Can Providers produce a report on their caseload’s vaccination status?

Yes, jobactive, NEST and ParentsNext Providers can run a report to check on vaccination status tags. That is, Providers can run a search in ESSWeb under Caseload > Caseload > Additional Criteria > Tag Category and/or Tag to generate reports.

Can Providers refer only vaccinated Participants to workplaces and activities that are subject to a public health order/authorised worker requirement mandating vaccination?

Yes. When considering referring any applicant for a job vacancy, Providers should have regard to the qualifications and required attributes for the role and only refer suitable Participants to an employer.

During this transition period Providers may adopt a universal policy of not referring Participants for employment placements and activities where there is a State and Territory public health order mandating vaccination in force where the Participant is unvaccinated, or their vaccination status is unknown/has not been disclosed.

Can Providers refer only vaccinated Participants to workplaces and activities that mandate vaccinations but are not the subject of public health orders/authorised worker requirements?

Yes. When considering referring any applicant for a job vacancy, Providers should have regard to the qualifications and required attributes for the role and only refer suitable Participants to an employer.

During this transition period Providers may adopt a universal policy of not referring Participants to employment placements and activities where employers and Activity Hosts mandate vaccination where the Participant is unvaccinated, or their vaccination status has not been disclosed.

Mutual Obligation Requirements

Reflecting the Government's position that vaccination against COVID-19 is voluntary, Providers should record a Participant as having a Valid Reason for leaving or refusing work, or not attending face-to face servicing and activities, such as training or work for the dole, where they:

- indicate participation would affect their safety or that of an immediate family member or household member
- are unvaccinated and vaccination is a requirement.

Providers should also consider the local COVID-19 factors relevant to the Participant, site, and activity, including positive case numbers and the level of community transmission.

This means you will need to assess a Participant's circumstances on a case-by-case basis in line with standard practice when making a decision under the Targeted Compliance Framework.

The Directions have not changed the fundamental principle of mutual obligation requirements – that is, requirements must be tailored to individual circumstances. Providers should be working with Participants to ensure their Job Plan is appropriate during this transition period.

Can a Participant decline a job offer because of COVID-19 hesitancy or concern?

Participants can decline a job offer if they are concerned about their safety, socialising with unvaccinated people, or where they are concerned about jeopardising the safety of an immediate family or household member.

Providers are required to assess a Participant's situation on a case-by-case basis and should not be referring Participants to Unsuitable Work.

Providers should consider any concerns raised by Participants in the context of the local COVID-19 situation and should continue to encourage Participants to seek appropriate employment opportunities.

Is a Participant's concern about COVID-19 reasonable grounds to justify leaving a job?

During this transition period Providers should not submit Unemployment Failures where a Participant resigns from a job if they are concerned about their safety, socialising with unvaccinated people, or where they are concerned about jeopardising the safety of an immediate family or household member.

Individuals are encouraged to discuss their concerns and possible alternative working arrangements with their employers and Providers before resigning. This could include getting a better understanding of the employer's COVID-Safe plan or exploring options for roles with less public contact.

Providers should support Participants to consider suitable alternative work arrangements or employment opportunities.

Can unvaccinated Participants decline a job offer where vaccination is a requirement of employment?

Providers are expected to determine the suitability of work for Participants. Therefore, Providers are expected to not refer unvaccinated Participants to employers who mandate vaccination.

Unvaccinated Participants can decline a job offer where vaccination is a requirement of employment because they do not have an essential qualification required to fulfil the role. In these cases, Providers should not submit Work Refusal Failures.

Providers should continue to encourage and support Participants to find appropriate employment opportunities.

Can unvaccinated Participants choose to cease working for an employer who requires employees to be vaccinated?

During the transition period, unvaccinated Participants will not face compliance action if they choose to leave a job where vaccination is a requirement of employment.

Providers should help Participants to find appropriate alternative employment opportunities.

What if a person is dismissed or stood down from a job for not complying with a vaccination requirement?

No compliance action is to be taken against a Participant dismissed from a job for not complying with an employer's vaccination mandate.

Providers should support Participants to find appropriate alternative employment opportunities.

Should compliance action be taken if a Participant does not attend an appointment or activity if they have flu like symptoms?

Participants should not face compliance action for not attending appointments when they are sick. Participants should be encouraged to follow public health advice and avoid contact with others and be tested for COVID-19 as soon as symptoms appear.

Providers are reminded that a medical/health reason is an acceptable reason for rescheduling an appointment, particularly in the context of the relevant health advice on COVID-19-like symptoms. Providers do not need to see a medical certificate to accept this reason for being unable to attend an appointment. This is akin to an employer not requesting a medical certificate from an employee to evidence every single day of illness.

Where a Participant has been too unwell to contact you beforehand to reschedule the requirement you can accept this as a valid reason.

Should a person be referred to Services Australia to be exempted from all mutual obligation requirements due to concerns about safety or due to being unvaccinated?

No. Providers should offer Participants servicing arrangements appropriate to their circumstances, adjust Job Plans and Participation Plans as appropriate and help Participants to find appropriate employment opportunities during this transition period.

Exemptions are appropriate where a Participant's personal circumstances prevent them from meeting any [mutual obligation requirements](#). This includes if a Participant is required to quarantine due to COVID-19 exposure, or if they are caring for a family member with COVID-19.



Guideline:

Capability Assessment

A Capability Assessment is a key component of the Targeted Compliance Framework. It is further protection for the most vulnerable Participants and provides another opportunity for Participants to disclose issues that may be affecting their ability to meet their Mutual Obligation Requirements as set out in their Job Plan.

The Capability Assessment is conducted by Services Australia. It ensures that only those Participants who deliberately fail to meet their participation requirements face potential financial penalties. The purpose of the Capability Assessment is to determine whether a Participant's Job Plan is suitable for the Participant. A Job Plan will be suitable for a Participant if the Mutual Obligation Requirements specified in their Job Plan are appropriate to the Participant's circumstances and the Participant is capable of meeting them.

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Nil

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This guideline has been restructured and rewritten for clarity, accuracy, consistency with the jobactive Deed, ParentsNext Deed and Social Security Law, and comprehensiveness.

References to the 'Department of Human Services (DHS)' have been updated to 'Services Australia'.

References to 'job seeker' have been updated to 'Participant'.

A full document history is available on the Provider Portal.

Related documents and references

jobactive

[Job Plan and Setting Mutual Obligation Requirements Guideline](#)

[Targeted Compliance Framework: Mutual Obligation Failures Guideline](#)

[Capability Interview Guideline](#)

[Work Refusal and Unemployment Failures Guideline](#)

ParentsNext

[Capability Assessment Guideline](#)

[Capability Interview Guideline](#)

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1. Interpretation

Unless otherwise specified:

- in this Guideline, all references to:
 - a 'Participant' are references to a 'Fully Eligible Participant (Mutual Obligation)' as defined in the jobactive Deed or a 'Compulsory Participant' as defined in the ParentsNext Deed, as relevant; and
 - a 'Job Plan' are references to a 'Job Plan' for the purposes of the jobactive Deed and/or references to a 'Participation Plan' for the purposes of the ParentsNext Deed as relevant;
- capitalised terms in this Guideline have the meaning given to them in the jobactive Deed or the ParentsNext Deed, as relevant; and
- Deed clauses are references to, as relevant:
 - the jobactive Deed 2015–2022
 - the ParentsNext Deed 2018–2021

2. The purpose of a Capability Assessment

The purpose of the Capability Assessment is to determine whether a Participant's Job Plan is suitable for the Participant. A Job Plan will be suitable for a Participant if the Mutual Obligation Requirements specified in their Job Plan are appropriate to the Participant's circumstances and the Participant is capable of meeting them.

Even though Providers do not conduct Capability Assessments (they are conducted by Services Australia), Providers still have Deed obligations in relation to Capability Assessments. See clause 114.10 of the jobactive Deed, or clause 97.4 of the ParentsNext Deed, as relevant.

The Capability Assessment will determine the Participant's place in the compliance framework. The Participant will:

- return to the Green Zone with their Demerits reset to zero if the result of the Capability Assessment is that the Participant's Job Plan is not suitable for the Participant; or
- enter the Penalty Zone and incur financial penalties for future non-compliance if the result of the Capability Assessment is that the Participant's Job Plan is suitable for the Participant.

(Deed references: jobactive Deed 2015–2022 clause 114.10; ParentsNext Deed 2018–2021 clause 97.4)

3. When a Capability Assessment is triggered

Participants will only participate in a Capability Assessment once they have already attended a Capability Interview and the outcome of the Capability Interview is that the Participant's Job Plan is suitable for the Participant. See the [Capability Interview Guideline](#) for more information on Capability Interviews.

Broadly speaking, Services Australia will conduct a Capability Assessment when the Participant has, in 6 active months (discussed below), incurred five Demerits or a

Demerit for a 'fast-track' Mutual Obligation Failure when they already have three Demerits. A fast-track Mutual Obligation Failure is one of the following:

- acting in a manner that could result in an offer of employment not being made to the Participant;
- failing to attend a Job Interview; or
- failing to act on a Job Referral.

The term '6 active months' generally means 182 days, but prolonged for the time the Participant is in a penalty period or has an Exemption (up to a maximum of 12 months).

Note that, if a Participant has three or four Demerits when they incur a Demerit for a fast-track Mutual Obligation Failure, the Department's IT Systems will automatically increase the number of Demerits to five. For more information on when a Participant incurs a Demerit, see the [Targeted Compliance Framework: Mutual Obligation Failures Guideline](#).

In practice, fast-track Mutual Obligation Failures do not apply in ParentsNext because ParentsNext Participants do not have obligations related to finding work.

When the circumstances described above occur:

- a Capability Assessment is said to be 'triggered'; and
- the Department's IT Systems will identify that the Participant's Reconnection Requirement for their most recent Mutual Obligation Failure is a Capability Assessment. Note the Department's IT Systems refer to Reconnection Requirements as 're-engagement requirements'.

When a Capability Assessment is triggered as described above, the Department's IT System will display the formal notification script that the Provider must then read to the Participant. This notification informs the Participant that:

- they must contact Services Australia as soon as possible to participate in a Capability Assessment; and
- their Income Support Payment will remain suspended until they do so.

Participants will be unable to report to Services Australia for their next fortnightly Income Support Payment until they contact Services Australia to undertake the Capability Assessment.

No further Demerits until the Capability Assessment is finalised

Participants will not be able to accrue any further Demerits until they participate in a Capability Assessment and that Capability Assessment is finalised in the Department's IT System.

After triggering the Capability Assessment, Participants might commit further Mutual Obligation Failures after attending a Capability Assessment but before the Capability Assessment has been finalised in the Department's IT System.

In these cases, the Participant will not receive Demerits, but their Income Support Payment will still be suspended to encourage the Participant to reconnect with their Provider.

Work Refusal Failure or Unemployment Failure before the Capability Assessment is finalised (jobactive only)

Work Refusal Failures and Unemployment Failures do not apply to ParentsNext Participants.

Providers (jobactive only) must still comply with their Deed obligations relating to Work Refusal Failures and Unemployment Failures, regardless of whether the Capability Assessment is finalised in the Department's IT System. The main obligations are set out in clauses 115 and 116 of the jobactive Deed.

For more information, see the [Work Refusal Failures and Unemployment Failures Guideline](#).

(Deed references: jobactive Deed 2015–2022 clauses 115, 116)

4. Delivery of the Capability Assessment and recording outcomes

As noted above, Providers' main Deed obligations regarding Capability Assessments are set out in clause 114.10 of the jobactive Deed or clause 97.4 of the ParentsNext Deed, as relevant.

Services Australia will notify Providers of Capability Assessment outcomes via a noticeboard message on the Department's IT System. Services Australia will record the outcome of the Capability Assessment and will provide information in the Participant's record on what Mutual Obligation Requirements in their Job Plan are inappropriate and/or the parts of the Job Plan the Provider must renegotiate with the Participant.

(Deed references: jobactive Deed 2015–2022 clause 114.10; ParentsNext Deed 2018–2021 clause 97.4)

5. Actioning the outcomes of a Capability Assessment

Once Services Australia has finalised the Capability Assessment in the Department's IT System, the Provider must review the outcome and any servicing recommendations Services Australia has recorded in the Capability Management Tool (CMT).

The possible outcomes are as follows:

- the Participant's Job Plan is suitable for the Participant, which is referred to in the Department's IT Systems as 'Deemed capable of meeting their Job Plan requirements'; or
- the Participant's Job Plan is not suitable for the Participant, which is referred to in the Department's IT Systems as one of the following, depending on the reason that the Job Plan is not suitable:
 - 'Errors in the Job Plan—Requires Update';
 - 'Not capable of meeting their Job Plan requirements due to their circumstances/capacity'; or
 - 'Newly disclosed information'.

Each of these outcomes is discussed in further detail below.

The Participant's Job Plan is not suitable

Outcome: 'Errors in the Job Plan—Requires Update'

When the outcome of the Capability Assessment is 'Errors in the Job Plan—Requires Update', the Provider must, within the 10 Business Days after the Capability Assessment is finalised:

- advise the Participant that there are errors in their Job Plan, which means that the Job Plan is not suitable for the Participant;
- advise the Participant that their Demerits will be reset to zero and they will return to the Green Zone; and
- in consultation with the Participant, update the Job Plan to address the identified errors in accordance with:
 - any recommendations from Services Australia shown in the Department's IT Systems; and
 - the [Job Plan and Scheduling Mutual Obligation Requirements Guideline](#) for jobactive or the [Participation Plans and Activities Guideline](#) for ParentsNext.

Providers should also be aware that the Participant will not accrue any further demerits until the Participant's Job Plan has been appropriately updated.

Outcome: 'Not capable of meeting their Job Plan requirements due to their circumstances/capacity'

When the outcome of the Capability Assessment is 'Not capable of meeting their Job Plan requirements due to their circumstances/capacity', the Provider must, within the 10 Business Days after the Capability Assessment is finalised:

- advise the Participant that their personal circumstances have made their current Job Plan not suitable for them;
- advise the Participant that their Demerits will be reset to zero and they will return to the Green Zone; and
- in consultation with the Participant, update the Job Plan so that it is suitable for the Participant in accordance with:
 - any recommendations from Services Australia shown in the Department's IT Systems and taking into account any reasons Services Australia assessed particular Mutual Obligation Requirements as being inappropriate for the Participant; and
 - the [Job Plan and Scheduling Mutual Obligation Requirements Guideline](#) for jobactive or the [Participation Plans and Activities Guideline](#) for ParentsNext.

Providers should also be aware that the Participant will not accrue any further demerits until the Participant's Job Plan has been appropriately updated.

Outcome: 'Newly disclosed information—newly disclosed personal circumstances'

Services Australia may assess that the Participant would normally be capable of meeting their requirements. However, the Participant has disclosed new information about their personal circumstances that was previously unknown, and

these circumstances, had they been known to the Provider at the time of Demerit accrual, may have constituted an Acceptable or Valid Reason. In this case, Services Australia will record the outcome of the Capability Assessment as 'Newly disclosed information—newly disclosed personal circumstances'.

Because the Participant is normally capable of meeting their Mutual Obligation Requirements, their Job Plan does not necessarily require updating. The Provider must, within the 10 Business Days after the Capability Assessment is finalised:

- advise the Participant that newly disclosed information would have affected their ability to meet Mutual Obligation Requirements at the time of Demerit accrual;
- advise the Participant that their Demerits will be reset to zero and they will return to the Green Zone; and
- consider whether the Job Plan requires updating, and, if so, in consultation with the Participant, update the Job Plan so that it is suitable for the Participant in accordance with:
 - any recommendations from Services Australia shown in the Department's IT Systems; and
 - the [Job Plan and Scheduling Mutual Obligation Requirements Guideline](#) for jobactive or the [Participation Plans and Activities Guideline](#) for ParentsNext.

Outcome: 'Newly disclosed information'—The Participant's stream or program eligibility has changed

If an update to the Participant's Job Seeker Classification Instrument (JSCI) or their finalised Employment Services Assessment (ESAt) moves them to a different stream of servicing (jobactive only), Services Australia will record the outcome of the Capability Assessment as 'Newly disclosed information'. In these circumstances, the Provider must, within the 10 Business Days after the Capability Assessment is finalised:

- advise the Participant that their stream or program eligibility has changed as a result of running the JSCI or as a result of the finalisation of an ESAt;
- advise the Participant that their Demerits will be reset to zero and they will return to the Green Zone; and
- in consultation with the Participant, update the Job Plan to address the identified errors in accordance with:
 - any recommendations from Services Australia shown in the Department's IT Systems; and
 - the [Job Plan and Scheduling Mutual Obligation Requirements Guideline](#).

Providers should also be aware that the Participant will not accrue further demerits until the Participant's Job Plan has been appropriately updated.

The outcome of the Capability Assessment is that the Participant's Job Plan is suitable for the Participant

If Services Australia assesses that the Participant's Job Plan is appropriate for the Participant's individual capacity and personal circumstances, the Participant can be reasonably expected to be capable of meeting their requirements. In this case,

Services Australia will record the outcome of the Capability Assessment as 'Deemed capable of meeting their Job Plan requirements'.

This outcome will be recorded when the Capability Assessment has not found any new and/or ongoing personal circumstances that impact the Participant's capacity to comply with their requirements aside from those already recorded in the CMT. The Participant will be confirmed as being in the appropriate servicing stream according to their capability, and the requirements included in their Job Plan are both lawful and appropriate. Therefore, the Job Plan does not require updating. The Provider must ensure the Participant understands that, based on existing evidence, they have been found capable of meeting their Mutual Obligation Requirements and their requirements have been assessed as appropriate.

When the outcome of the Capability Assessment is 'Deemed capable of meeting their Job Plan requirements', the Provider must review the CMT for the Participant. Services Australia may have identified issues that the Provider will need to consider when renegotiating the Participant's Job Plan in the future.

The Provider should, at the next contact with the Participant:

- ensure the Participant understands that they are now in the Penalty Zone, and that the next time they commit a Mutual Obligation Failure, this may result in loss of part or all of their Income Support Payment; and
- ensure the Participant understands the Mutual Obligation Requirements in their Job Plan and the consequences of non-compliance.

Summary of required Documentary Evidence

In addition to the evidence recorded in the Department's IT System, evidence could include:

- prior notification of the requirement to attend, Job Referral, referral to a Job Interview or notification of an Employment Offer
- prior notification of details provided to a Participant in relation to attending an Activity or Appointment with a Provider or third party
- the format of the Notification (i.e. SMS, email or letter)
- fully or partially completed Job Searches provided in hard copy form
- details of the job/Employer and/or details of the incident, including dates, the parties involved and what occurred.

All capitalised terms in this guideline have the same meaning as in the jobactive Deed 2015–2022 (the Deed).

This Guideline is not a stand-alone document and does not contain the entirety of Employment Services Providers' obligations. It must be read in conjunction with the Deed and any relevant Guidelines or reference material issued by Department of Employment, Skills, Small and Family Business under or in connection with the Deed.

Guideline:

Capability Interviews

The Capability Interview is a key component of the Targeted Compliance Framework (TCF). Capability Interviews provide additional protection for vulnerable Participants. The purpose of the Capability Interview is to determine whether a Participant's Job Plan is suitable for the Participant. A Job Plan will be suitable for a Participant if the Mutual Obligation Requirements specified in their Job Plan are appropriate to the Participant's circumstances and the Participant is capable of meeting them.

The Capability Interview provides an additional opportunity for Providers to actively engage with their Participants to identify any undisclosed issues and help them to meet their Mutual Obligation Requirements. This includes reviewing the Participant's Mutual Obligation Requirements set out in their Job Plan to ensure they are appropriate for the Participant's level of capability and individual circumstances, as well as giving consideration to services and support that may be appropriate to assist the Participant to meet their Mutual Obligation Requirements and move towards an employment outcome.

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Nil

Wording changes:

This guideline has been restructured and rewritten for clarity, accuracy, consistency with the jobactive Deed, ParentsNext Deed and Social Security Law, and comprehensiveness.

References to the 'Department of Human Services (DHS)' have been updated to 'Services Australia'.

References to 'job seeker' have been updated to 'Participant'.

A full document history is available on the Provider Portal.

Related documents and references

jobactive

[Job Plan and Setting Mutual Obligation Requirements Guideline](#)

[Capability Assessment Guideline](#)

[Targeted Compliance Framework: Mutual Obligation Failures Guideline](#)

[Work Refusal Failures and Unemployment Failures Guideline](#)

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[Capability Interview Guideline](#)

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Attachment B—Pre-interview check questions

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1. Interpretation

Unless otherwise specified:

- in this Guideline, all references to:
 - a 'Participant' are references to a 'Fully Eligible Participant (Mutual Obligation)' as defined in the jobactive Deed or a 'Compulsory Participant' as defined in the ParentsNext Deed, as relevant; and
 - a 'Job Plan' are references to a 'Job Plan' for the purposes of the jobactive Deed and/or references to a 'Participation Plan' for the purposes of the ParentsNext Deed, as relevant;
- capitalised terms in this Guideline have the meaning given to them in the jobactive Deed or the ParentsNext Deed, as relevant;
- Deed clauses are references to, as relevant:
 - the jobactive Deed 2015–2022; or
 - the ParentsNext Deed 2018–2021.

2. The purpose of a Capability Interview

The purpose of the Capability Interview is to determine whether a Participant's Job Plan is suitable for the Participant. A Job Plan will be suitable for a Participant if the Mutual Obligation Requirements specified in their Job Plan are appropriate to the Participant's circumstances and the Participant is capable of meeting them.

Providers' main obligations regarding Capability Interviews are set out in clauses 114.7, 114.8 and 114.9 of the jobactive Deed or clauses 97.1, 97.2 and 97.3 of the ParentsNext Deed, as relevant.

The outcome of the Capability Interview will determine whether the Participant continues in the Warning Zone or whether they are returned to the Green Zone with their Demerits reset to zero. The Department's IT Systems will determine the outcome of the Capability Interview based on the information that the Provider records in the Department's IT Systems in relation to the Capability Interview. For more information on what the Provider must record in the Department's IT Systems regarding Capability Interviews, see the sections of this Guideline below headed [Preparing to conduct a Capability Interview](#) and [Conducting the Capability Interview](#).

It is intended that the Participant will:

- return to the Green Zone with their Demerits reset to zero if the outcome of the Capability Interview is that their Job Plan is not suitable (i.e. the Mutual Obligation Requirements specified in their Job Plan are not appropriate to the Participant's circumstances or the Participant is not capable of meeting them); or
- continue in the Warning Zone if the outcome of the Capability Interview is that the Job Plan is suitable for the Participant (i.e. the Mutual Obligation Requirements specified in their Job Plan are appropriate to the Participant's circumstances and the Participant is capable of meeting them).

(Deed references: jobactive Deed 2015–2022 clauses 114.7, 114.8 and 114.9; ParentsNext Deed 2018–2021 clauses 97.1, 97.2 and 97.3).

3. When a Capability Interview is triggered

Providers have a Deed obligation to conduct a Capability Interview when the Department's IT Systems specify that the Participant's Reconnection Requirement is a Capability Interview (the timing of when this occurs is discussed below). See clause 114.7 of the jobactive Deed or clause 97.1 of the ParentsNext Deed, as relevant. Note that the Department's IT Systems refer to a Reconnection Requirement as a 're-engagement requirement'.

Broadly speaking, the Department's IT Systems will specify that the Participant's Reconnection Requirement is a Capability Interview when the Participant has, in 6 active months (discussed below), incurred three Demerits or a Demerit for a 'fast-track' Mutual Obligation Failure. A fast-track Mutual Obligation Failure is one of the following:

- acting at a job interview in a manner that could result in an offer of employment not being made to the Participant;
- failing to attend a job interview; or
- failing to act on a Job Referral.

Note that, if a Participant has less than three Demerits when they incur a Demerit for a fast-track Mutual Obligation Failure, the Department's IT Systems will automatically increase the number of Demerits to three.

In practice, fast-track Mutual Obligation Failures do not apply in ParentsNext because ParentsNext Participants do not have obligations related to finding work.

A factor that influences whether a Provider must conduct a Capability Interview in the circumstances described above is the outcome of any Capability Interview or Capability Assessment that has been conducted in relation to the Participant in the last 60 days. Subject to certain requirements, if the outcome is that the Participant's Job Plan is suitable, then a further Capability Interview is not required.

The term '6 active months' generally means 182 days, but prolonged for the time the Participant is in a penalty period or has an Exemption (up to a maximum of 12 months).

When the Department's IT Systems specify that the Participant's Reconnection Requirement is a Capability Interview:

- a Capability Interview is said to be 'triggered'; and
- the Department's IT Systems will identify that the Capability Interview is 'outstanding'.

The Department's IT Systems will identify that a Capability Interview is 'outstanding' until it is finalised. The Capability Interview will be finalised when the Provider selects 'submit' in the Department's IT Systems after completing the pre-interview check and recording all the relevant information during the Capability Interview (as discussed in this Guideline below in the sections headed [Preparing to conduct a Capability Interview](#) and [Conducting the Capability Interview](#)).

When a Participant incurs a Demerit that triggers a Capability Interview, their Income Support Payment will be suspended until the Participant participates in the

Capability Interview and the Capability Interview is finalised. Exceptions to this are discussed below under the heading 'Circumstances where a Capability Interview cannot be delivered within two Business Days'.

Where the Department's IT Systems identify that a Capability Interview is 'outstanding' (as referred to above), the Participant will not be able to accrue any further Demerits until they attend a Capability Interview and that Capability Interview is finalised.

(Deed Reference: jobactive Deed 2015–2022 clause 114.7; ParentsNext Deed 2018–2021 clause 97.1).

Capability Interviews resulted as 'No Longer Required', but are still 'outstanding'

In some circumstances, where the Department's IT Systems identify that a Capability Interview is 'outstanding', the Capability Interview will be shown to be 'No Longer Required'. This will happen where, after the Capability Interview is triggered, but before it is finalised, the Participant:

- transfers from the Provider to another Provider, but remains in either ParentsNext or jobactive; or
- is granted an Exemption.

Even though the Capability Interview is shown as 'No longer Required', there is still an obligation to conduct the Capability Interview as follows:

- when the Participant transfers to a new Provider, the new Provider must conduct the Capability Interview; and
- when the Participant returns to servicing after an Exemption, the Provider must conduct the Capability Interview.

In these cases, the Participant must participate in a Capability Interview before their new Job Plan can be negotiated with them. The Department's IT Systems will continue to identify that the Capability Interview is 'outstanding' until the Capability Interview is finalised.

The timeframe within which the 'No longer Required' Capability Interview must be conducted is discussed below under the heading 'When the Participant is transferred to another Provider or they are returning to service after an Exemption'.

4. Scheduling a Capability Interview

As discussed above, the Department's IT Systems will identify when a Participant's Reconnection Requirement is a Capability Interview. Providers' main obligations regarding when they must schedule a date and time for a Reconnection Requirement (e.g. a Capability Interview) are set out in clauses 114.2(a)(ii) and 114.4(b) of the jobactive Deed or clause 96.4(b) of the ParentsNext Deed, as relevant.

When scheduling a Capability Interview in the Participant's Electronic Calendar, the Provider must be in direct contact with the Participant. This is to ensure that the

Participant receives formal notification of the Capability Interview within a reasonable timeframe.

Usually, when a Provider is scheduling the Capability Interview, the Provider must schedule it to occur within two Business Days after the Participant incurs the relevant Demerit, as specified in clause 114.9(b) of the jobactive Deed or clause 97.3(b) of the ParentsNext Deed, as relevant. This usual timeframe is referred to in this Guideline as the 'standard two Business Days timeframe'. Exceptions to the standard two Business Days timeframe are discussed below under the heading 'Circumstances where a Capability Interview cannot be delivered within two Business Days'.

Providers must ensure that the scheduled Capability Interview is of sufficient length to allow for a thorough review of the Participant's personal circumstances and a detailed discussion. The recommended time for a Capability Interview is between 30 and 60 minutes.

When scheduling the Capability Interview, the Provider must ensure that the Participant understands: the purpose of the Capability Interview; the reason they must participate in a Capability Interview (either because they accrued three Demerits or because they committed a fast-track Mutual Obligation Failure); and the serious potential consequences of continued Mutual Obligation Failures.

(Deed Reference: jobactive Deed 2015–2022 clause 114.9(b); ParentsNext Deed 2018–2021 clause 97.3(b)).

5. Circumstances where a Capability Interview does not need to be delivered face to face

Providers must conduct Capability Interviews face to face, except in allowable circumstances (see clause 114.9 of the jobactive Deed or clause 97.3 of the ParentsNext Deed, as relevant). The circumstances that are 'allowable circumstances' for the purposes of those clauses are referred to below as 'Allowable Circumstances'.

(Deed Reference: jobactive Deed 2015–2022 clause 114.9; ParentsNext Deed 2018–2021 clause 97.3)

Allowable Circumstances

Allowable Circumstances are limited to circumstances that:

- are beyond the Participant or Provider's control; and
- prevent the Capability Interview from being delivered face to face,

including where any one or more of the following apply to the Participant:

- they reside in an area that is affected by:
 - extreme weather conditions;
 - a natural disaster; and/or
 - public transport strikes;

- they are participating in full-time Education (including training), and this participation restricts their availability to attend the Capability Interview face to face;
- they are Employed and their hours restrict their availability to attend the Capability Interview face to face; and/or
- they are not medically fit to attend the Capability Interview face to face.

If Allowable Circumstances prevent the Capability Interview from being delivered face to face, the Provider may conduct the Capability Interview via telephone or videoconference so that it is delivered within the standard two Business Days timeframe.

When scheduling the Capability Interview to be delivered via phone or videoconference, the Provider must record the Allowable Circumstance in the Department's IT Systems.

6. Circumstances where a Capability Interview does not need to be delivered within two Business Days

If the Participant has an Acceptable Reason

A Participant may notify the Provider, before the end of the standard two Business Days timeframe, that the Participant is unable to attend the Capability Interview within that timeframe. Providers must then assess whether the Participant's reason for not being able to attend the Capability Interview within that timeframe is an Acceptable Reason.

For the purposes of the above, the Provider must determine that a Participant has an Acceptable Reason for being unable to attend the Capability Interview within the standard two Business Days timeframe if:

- the Participant notified the Provider, before the end of the standard two Business Days timeframe, that the Participant is unable to attend the Capability Interview; and
- the Provider is satisfied that the Participant has a Valid Reason for being unable to attend the Capability Interview within the standard two Business Days timeframe.

A Provider must determine that the Participant has a Valid Reason if, and only if, they are satisfied that the reason the Participant provides:

- would directly prevent the Participant from attending the Capability Interview within the standard two Business Days timeframe;
- would be considered to be reasonable by a member of the general public; and
- aligns with the Participant's personal circumstances as known by the Provider.

If the Provider determines that a Participant has an Acceptable Reason for being unable to attend the Capability Interview within the standard two Business Days timeframe as discussed above, the Provider must schedule the Capability Interview to occur within 12 Business Days after the standard two Business Days timeframe. Broadly speaking, this means that the Provider must schedule the Capability

Interview within 14 Business Days after the Participant incurs the Demerit that triggers the Capability Interview.

In this case, Providers must select 'unable to re-engage within two Business Days' in the Department's IT Systems. The Department's IT Systems will then prompt the Provider to schedule the Capability Interview within that 14 Business Day timeframe. This will lift the Participant's payment suspension, but the requirement to attend the Capability Interview will still be outstanding on the Participant's record.

If the Provider selects 'unable to re-engage within two Business Days' in the Department's IT Systems as referred to above, the Provider must also select a description of the relevant Valid Reason from the drop-down menu that will appear. In selecting a reason option from the drop-down menu, the Provider must select the option that is most similar to the Participant's Valid Reason as they described it to the Provider. The Provider must not use the options in the drop-down menu to prompt or elicit responses from the Participant. A full list of the reasons that appear in the drop-down menu can be found at [Attachment A](#).

If the Participant does not have an Acceptable Reason

If the Provider assesses that the Participant's reason is not an Acceptable Reason as discussed above, the Provider must schedule the Capability Interview within the standard two Business Days timeframe. The Provider must then tell the Participant why their reason is not an Acceptable Reason, inform them that they are still expected to attend the Capability Interview and remind them that their Income Support Payment suspension will not be lifted until they do so.

When part-time or outreach services prevent delivery of the Capability Interview within two Business Days

If:

- the Provider determines that the Capability Interview must be conducted face to face (e.g. because it is unsuitable to deliver the Capability Interview via telephone or videoconference); but
- part-time or outreach services prevent the Provider from delivering the Capability Interview face to face within the standard two Business Days timeframe,

the Provider must schedule the Capability Interview to occur as soon as possible after the standard two Business Days timeframe. In any event, the Provider must schedule the Capability interview to occur within 12 Business Days after the standard two Business Days timeframe. Broadly speaking, this means that the Provider must schedule the Capability Interview within 14 Business Days after the Participant incurs the Demerit that triggers the Capability Interview.

In these cases, Providers must select 're-engagement not required' in the Department's IT Systems. This will lift the Participant's Income Support Payment suspension, but the requirement to attend the Capability Interview will still be outstanding on the Participant's record.

The Provider must record the reason that re-engagement is not required in the Department's IT Systems. The only drop-down menu option is 'Part-time/outreach services'.

The Provider must then manually schedule the Capability Interview in the Participant's Electronic Calendar.

When the Participant is transferred to another Provider or they are returning to service after an Exemption

A Provider does not need to conduct the Capability Interview within the standard two Business Days timeframe where, after the Capability Interview is triggered, but before it is finalised, the Participant:

- transfers from the Provider to another Provider, but remains in either ParentsNext or jobactive; or
- is granted an Exemption.

When the Participant transfers to a new Provider, the new Provider must conduct the Capability Interview at the Participant's Initial Interview.

When the Participant returns to servicing after an Exemption, the Provider must conduct the Capability Interview within 14 Business Days after the Participant returns.

Reporting a Work Refusal Failures and Unemployment Failures before the Capability Interview is finalised—jobactive only

Providers must still create Work Refusal Failure reports and Unemployment Failure reports in accordance with their Deed obligations, regardless of whether the Participant has an outstanding Capability Interview in the Department's IT Systems.

(Deed references: jobactive Deed 2015-2022 clauses 115.1, 116.1)

For more information, see the [Work Refusal and Unemployment Failures Guideline](#).

If a Participant fails to attend their Capability Interview

As noted above, a Capability Interview is a type of Reconnection Requirement. See the [Targeted Compliance Framework: Mutual Obligation Failures Guideline](#) for more information on the steps Providers must take when a Participant fails to meet a Reconnection Requirement.

7. Preparing to conduct a Capability Interview

Prior to the Capability Interview, the Provider must complete a pre-interview check in the Department's IT Systems. The Provider must prepare for completing the pre-interview check by reviewing the following:

- the Participant's current Job Seeker Classification Instrument (JSCI)—to familiarise themselves with the Participant's personal circumstances;
- the Capability Management Tool (CMT)—for information on barriers that may be affecting the Participant's ability to meet their Mutual Obligation Requirements;

- the Job Seeker Personal Summary—to familiarise themselves with the Participant's basic information history and current circumstances;
- the Participant's current Job Plan—to determine whether the Participant's Mutual Obligation Requirements:
 - are up to date and appropriate based on the Participant's personal circumstances;
 - include an appropriate level of Job Search;
 - do not conflict with each other; and
 - do not add up to excessive hours.

In determining these things, the Provider must consider the relevant requirements in the [Job Plan and Scheduling Mutual Obligation Requirements Guideline](#) for jobactive or the [Participation Plans and Activities Guideline](#) for ParentsNext.

The Provider must be well prepared and have all relevant information to hand both prior to conducting the Capability Interview and during the Capability Interview itself.

Pre-interview check

As noted above, the Provider must conduct the Capability Interview pre-interview check prior to the Capability Interview. The Provider can access the pre-interview check in the Department's IT Systems by selecting the relevant Capability Interview listed on the Targeted Compliance Framework/History screen.

The pre-interview check is composed of a set of questions aimed at determining whether the Participant's Job Plan is suitable (i.e. the Mutual Obligation Requirements specified in their Job Plan are appropriate to the Participant's circumstances and the Participant is capable of meeting them).

The questions in the pre-interview check focus only on the Mutual Obligation Requirements in the Participant's Job Plan. Providers must not consider voluntary requirements as part of this check.

The Provider must answer the pre-interview check questions accurately.

When answering the pre-interview check questions, Providers must only use the information that had been recorded in the Department's IT Systems at the time the Job Plan was negotiated. Providers must not use information that has been recorded since.

For more information regarding the pre-interview check, see [Attachment B](#).

8. Conducting the Capability Interview

Delivery by a different staff member

While it is not a requirement, it is strongly recommended that the staff member who delivers the Capability Interview is someone other than the staff member who negotiated the Participant's last Job Plan. This is because the Participant may

disclose new information to another staff member that they had not disclosed to their usual consultant.

Site resourcing may restrict this practice—some Provider sites may have very limited staffing. In this situation, it is permissible for the same staff member who negotiated the last Job Plan to also conduct the Capability Interview.

Getting started

The Provider must first advise the Participant that the Capability Interview is being undertaken due to their Mutual Obligation Failure(s). The Provider must explain the purpose and potential outcomes of the Capability Interview, including:

- that the Participant's Job Plan may require re-negotiating;
- that the Participant will either return to the Green Zone or continue in the Warning Zone, depending on the outcome of the Capability Interview; and
- the financial consequences for the Participant if they continue to commit Mutual Obligation Failures.

The focus of the Capability Interview is to:

- ensure the Participant understands their Mutual Obligation Requirements and the consequences of not meeting them;
- ensure the Participant's Mutual Obligation Requirements set out in their Job Plan are appropriate for their circumstances; and
- identify any undisclosed barriers preventing the Participant from meeting their Mutual Obligation Requirements.

The Provider must ensure the Participant understands that their Provider is seeking to better understand the reasons why they have not been meeting their Mutual Obligation Requirements.

(Deed Reference: jobactive Deed 2015–2022 clause 114.8; ParentsNext Deed 2018–2021 clause 97.2)

Providers must advise Participants that:

- it is important they disclose any personal circumstances that may be affecting their ability to comply with their Mutual Obligation Requirements (so the Provider can set Mutual Obligation Requirements appropriately);
- if needed, the Participant will be provided with assistance to help them meet their Mutual Obligation Requirements, or their Mutual Obligation Requirements may be adjusted;
- the Participant may require and receive different services as a result of the Capability Interview;
- they may be referred to Services Australia for an Employment Services Assessment (ESAt); and
- if they continue to commit Mutual Obligation Failures without a Valid Reason, this will result in increasingly serious consequences, including potential loss of their Income Support Payment.

The Provider must ask the Participant if they have any concerns or questions before starting the Capability Interview, and they should address these where possible.

Capability Interview discussion

During the Capability Interview, the Provider must discuss the following with the Participant:

- the Participant's understanding of their Mutual Obligation Requirements and what they must do to meet them. This may require a detailed discussion to ascertain the Participant's level of understanding of what they must do to avoid Demerits and Income Support Payment suspension, reduction and/or cancellation;
- the reasons behind the Participant's recent Mutual Obligation Failure(s) and any factors that may be affecting the Participant's capacity to meet their Mutual Obligation Requirements;
- whether alternative Mutual Obligation Requirements may be more appropriate for the Participant;
- any undisclosed barriers that might be preventing the Participant from meeting their Mutual Obligation Requirements;
- any support or assistance the Participant identifies that might better help them meet their Mutual Obligation Requirements;
- if applicable, the quality of their Job Search efforts;
- if applicable, what the Participant will do to increase their chances of finding Employment;
- if applicable, the Participant's attempts to find and keep suitable Employment, including their long-term employment goals; and
- anything else of relevance to the Participant's capability to meet their Mutual Obligation Requirements.

Providers should note that the Capability Interview is not an opportunity to review the circumstances under which each Demerit was accrued or to review the decision-making process for each Demerit decision.

During the Capability Interview discussion with the Participant, the Provider must accurately answer all the Capability Interview questions that can be accessed on the Targeted Compliance Framework/History screen in the Department's IT Systems. The Provider must also accurately record additional information relating to those questions where they are prompted to do so by the Department's IT Systems.

(Deed Reference: jobactive Deed 2015–2022 clause 114.8; ParentsNext Deed 2018–2021 clause 97.2)

Re-running the Job Seeker Classification Instrument (JSCI)

During each Capability Interview, the Provider must:

- review the Participant's JSCI assessment; and
- if the JSCI does not accurately reflect the current circumstances of the Participant as disclosed during the Capability Interview, update the Participant's JSCI.

See the [Assessments Guideline](#)—Job Seeker Classification Instrument (JSCI) and Employment Services Assessment (ESAt) for more information on how to conduct/update a JSCI.

Referring the Participant for an Employment Services Assessment after re-running the JSCI in jobactive

This section does not apply to ParentsNext.

An Employment Services Assessment (ESAt) determines whether a Participant in Stream A or Stream B in jobactive should receive services in Stream C or other programs such as Disability Employment Services (DES).

After the Provider conducts the JSCI, the Department's IT Systems may show that the result of the JSCI is a referral to Services Australia for an ESAt. Alternatively, the Provider should refer Stream A or B Participants who they consider may need an ESAt to Services Australia. Providers must comply with the [Assessments Guideline](#) on the Provider Portal when referring Participants to Services Australia for an ESAt.

Services Australia will notify the Provider of the outcome of the ESAt via a Noticeboard message in the Department's IT Systems, and will upload any newly disclosed vulnerabilities and barriers into the CMT for the Provider to action.

Where the JSCI results in an ESAt being required and a referral to Services Australia is made within the Capability Interview, the Capability Interview will be finalised once the ESAt appointment is booked. The outcome of the Capability Interview will be 'newly disclosed information' (meaning the Participant's Job Plan is not suitable), and the Participant will return to the Green Zone with their Demerits reset to zero.

While awaiting the outcome of an ESAt, Participants are still required to meet their Mutual Obligation Requirements, but they cannot accrue further Demerits for Mutual Obligation Failures.

Using the Capability Management Tool

Providers have an obligation to use the Capability Management Tool during the Capability Interview (see clause 114.8(c) of the jobactive Deed or clause 97.2(c) of the ParentsNext Deed, as relevant). Providers can access the CMT in the Department's IT Systems. The CMT is used to record, review and manage information on Participants' personal circumstances that may be affecting their capacity to meet their Mutual Obligation Requirements. The CMT consolidates information collected from the Capability Interview discussion, the most recent JSCI, and any past ESAts or Capability Assessments.

(Deed Reference: jobactive Deed 2015–2022 clause 114.8(c); ParentsNext Deed 2018–2021 clause 97.2(c))

Based on the discussion with the Participant during the Capability Interview, Providers must use the CMT to accurately record information regarding all identified barriers or vulnerabilities affecting the Participant's ability to meet their Mutual Obligation Requirements.

9. Actioning the outcomes of the Capability Interview

As noted above, the Department's IT Systems will determine the outcome of the Capability Interview based on the information that the Provider records in the Department's IT Systems in relation to the Capability Interview. The possible outcomes are as follows:

- the Participant's Job Plan is suitable for the Participant, which is referred to in the Department's IT Systems as 'Deemed capable of meeting their Job Plan requirements'; or
- the Participant's Job Plan is not suitable for the Participant, which is referred to in the Department's IT Systems as one of the following, depending on the reason that the Job Plan is not suitable:
 - 'Errors in the Job Plan—Requires Update';
 - 'Not capable of meeting their Job Plan requirements due to their circumstances/capacity'; or
 - 'Newly disclosed information'.

Each of these outcomes is discussed in further detail below.

Once the Department's IT Systems have determined the outcome of the Capability Interview, the Provider must explain this outcome to the Participant and ensure that they understand what it means and what will happen next.

The Participant's Job Plan is not suitable

If the outcome of the Capability Interview is that the Participant's Job Plan is not suitable for the Participant:

- the Participant is returned to the Green Zone with their Demerits reset to zero; and
- the Provider must negotiate and update the Job Plan so that it is suitable for the Participant in accordance with the [Job Plan and Scheduling Mutual Obligation Requirements Guideline](#) for jobactive or the [Participation Plans and Activities Guideline](#) for ParentsNext, except in the circumstances described below under the heading 'Outcome: 'Newly disclosed information''. Providers are strongly encouraged to negotiate and update the Job Plan as part of the Capability Interview once the outcome has been determined by the Department's IT Systems. If it is not updated as part of the Capability Interview, the Provider must negotiate and update the Job Plan within the 10 Business Days following the finalisation of the Capability Interview.

(Deed References: jobactive Deed 2015–2022 clause 87.6; ParentsNext Deed 2018–2021 clause 75.3)

Until the Job Plan is updated and agreed by the Participant, they cannot accrue further Demerits.

Outcome: 'Errors in the Job Plan–Requires Update'

If the Provider records in the Department's IT Systems that the Job Plan has errors during the Capability Interview, the outcome of the Capability Interview will be that the Participant's Job Plan is not suitable for the Participant. A Job Plan contains errors if it includes items that are inappropriate for the Participant.

For example: the inclusion of Work for the Dole for a Participant who is under 18 years of age is not legally permitted, and this therefore would constitute an error in the Job Plan.

Provider action

- Advise the Participant that there are errors in their Job Plan, which means that the Job Plan is not suitable for the Participant.
- Advise the Participant that their Demerits will be reset to zero and they will return to the Green Zone.
- In consultation with the Participant, update the Job Plan to address the identified errors in accordance with the [Job Plan and Scheduling Mutual Obligation Requirements Guideline](#) for jobactive or the [Participation Plans and Activities Guideline](#) for ParentsNext.

Outcome: 'Not capable of meeting their Job Plan requirements due to their circumstances/capacity'

If the Provider records in the Department's IT Systems that the Participant's personal circumstances prevent them from successfully meeting the Mutual Obligation Requirements set out in their Job Plan during the Capability Interview, the outcome of the Capability Interview will be that the Participant's Job Plan is not suitable for the Participant.

For example: a parent with caring responsibilities may not be the principal carer, but may not have the capacity to attend requirements outside of school hours on certain days.

Provider action

- Advise the Participant that their personal circumstances have made their current Job Plan not suitable for them.
- Advise the Participant that their Demerits will be reset to zero and they will return to the Green Zone.
- In consultation with the Participant, update the Job Plan so that it is suitable in accordance with the [Job Plan and Scheduling Mutual Obligation Requirements Guideline](#) for jobactive or the [Participation Plans and Activities Guideline](#) for ParentsNext.

Outcome: 'Newly disclosed information'–newly disclosed personal circumstances

The Provider may assess that the Participant would normally be capable of meeting their Mutual Obligation Requirements. However, the Participant has disclosed new information about their personal circumstances that was previously unknown to the

Provider, and these circumstances would have affected the Participant's ability to meet their Mutual Obligation Requirements at the time they accrued Demerits.

Circumstances are considered to be newly disclosed if they are not already recorded in the Department's IT Systems.

For example: the Participant has disclosed that they are homeless or a victim of family violence.

This is not a review of whether the Participant should have accrued Demerits in relation to the relevant Mutual Obligation Failures—instead, the newly disclosed information informs the assessment of the Participant's overall capability at the time they accrued Demerits.

Because the Participant is normally capable of meeting their Mutual Obligation Requirements, their Job Plan does not necessarily require updating.

Provider action

- Advise the Participant that newly disclosed information would have affected their ability to meet Mutual Obligation Requirements at the time of Demerit accrual.
- Advise the Participant that their Demerits will be reset to zero and they will return to the Green Zone.
- Consider whether the Job Plan requires updating. If so, negotiate and update the Job Plan so that it is suitable in accordance with the [Job Plan and Scheduling Mutual Obligation Requirements Guideline](#) for jobactive or the [Participation Plans and Activities Guideline](#) for ParentsNext.

Outcome: 'Newly disclosed information'—The Participant's stream or program eligibility has changed

If a jobactive Participant is placed into another servicing stream as a result of running the JSCI Change of Circumstances Reassessment (CoCR) or as a result of the finalisation of an ESAt, the outcome of the Capability Interview will be that the Participant's Job Plan is not suitable for the Participant.

Provider action

- Advise the Participant that their stream or program eligibility has changed as a result of running the JSCI CoCR or as a result of the finalisation of an ESAt.
- Advise the Participant that their Demerits will be reset to zero and they will return to the Green Zone.
- In consultation with the Participant, update the Job Plan so that it is suitable in accordance with the [Job Plan and Scheduling Mutual Obligation Requirements Guideline](#).

(Deed references: jobactive Deed 2015-2022 clauses 87.6(e), 114.8 and ParentsNext Deed 2018-2021 clauses 75.3(d) and 97)

The outcome of the Capability Interview is that the Participant's Job Plan is suitable for the Participant

If the outcome of the Capability Interview is that the Participant's Job Plan is suitable for the Participant, they will continue in the Warning Zone with three Demerits once the Capability Interview is finalised.

Because the Job Plan is suitable for the Participant, it does not need to be updated.

Provider action

- Advise the Participant that their Job Plan has been assessed as being suitable for them.
- Advise the Participant that the next time they commit a Mutual Obligation Failure without Valid Reason, this may result in a Capability Assessment with Services Australia.
- Ensure the Participant understands the Mutual Obligation Requirements in their Job Plan and the consequences of non-compliance.

Ramifications of further non-compliance

See the [Targeted Compliance Framework: Mutual Obligation Failures Guideline](#) (under the heading 'The Penalty Zone') for more information on the consequences for the Participant if they continue to accrue Demerits after they remain in the Warning Zone following a Capability Interview.

Summary of required Documentary Evidence

In addition to the evidence recorded in the Department's IT Systems, evidence supporting the outcome of the Capability Interview could include:

- prior notification of the requirement to attend, Job Referral, referral to a Job Interview or notification of an Employment Offer;
- prior notification of details provided to a Participant in relation to attending an Activity or Appointment with a Provider or third party;
- the format of the Notification (i.e. SMS, email or letter);
- fully or partially completed Job Searches provided in hard copy form;
- a record of a discussion with a Participant where it has been recorded in the 'Comments' screen in the Department's IT system;
- details of the job/employer and/or details of the incident, including dates, the parties involved and what occurred; or
- details of the incident, including dates, the parties involved and what occurred.

Attachment A—‘Unable to Re-engage Within 2 Business Days’ reason options

‘Unable to Re-engage within 2 Business Days’

- Caring/family duties that were unexpected impacts attendance
 - Cultural business over next two business days impacts attendance
 - Full-Time Activity/Training impacts attendance
 - Housing instability/emergency impacts attendance
 - Legal requirements impact attendance
 - Local issue/natural disaster impacts attendance
 - Major personal crisis affecting job seeker* impacts attendance
 - Medical/health issue over next two days impacts attendance
 - Travel/transport—exceptional issue impacts attendance
 - Working over next two business days
-

* In this case, ‘job seeker’ refers to a ‘Fully Eligible Participant (Mutual Obligation)’ as defined in the jobactive Deed 2015–2022 or a ‘Compulsory Participant’ as defined in the ParentsNext Deed 2018–2021, as relevant

Attachment B—Pre-interview check questions

NOTE: When assessing whether the activity hours and types of activities in a Participant's Job Plan are appropriate, Providers must follow the [Job Plan and Scheduling Mutual Obligation Requirements Guideline](#) for jobactive or the [Participation Plans and Activities Guideline](#) for ParentsNext.

Pre-Interview Job Plan Check questions

☐ **How many hours of activity participation per fortnight have been set?**

This is the total hours recorded for compulsory activities. The codes in the Participant's Job Plan may indicate the hours per week/fortnight, or the hours may be outlined in the Free Text Job Plan code. Note: the activity participation hours entered into a Job Plan for PATH Internships indicate weekly hours, not fortnightly hours.

Note: the activity participation hours entered into a Job Plan for PATH Internships indicate weekly hours, not fortnightly hours.

☐ **Are the number of activity hours appropriate and in line with the Participant's requirement level?**

Refer to the Activity Requirements table beneath these questions. This shows the number of hours of compulsory activity participation considered above Participant expectations based on the Participant's age and level of requirements.

**Are the Participant's activities appropriate based on their personal circumstances?
Select all that apply.**

☐ **The Participant has been set requirements that are appropriate for their personal circumstances and capacity.**

For example:

- A Participant with low literacy/numeracy is not asked to complete training or education that is well beyond their capacity.
- A Participant with chronic back pain is not asked to attend an activity that requires them to stand all day.

☐ **The Participant's requirements are scheduled at an appropriate time as per their calendar.**

For example:

- A Principal Carer Parent is not asked to attend requirements outside of school hours when they have not indicated that either this is appropriate for them or that they have childcare arrangements in place.

☐ **The Participant is reasonably able to get there (the Participant has transport available).**

For example:

- A Participant who does not have a car is not asked to attend a requirement where there is infrequent or non-existent public transport.

☐ **Are there any requirements in the Job Plan that have an end date in the past (expired) or that are no longer appropriate?**

For example:

- None of the codes in a Participant's Job Plan have end dates that have lapsed.
- Requirements that are no longer appropriate are removed—such as self-employment for a Participant who is no longer self-employed.

Pre-Interview Job Plan Check questions

Is the number of Job Search efforts appropriate to the individual?

Select all that apply.

- ☐ **Appropriate based on stream/program**
- ☐ **Appropriate based on local labour market**
- ☐ **Appropriate based on personal circumstances/barriers of Participant**

This includes reviewing the number of Job Search efforts required and the overall validity of the requirement for the Participant. This looks at the Participant's local labour market, stream/program, and personal circumstances. It also looks at other Mutual Obligation Requirements a Participant is meeting which may reduce their required efforts.

For example:

- A Participant who lives in a remote seasonal or tourist area—i.e. an area with a weak labour market—is not required to apply for a number of jobs that significantly exceeds local labour market thresholds.
- A Participant whose literacy levels are low is required to submit an appropriate number of Job Search efforts while they are receiving other supports to increase their literacy levels.

Activity requirement hours

The following table can be used as reference when reviewing the Job Plan.

Total compulsory activity participation hours should not exceed...		
Age group	Full-time requirements	Part-time requirements
Under 30	75hr	61hr
30–49	75hr	61hr
50–59	61hr	51hr
60 and over	41hr	41hr

All capitalised terms in this guideline have the same meaning as in the jobactive Deed 2015–2022 (the Deed).

This Guideline is not a stand-alone document and does not contain the entirety of Employment Services Providers' obligations. It must be read in conjunction with the Deed and any relevant Guidelines or reference material issued by Department of Employment, Skills, Small and Family Business under or in connection with the Deed.

Guideline:

Job Plan and Scheduling Mutual Obligation Requirements Guideline

A Participant's Mutual Obligation Requirements and any other items agreed to with their Employment Services Provider (Provider) are outlined in their Job Plan. It is necessary for Providers to ensure that each Participant, including Participants without compulsory Mutual Obligation Requirements, have a Job Plan in place at all times and that the requirements in the Job Plan are tailored to the Participant's individual circumstances and are appropriate to the level of their capability.

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Changes from the previous version (Version 1.5)

Policy changes:

Nil

Wording changes:

Throughout this Guideline, references to the Department of Employment, Skills, Small and Family business have been updated to the Department of Education, Skills and Employment following Machinery of Government changes.

Pg 8 – clarification of existing policy for Stream A (Volunteer) or Fully Eligible Participants without Mutual Obligation Requirements (specifically people who were granted Newstart Allowance after 1 January 2018, or JobSeeker Payment, who would have been eligible for Widow Allowance prior to this date).

Pg 21 – AS21 Code removed as it only relevant to Disability Employment Services.

A full document history is available at Provider Portal. Related documents and references

[Activity Management Guideline](#)

[Privacy Guideline](#)

[Capability Interview Guideline](#)

[Targeted Compliance Framework: Mutual Obligation Failures Guideline](#)

[Capability Assessment Guideline](#)

[Work Refusal and Unemployment Failures Guideline](#)

[Managing and Monitoring Mutual Obligation Requirements Guideline](#)

Effective end: 11 April 2021

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1. What is a Job Plan?

For the purposes of Social Security Law, a 'Job Plan' is an 'Employment Pathway Plan' and a 'Participation Plan' for Disability Support Pension recipients, less than 35 years of age, with compulsory requirements.

Providers are required to work with Participants to keep Job Plans up to date and appropriate to Participants' individual needs.

Job Plan contents are discussed and agreed to based on each Participant's individual circumstances and the support they need to move from welfare to work. Usually a Job Plan includes Provider Appointments, Job Search, education and skills training and other Activities to improve the Participant's employability.

To support Participants to successfully meet their Mutual Obligation Requirements and receive the most from the services offered, Job Plans should be:

Meaningful—Every time the Job Plan is negotiated and updated, Providers need to take the time to discuss the requirements with the Participant. It is important that Participants understand any changes that have been made, the benefits of participation, and know and understand why they are required to participate in these activities.

Tailored and appropriate—Consideration needs to be given to the individual circumstances of the Participant. This includes their program or Stream, level of requirements, physical capacity, the location of any activities or other personal circumstances like caring and family responsibilities.

Clear and understood—Participants should know exactly what is required of them on each day; there should be no doubt or confusion of what is expected. This includes the potential consequences of not meeting any of their requirements. Participants having a clear understanding of their requirements means that:

- they understand the benefits of participation
- they understand their requirements support successful participation
- they feel empowered to make the right decision to meet their requirements, and
- the compliance framework can be utilised effectively and appropriately

(Deed references: Clauses 87.1, 87.4, 117.1)

2. Creating and Approving a Participant's 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 a Participant's Job Plan.

Creating a Job Plan at the Initial Interview

A Job Plan is created at the Initial Interview with a Participant. Once the Participant attends the Initial Interview and the Job Plan is approved the Participant is automatically commenced in Services.

During the Initial Interview, a Provider negotiates a Job Plan with new Participants or Participants transferred from other Providers. Providers need to ensure that each requirement is tailored to meet the circumstances of the individual Participant and supports them in achieving their employment goals.

The Provider's role is to support the Participant and:

- ensure that each Job Plan contains all of the compulsory and voluntary Activities the Participant needs to undertake in order to meet their Mutual Obligation Requirements
- include the details of all Activities tailored to address the Participant's individual needs, reduced work capacity and barriers to employment
- ensure that the Activities do not place unreasonable demands on the Participant

(Deed references: Clause 84.1, 85.1, 87.1, 87.2, 87.3, 87.4, 87.5, 117.1, Annexure A1)

Activities in the Job Plan must not place unreasonable demands on the Participant. The Participant must be capable of doing any Activity and meeting all requirements included in their Job Plan.

Providers are required to record the Activities and relevant details in the Participant's Job Plan, including: the names of education and training organisations and the type of training being undertaken; the names of employers and the type of work being undertaken; hours of participation the Participant needs to complete each fortnight and the hours of participation required for each Activity. If drug or alcohol dependency impacts on the Participant's ability to meet their requirements, providers should consider what non-vocational assistance may be appropriate to include in the Job Plan, where the Participant refuses treatment, or where there is a lack of treatment available in the local area, the Provider needs to record this in the Capability Management Tool, in the Department's IT System.

Providers are required to include approved Activities in the Participant's Job Plan that will enable the Participant to meet their Mutual Obligation Requirements. In the Work for the Dole Phase, the Job Plan must include appropriate hours of participation in approved Activities each fortnight during that phase.

At all times during a Participant's period of servicing the number of Job Searches a Participant is required to undertake each month must be specified in the Participant's Job Plan. The number of Job Searches required cannot exceed 20 per month.

Approved courses include the Skills for Education and Employment (SEE) Program and the Adult Migrant English Program (AMEP).

Including sufficient fortnightly hours in the Job Plan

Ensure that each Job Plan contains sufficient hours of Activities per fortnight for the Participant to meet their Mutual Obligation Requirements.

The Department's IT System will automatically calculate the fortnightly hours under each code that is included in the Job Plan. Depending on the hours scheduled for the

Participant to meet their Mutual Obligation Requirements, the System will display messages to guide Providers to ensure the number of hours are appropriate.

The Provider is unable to set more than reasonable hours of activities per fortnight in the Job Plan in any event, and the Department's IT System will restrict the Provider from doing so by displaying an error message.



System step: If a Participant is Employment Skills Training (EST) mandatory, ESS Web prevents the finalisation of their Job Plan when making a referral to other activities. When referring an EST mandatory Participant to another activity, the EST opt-out reason of 'referred to other activity' must be applied before updating the Job Plan with the other activity.

See the ['Setting Daily Requirements'](#) in this document for information on scheduling Daily Requirements (including activities, study or training and paid work).

Explaining a Job Plan to the Participant

Providers need to ensure that Participants understand their Mutual Obligation Requirements such as: attending Appointments; undertaking compulsory and voluntary Activities; fulfilling their Annual Activity Requirement (AAR); and undertaking and completing Job Searches.

At the Participant's Initial Interview Providers need to explain:

- the purpose of the Job Plan
- the Mutual Obligation Requirements the Participant needs to undertake in return for income support payments
- the Participant's rights and responsibilities under the Job Plan (including 'think time' to consider the Job Plan before agreeing to 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
- how to contact the Provider to give prior notice if unable to meet requirements and the consequences of not giving prior notice if the Participant is able to do so
- the consequences of failing to meet the requirements without a Reasonable Excuse, and any impact this may have on the Participant's income support payment
- the consequences of failing to give prior notice (with a Valid Reason) if they cannot attend compulsory Appointments or participate in compulsory Activities
- the Participant's right to appeal decisions and where they can find assistance to do this
- how the Provider intends to support the Participant
- the Provider's Service Guarantee and Service Delivery Plan
- the section entitled 'Information You Need to Know' in the Job Plan
- how information is protected under privacy legislation and Social Security law; and

- that all relevant contact details will need to be accurately recorded and updated in the Department's IT System including phone numbers, email address and postal address.

(Deed references: Clause 87.2, 87.5, 106.1, Annexure A1)

Interpreters, Support Persons and Nominees

When a Participant requests, or if the Provider considers it appropriate, the Participant can bring a support person with them to an Appointment to review their Job Plan. Similarly, when a Participant requests or if the Provider considers it appropriate, Providers are required to use an interpreter to ensure that the Participant understands their requirements before they agree to the Job Plan.

You may also need to work 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 that a Case Manager is not an interpreter).

Additionally, Participants in residential programs for drug and alcohol rehabilitation will not always inform their Provider of their change of circumstances. When in a residential program Participants should have an authorised correspondence nominee. The nominee will receive all of the correspondence and notifications sent from the Provider to the Participant. The nominee can advise the Provider that the Participant is in a residential program and may not have access to a phone or computer.

Staff of residential programs are able to act as nominees for Participants.

Please record details of any conversations with a nominee in the comments screen in the Department's IT System.

Participants requiring 'think time' to consider the terms of their Job Plan

Before signing or agreeing to the terms of a Job Plan, all Participants can have up to two Business Days 'think time' to consider the requirements set in their Job Plan. The Participant can use this time to discuss the terms of their Job Plan with a third party if they wish. The 'think time' is available to a Participant each time their Job Plan is created or updated.

If a Participant is offered and accepts 'think time', Providers need to arrange and book a Provider Appointment for the Participant to occur in two Business Days so that the Participant can agree to and sign the Job Plan.

Participants with a Compulsory Job Plan

For Participants with Mutual Obligation Requirements, including Disability Support Pension recipients under 35 years of age and Special Benefit recipients (who are not Nominated Visa Holders), there needs to be at least one compulsory requirement in the Job Plan and a record of the details in the Participant's Calendar.

Participants who are fully meeting their Mutual Obligation Requirements, but have chosen to access jobactive on a voluntary basis are Fully Eligible Participants

(Voluntary). These Participants still need to have a compulsory Job Plan, which includes the Activities they are undertaking to fully meet their requirements. Any additional Activities they agree to undertake need to be included in their Job Plan as a voluntary requirement.

(Deed references: Clause 70.1, 87.2, 87.5)

Participants with a Suspension

Participants with Mutual Obligation Requirements who are Suspended from their Provider's caseload can choose to volunteer to participate in Activities. Providers must agree to the voluntary Activities the Participant will participate in and update the Participant's Job Plan to include the voluntary Activities. If the Provider becomes aware that a Participant is no longer suspended or not participating in voluntary Activities listed in the Job Plan, the Provider must update the Job Plan as appropriate.

A suspension from a Provider's caseload can occur when:

- a Participant is granted an Activity Test exemption by Services Australia
- a PCP or PCW (15-29 hours) Participant is fully meeting their requirements through part time work or other approved activities
- the Provider applies a 'Provisional Exit' from servicing on the expectation that the Participant's employment will lead to a full outcome; or
- the Participant has a partial or temporary reduced work capacity of less than 15 hours per week.

(Deed references: Clause 70.1, 87.2, 87.5)

Participants with a Voluntary Job Plan

Participants who are participating in jobactive without Mutual Obligation Requirements must have a Voluntary Job Plan. These Participants can be Volunteers receiving six months of service in Stream A or be Fully Eligible Participants who do not have Mutual Obligation Requirements and are participating voluntarily in jobactive such as:

- Structural Adjustment Program Participants not on income support
- Pre-Release Prisoners
- Participants with an Exemption from their Mutual Obligation Requirements
- Participants with an assessed Partial Capacity to Work or a temporary reduced work capacity of less than 15 hours per week
- Vulnerable Youth or Vulnerable Youth (Student)
- a person granted Newstart Allowance after 1 January 2018, or JobSeeker Payment, who would have otherwise been eligible for Widow Allowance prior to this date, and exempt from Mutual Obligation Requirements
- Special Benefit recipients who are not Nominated Visa Holders.

Voluntary Job Plans can only include voluntary Activities as these Participants do not have compulsory requirements and are not subject to compliance if they do not participate in these activities. Participants will not be at risk of incurring a penalty if they do not participate in voluntary items.

Participants in Time to Work Employment Service

If a Participant has participated in the Time to Work Employment Service the Provider needs to take into account any current Transition Plans identified in the Department's IT System.

Participants in ParentsNext

ParentsNext Volunteers can choose to volunteer into jobactive and they will already have a Participation Plan created by their ParentsNext Provider. A jobactive Provider must not create, update or otherwise edit a Job Plan for a ParentsNext Volunteer. If a Job Plan for a ParentsNext Volunteer needs changes, the Job Plan can only be updated by the ParentsNext Volunteer's ParentsNext Provider.

(Deed references: Clause 87.5, Annexure A1)

Participants in Career Transition Assistance (CTA)

Eligible Participants can volunteer to participate in CTA. Participation in CTA can only be included as a voluntary Activity in a Participant's Job Plan.

For Participants in the Work for the Dole phase, participation in CTA will fully meet their AAR. At the conclusion of CTA, the CTA Provider will arrange a Warm Handover Meeting with the Participant's jobactive Provider. As part of this meeting, Participants will be offered two future contacts with the CTA Provider, to occur within three months of the completion of CTA. The CTA Provider will be required to specify the details of these contacts. jobactive Providers should again use these details to book Third Party appointments for the Participant and issue formal notification of the appointment/s.

Approving a Job Plan

Provider staff are delegates of the Secretary of the Department of Education, Skills and Employment and have the power to:

- require a Participant with Mutual Obligation Requirements to enter into a Job Plan
- approve a Job Plan, and
- vary the terms of a Job Plan.



Documentary evidence: Once the terms of the Job Plan have been agreed to and the Job Plan is created in the Department's IT System, give the Job Plan to the Participant for their agreement. Job Plans can be agreed to online or by signing a hard copy.

(Deed references: Clause 87.4, 117.1, Annexure A1)

Participant agreeing to the Job Plan – online



Documentary evidence: Providers may send a Job Plan to the Job Seeker Dashboard through the jobactive website or Job Seeker App for the Participant to review and agree to online. Before using this option check that the Participant has access to the Job Plan on their Dashboard and they know how to agree to it.



Documentary evidence: Providers are required to formally notify the Participant (including those with voluntary requirements) that they must agree to their Job Plan and advise them of the consequences of failing to do so. The Provider should inform the Participant either face to face or over the phone that the Job Plan has been sent to their Job Seeker Dashboard for agreement. The Participant will have two Business Days to agree to their Job Plan. A verbal formal Notification script is available on the Department's IT System for the Provider to read to the Participant. The script includes a compliance warning that is required to be given to Participants (with Mutual Obligation Requirements) if they do not agree to the Job Plan within two Business Days.

When the Participant agrees to the Job Plan, the Job Plan status will automatically be set to 'approved' in the Department's IT System.

See the [Targeted Compliance Framework: Mutual Obligation Failures Guideline](#) and the [Managing and Monitoring Mutual Obligation Requirements Guideline](#) for further information on how to issue formal Notification.

Participant agreeing to the Job Plan – hard copy

The Participant and the Provider may sign a hard copy of the Job Plan. The Provider needs to give the Participant the signed copy and then approve the Job Plan in the Department's IT System.

When the Job Plan has been approved and entered in to the Department's IT System, the Participant will be able to access it from their Job Seeker Dashboard.

Participant not agreeing to the Job Plan

Participants who do not enter into a Job Plan without good reason after the two days 'think time' will have their payment suspended until a Job Plan is agreed to and signed by the Participant.

If the Participant refuses to enter into and sign a Job Plan (and does not wish to use their 'think time') contact the Participant and assess if the Participant has a Valid Reason for refusing.

For further information, see the [Targeted Compliance Framework: Mutual Obligation Failures Guideline](#).

(Deed references: Clause 114.1, 114.2, 114.5, 114.6, Annexure A1)

Recording a Job Plan



Documentary evidence: The Job Plan is to be recorded in the Department's IT System as soon as possible, after it has been created. The contents of the Job Plan recorded in the Department's IT System must be exactly the same as the hard copy.

If the Department's IT System is temporarily unavailable or there is no computer access, use the manual compulsory or voluntary Job Plan template available on the Provider Portal.

Using Job Plan codes

Providers are required to use the comprehensive list of Job Plan codes, at [Attachment A](#), so that Job Plan data can be pre-populated and linked through the Department's IT System to the Dashboard on the Job Seeker App, the jobactive website and the Services Australia IT system.

The following codes are pre-populated in Job Plans. Most can be removed if not appropriate to the Participant.

AI09 – Attend DES Appointments

AI12 – Attend Provider Appointments

AI13 – Attend DES Ongoing Support Appointments

AI15 – Attend Third Party Appointments

JS09 – Job Search Contacts – Monthly

JS10 – Job Interviews

PA03 – Personal Responsibility

PA04 – Actioning Job Referrals and Job Opportunities

AS02 – Health and Allied Services Assistance

AS20 – Ongoing Support Assistance

NV14 – Health Maintenance Program

AI15 – Attend Third Party Appointments and PA04 – Actioning Job Referrals and Job Opportunities cannot be removed. If either of these codes are not appropriate for a Participant, do not schedule any Activities against them.

(Deed references: Clause 83A.3, 106A.1, 106A.2, 113.1)

Job Search Requirement

Job Search Requirements are determined by Providers based on what is appropriate for the Participant's circumstances. This may generally be set at a maximum of 20 efforts per month, but it may be reduced based on a Participant's capacity, the local labour market, and the Participant's individual circumstances. If applicable, Providers can use the JS05 or JS06 (Job Search with Disability) codes. These codes will trigger a higher rate of Mobility Allowance for eligible Participants.

The number and quality of Job Searches undertaken need to be monitored. Participants can report their Job Search activities on the Job Seeker App or jobactive website.

Participants should be given instructions on how to upload and record their Job Search efforts and related details, even if they indicate they will report their Job Search efforts directly to their Provider.

If the Participant reports efforts directly to their Provider by email or filling out a Job Search record and giving it directly, the Provider will need to record the number of efforts submitted to them by no later than close of business on that day.

Providers need to:

- review and confirm the quality of efforts submitted online or directly by no later than five Business Days after the end of each Job Search Period.
- ensure that the Participant is aware at all times of:
 - their current Job Search Requirement
 - when their Job Searches must be reported by
 - how to report their Job Search efforts using the jobactive website, or directly to the Provider.
- ensure that the number of Job Search efforts undertaken, and the number yet to be undertaken by the Participant in each Job Search Period, are visible on the Job Seeker App or jobactive website

Please refer to [Job Aids at the Learning Centre](#) for information on recording results for Job Search.

(Deed references: Clauses 113.1, 113.2, 113.3)

In addition to Job Search requirements Providers can include job referrals in a Participants Job Plan. These include:

Single referrals
Apply for a specific job
Accept a Job Interview
Contact an employer to arrange and accept a Job Interview
Update a resume appropriately
Provide personal details to support a job opportunity
Combination referrals
Update a resume appropriately AND provide personal details to support a job opportunity
Update a resume appropriately AND apply for a specific job
Provide personal details to support a job opportunity AND contact an employer to arrange and accept a Job Interview
Provide personal details to support a job opportunity AND accept a Job Interview

(Deed references: Clauses 83A.2, 83A.3 & 87.5)

Participants who do not have Job Search Requirements

The following Participants are not required to undertake Job Search while they are fully meeting their Mutual Obligation Requirement

- Principal Carer Parents undertaking 30 hours of paid work, approved study or voluntary work or a combination of these
- Participants with a Partial Capacity to Work of 15 to 29 hours per week undertaking 30 hours of paid work, approved study or voluntary work or a combination of these

- Participants 55 years of age and over undertaking 30 hours of paid work, approved study or voluntary work or a combination of these
- Participants undertaking drug and alcohol rehabilitation in a residential program
- Pregnant Participants from three months before their due date.
- NEIS Participants and Prospective Participants while participating in NEIS Training
- NEIS Participants in receipt of Parenting Payment (Single) or the Disability Support Pension who remain on their current payment while participating in NEIS Assistance and actively working on their small business
- Early School Leavers who are meeting their Mutual Obligation Requirements through full-time education or a combination of part-time study and part-time work of 25 hours per week (15 hours for those with part-time Mutual Obligation Requirements)
- refugee Participants when undertaking activities to help adjust to life in Australia and increasing their chances of finding work.

Linking Job Plan Codes to Activity Placements and the Calendar

Activity placements can be linked to Job Plan codes in Activity Management in the Department's IT System. It is best practice that Providers link Activity placements to the appropriate code in the Job Plan. Job Plan codes need to be linked to the daily requirements scheduled in the Calendar, this will enable the details to be auto-populated into any formal Notification created from the Calendar. Providers will also be able to record attendance results in the Calendar.

(Deed references: Clause 83A.1, 83.A.2)

Personal Responsibility to record attendance code PA03

If a Provider determines that a Participant is capable of taking personal responsibility for recording their own attendance at Activities, the Participant will be required to record their attendance at:

- Activities
- Third Party Appointments, and
- Job Interviews.

The Personal Responsibility Code PA03 is included in every Participant's Job Plan by default. Providers are required to inform Participants if they are assessed as being capable of and that they are required to record their own attendance at Activities. If the Provider assesses the Participant as not capable of recording their own attendance, the Provider will need to remove the PA03 code from the Participant's Job Plan. Ensure that capable Participants understand the requirement to record their attendance by close of business on the day of the requirement and that their payment will be suspended if they do not do so. The Participant will be notified to contact their Provider if their payment is suspended. Providers will need to assess whether the Participant had a valid reason for not reporting and enter the result on behalf of the Participant and consider whether the Participant is still capable of recording and reporting their own attendance.

(Deed references: Clause 87.5, 106.1, 106A.1, 106A.2)

Providing evidence of attendance for an Activity

For some Activities, the Participant will need to provide evidence when they are recording their own attendance.

Evidence for attendance will be a QR code or passcode (code) generated by the Department's IT System. The Participant will scan the code through their device while at the Activity to record their attendance via the Job Seeker App or by recording a passcode via the jobactive website.

If the duration of the Activity is four hours or more, two codes will be generated: one for the Participant's arrival at the Activity and one for the end of Activity. The code for the end of Activity should not be made available to the Participant until close to the finish time.

When creating an Activity that requires evidence of attendance, the Provider must ensure that they record the contact details of the relevant person/s who will provide the code to Participants, such as an Activity Supervisor. The person providing the code to Participants needs to be given the code before the Activity session commences. Providers should also ensure that the person providing the code for an afternoon session knows not to make the code available to the Participant until the afternoon session commences.

However, there will be instances where there isn't a supervisor or contact for activities, such as education and training. This is because it would be unreasonable, or not expected due to the relationship and past experience, for evidenced-based recording or to report non-attendance directly to the Provider. In these situations, Participants will record attendance directly on the day. By recording their own attendance, Participants will be acknowledging via a statement on the App or website that they have attended and the information they are providing is true and correct. No further evidence is required, therefore satisfying documentary evidence requirements. Providers will still be able to record non-attendance if they become aware that Participants have failed to attend or left early at education/training activities.

(Deed references: Clauses 87.5)

Assessing a Participant's capability to record attendance

To assess the Participant's capability to record their own attendance, Providers need to consider if the Participant has:

- daily, reliable access to technology that would allow them to record their attendance, such as a computer or smartphone, or the means to contact their Provider to report their attendance; and
- the ability, literacy and English skills required to record or report their own attendance, understanding:
 - what requirements they need to record attendance for
 - how to record their own attendance

- that they must record or report attendance by close of business on the day of the requirement
- what to do and who to contact if they cannot record their own attendance on a given day
- the consequences of not recording or reporting their own attendance if they are required to do so.

(Deed references: Clause 106A.1, 106A.2)

Participant is capable of recording their own attendance

If the Participant has both the means and the ability to record and report their own attendance keep the personal responsibility code (PA03) in the Job Plan.

Monitor the Participant's capability to record their own attendance to ensure that the Participant is reporting their attendance accurately. If a Provider knows that a Participant has not accurately recorded their attendance, they can override the result entered by the Participant.

If the Participant contacts the Provider and asks them to record attendance on their behalf, the Provider will assess whether the Participant did attend and, if so, record the Participant's attendance.

(Deed references: Clause 106A.1, 106A.2)

Participant is not capable of recording their attendance

If the Participant is not capable of recording their own attendance, the Provider will need to remove the PA03 code when finalising the Participant's Job Plan.

Providers are encouraged to keep working with Participants to build capacity for reporting their attendance at requirements.

If a Participant can't record their attendance because they live in an area with unreliable connectivity or other similar reasons, the Provider needs to tell the Participant to report their attendance by contacting their Provider, who will record attendance on the Participant's behalf.

(Deed references: Clause 106A.1, 106A.2, 87.5)

3. Reviewing, Updating and Monitoring a Job Plan

Providers are required to review, update and monitor a Participant's Mutual Obligation Requirements in accordance with the Deed, this Guideline and Social Security Law.

Providers need to review the Job Plan and update it when the Participant:

- has a change in their circumstances
- enters into a new phase of their Stream
- enters in to a new Stream
- commences a new Activity
- completes an Activity that was in their Job Plan and/or
- has a Capability Interview or Capability Assessment

For Services Australia managed Participants, Services Australia will update the Job Plan when required. If the Participant is managed by a Provider, Services Australia will consult with the relevant Provider before updating the Job Plan or may request that the Provider updates the Job Plan at the Participant's next Appointment. Providers should not remove any updates made to a Job Plan by Services Australia without consultation.

If a Participation Plan for ParentsNext Volunteers requires review or an update, then Providers must contact the participant's ParentsNext Provider and request they make the update to the Participation Plan.

(Deed references: Clauses 87.4, 87.5, 87.7, 113.1, 113.2, 114.1, Annexure A1)

Updating the Job Plan

It is best practice to review the Job Plan at each Provider Appointment to ensure that the Participant is still capable of meeting their Mutual Obligation Requirements. If the outcome of a Capability Interview or Capability Assessment is that the Job Plan requires updating, Providers are required to review and update the contents of the Job Plan within 10 business days. Ensure that the contents of the Job Plan is updated including details of any additional voluntary activities or if the Participant is subject to an Exemption.

In consultation with the Participant, the Job Plan can be updated and tailored to individual needs at any time—unless there is compliance outstanding. If compliance action is outstanding, the Department's IT System will not permit the Job Plan to be updated and the Provider will be redirected to the 'Compliance Screen' in the Department's IT System.

See the [Targeted Compliance Framework: Mutual Obligation Failures Guideline](#) for information on using the Targeted Compliance Framework.

(Deed references: Clauses 87.1, 87.2, 87.3, 87.5)

Updating Job Plan to include Voluntary activities

If a Participant is granted an exemption or is fully meeting their Mutual Obligation Requirements, they may wish to participate voluntarily and they can discuss this with the Provider. Voluntary activities should be included in the Job Plan and scheduled in the Calendar, and the Participant should be notified of where and when to attend each Activity.

(Deed references: Clauses 87.54)

Updating Job Plan following Participant advising change in circumstances

The Job Plan needs to be reviewed as soon as practicable after the Provider becomes aware or is informed of a change in the Participant's circumstances.

Newly disclosed or discovered information may be found on, and should be immediately recorded in, the Capability Management Tool (CMT) in the Department's IT System.

If the Job Plan is to be renegotiated in light of the new information, the Provider will refer to the CMT to ensure that the Job Plan requirements are appropriate for the Participant's capability, and that the Participant will receive enough assistance and support to address the circumstances recorded in the CMT.

See the [Capability Interview Guideline](#) and [Capability Assessment Guideline](#) for information on using the Capability Management Tool.

(Deed references: Clauses 84.2, 87.5)

Updating the Job Plan to include (previously removed) requirement to record own attendance

If the Provider is renegotiating a Job Plan and assesses that the Participant is now capable to record their own attendance (where the requirement was previously removed from the Job Plan), the Provider needs to re-enter Job Plan code PA03 in to the Participant's Job Plan. Ensure that the Participant understands that they are now recording their own attendance at requirements as well as the importance of entering results via the App or jobactive website by close of business on the day of the requirement as their payment will be automatically suspended the next day if no result has been entered.

(Deed references: Clauses 106.1, 106A.1, 106A.2)

Updating the Job Plan following a Capability Interview or Capability Assessment

See the [Capability Interview Guideline](#) and the [Capability Assessment Guideline](#) for information on updating the Job Plan following a Capability Interview or a Capability Assessment.

4. Scheduling Mutual Obligation Requirements in the Calendar

The Provider is required to record details of, and schedule each requirement in the Calendar, including:

- Provider Appointments
- Activities
- Job Interviews
- Education and Training
- Drug and alcohol rehabilitation
- Third Party Appointments
- Workshops, training and other activities delivered by the Provider and
- Employment, if the hours are regular and can reasonably be scheduled by the Provider or Participant.

To schedule a requirement in the Calendar, the Job Plan code that corresponds to that requirement must have been included in the Participant's current, signed Job Plan.

For example: if the Participant's Job Plan does not include the code for Compulsory participation in Work for the Dole (Code WE12), the Department's IT System will not allow a Provider to schedule Compulsory Work for the Dole in the Participant's Calendar.

(Deed references: Clauses 83A.1, 83A.2)

Scheduling Requirements

The Provider must ensure that each day of each Participant requirement is scheduled in the Calendar. Each day of each requirement scheduled in the Calendar must be populated with:

- the name or description of the requirement
- the start time
- break times, where relevant
- the end time
- the location of the requirement, including any special instructions to locate a venue (e.g. located on battle-axe block) and
- the name of any third party provider or training organisation

When the Provider schedules the requirement in the Calendar and formally notifies the Participant, the requirement will then appear in the Participant's Calendar.

(Deed references: Clauses 83A, 83A.1, 83A.2, 83A.3)

Scheduling a Provider Appointment

Providers need to ensure that the Provider's Electronic Calendar has the capacity to receive an Appointment within the next two business days. When booking a Provider Appointment for a Participant, Providers need to select the correct appointment type, schedule the appointment in the Calendar and formally notify the Participant. If a Participant has an Appointment with their Provider, the Provider must deliver a Contact on the date and time of the Appointment as recorded in the Participant's Calendar.

There are four types of appointments; Initial; Contact; Re-engagement and Capability Interview appointment

Please refer to the [Job Aids at the Learning Centre](https://learningcentre.employment.gov.au/) at <https://learningcentre.employment.gov.au/> for information on recording results at Provider Appointments.

(Deed references: Clauses 83.1, 83.3)

Scheduling Activities and Third Party Appointments

Detailed information on scheduling Activities and Appointments is available in the Job Seeker [Calendar and AAR Requirements IT Supporting Document](#).

(Deed references: Clauses 83A.2)

Scheduling Job Interviews

All Job Interviews need to be scheduled in the Calendar and the Participant must be formally notified of the requirement to attend. Participants taking personal responsibility to record their own attendance must do so for Job Interviews.

(Deed references: Clauses 83A.2, 83A.3)

Scheduling drug or alcohol rehabilitation

If the Provider identifies or becomes aware that the Participant's ongoing capability to meet their requirements or search for work is compromised by drug or alcohol dependency, the Provider needs to discuss this with the Participant to identify rehabilitation options that would assist the Participant to overcome their dependence.

If the Participant chooses to undertake drug and alcohol rehabilitation or is already when they enter employment services or transfer Providers, schedule it in the Calendar and formally notify the Participant. Undertaking drug and alcohol rehabilitation counts towards the Participant's AAR.

(Deed references: Clauses 83A.2, 83A.3)

Scheduling Study or Training

Providers are responsible for identifying any appropriate study and training opportunities that will assist the Participant to gain skills or qualifications that will assist them to find work. Where practical, the Provider must ensure all study and training is scheduled in the Calendar.

(Deed references: Clauses 83A.2, 83A.3)

Scheduling hours of employment where reasonable to do so

If the Participant is employed for regular hours, the Provider should schedule the hours of employment in the Calendar when they can reasonably do so.

The Provider should encourage the Participant to take personal responsibility by scheduling their own hours of employment, and they should either provide assistance to the Participant to do so or tell them where they can find assistance to help them with this. If the Participant does not schedule their own regular hours of employment by creating Personal Events, the Provider must do so.

The Provider will create a Personal Event in the Participant's Calendar for each day of employment the Participant is undertaking. The Participant does not need to be formally notified of scheduled Personal Events, including paid work, and the TCF cannot be used to report non-compliance for failing to attend work.

(Deed references: Clauses 83A.2, 83A.3)

Participant may create Personal Events

Participants may create their own Personal Events in their Calendar between 6am and 9pm. Participants may only create Personal Events where a Mutual Obligation Requirement is not already scheduled at that time.

The Provider is able to create Personal Events on behalf of the Participant to assist the Participant in having full visibility of their schedule and their requirements. Providers must create Personal Events on behalf of the Participant to schedule regular hours of paid work if the Participant does not do so. Providers must advise the Participant that even though they have created a Personal Event, Mutual Obligation Requirements may still be scheduled.

(Deed references: Clauses 83A.2)

Confirmed Participant Personal Events

Providers are responsible for confirming Participant Personal Events and are encouraged to review and consider Personal Events created by the Participant. Providers should use their judgement and knowledge of the individual Participant to decide whether the Participant's Personal Event is appropriate prior to confirming it. When deciding to confirm a Personal Event, the Provider should also consider the nature of the Personal Event and the Participant's personal situation. A Personal Event is considered to be Prior Notice of a Participant being unable to attend a requirement at that time. By confirming the event, the system will not allow a conflicting requirement to then be set.

If the Provider confirms a Personal Event that should not have been confirmed, they cannot 'un-confirm' the event. The Provider must cancel the Personal Event, after discussing the reasons why the Personal Event was cancelled in the Calendar, which will notify the Participant via an inbox message.

Unconfirmed Participant Personal Events

If a Provider considers that a Personal Event entered by a Participant is not appropriate, the Provider can choose to leave it unconfirmed. If a Personal Event is not confirmed, the Provider can override the unconfirmed Personal Event and schedule a requirement at that time. The Provider must record the reason in the Department's IT system and must formally notify the Participant of the requirement and ensuring they can make other arrangements for the Personal Event that they had created.

(Deed references: Clauses 83A.2, 83A.3)

Scheduling a requirement over a confirmed Participant Personal Event

If the Provider needs to schedule a requirement for the same time as a Participant's confirmed Personal Event, the Provider will need to discuss this with the Participant. After confirming with the Participant that they are available to attend the requirement at the scheduled time, the Provider is required to record the reason in the Department's IT System and formally notify the Participant of their requirement. Providers need to manage the conflicting requirement in the Calendar and record the reason you are scheduling the requirement at this day/time in the Department's IT System.

(Deed references: Clauses 83A.2, 83A.3)

5. Issuing Formal Notification to the Participant

Except for any paid work the Participant is undertaking, the Provider is required to formally notify the Participant of every compulsory requirement in their Job Plan. The Provider must explain how to meet each requirement, as well as the consequences of not doing so, including possible financial penalties.

When the Provider schedules requirements in the Calendar, the Department's IT System will automatically create and record the selected Notification type to be issued. If a Participant's requirements are re-scheduled Providers must formally notify the Participant of the new requirement.

Formal Notification always includes:

- the reason for the appointment, if the requirement is an appointment
- whether the requirement is for the purpose of Re-engagement
- the date and start time of the requirement
- the location or address of the requirement
- if the Participant is required to record their own attendance, and if so, the consequences of not doing so
- whether the Participant will require evidence to record their own attendance
- whether the requirement is compulsory or voluntary
- that the Participant must contact their Provider beforehand if they become aware of an Acceptable Reason preventing them from being able to attend or complete the requirement
- the possible consequences for the Participant if they do not meet their requirement
- a statement that the Notification is a notice under Social Security Law
- that the Participant must complete their requirement in return for their Income Support Payment.

(Deed references: Clauses 83A.3)

Legal authority to formally notify a Participant of their Mutual Obligation Requirements

Employment services provider employees are delegated powers by the Secretary of the Department of Education, Skills and Employment under Social Security Law to notify Participants of their Mutual Obligation Requirements.

(Social Security (Administration) Act 1999 (ss: 63); Social Security Act 1991 (ss 501,544,605,731L) Deed Clause 117).

Note: The requirement to formally notify a Participant receiving Income Support Payments also applies to Disability Support Recipients (Compulsory Requirements) and Stronger Participation Incentive Participants.

Notifying Participants within the appropriate timeframe

Providers must issue Participants Formal Notification within the appropriate timeframe before the requirement is scheduled to occur.

If reasonable notice timeframes are not met, the Calendar will not allow a requirement to be booked unless the Provider is in direct contact with the Participant and they have agreed to attend this requirement and the Provider records this.

Refer to the Learning Centre for more supporting materials relating to reasonable notice timeframes and Notification methods at <https://learningcentre.employment.gov.au/>.

(Deed references: Clauses 83A.3)

6. Privacy and information sharing

Providers must comply with Social Security Law and Australian privacy legislation. A Participant's Personal Information must only be used or disclosed for the purpose it was collected, except in limited circumstances such as where the Participant gives permission, where Commonwealth laws allow or other special circumstances.

Providers should seek independent legal advice if they have any concerns regarding their obligations under any privacy or other legislation. For further information, refer to the [Privacy Guideline](#).

(Deed references: Clauses 53, 87, 106)

Sharing Job Plans with SEE or AMEP Providers

Providers should encourage Participants who are participating in the SEE program or AMEP to share their Job Plans with their SEE or AMEP Provider in order to make them aware of their full Mutual Obligation Requirements. This will assist SEE and AMEP Providers in ensuring that they place Participants in courses that will fully meet their AAR.

7. Summary of required Documentary Evidence

- Once the terms of the Job Plan have been agreed to and the Job Plan has been created in the Department's IT System, the Job Plan must be provided to the Participant for their agreement. Job Plans can be agreed to online or by signing a hard copy.
- Providers may send a Job Plan to the Job Seeker Dashboard through the jobactive website or Job Seeker App for the Participant to review and agree to online.
- Providers must formally notify the Participant (including those with voluntary requirements) that the Job Plan has been sent to their Job Seeker Dashboard for their agreement. This must be done either face to face or over the phone and within two Business Days of sending the Job Plan.
- The Job Plan must be recorded in the Department's IT System as soon as possible, after the Job Plan has been created. The contents of the Job Plan recorded in the Department's IT System must be exactly the same as the hard copy.
- If the Department's IT System is temporarily unavailable or there is no computer access, Providers must use the manual compulsory or voluntary Job Plan template available on the Provider Portal.

Attachment A – List of Job Plan codes

Also see [ESS Web Job Plan Activity Codes list](#) for a full list of Job Plan codes:

Job Plan Codes	
Appointment Codes	
AI12—Provider Contact Appointment	C,V
AI15—Third Party Appointment	C,V
Services Australia Only Codes	
A102—Attend Quarterly Appointment	C,V
A108—Reduced Capacity Requirements	C,V
ET63—Youth Activities	C
ET69—Refugee Activities	C
WE16—Community Services Order	C,V
EM51—Disability Supported Employment	C,V
Personal Responsibility Codes	
PA03 – Personal Responsibility to Report and Record Attendance	C
PA04 – Actioning Job Referrals and Opportunities	C,V
Non-Vocational Codes	
NV02—Counselling	V
NV04—Non-Vocational Training	C,V
NV05—Parenting Skills Program	V
NV07—Drug and Alcohol Rehabilitation	V
NV09—Self-help Group or Support Group	C,V
NV10—Undertake an Assessment	C,V
NV12—Child Care	C,V
NV13—Intervention – Non Specific	C,V
NV14—Health Maintenance Program	V
Job Search Codes	
JS04—Job Search Contacts Voluntary	V
JS05—Job Search with Disability - Activity Tested	C
JS06—Job Search with Disability - Non Activity tested	V
JS07—Research and Prepare Applications	C,V
JS09—Job Search monthly	C,V
JS10—Job Interviews	C,V
Employment Codes	
EM52—NEIS	C,V
EM54—Self Employment	C,V
EM56—Paid Work	C,V
Participation Activity Codes	
ET52—Adult Migrant English	C,V
ET53—Apprenticeship/Traineeship	C,V
ET56—SEE or ESL course	C,V

Job Plan Codes	
ET57—SEE and/or ESL assessment	C,V
ET58—NEIS Training	C,V
ET59—Study - Part-Time or Full-Time	C,V
ET60—Updating work related licences/quals/m-ships	C,V
ET64—Work preparation	C,V
ET67—PaTH Internship	V
ET68—PaTH Employability Skills Training	C,V
WE08—Relocation to an Area of Higher Labour Demand	V
WE09—Temporary Relocation to Undertake an Activity	V
WE10—Unpaid Work Experience (for Work Experience (Other)	V
WE11—Voluntary Work	C,V
WE12 Work for the Dole	C,V
WE15—Defence Force Reserves	C,V
WE18—National Work Experience Programme	V
PA05—Career Transition Assistance	C,V
Assistance Codes	
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	

All capitalised terms in this Guideline have the same meaning as in the jobactive Deed 2015–2022 (the Deed).

This Guideline is not a stand-alone document and does not contain the entirety of Employment Services Providers' obligations. It must be read in conjunction with the Deed and any relevant Guidelines or reference material issued by Department of Education, Skills and Employment under or in connection with the Deed.

Guideline:

Managing and Monitoring Mutual Obligation Requirements Guideline

Participants generally have Mutual Obligation Requirements, such as looking for work and participating in Activities that will improve their employment prospects, in return for receiving taxpayer-funded income support paid by Services Australia.

The main aim of Mutual Obligation Requirements is to help a Participant into paid work and reduce reliance on income support as quickly as possible. It also allows for Participants to contribute to the community that supports them while they are unemployed.

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Policy changes:

Nil

Wording changes:

p.20 Revised text in the Launch into Work section to outline the actions required of providers, such as including Launch into Work activities in a Participant's Job Plan.

p.34 Strengthened explanation of provider action required in scheduling Launch into Work activities in a job seeker's calendar and where hours should be recorded.

p. 20, 29, 30, 34, 35 – information added for the Regional Employment Trials program, as the program has been extended to 30 June 2021

A full document history is available on the [Provider Portal](#).

Related documents and references

[Activity Management Guideline](#)

[Disability Support Pension Recipients Compulsory Requirements Guideline](#)

[Using the Employment Fund General Account Guideline](#)

[Participation in a Program of Support for DSP Claimants – Fact Sheet](#)

[Learning Centre: Log in to the site](#)

[Targeted Compliance Framework: Mutual Obligation Failures Guideline](#)

[Exploring Being My Own Boss Additional Services Guideline](#)

[Support NEIS participants to start and run their small business](#)

[Managing PaTH Internships Guideline](#)

[Norfolk Island Guideline](#)

[Performance Framework Guideline](#)

[Period of Service, Suspensions and Exits Guideline](#)

[Privacy Guideline](#)

[Regional Employment Trials Guideline](#)

[Transition to Work Guidelines](#)

[Work for the Dole Guideline](#)

Effective end: 11 April 2021

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1. Defining Mutual Obligation Requirements

Participants on the following Income Support Payments must meet their Mutual Obligation Requirements to receive their payment:

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

Participants' Income Support Payments are generally paid in fortnightly instalments, therefore, job seekers need to have and satisfy sufficient Mutual Obligation Requirements for each fortnight they are receiving Income Support Payments.

A Participant's Mutual Obligation Requirements are generally determined by considering their:

- age
- assessed work capacity, and
- whether they have primary responsibility for the care of a child.

Participants with full-time requirements should be looking for work full-time and actively addressing the individual circumstances that affect their capacity to undertake paid work.

Participants with part-time Mutual Obligation Requirements are:

- Principal Carer Parents whose youngest child is between 6 to 15 years of age
- Participants with a Partial Capacity to Work or a temporary reduced work capacity of 15 to 29 hours per week.

Participants' Mutual Obligation Requirements include:

- entering into a Job Plan and fully complying with the requirements in their Job Plan
- attending all Services Australia and Provider appointments
- acting on Job Referrals and attending Job Interviews offered by employers
- undertaking Job Search (generally 20 Job Searches per month)
- meeting their Annual Activity Requirement (AAR) (refer to the [Annual Activity Requirement \(AAR\) section](#) of this guideline)
- participating in any Activity that is relevant to their personal circumstances and will help the Participant to improve their employment prospects.

[Attachment A](#) provides a table summarising Mutual Obligation Requirements for different cohorts of Participants.

A broad range of Activities can be used to meet a Participant's Mutual Obligation Requirements. A list of Suitable Activities that can be used to meet a Participant's Mutual Obligation Requirements are available [here](#).

Also refer to [Job Plan and Scheduling Mutual Obligation Requirements Guideline](#) for information about Job Plan codes.

The Activities Participants are undertaking must be included in their Job Plan as either a compulsory or voluntary Activity. There must be at least one compulsory Activity included in a Job Plan for job seekers with Mutual Obligation Requirements.

Voluntary Activities are not subject to the Targeted Compliance Framework.

(Deed References: Clauses 82, 83, 85, 106, 114)

Determining Mutual Obligation Requirements

When determining Mutual Obligation Requirements it is important to identify both a Participant's strengths as well as any barriers they have to finding employment. Any vocational and non-vocational Activities are to be tailored to address the Participant's individual needs and work capacity.

Consider and seek out Activities that will help Participants overcome or manage any vocational and non-vocational barriers.

Activities or other requirements in the Job Plan must not place unreasonable demands on the Participant. The Participant must be capable of doing any Activity and meeting all requirements included in their Job Plan.

After consulting with the Participant, determine the Activities to meet the Participant's Mutual Obligation Requirements in accordance with the Deed, this Guideline and Social Security Law. Providers should take into account the Participant's preferences wherever possible. However, as the delegate of the Secretary of the Department of Education, Skills and Employment, Provider staff will ultimately determine what Activities the Participant must do to meet their Mutual Obligation Requirements under Social Security Law.

Record the Activities and other relevant items in the Participant's Job Plan, and schedule Activities in the Calendar. If drug or alcohol dependency is impacting on participation and appropriate treatment services are not available the Provider must record this information on the Job Seeker's Personal Summary Page ('What you need to know').

Under Social Security Law, Participants must be formally notified of the dates, times and locations for attending appointments and participating in Activities, along with any special requirements such as wearing work boots and other safety gear.

Considering a Participant's circumstances

When determining a Participant's Mutual Obligation Requirements and setting the terms of a Job Plan, consult with the Participant and consider:

- individual circumstances – in particular, their assessed work capacity (where relevant), their capacity to comply with requirements and their personal needs
- education, experience, skills and age
- the impact of any disability, illness, physical or mental health condition or other non-vocational issue, including drug and alcohol dependency, affecting a Participant's ability to work, look for work or participate in Activities
- the state of the local labour market and the transport options available to the Participant in accessing that market
- the participation opportunities and Activities available to the Participant

- their family and care responsibilities (including availability of child care)
- the length of travel time required to comply with the requirements (reasonable travel time is 90 minutes each way or, if the Participant is a Principal Carer Parent or has a Partial Capacity to Work, 60 minutes each way)
- the financial costs (such as travel costs) of complying with the requirements and the Participant's capacity to pay for such costs
- whether the Participant has any vulnerability indicators (as identified by Services Australia) such as homelessness, psychiatric problems or mental health conditions, severe drug or alcohol dependency, or traumatic relationship breakdown
- any history of the job seeker not complying with their Mutual Obligation Requirements (to ensure that they undertake appropriate requirements in return for tax-payer funded income support)
- cultural factors
- if they are an Early School Leaver
- the number of hours a fortnight the Participant is required to undertake approved Activities in the Work for the Dole Phase
- if the Participant participated in Time to Work Employment Service, any comments and recommendations in the Time to Work Employment Service Transition Plan (Providers can find the Transition Plan in the Department's IT System)
- any other matters that the Provider considers relevant to the Participant's circumstances (including if the Participant discloses they are a victim of family violence).

When setting the Participant's Mutual Obligation Requirements, review any barriers identified through an Employment Services Assessment (ESAt) or Job Capacity Assessment (JCA) or other issues disclosed to the Provider. The Job Seeker Classification Instrument (JSCI) and Capability Management Tool may also help identify personal issues affecting a Participant's employability. These will help the Provider decide on the Activities required of a Participant to meet their fortnightly Mutual Obligation Requirements, including their AAR in the Work for the Dole Phase.

Information about a Participant's circumstances can be found on the Participation Profile screen of the Department's IT System.

Using the Capability Management Tool

The Capability Management Tool in Department's IT System needs to be updated when conducting a Capability Interview, or at any the Participant discloses new barriers. It should be used to review and manage a Participant's personal circumstances which may affect their capacity to participate in Activities or other requirements and can assist in identifying specific vocational or non-vocational barriers, including those disclosed by the Participant.

The Capability Management Tool can help to:

- ensure the Participant has requirements in their Job Plan appropriate to their circumstances
- include ESAt recommended Interventions in the Job Plan

- record additional vocational or non-vocational issues.

Providers should familiarise themselves with relevant Deed provisions in case Participants request access to their records in the Capability Management Tool.

See the [Capability Interview Guideline](#) for information on updating the Job Plan following a Capability Interview.

(Deed references: Clause 38, 87, Annexure A1)

Mutual Obligation Requirements for Principal Carer Parents

Consider a Principal Carer Parent's family and caring responsibilities, including the availability of suitable childcare, when setting Mutual Obligation Requirements. During school terms, face-to-face Provider Appointments and participation Activities should be scheduled during school hours (generally between 9.00 am to 3.00 pm) unless otherwise agreed to by the Principal Carer Parent.

The Department's IT System will automatically identify time outside of school hours in the Principal Carer Parent's Calendar. Providers will be able to set requirements at times outside school hours, including weekends. However, Providers will need to discuss this with the Principal Carer Parent to ensure they are available at that time and record the Principal Carer Parent's availability in the Department's IT System. This information will be attached to the requirement.

Principal Carer Parents have part-time Mutual Obligation Requirements and can fully meet their requirements through 30 hours per fortnight of:

- paid work (including self-employment)
- approved study (see the section on [Approved Short Courses](#) in this Guideline)
- Voluntary Work (as described below), or
- a combination of the above.

Providers can approve Voluntary Work for the purposes of a Principal Carer Parent fully meeting their Mutual Obligation requirements if:

- the Provider determines that the Principal Carer Parent lives in a weak labour market
- limited training opportunities are locally available (online courses may be considered 'locally available' if they have access to a computer)
- there is a significant vocational aspect to the Voluntary Work.

The Voluntary Work must be in an organisation approved by Services Australia.

If the Principal Carer Parent fully meets their Mutual Obligation Requirements, through sufficient participation in the above Activities they cannot be required to complete Job Search or meet any other additional requirements.

A Principal Carer Parent who is fully meeting their Mutual Obligation Requirements through sufficient participation in paid work and/or study, may be eligible for a Provider Exit (which is processed manually by the Provider) if participation in the approved Activity is likely to be ongoing or last more than 13 weeks.

See the [Period of Service, Suspensions and Exits Guideline](#).

If a Principal Carer Parent is either 55 years of age or over or has a Partial Capacity to Work, the category of Mutual Obligation Requirement which gives the Participant a lesser work requirement should be applied.

Meeting Mutual Obligation Requirements for Principal Carer Parents during school holiday periods

If a Principal Carer Parent is unable to obtain suitable childcare during the school holiday period, the Provider will need to make alternative arrangements to support Participants to meet their Mutual Obligation Requirements. A Principal Carer Parent will not be required to attend Work for the Dole or another Activity during the school holidays if appropriate care and supervision of their children is not available or affordable.

For example, while Principal Carers Parents are not required to attend face-to-face appointments with their Provider during school holidays, they can engage with their Provider through other means, such as by telephone or via Skype/face-time etc. Job Search can also be conducted from home or the Provider may also decide to reduce Job Search requirements over the school holiday period, while the Principal Carer Parent is caring for children during school holidays.

Principal Carer Parents must continue to meet their part-time Mutual Obligation Requirements during the school holidays except for the fortnight in which the Christmas public holiday falls.

Employer initiated shut down period over the extended Christmas/New Year school holiday break

Principal Carer Parents who are fully meeting their Mutual Obligation Requirements by working 30 hours a fortnight (including instances when working is one of a combination of Activities) are considered to be meeting their requirements during the employer initiated shutdown period over the extended Christmas/New Year school holiday period. This only applies to Principal Carer Parents who reasonably expect to resume their employment when their employer resumes business in the New Year.

The employer initiated shut down period break can only be taken while the place of employment is closed, up to a maximum of eight weeks. After eight weeks the Principal Carer Parent will be required to participate in other Activities to meet Mutual Obligation Requirements while the employer is in the shutdown period.

Inability to obtain suitable childcare is an Acceptable or Valid Reason

If the Principal Carer Parent is required to undertake an Activity but is unable to obtain suitable childcare, they will have an Acceptable or Valid Reason to not undertake that requirement. If this occurs, alternative requirements must be set to enable the Participant to meet their Mutual Obligation Requirements.

Mutual Obligation Requirements for Participants with a Partial Capacity to Work

Participants have a Partial Capacity to Work if both their baseline work capacity and work capacity within two years of Intervention are less than 30 hours per week.

Mutual Obligation Requirements are based on a Participant's work capacity within two years with Intervention. However, Participants are not required to participate

immediately at the higher work capacity. Rather, the Participant's capacity to participate can be increased through participation in a suitable program of assistance or other appropriate Activity.

When a Participant'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.

Participants with an assessed Partial Capacity to Work of 15-29 hours per week can fully meet their part-time Mutual Obligation Requirements through 30 hours per fortnight of paid work including self-employment, approved study, or a combination of these Activities.

If they fully meet their Mutual Obligation Requirements through sufficient participation per fortnight in the above Activities these Participants cannot be required to undertake Job Search or meet other requirements. They also do not need to remain connected with a Provider and will be Suspended on a Provider's caseload.

Participants with an assessed Partial Capacity to Work who are fully meeting their Mutual Obligation Requirements through sufficient participation in paid work and/or study, may be eligible for a Provider Exit (which is processed manually by the Provider) if participation in the approved Activity is likely to be ongoing or last more than 13 weeks. See the [Period of Service, Suspensions and Exits Guideline](#).

Participants who have been assessed as having a Partial Capacity to Work of 0-14 hours per week can fully meet their Mutual Obligation Requirements by attending quarterly appointments with Services Australia.

Mutual Obligation Requirements for Participants with temporary reduced work capacity

Participants may have a temporary medical condition with a temporary reduced work capacity applied by Services Australia (which is identified through an Employment Services Assessment). Participants will have reduced requirements for the period of their temporary reduced work capacity. Providers must take this into account when setting suitable approved Activities and the level of participation in the Job Plan.

If a Provider considers that a Participant without an assessed temporary reduced work capacity is impacted by a medium or long-term medical condition, the Provider should take these personal circumstances into account when setting Mutual Obligation Requirements and record the information about the Participant's circumstances in the 'What you need to know' section of the Department's IT System. Providers should exercise judgement and take these personal circumstances into account when setting Mutual Obligation Requirements. Medium or long-term medical conditions are usually episodic or chronic in nature and include schizophrenia, psychosis, depression and anxiety. Where appropriate, Providers should advise Participants to contact Services Australia so that a reduction in their Mutual Obligation Requirements through a temporary reduced work capacity status or an exemption can be considered or to test their eligibility for the Disability Support Pension.

Participants who have been assessed as having a temporary reduced work capacity of 15-29 hours per week can fully meet their Mutual Obligation Requirements through 30 hours per fortnight of paid work (including self-employment) approved study or a combination of these Activities.

If the Participant is fully meeting their Mutual Obligation Requirements through sufficient participation per fortnight in the above Activities they cannot be required to undertake any Job Search or meet other requirements. They do not need to remain connected to a Provider and will be Suspended from the Provider's caseload.

Participants with an assessed temporary reduced work capacity who are fully meeting their Mutual Obligation Requirements through sufficient participation in paid work and/or study, may be eligible for a Provider Exit (which is processed manually by the Provider) if participation in the approved Activity is likely to be ongoing or last more than 13 weeks. See the [Period of Service, Suspensions and Exits Guideline](#).

Participants who have been assessed as having a temporary reduced work capacity of 0-14 hours per week can fully meet their Mutual Obligation Requirements through participation in a quarterly interview with Services Australia.

Mutual Obligation Requirements for mature-age Participants

Participants 55 years of age and over can meet their full-time Mutual Obligation Requirements through paid work (including self-employment), approved Voluntary Work or a combination of these Activities, depending on their age and circumstances as follows:

- If the Participant is 55 – 59 years of age and in their first 12 months of receiving payment, they can fully meet their Mutual Obligation Requirements by completing 30 hours per fortnight of paid work. This can also be met by completing 30 hours per fortnight of a combination of approved Voluntary Work and paid work. However, this must include at least 15 hours per fortnight of paid work.
- If the Participant is 55 – 59 years of age and has been receiving payment for more than 12 months, they can fully meet their Mutual Obligation Requirements if they undertake at least 30 hours per fortnight of paid work, approved Voluntary Work or a combination of the two Activities.
- If the Participant is aged between 60 and the age pension age, they can fully meet their Mutual Obligation Requirements if they undertake at least 30 hours per fortnight of paid work, approved Voluntary Work or a combination of the two activities.

These Participants cannot be required to do Job Search or other requirements if they are meeting their Mutual Obligation Requirements in this way.

Participants should remain connected with a Provider but will be Suspended on a Provider's caseload. However, Providers can continue to refer them to job opportunities. Services Australia will make an initial Appointment with the Provider for Participants 55 years of age and over, even if they are already satisfying their Mutual Obligation Requirements (as above). Participants who fail to attend this Appointment or any other scheduled Provider Appointments or who fail to accept

referrals to jobs, may be subject to action under the Targeted Compliance Framework.

See the [Targeted Compliance Framework: Mutual Obligation Failures Guideline](#).

Mutual Obligation Requirements for some Ministers of Religion

Ministers of Religion who are either a Principal Carer Parent or have a Partial Capacity to Work will be regarded as fully meeting their part-time Mutual Obligation Requirements by undertaking at least 30 hours per fortnight of paid pastoral work for their religious organisation.

Monitoring by Services Australia for Participants fully meeting their requirements

For the above cohorts of Participants, Services Australia will determine whether a Participant is fully meeting their Mutual Obligation Requirements. If Services Australia establishes that they are participating sufficiently in appropriate Activities, they will update the Participant's Job Plan to include the Activities they are undertaking to fully meet their Mutual Obligation Requirements. Once Services Australia determines a Participant (other than a mature-age Participant) is fully meeting their Mutual Obligation Requirements, the Participant may be a Services Australia managed Participant and Exited from the Provider's caseload.

Continuing voluntarily in Employment Services

- A Participant fully meeting their Mutual Obligation Requirements may elect to participate voluntarily in services while they are Suspended after:
 - being contacted by their Provider to discuss and agree to voluntarily participate while Suspended from employment services
 - notifying Services Australia, who will either call their Provider or book an Appointment for them
 - contacting their Provider directly to request services.
- If a Participant who is Suspended from employment services elects to voluntarily participate in employment services, the Provider must provide services to the Participant.
- If a Participant who is fully meeting their Mutual Obligation Requirements participates voluntarily in employment services, Providers must not remove the relevant compulsory Activities that Services Australia has included in their Job Plan. Additional Activities included in the Job Plan must be added as voluntary.

Sufficient work test

The decision that a Participant is doing sufficient work would generally be restricted to cases where the person can fully meet their Mutual Obligation Requirements while still receiving some payment and a person can demonstrate a stable pattern of employment and earnings (e.g. permanent part-time work). If there is significant variation in hours worked and earning from fortnight to fortnight, whether a Participant's work fully meets their Mutual Obligation Requirements must be determined fortnightly.

Self-employment will satisfy the sufficient work test if the Participant is working at least their required number of hours and the taxable income provides the equivalent

of the national minimum wage rate for the minimum required hours. If self-employment does not satisfy the sufficient work test, the Participant will generally be required to look for alternative work.



Documentary evidence: Providers must document a Participant's satisfactory participation in self-employment as per the [Documentary Evidence for AAR and other Approved Activities section](#) of this guideline.

If a Participant's commitment to their business activities interferes with required Job Search or other Activities, the person will usually not be considered to be 'unemployed' for the purpose of qualifying for income support.

Mutual Obligation Requirements for Early School Leavers

An Early School Leaver is a person who receives Youth Allowance (other), is under 22 years of age and has not completed Year 12, the final year of secondary school or an equivalent Australian Qualifications Framework Certificate III level or above.

Until they turn 22 years of age or attain Year 12 or an equivalent qualification, Early School Leavers are generally required to participate in:

- full-time education or training with no Job Search requirement, including Certificate I and II level courses
- a combination of part-time education or training and part-time work for a total of 25 hours per week (15 hours for Principal Carer Parents and those with a Partial Capacity to Work of 15 to 29 hours per week) and no Job Search requirement
- other approved Activities for 25 hours per week (15 hours for Principal Carer Parents and those with a Partial Capacity to Work of 15 to 29 hours per week), including the requirement to do up to 20 Job Searches per month.

Early School Leavers who are eligible for Youth Jobs PaTH Employability Skills Training and PaTH Internship Placements must still undertake Job Search. For further information on these programs, refer to Youth Jobs PaTH Employability Skills Training (EST) section of this guideline.

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.

Verification of an Early School Leaver's qualifications

Only Services Australia can verify a Year 12 or equivalent qualification to determine whether a young person is no longer an Early School Leaver. Services Australia will accept any of the following:

- a Year 12 certificate issued by a Senior Secondary Board of Studies
- an Australian Qualification Framework Certificate III
- a higher qualification issued by a Registered Training Organisation or higher educational institution
- a Certificate III or IV of General Education for Adults
- the International Baccalaureate

- other higher education pre-entry course.



Documentary evidence: Providers must fax an Early School Leaver's qualifications to the Services Australia Business Hotline on 1300 786 102. Sight the original and send a copy of the completed qualification with the cover sheet at Attachment B. If the original qualification has been lost or destroyed, a certified copy of the qualification or a letter from the education institution formally verifying attainment of the qualification will be accepted. If none of these can be obtained, a statutory declaration from the Early School Leaver will be accepted. The statutory declaration must include the name of the course, date completed, name of institution and institution contact details, and must be appropriately certified. Do not send verification requests to Services Australia if the education level is below Year 12.

If Services Australia does not accept the qualification, they will contact the Provider. Providers must contact the Early School Leaver to advise them of the reason the qualification was not verified.



System step: Where accepted by Services Australia, update the education level information in the Participant's JSCI to reflect the Early School Leaver's advised higher level of educational attainment.

(Deed References: Clause 93, 105)

Mutual Obligation Requirements for pregnant Participants

Generally, Mutual Obligation Requirements for pregnant Participants will not change during the first two trimesters of pregnancy. However, Providers must take into account the Participant's personal circumstances when setting their Mutual Obligation Requirements. Pregnant Participants are exempt from Mutual Obligation Requirements from 6 weeks before the expected due date until six weeks following the birth of the child.

Pregnant Participants will not be required to undertake Job Search from three months before their due date. During this time, Providers cannot compel these Participants to accept job offers or referrals to job interviews.

Participants exempt from Mutual Obligation Requirements

If a Participant is temporarily unable to meet their Mutual Obligation Requirements, Services Australia may grant an Exemption from requirements for a specified period. This recognises the different family and personal situations that Participants face and that can prevent them from participating in Job Search, paid work, Work for the Dole, vocational training or a range of other Activities designed to improve their employment prospects.

The types of Exemptions that may be applied include but are not limited to the following situations:

- temporary medical incapacity
- serious illness
- pre and postnatal
- caring for children with a disability or other special family circumstances
- domestic violence

- other special family circumstances including:
 - if a Principal Carer Parent is a registered and active foster carer or providing foster care temporarily in an emergency, or on a respite, basis
 - if a parent is home schooling or facilitating distance education for one or more of the children or secondary pupil children for whom they are the principal carer or main supporter
 - if a Principal Carer Parent is caring for a family of four or more children aged 18 years or under
 - if a principal carer is a relative but not a parent of a child and the child is living with the principal carer in accordance with a family law order, or
 - if a principal carer is a relative but not a parent of a child (kin child) and the principal carer is caring for the wellbeing of that kin child in accordance with a document accepted by the state/territory that is responsible for the wellbeing of children.
- other special circumstances, including:
 - major personal disruption to the job seeker's home
 - major personal crisis (including homelessness)
 - affected by declared natural disaster, e.g. bushfire, flooding or cyclone
 - volunteering during a state or national emergency
 - temporary caring responsibilities
 - dad and partner leave
 - undertaking jury duty
 - being a newly protected witness
 - being a newly arrived refugee, or
 - undertaking Indigenous cultural business.

If a Provider believes that the Participant does not have the capacity to meet their Mutual Obligation Requirements, the Participant should be encouraged to contact Services Australia to test their eligibility for an Exemption. Participants will need to provide evidence to support their claim.

If applying for an Exemption due to a temporary medical condition, the Participant will need to submit appropriate evidence, for example an approved medical certificate.

However, Services Australia should wherever possible reduce a Participant's Mutual Obligation Requirements rather than exempting them completely.

Participants granted an Exemption will be Suspended from a Provider's caseload for the period of the Exemption. Some Participants with longer-term Exemptions may be Exited from a Provider's caseload. However, Participants may voluntarily choose to continue participating with employment services.

NOTE: Some Participants considering an application for a Disability Support Pension may need to demonstrate that they have actively participated in a Program of Support to be eligible for Disability Support Pension. You should advise these Participants that periods of exemption will not be counted as participation in a

Program of Support. More information for providers can be found in the [Participation in a Programme of Support for DSP Claimants Supporting Document](#).

Participants subject to domestic violence

If there is any suspicion of domestic violence (including family violence) then Providers must refer the Participant to a Services Australia social worker. Providers should also refer a Participant to one of the national or state-based organisations for advice and information about domestic violence.

Providers notified of domestic violence (including family violence) as the reason for not meeting Mutual Obligation Requirements, must consider this in their assessment of whether or not the Participant had a Valid Reason.

If a Participant applies to Services Australia for an Exemption because they are subject to domestic violence (including family violence), Services Australia will make an assessment on whether an Exemption is granted and the appropriate length of the Exemption from their Mutual Obligation Requirements.

If the Participant is a Principal Carer Parent and subject to domestic violence, Services Australia will generally grant an Exemption.

Suitable Activities to meet Mutual Obligation Requirements and the AAR

Consider the Participant's Stream, Phase and individual circumstances when setting Mutual Obligation Requirements. In particular, consider whether the Participant is in the Work for the Dole Phase and has an AAR.

Include approved Activities in the Participant's Job Plan that will enable them to meet their Mutual Obligation Requirements, using the correct Job Plan code linked to the Activity scheduled in the Calendar. If the Participant is in the Work for the Dole Phase, sufficient hours of Activities must be scheduled in the Calendar to allow the Participant to meet their AAR.

Depending on a Participant's circumstances, there is a range of Activities they may undertake to meet their Mutual Obligation Requirements (some of which are described below).

Approved Programs of Work

Only Participants over 18 years of age can take part in an Approved Program of Work.

All Participants in an Approved Program of Work (whether they are receiving a full or part rate of income support payment) are eligible for the Approved Program of Work Supplement of \$20.80 a fortnight (Social Security Law).

Approved Programs of Work for jobactive Participants include:

- the National Work Experience Programme – the NWEPP can only be included as a voluntary not compulsory Activity in the Job Plan
- Work for the Dole - Only Participants 18 years of age and older can take part in Work for the Dole

Work for the Dole cannot be included as a compulsory Activity (i.e. can only be included as voluntary) in the Job Plan if:

- the Participant is receiving less than the full rate of JobSeeker Payment, Youth Allowance (other), or Parenting Payment Single, where the rate is reduced due to the income test (combined income of the Participant and, if applicable, their partner)
- the Participant's Job Plan also includes the Paid Work Job Plan code EM56
- for Special Benefit- Nominated Visa Holders, the person or, if applicable, their partner has income
- the Activity is more than 50 hours per fortnight, or
- the Participant is 60 years of age and over.

In all other circumstances, except for Participants under 18 years of age, Work for the Dole can be included as a compulsory Activity in the Participant's Job Plan.

Work for the Dole

Only Participants 18 years and older can take part in Work for the Dole.

Work for the Dole may be included as a voluntary Activity in the Participant's Job Plan in the above circumstances. However, Participants in these circumstances can be compelled to participate in another Activity to enable them to meet their AAR

If the Participant is receiving anything less than the full rate of income support, then Work for the Dole may be included in combination with other approved Activities to meet their AAR. If they elect to do this, then Work for the Dole must be included as a voluntary Activity in their Job Plan.

Providers should regularly review if the Participant is receiving a full rate of income support or a reduced rate due to the income test. Providers can view a Participant's previous four fortnights' income support payment rate on the Department's IT System Notification screen. If a Participant returns to the full rate of income support, the Provider can update the Participant's Job Plan to include Work for the Dole as a compulsory Activity.



Documentary evidence: Providers may also consider requesting documentary evidence from the Participant to determine if that Participant is declaring income to Services Australia or is on a reduced rate of income support for other reasons.

If the Participant fails to actively participate in the voluntary Work for the Dole Activity, then a Provider should consider replacing it with an alternative compulsory Activity so that the job seeker can meet their AAR. For example, the job seeker could be compelled to do some voluntary work to achieve the required hours each fortnight. The Participant should not receive the Approved Program of Work Supplement in a fortnight in which they did not actively participate in Work for the Dole.

National Work Experience Programme

The National Work Experience Programme provides voluntary short-term placements for Participants 17 years of age or over, regardless of whether the Participant is receiving full or part rate of income support payment.

Work Experience (Other) Placements

Work Experience (Other) Placements provide voluntary, short-term, observational unpaid work experience placements for Participant 15 years of age or over, regardless of whether the Participant is receiving an Income Support Payment. Participation in this Activity can contribute towards a Participant's Mutual Obligation Requirement, but is not approved for AAR purposes except for Stream C jobactive Participants.

Youth Jobs PaTH Employability Skills Training (EST)

A Participant is Employability Skills Training (EST) Eligible if they are between 15 and 24 years of age, receiving income support and have Mutual Obligation Requirements.

EST Courses consist of 75 hours of training, delivered at 25 hours per week over three weeks for Participants with full time Mutual Obligation Requirements and 15 hours per week over five weeks for Participants with part-time Mutual Obligation Requirements.

An EST Eligible Participant has a mandatory requirement to participate in EST once they have received services through jobactive for five months. An EST mandatory Participant must be considered for both types of EST courses.

Reports are available in ESS Web and Qlik, which identify EST mandatory and eligible Participants, including those not in any Activity.

An EST mandatory Participant retains their mandatory status until they have completed both EST Courses. This is to encourage the development of employability skills. ESS Web recognises completion of an EST Course when a completion payment is claimed by the EST Provider.

Once a Participant has completed both types of EST Courses and the associated completion payments have been claimed by the EST Provider, the Participant will revert to and maintain an EST Eligible status for as long as they meet the eligibility criteria.

Providers have discretion not to refer a Participant (for whom EST would otherwise be mandatory) to an EST Course, or include EST as a compulsory Activity in the Job Plan if the Provider considers that the Participant:

- already has the relevant skills and experience (such as through having relevant recent workforce experience or already having a part time job)
- has recently completed similar training
- has Non-Vocational Barriers that must be addressed first as a priority before they can benefit from the training - this could include language issues, health issues or family problems
- would have to travel more than 90 minute each way to the training (60 minutes for Participants with part-time Mutual Obligation Requirements) or there are no suitable EST courses available
- is referred to another suitable Activity - this should only be used when there is an active referral or commencement to another Activity in ESS Web. Where another Activity referral is in place with an end date in the near future, Providers should consider creating an EST referral for a future course. This provides an opportunity for the Participant to move from their current activity into EST

Choosing one of these reasons in ESS Web removes the Participant from the count of Participants who are EST Mandatory. After eight weeks the Department's IT System will override and unselect the reason, making the Participant EST Mandatory again. Providers must then reassess the suitability of EST for the Participant. Provider's use of these reasons will be monitored.

Participants who are EST eligible can also be referred to an EST Course from day one in jobactive.

Providers will receive a notification in the Department's IT System when Participants been serviced in jobactive for five months. The [Activity Management Guideline](#) provides details on EST, including how to record reasons for why a Participant will not be participating in EST Courses.

Participants with part-time Mutual Obligation Requirements such as Principal Carer Parents or others with a Partial Capacity to Work may volunteer to undertake more than 15 hours per week of EST. The additional hours will need to be recorded separately in the Job Plan as a voluntary Activity. These Participants are encouraged to participate for the duration of the Course but cannot be compelled to undertake additional hours. If the Participant is unable to meet the Course hours, the Provider should consider a more suitable Activity.



System step: If a Participant is EST mandatory, ESS Web prevents the finalisation of their Job Plan when making a referral to other activities. When referring an EST mandatory Participant to another activity, the EST opt-out reason of 'referred to other activity' must be applied before updating the Job Plan with the other activity.

PaTH Internship Placements

Young Participants 17–24 years of age, with Mutual Obligation Requirements, can participate in a PaTH Internship.

Eligible young Participants must:

- be in jobactive Stream A and have participated in either block one, or block two Employability Skills Training; or
- be in jobactive Stream A and have been continuously serviced in employment services from any jobactive provider, Transition to Work provider or Disability Employment Services provider for at least six months; or
- be in jobactive Stream B or C, Transition to Work or Disability Employment Services.

Early School Leavers can participate in a PaTH Internship. PaTH Internship placements are to be included in the Job Plan as a voluntary item. However, if the Participant fails to participate, then the Provider will need to place them in an alternative compulsory Activity.

See the [Managing PaTH Internships Guidelines](#) for further information.

Career Transition Assistance (CTA)

All Participants aged 45 years and over, and registered with a jobactive Provider, are eligible to participate in CTA. CTA provides opportunities for mature-age people to identify and articulate transferable skills, increase their job readiness and better

target their Job Search to local industries and available jobs, and develop basic functional IT skills.

Participation in CTA is 75 hours over an eight-week period. Where a Participant with part-time Mutual Obligation Requirements is referred to CTA, the jobactive Provider should select and modify the schedule in the Participant's calendar as necessary to meet the Participant's needs.

CTA is an approved Activity for the purposes of meeting a Participant's AAR and will fully meet the Participant's AAR for the duration of their participation in CTA while in the Work for the Dole Phase.

Participation in CTA is voluntary, and CTA can only be added to a Participant's Job Plan as a voluntary Activity. CTA Providers will advise the Participant's jobactive Provider if the Participant stops attending CTA. If the Participant is exited from CTA, the jobactive Provider must place them in an alternative approved Activity.

Launch into Work

Participation in Launch into Work program pre-employment projects should be included as a voluntary Activity in the Participant's Job Plan. Providers should record this Activity in the Job Plan using the free text code. Providers should include the relevant activity details, such as the Launch into Work organisation and dates and hours of participation.

Participation in Launch into Work program pre-employment projects will fully meet participants' AAR for the duration of the project. Participants will not have to complete other activities whilst participating in the project.

Regional Employment Trials – 10 Selected Trial Regions

Participation in the Regional Employment Trials Activity will meet the job seeker's AAR for the duration of their participation in the Regional Employment Trials Activity.

Participation in a Regional Employment Trials Activity is voluntary, and providers should record participation in a Regional Employment Trials Activity as a voluntary activity in the job seeker's Job Plan.

See the Regional Employment Trials Guideline for further information, including on selected trial regions.

Approved study and short courses

People undertaking full time study should be placed on a student allowance. Providers should refer full time students to Services Australia for an income support payment eligibility check.

Participants on income support payments such as JobSeeker Payment, Youth Allowance (other) and Parenting Payment Single may participate in certain approved education or training.

Providers are responsible for identifying what training relates to skills in demand in each particular Employment Region.

Participants undertaking an approved full time short course will still be required to undertake Job Search and accept suitable work.

In some circumstances Principal Carer Parents receiving the Pensioner Education Supplement (PES) may continue to receive income support payments to complete their full time study.

What is an appropriate course of study

Providers can approve a Participant's participation in study or training under the following short course provisions:

- vocationally based
- less than 12 months or two semesters in duration
- the Participant has a semester or six months full-time equivalent remaining to complete their course and the course would greatly improve their employment prospects
- the Provider determines that participation is necessary and the course is vocationally orientated
- highly likely to provide a Participant with a qualification that will result in an Employment Outcome, improve their employability or lead to qualifications in an identified skills in a demand area as determined by the Provider
- the Participant is a single Principal Carer Parent on JobSeeker Payment Allowance and has been granted PES for the academic course (or longer course that is 12 months or more). For the purposes of meeting their Mutual Obligation Requirements, a single Principal Carer Parent on JobSeeker Payment can continue to undertake the study for which Pensioner Education Supplement was granted as an approved Activity until that course has been completed. Providers need to sight evidence that the single Principal Carer Parent on JobSeeker Payment is in receipt of PES for that course
- the Participant is in receipt of Parenting Payment Single (this study would usually be approved by Services Australia)
- the Participant is a Parenting Payment recipient who transfers to JobSeeker Payment or Youth Allowance (other) and in some limited instances where a Participant was granted the Disability Support Pension and then transferred to JobSeeker Payment or Youth Allowance (other). They are able to continue their studies in the same course they commenced while receiving Parenting Payment or Disability Support Pension (this would usually be approved by Services Australia) for which they receive PES.

Providers cannot approve, under short course provisions, full-time courses of 12 months (two semesters) or longer in duration, or Masters or Doctorate courses.

Note: Participants in receipt of Special Benefit (NVH) who have not attained a Year 12 or equivalent qualification, may undertake full-time study in a school institution up to Year 12. These Participants will still be required to attend Provider appointments and undertake up to 20 Job Searches per month.

A Short Course:

- is vocationally based

- is less than 12 months or two semesters in duration
- is necessary so the Participants can accept an offer of work
- leads to an early employment outcome
- leads to qualifications in an identified area of skills shortage

Approving a Short Course

Providers are responsible for making approval decisions under approved short course provisions.

An approved short course must be included as a compulsory Activity in the Participant's Job Plan.

If a Provider approves the Activity as an approved short course and includes it in the Participant Job Plan then the Participant must still look for work and attend appointments with their Provider as long as it does not conflict with the scheduled time of the course. Participant with full time mutual obligation requirements **cannot** fully meet their mutual obligation requirements with full time study. They are required to accept any suitable work that does not conflict with scheduled course times and must not limit their Job Searches to areas relating to the course.

A Principal Carer Parent or Participant with a Partial Capacity to Work of 15 - 29 hours per week undertaking an approved short course for at least 30 hours per fortnight is considered to be fully meeting their part-time Mutual Obligation Requirements. These recipients are managed by Services Australia and will be Suspended from the Provider's caseload.

For information for Providers deciding to fund an education or training course, see the [Using the Employment Fund General Account Guideline](#).

Breaks in Activities

If a Participant has a break in an Activity which is required to satisfy their Mutual Obligation Requirements, the Provider must update the Participant's Job Plan with other Activities to meet their Mutual Obligation Requirements.

There is no need to adjust a Participant's requirements if they have a break of less than or equal to four weeks that is outside their control. If the break is greater than four weeks then the Participant must do other requirements, such as Job Search, for the period of the break. The Job Plan must be updated to include the new requirements.

2. Suitable work

Participants must actively look for work and be prepared to accept any offer of suitable work in a variety of fields. Any work can be considered suitable provided it meets certain safeguards set out in Social Security Law, such as minimum statutory conditions and related health and safety considerations.

'Suitable work' includes any work that a Participant is capable of doing, not just work the Participant prefers to do or is specifically qualified for. This can include casual or permanent, and part-time or full time work depending on the Participant's

assessed capacity. Participants are required to accept suitable work that may not be their first preference while they continue to look for work that better matches their qualifications, expertise and interest.

Work is unsuitable if it:

- involves skills, experience or qualifications that the person does not have and appropriate training will not be provided by the employer
- is above the Participant's assessed work capacity within the next two years with intervention
- may aggravate a pre-existing illness, disability or injury and medical evidence has been provided
- involves health or safety risks and would contravene an occupational health and safety law
- has terms and conditions which are less generous than the applicable statutory conditions
- involves commuting from home to work that would be unreasonably difficult (more than 60 minutes one way for Principal Carer Parents and those with Partial Capacity to Work and more than 90 minutes one way for other Participants)
- is considered by the Participants to be unsuitable on moral, cultural or religious grounds
- is not consistent with prevailing community standards
- is the subject of industrial dispute
- involves enlistment in the Defence Force or the Reserve Forces
- requires the person to change residence.

Unsuitable work for Principal Carer Parents

In addition to the above 'unsuitable work', Principal Carer Parents cannot be required to accept employment of more than 25 hours a week. Additionally, Providers should consider whether:

- the Principal Carer Parent has access to appropriate care and supervision for their child/children during the times when they would be required to work
- the location of either the workplace or the child care facility would make the total travel time to and from work unreasonable
- the Principal Carer Parent will be at least \$50.00 a fortnight financially better off as result of working.

If a job offer to the Principal Carer Parent involves employment outside school hours or in school holidays, a job is generally considered suitable if there is appropriate care and supervision for a child during the hours of work (including the travel to and from work). Suitable care and supervision means:

- childcare provided by an approved childcare service (within the meaning of the Family Assistance Administration Act 1999).
- any other care or supervision arrangements that the parent deems suitable.

Unsuitable work for Participants with a Partial Capacity to Work

In addition to the list above of 'unsuitable work', work is unsuitable for Participants with a Partial Capacity to Work if:

- it does not provide appropriate support or facilities to take account of the illness, disability or injury
- the total cost of participating in employment means that the Participants would be financially worse off as a result of undertaking the work. Examples include personal care requirements incurred by the Participant to get ready for work or while on the job; disability aids required for participation in the job that are not covered by the Employer and the cost of travel to and from the job by the Participant's means of transport.

3. Job Search Requirements are an important part of Mutual Obligation Requirements

Providers will set the number of Job Searches a Participant is required to undertake per month in accordance with the Deed, this Guideline and Social Security Law.

Record the number of Job Searches required in the Participant's Job Plan.

Participants with Mutual Obligation Requirements will usually have to look for work.

The number of Job Searches generally expected of Participants (including Principal Carer Parents and those with a Partial Capacity to Work of 15 to 29 hours per week) is:

- for Stream A and Stream B Participants – 20 Job Searches per month
- for Stream C Participants – Job Search depends on capacity
- for Participants aged 60 years and over (regardless of Stream) – Job Search depends on capacity.

Participants cannot be required to do more than 20 Job Searches per month.

When assessing the quality of the Participant's Job Search efforts, Providers should consider whether the jobs applied for were:

- at a variety of levels of seniority or remuneration that is suitable for the Participant; and
- in a variety of fields and occupations in which the Participant is suitably qualified or has experience, if that work is suitable for the Participant; and
- applied for using a variety of methods to contact potential employers.

While the above must be taken into account when assessing Job Search efforts, Providers should also consider the Job Search efforts of the Participant more holistically over time. A Participant is not required to meet each of these criteria in each separate Job Search period – therefore it is important to consider factors such as:

- labour market restrictions as the type and number of vacancies available in each Job Search period may differ; and
- the most appropriate pathway for the Participant to obtain sustainable employment. In considering this, providers could discuss and agree to a strategy for targeting Job Search efforts in advance with the Participant to increase their likelihood of securing employment.

Participants who do not have Job Search Requirements

The following Participants will not be required to undertake Job Search while they are fully meeting their Mutual Obligation Requirements:

- Principal Carer Parents
- those with a Partial Capacity to Work of 15 to 29 hours per week
- Participants 55 years of age and over
- Participants undertaking Drug and Alcohol rehabilitation in a Residential Program
- refugee Participants undertaking activities to help adjust to life in Australia and to increase chances of finding work.
- Pregnant Participants are exempt from Job Search from six weeks before their expected due date until six weeks following the birth of their child.
- NEIS Prospective Participants who have been assessed as NEIS Eligible but have not yet signed a NEIS Participant Agreement will have their Job Search requirements reduced to zero while participating in NEIS Training.
- NEIS Participants in receipt of Parenting Payment (Single) or the Disability Support Pension are able to choose to remain on their current payment or move to NEIS Allowance. Where they remain on their current payment while participating in NEIS Assistance and actively working on their small business, they do not have Job Search or other Mutual Obligation Requirements.
- Early School Leavers who are meeting their Mutual Obligation Requirements through full-time education or a combination of part-time study and part-time work of 25 hours per week (15 hours for those with part-time Mutual Obligation Requirements) must not have any Job Search requirements in their Job Plan.

Recording Job Search requirements in the Job Plan

When setting compulsory Job Searches, Providers must use the JS09 code. The Department is actively monitoring Job Plans and would expect that:

- for Stream A and Stream B Participants, all Job Plans should contain JS09.
- for Stream C Participants, most Job Plans should contain JS09. In some Exceptional Circumstances, Job Searches may not be required for a limited period while non-vocational issues are actively being addressed.

Circumstances that may reduce Job Search requirements

Do not reduce the number of Job Searches a Participant is required to undertake merely because the Participant is undertaking other Activities - in particular study or during the Work for the Dole Phase.

Providers may reduce the number of Job Searches as a result of a Participant's:

- physical, intellectual or psychiatric impairment
- non-residential treatments or counselling for drug and alcohol dependency (including Drug Court Orders)
- preventative health treatments and interventions – (for jobactive Indigenous Participants and Stream C Participants)
- substantially elevated level of family and caring responsibilities

- accommodation situation, where this is likely to impede Job Search
- education or skill level, where this is likely to substantially limit job opportunities
- current employment status (part-time or casual work)
- domestic violence (including family violence) or family relationship breakdown (Services Australia may grant an Exemption from Mutual Obligation Requirements in these circumstances)
- level of English language skills, if Participant is doing a course to improve these skills
- cultural factors
- the state of the labour market and the transport options available to the person in accessing that market, for example, taking into account travel time.

For example, a Stream A Participant either living in a metropolitan area or within 90 minutes travel time to metropolitan area would be expected to have 20 Job Searches per month. In a regional area with limited vacancies and where the travel time to more positive labour markets is more than 90 minutes, it might be appropriate that a Stream A Participant has a lower Job Search requirement, for example, 15 Job Searches per month.

Job Search requirements for Early School Leavers who are not meeting their requirements through study or paid work

Early School Leavers who are meeting their Mutual Obligation Requirements through approved Activities other than just paid work and study for 25 hours per week (15 hours for Principal Carer Parents and those with a Partial Capacity to Work of 15 to 29 hours per week) must have up to 20 Job Searches per month in their Job Plan.

Job Search requirements while studying Language, Literacy and Numeracy courses

If a Provider has identified that a Participant needs to improve their Language Literacy and Numeracy skills, the number of required Job Searches may be reduced (but not reduced to zero) while the Participant is actively participating in an accredited Language Literacy and Numeracy course. Approved courses include the Skills for Education and Employment program and the Adult Migrant English Program.

Job Search requirements for Stream C Participants and Participants 60 years of age and over

The number of Job Searches required by Stream C Participants and Participants 60 years of age and over depends on their capacity. Generally, 10 Job Searches per month are expected.

When setting an appropriate number of Job Searches, in addition to other considerations, Providers may also consider:

- other non-vocational issues or vocational issues that are being, or have been addressed
- if the Participant has undertaken re-skilling or re-training

- for Stream C Participants, it might be appropriate in some Exceptional Circumstances to have no Job Searches for a period while non-vocational issues are actively being addressed.

For Stream C Participants, the number of Job Searches required is expected to increase over time as they overcome or sufficiently manage personal or non-vocational issues.

Job Search requirements for those in paid work

For Participants with full-time Mutual Obligation Requirements:

- if doing at least 40 hours of declared paid work (including self-employment) per fortnight then the number of Job Searches should be halved. If the Participant is doing a significant number of hours of paid work per week and receiving only a residual amount of income support, the number of Job Searches may be reduced further.
- if doing at least 70 hours of declared paid work (including self-employment) per fortnight then the Participant should have no Job Search requirement.

For Participant with part-time Mutual Obligation Requirements (Principal Carer Parents and those with a Partial Capacity to Work of 15 to 29 hours per week):

- if doing 11 to 29 hours of declared paid work (including self-employment) per fortnight, the number of Job Searches should be halved
- if doing 30 hours or more of declared paid work (including self-employment) per fortnight, the Participant should have no Job Search requirement.

(Deed references: Clause 113)

4. Annual Activity Requirement (AAR)

The AAR is the set number of hours that a Participant must complete in approved Activities when in the Work for the Dole Phase.

Most Participants have an AAR when they enter into the Work for the Dole Phase and must participate in an approved Activity or combination of approved Activities to meet their AAR.

Providers must ensure that Participants in the Work for the Dole Phase fulfil their AAR. Work for the Dole Phase Activity commencement and participation are performance measures in Providers' Star Ratings. For more information on the Star Ratings, see the [Performance Framework Guideline](#).

(Deed references: Clauses 107, 108, 109)

Entering the Work for the Dole Phase

All Participants who are commencing in the Work for the Dole Phase for the first time start the phase after they have been in jobactive for 12 months. Following this, Participants will need to take part in the Work for Dole Phase for a continuous six months each year they remain in jobactive.

Determining the hours of participation to meet the AAR

The number of hours of participation in approved Activities that a Participant requires to meet their AAR depends on their age, their assessed capacity to work and whether they are a Principal Carer Parent.

Participants with no AAR:

- Participants who have reached Age Pension age.
- Participants who are fully meeting their part-time Mutual Obligation Requirements through participation in appropriate Activities for 30 hours per fortnight
- Participants 55 years of age and over during the period they are meeting their full-time Mutual Obligation Requirements through participation in appropriate Activities for 30 hours per fortnight
- Participants with a Partial Capacity to Work or temporary reduced work capacity of 0 to 14 hours per week
- Participants with Community Service Orders of 20 or more hours per week
- Early School Leavers with full-time Mutual Obligation Requirements already undertaking 25 hours a week of approved Activities or full-time study.

Using the AAR Calculator

The AAR Calculator on the Department's IT System provides information on how many hours of participation Participants need to complete to meet their AAR. See the Help. For more information on how to access the AAR Calculator.

Note: Under the Targeted Compliance Framework, where Activities are recorded in the Calendar, which contribute to a Participant's AAR, the Department's IT System will calculate hours. There are exceptions, however, where hours will still need to be manually calculated, when hours need to be adjusted.

Participation hours for Participants with full-time Mutual Obligation Requirements

- Up to 49 years of age: generally must participate for 650 hours over 26 weeks (50 hours per fortnight)
- Aged 50 to 59 years of age: generally must participate for 390 hours over 26 weeks (30 hours per fortnight).
- Aged 60 years to the aged pension age: generally must participate for 130 hours over 26 weeks (10 hours per fortnight)

Participation hours for Participants with part-time Mutual Obligation Requirements

- Under 30 years of age: generally must participate for 390 hours over 26 weeks (30 hours per fortnight)
- 30 to 59 years of age: in most circumstances must participate for 200 hours over 26 weeks (15 to 16 hours per fortnight).
- Aged 60 years to the aged pension age: Nil requirements

Participation hours for any Participation undertaking Defence Reserves

- For Participation undertaking Defence Reserves: 240 hours over 26 weeks (18 - 20 hours per fortnight).

Participation in the Launch into Work program

For Participation in the Work for the Dole phase, participation in Launch into Work program pre-employment projects will fully meet Participants' AAR for the project's duration. If the Participant stops attending the project, or does not commence employment with the Launch into Work Organisation at the end of the project, they need to be referred to another AAR Activity in order to complete their AAR hours for the remaining weeks of their Work for the Dole phase.

Participation in Regional Employment Trials Activities

Participation in the Regional Employment Trials Activity will meet the job seeker's AAR for the duration of their participation in the Regional Employment Trials Activity. If the participant stops attending the activity they need to be referred to another AAR activity in order to complete their AAR hours for the remaining weeks of their Work for the Dole phase.

See the Regional Employment Trials Guideline for further information.

Participation hours in study/training

Full-time load

If the training Provider considers the Participant has a full-time study load then the Participant will meet their fortnightly hour's requirement in the fortnights they are studying, regardless of actual contact hours.

For example, a Participant who has an AAR of 50 hours per fortnight and undertakes 44 contact hours per fortnight of full-time study does not have to complete any additional hours in another Activity while they are undertaking a full-time study load.

Non-contact hours

Published non-contact study hours for Participants undertaking part-time study/training will also count towards a Participant's AAR, as long as they do not exceed the course's face-to-face hours. Where a course's non-contact study hours are not published, up to a maximum of 10 non-contact study hours per fortnight can be counted towards part-time study. Any non-contact study can be reflected in the Job Plan by using the appropriate Job Plan code, with study recorded in the Participant's Calendar.

Online courses

For online courses, it is expected that the majority of course hours are non-contact. In these cases, study load (hours) and duration requirements as published by the training institution will count towards a Participant's AAR. If the total part-time study hours are not sufficient to meet a Participant's AAR, other Activities will also need to be undertaken.



System step: For study or training Activities, Providers must record the outcomes of the training course upon completion (for example, whether a certificate or statement of attainment was achieved).

Change of circumstances during the Work for the Dole Phase

If a Participant circumstances change during their Work for the Dole Phase, their AAR may also change. This may occur when a Participant becomes or ceases to be a Principal Carer Parent, where a Participant's capacity to work changes or when a Participant turns 30 years of age. In these instances, the Participant's participation must match their new requirement.

For example, if a Participant who is 49 years of age and has an overall requirement of 650 hours turns 50 years of age while in the Work for the Dole Phase, their requirement will reduce to 390 hours. If they have already completed 390 hours due to undertaking 25 hours per week over their first four months in the Work for the Dole Phase, they will have already met their AAR at this point in the Work for the Dole Phase.

Selecting Activities for a Participant to meet their AAR

After consultation with the Participant, Providers must determine and source the Activities that the Participant must undertake to meet their AAR in accordance with the Deed, this Guideline and Social Security Law.



System step: The Provider must record these in the Participant's Job Plan, including the relevant hours of participation the Participant needs to undertake each fortnight.

Providers placing Participants into Activities must prioritise Participants with Mutual Obligation Requirements over other Participants.



System step: When recording CTA Courses in the Job Plan, the minimum hours of participation required will automatically populate, along with the timeframe for participation.

Approved Activities to meet the AAR

- Work for the Dole
- part-time employment
- National Work Experience Programme
- Work Experience (Other)
- PaTH Internships
- PaTH Employability Skills Training (EST)
- Career Transition Assistance (CTA)
- Voluntary Work
- Launch into Work program pre-employment projects
- Regional Employment Trials activities
- study/training (part-time or full-time)
 - Study/training is subject to the approved short course conditions (see the [Approved short courses](#) section of this guideline) and must be in:

- a Certificate III course or higher (but not a Masters or Doctorate course), or
- a Certificate I or II course commenced in the Case Management Phase but not yet completed when the Participant moves into the Work for the Dole Phase (for these courses, any hours completed once a Participant enters the Work for the Dole Phase will count towards a Participant's AAR)
- accredited language, literacy and numeracy courses, which can include:
 - the Skills for Education and Employment program, or
 - the Adult Migrant English Program
- rehabilitation for drug or alcohol dependency
- other non-vocational assistance and Interventions for Stream C Participants
- preventative health related Activities for jobactive Indigenous Participants and Stream C Participants
- Defence Reserves
- other government programs, including NEIS Training, state government programs and 'Exploring Being My Own Boss' Workshops
- non-government programs approved for AAR purposes (see the [Activity Management Guideline](#)).

Further information on Activities suitable to meet a Participant's AAR can be found in the [Activity Management Guideline](#), [Work for the Dole Guideline](#), and [Managing PaTH Internships Guideline](#).

(Deed references: Clauses 107, 108, 109)

Activities that do not count towards a Participant's AAR

There are certain Activities that will not count towards meeting a Participant's AAR. These include:

- non-accredited education and training unless it is non-vocational assistance for Stream C Participants
- Certificate I or II courses started after commencement in the Work for the Dole Phase (with the exception of accredited Language, Literacy and Numeracy courses)
- study outside of the approved short course conditions (including Masters and Doctorate courses)
- Non-vocational assistance and interventions. For example, careers counselling and personal development courses. Please note: For Stream A and B Participants, satisfactory participation in the relevant number of hours in drug or alcohol addiction treatments (including rehabilitation) will meet their AAR.

(Deed references: Clauses 107, 108, 109)

Considerations when selecting Activities to meet AAR

Participants under 18 years of age

Participants under 18 years of age with Mutual Obligation Requirements are not eligible to participate in Work for the Dole.

Participants under 17 years of age are not eligible to participate in the National Work Experience Programme.

(Deed references: Clauses 107, 108, 109)

Participants 15-24 years of age

Employability Skills Training (EST) is available to eligible Participants between 15 - 24 years of age who are receiving income support and have compulsory Mutual Obligation Requirements.

Young Participants between 17–24 years of age, with Mutual Obligation Requirements, can participate in a PaTH Internship as a voluntary activity.

A Participant will meet their fortnightly hour's requirement in the fortnights they are participating in PaTH Internships or EST, regardless of the hours of participation.

See the [Activity Management Guideline](#) and [Managing PaTH Internships Guideline](#).

Participants 18-49 years of age

For Participants 18 - 49 years of age with full-time Mutual Obligation Requirements, Work for the Dole is the principal Activity to meet their AAR unless they have:

- arranged to meet their AAR through another approved Activity that will start at the time they become subject to the AAR, or
- are already undertaking other approved Activities at the time they enter the Work for the Dole Phase.

(Deed references: Clauses 107, 108, 109)

Participants 50-59 years of age

Participants 50 to 59 of age with full-time Mutual Obligation Requirements may select which approved Activity they will undertake to meet their AAR. Once chosen, this Activity should generally be entered as a compulsory requirement in their Job Plan.

(Deed references: Clauses 107, 108, 109)

Principal Carer Parents and Participants with a Partial Capacity to Work

Principal Carer Parents and those with a Partial Capacity to Work of 15 to 29 hours per week of any age may select which approved Activity they will undertake to meet their AAR. Once chosen, this Activity should generally be entered as a compulsory requirement in the Job Plan.

(Deed references: Clauses 107, 108, 109)

Participants with Community Service Orders

Participants with Community Service Orders of 20 hours or more a week do not have Mutual Obligation Requirements for the period of the Order.

If a Participant has a Community Service Order of less than 20 hours a week they still have Mutual Obligation Requirements, however, the Community Service Orders take precedence. If these Participants are in the Work for the Dole phase they will need to meet their AAR in addition to their Community Service Order.

(Deed references: Clauses 107, 108, 109)

Certain Participants undertaking non-vocational Activities/interventions

For Stream C job seekers, satisfactory participation for the relevant number of hours in non-vocational assistance or interventions (including preventative health treatments and drug or alcohol addiction rehabilitation) will meet their AAR i.e. the Participant will be deemed to be fully meeting their fortnightly AAR in the fortnights they are participating in that Activity, regardless of contact hours.

For Stream A and B Participants, satisfactory participation in the relevant number of hours in drug or alcohol addiction rehabilitation will meet their AAR i.e. the Participant will be deemed to be fully meeting their fortnightly AAR in the fortnights they are participating in that Activity, regardless of contact hours.

For jobactive participants who are Indigenous or in Stream C, participation in preventative health treatments and interventions can be counted towards their AAR.

Regardless of Stream, any Participants in residential drug or alcohol addiction rehabilitation are considered to be fully meeting their mutual obligation requirements while they are in residence.

Participants who undertake other types of drug and alcohol treatments or counselling should have these activities included in their Job Plan along with appointments, other appropriate activities and an appropriate number of Job Searches. If the Participant is unable to undertake other activities in addition to treatments or counselling, the treatments or counselling will fully meet their fortnightly AAR in the fortnights they are participating in that activity, regardless of contact hours.

Note: the relevant number of hours refers to the number of hours deemed suitable by the Provider, for the Participant, for that particular non-vocational assistance or intervention. While there is no fixed lower limit on the number of hours per fortnight of contact hours, a Participant must not be referred to reduced hours of participation for the sole purposes of meeting their AAR. The Participant's participation in these Activities must be sufficient enough to be treating their condition in order to meet the Participant's AAR.

Placing the Participant in Activities

Providers must commence Participants who have an AAR in an Activity immediately after entering the Work for the Dole Phase.

Participants may undertake a combination of Activities to meet an AAR where it is deemed suitable or necessary by the Provider.

The time taken to commence a Participant in an approved Activity at the start of the Work for the Dole Phase is a performance measure in Providers' Star Ratings. For more information on the Star Ratings, see the [Performance Framework Guideline](#).

For information on setting up and managing Activities, including important information on work health and safety, risk assessments and checks, refer to the [Activity Management Guideline](#) and [the Job Plan and Scheduling Mutual Obligation Requirements Guideline](#).

(Deed references: Clauses 107, 108, 109)

Setting the required hours in the Calendar



System step: For Participants undertaking Work for the Dole to meet their AAR, Providers must use the Calendar to schedule the Participant's required participation, start and finish times as notified to the Participant.



System step: For Participants undertaking other Approved Activities, Providers must use the Calendar to schedule the required hours for all Activities, except:

- for Education and Training where the course is delivered online, or that portion of the course delivered online.
- where it is a requirement that the Participant resides with the host organisation, either as part of a residential program or Drug and Alcohol Treatment or as part of Defence Reserves.
- for Employment and work experience activities where the hours are irregular and are organised directly between the Participant and the employer or host.
- Where the Department's IT System does not support scheduling of the activity. For more information see the [Job Seeker Calendar and Annual Activity Requirement IT Supporting Document](#).



System step: For Participants participating in CTA, or a Regional Employment Trials activity, scheduling this activity in the Calendar is required. Any hours marked as attended will automatically accrue towards Participant's AAR. Providers should manually record additional monthly AAR hours for Participants who are in the Work for the Dole Phase and who have an AAR so that the Participant fully meets their AAR for the period of participation in CTA or a Regional Employment Trials activity.



System step: For Participants undertaking a Launch into Work program pre-employment project, scheduling these Activities in the Calendar is encouraged. Providers should manually record monthly AAR hours for Participants who are in the Work for the Dole Phase and who have an AAR.

For further information regarding how to set a Participant's required hours in the Calendar, refer to the Calendar user Guide on the [Learning Centre Website](#).

(Deed reference: Clause 107)

Recording Participant participation against the AAR



System step: Participants will be responsible for recording their attendance at Activities. However, for those Participants found not capable of recording attendance, Providers must record attendance in approved Activities using the Calendar. All results must be recorded by close of business on the day of participation in the activity

- for study or training Activities, Providers must record the outcomes of the training course upon completion (for example, whether a certificate or statement of attainment was achieved).

For all Activity types, the Provider must negotiate with the Supervisor the most appropriate reporting and recording mechanism to ensure that the Provider can record in the system the number of hours a Participant has participated in for each day (for Work for the Dole Activities) or month (for all other approved Activities). This should reflect the Host Organisation's normal business practices. For short breaks, these may form part of the Participant's normal hours of participation, and count toward their AAR.

Alternatively, when setting up the Activities in the Calendar, it is recommended that the Provider request evidence based attendance recording, which will include a QR code and passcode to be generated by the Department's IT System. They must have the contact details of the Supervisor up to date so that the Supervisor can receive the QR code and passcode the day of the Activity. Participants will then be able to scan the QR code when they attend the Activity. If the Activity is longer than four hours, the Department's IT System will generate two codes: one for the start of the Activity and one for the end of the Activity.

For further information regarding how to record attendance in the Calendar, refer to the Department's [Job Seeker Calendar and Annual Activity Requirement Details IT Supporting Document](#) and the [IT System Online Help](#).

(Deed reference: Clause 107)

EST Providers will enter course details into the Calendar component of the Department's IT System. Providers will refer and place eligible Participants from their caseload into the courses; the Activity Diary is automatically updated with the course details.



System step: For CTA and Regional Employment Trials activities, satisfactory participation in the activity will meet the Participant's AAR. I.e. The Participant will be deemed to be fully meeting their fortnightly AAR in the fortnights they are participating in CTA and Regional Employment Trials activities, regardless of the contact hours. Any hours scheduled that are marked as attended will automatically accrue towards the Participant's AAR. jobactive Providers must manually record the relevant additional monthly hours as per the Participant's AAR, using the Monthly Hours section of the AAR Details screen of the Department's IT Systems so that the Participant fully meets their AAR for the period of participation in CTA or a Regional Employment Trials activity.

Recording participation via the Supervisor App

Supervisors can use the Supervisor App to record a Participant's attendance in Work for the Dole and other approved Activities. However, they should be encouraged to only do so for Participant who:

- have been assessed as not being capable of recording or reporting their own attendance

or

- have been assessed as being capable of recording or reporting their own attendance but who are unable to do for themselves on the day.

In most cases it is expected that the Supervisor will receive a QR code or passcode that has been generated by the Department's IT System, and Participant will be able to scan it with their mobile devices to record their own attendance. If the activity is longer than four hours, the Supervisor will receive two QR codes or passcodes: one for the morning when the Participants arrive, and one for the afternoon when the Participants leave for the day.

For further information on the Supervisor App, refer to the [Work for the Dole IT Supporting Document](#).



System step: EST Providers will continue to have access to the Supervisor App to record Participants attendance at EST courses where appropriate.



Documentary evidence: Where Participants have used evidence to record their attendance directly into the Department's IT System, offline records are not required to be kept. The same applies where Activity attendance information has been entered by the Activity Host Organisation into the Supervisor App or directly into the Department's IT System, offline records are not required to be kept.

(Deed reference: Clause 107)

Recording of Work for the Dole participation in the Calendar



System step: Participants will be able to record their own attendance at Work for the Dole Activities. Where Participants are not capable of recording their own attendance, or are unable to due to certain circumstances, Providers must record results against all required participation in the Calendar for every day that the Participant was required to participate, as per notification issued to the Participant by the close of business each day.

(Deed reference: Clause 107)

Recording participation in paid work in the AAR Details screen



System step: For participation in paid work Activities, ESS Web will automatically place the Participant into a 'Part Time/Casual Paid Employment' Activity when the Participant declares hours of paid work to Services Australia. If the Participant is in the Work for the Dole Phase, the system will automatically populate the AAR Details Screen with the hours declared to Services Australia.

Where necessary, Providers can override the hours received from Services Australia e.g. if they disagree with the Services Australia hours for a period and hold documentary evidence supporting the updated hours.

Recording other approved Activities either in the Activity Diary or AAR Details screen



System step: For all other Approved Activities, attendance results, to meet the AAR must be recorded through the Calendar (using the same process as for Work for the Dole activities).

For Participants doing on-line courses not required to be recorded in the Participants Calendar are encouraged to record the total hours completed for each month in the Work for the Dole Phase within 20 Business Days of each month of participation.

If a Participant is participating in an Activity that fully meets their AAR, the Calendar will only count those hours that are scheduled towards the Participant's AAR. The remaining hours should be credited by entering them in using the monthly hours section of the AAR Details screen.

Providers are to record the hours completed by the Participant in all Approved Activities during the Work for the Dole Phase by the deadline of 20 Business Days after a Participant exits the Work for the Dole Phase, or exits the Provider's caseload (for example, exiting from jobactive or transferring to another Provider).

If nothing is entered into the system by then, the Participant's required hours will be recorded as zero for that period.

If Providers are aware that duplicate hours have been created for AAR, Providers must reduce the number of hours within 20 Business Days. This may occur when a Participant is in paid work, a day of Activity is resulted as No Longer Required (NLR) as the Participant is working on that day and declares the hours worked. The Participant would be created the Activity hours and the hours declared. The Participant should have credited the higher of the two hours for the individual day.

(Deed reference: Clause 107)

Completing the AAR

Recording requirements



System step: At the end of the Work for the Dole Phase, Providers must ensure the AAR Details screen correctly displays whether the Participant has met their AAR.



System step: Providers have up to 20 business days from when a Participant exits the Work for the Dole Phase or when they exit the Provider's caseload (e.g. exiting from jobactive or transferring to another Provider) to enter hours of participation the Participant undertook within the Phase that were not required to be entered daily in the Calendar.

The Provider is not required to take any further action if the total hours recorded is equal to or greater than the Participant's required AAR hours. In this case the AAR Details screen will display that the AAR has been met.

If the recorded hours are lower than the required AAR hours, but the Participant has nevertheless met their AAR (for example, the Participant's Mutual Obligation Requirements changed from part-time to full-time while they were in the Work for

the Dole Phase), the Provider must within 20 Business Days of the end of the Work for the Dole Phase:

- select a reason in the system to indicate how the Participant has met their AAR
- record that the AAR has been met.

If the recorded hours are lower than the Participant's required AAR hours, no reason is selected and the AAR has not been recorded as met, the Participant will not have met their AAR.

For further information regarding how to record completion of the AAR, refer to the Department's [IT System Online Help](#).

(Deed reference: Clause 107)

Meeting the AAR early

Within the Work for the Dole Phase

Within the Work for the Dole Phase, Participants may be permitted to complete additional hours in an Activity every week or fortnight, either to allow them flexibility if their particular circumstances require it, or to assist a Host Organisation. These additional hours will count towards a Participant's AAR and, in effect, means that some Participants will satisfy their AAR early. However:

- any hours a Participant agrees to do in excess of 50 hours per fortnight in Work for the Dole must be created as a voluntary component of their Job Plan using the Job Plan code and recording Activities in the Calendar.
- Participants must not undertake more than 50 hours per fortnight in a National Work Experience Programme Placement or a Work Experience (Other) Placement.

Participants should not be allowed to choose to complete hours early of their own accord. Any additional hours in a week/fortnight can only occur when agreed upon between the Provider, the Host Organisation and the Participant, where there is an identified benefit to the Participant.

If the AAR is completed early, the Provider must ensure that the Participant's Job Plan continues to contain the other requirements that would enable the Participant to continue to meet their Mutual Obligation Requirements. This includes attending Provider Appointments, undertaking any other appropriate Activities, undertaking Job Searches and acting on referrals to jobs in the remaining part of the Work for the Dole Phase after the AAR for that year has already been met.

Early commencement of the Work for the Dole phase

The Work for the Dole Phase can be brought forward for all stream Participant after six months (but before 12 months) of jobactive services if the Provider considers the Participant is not benefiting from, or actively participating in services/interventions designed to improve their employment prospects.

AAR Record Keeping



Documentary evidence: In addition to recording the relevant information in the Department's IT System, Providers must retain the following additional forms of evidence (either hard copy or soft copy):

- timesheets or other records of attendance, including information collected through the Supervisor App, where used
- a statement of attainment or similar (for accredited education)
- a signed training notice or signal notice (for Defence Force Reserves)
- an invoice for services or a letter of acceptance into a program (for non-vocational interventions including drug or alcohol rehabilitation programs and preventative health treatments and interventions)
- Activity Host Organisation Agreements for Work for the Dole, Voluntary Work, the National Work Experience Programme, Work Experience (Other) and PaTH Internships.
- CTA Agreement (for CTA Courses)
- risk assessment documentation which details that all Deed and relevant guideline requirements have been considered for both the Participant and the Activity (for Activities where risk assessments are required to be undertaken)



Documentary evidence: For part-time/casual work or self-employment, the hours of paid work reported by the Participant to Services Australia to stimulate the Participant income support payment is acceptable documentary evidence. This information is automatically populated into the 'Recording of Services Australia Part Time/Casual Paid Employment AAR Hours' section of the AAR Details screen and no further documentation is required if this information is accepted. See the [Job Seeker Calendar and Annual Activity Requirement Details IT Supporting Document](#) for more information about how paid employment is counted towards the AAR. Details of the hours of paid work completed by the Participant can also be accessed from the Case Summary Screen of the Department's IT System (Job Seeker Information – View Declared Earnings) or through the SUB316 – Declared Hours report through ES Reporting. If the Provider chooses to override the hours declared to Services Australia, the Provider must keep:

- For paid work: payslips or Employer payroll summaries,
- For self-employment:
 - a Profit and Loss Statement, a signed and dated written statement from an accountant and/or registered bookkeeper, or copies of records from the Australian Taxation Office and/or a tax return statement.

5. Privacy and information sharing

Providers must comply with Social Security Law and Australian privacy legislation. A Participant's Personal Information must only be used or disclosed for the purpose it was collected, except in limited circumstances such as where the Participant gives permission or where Commonwealth laws allow or other special circumstances.

Providers should seek independent legal advice if they have any concerns regarding their obligations under any privacy or other legislation. For further information, refer to the [Privacy Guideline](#).

(Deed references: Clauses 53, 87, 106)

Sharing Job Plans with SEE or AMEP Providers

Participants participating in the Skills for Education and Employment (SEE) program or Adult Migrant English Program (AMEP) should be encouraged to share their Job Plans with their SEE or AMEP Providers in order to make them aware of their full Mutual Obligation Requirements. This will assist SEE and AMEP Providers in ensuring that they place Participants in courses with study to fully meet their AAR in the Work for the Dole Phase.

6. Summary of Required Documentary Evidence

Notification to Participants of their Mutual Obligation Requirements

- The Provider will notify Participants of their Mutual Obligation Requirements in accordance with the reasonable notice timeframes for the relevant method of notification.
- The Provider will create a notification record in the Department's IT System, identifying the method of notification used (i.e. SMS, email or letter).
- If the Provider is in direct contact with the Participant, the Provider must record as the notification method that the appointment was booked directly with the Participant.
- If an Activity or Appointment is rescheduled by the Provider, formal notification must be issued to the Participant of their new requirements.

Note: If the Provider chooses to record the Participant's Activity details in the Activity Diary, this will help them to issue notification of the specific details of participation in an Activity to the Participant.

(Deed reference: Clause 106)

AAR and other Approved Activities



Documentary evidence: In addition to recording the relevant information in the Department's IT System, Providers must retain the following additional forms of evidence (either hard copy or soft copy):

- timesheets or other records of attendance, including information collected through the Supervisor App, where used
- a statement of attainment or similar (for accredited education)
- a signed training notice or signal notice (for Defence Force Reserves)
- an invoice for services or a letter of acceptance into a program (for non-vocational interventions)
- Activity Host Organisation Agreements for Work for the Dole, Voluntary Work, the National Work Experience Programme and Work Experience (Other) Placements

- CTA Agreement (for CTA Courses)
- risk assessment documentation which details that all Deed and relevant guideline requirements have been considered for both the Participant and the Activity (for Activities where risk assessments are required to be undertaken)
- payslips or Employer payroll summaries (for part-time work)
 - For both self-employment and part-time/casual paid work, income reported by the Participant to Services Australia to stimulate a Participant's income support payment is acceptable documentary evidence. This information is available from the Case Summary Screen of the Department's IT System (Job Seeker Information – View Declared Earnings). The information provided indicates both the earnings and the hours worked
 - Additionally, documentary evidence for self-employment can include:
 - a Profit and Loss Statement
 - a signed and dated written statement from an accountant and/or registered bookkeeper
 - copies of records from the Australian Taxation Office and/or a tax return statement
 - a Business Activity Statement.

If Activity attendance information has been entered by the Activity Host Organisation into the Mobile Supervisor's App or directly into the Department's IT System, or the Participant has used evidenced based recording of attendance, offline records are not required to be kept.

A Participant's attendance at their internship will be recorded to ensure the hours completed by the Participant end of each month are counted against the Participant's AAR.

(Deed reference: Section B4)

All capitalised terms in this guideline have the same meaning as in the jobactive Deed 2015–2022 (the Deed).

This Guideline is not a stand-alone document and does not contain the entirety of Employment Services Providers' obligations. It must be read in conjunction with the Deed and any relevant Guidelines or reference material issued by Department of Education, Skills and Employment Business under or in connection with the Deed.

7. Attachments

Attachment A – Mutual Obligation Requirement summary tables

Mutual Obligation Requirements—Participants under 30 years of age

Period of Service	Stream A & Stream B Participants		Other Stream A Participants		Other Stream B Participants	Stream C
	Started in the Work for the Dole Phase for the first time before 1 October 2016	Did not start in the Work for the Dole Phase for the first time before 1 October 2016	Started in the Work for the Dole Phase for the first time before 1 October 2016	Did not start in the Work for the Dole Phase for the first time before 1 October 2016		
0–6 months	Case Management	Case Management	Self Service and Job Activity	Self Service and Job Activity	Case Management	Case Management
	Appointments Job Search—up to 20 per month Other suitable Activities as appropriate	Appointments Job Search— up to 20 per month Other suitable Activities as appropriate EST Eligible Participants must be considered for EST Courses at five months.	Appointments Job Search— up to 20 per month Other suitable Activities as appropriate	Appointments Job Search— up to 20 per month Other suitable Activities as appropriate EST Eligible Participants must be considered for EST Courses at five months.		
6–12 months	Work for the Dole Phase		Work for the Dole Phase	Case Management		
	Appointments Job Search— up to 20 per month AAR—650 hours over 26 weeks (50 hours/fortnight), Work for the Dole as the principal Activity (that is the default Activity where another Activity is not undertaken for the 18-49 year old cohort)		Appointments Job Search— up to 20 per month AAR—650 hours over 26 weeks (50 hrs/fortnight), Work for the Dole as the principal Activity (that is the default Activity where another Activity is not undertaken for the 18-49 year old cohort) AAR for PCP/PCW—390 over 26 weeks (30 hrs/fortnight), choice of activities	Appointments Job Search— up to 20 per month Other suitable Activities as appropriate		
	Case Management	Work for the Dole Phase	Case Management	Work for the Dole Phase	Work for the Dole Phase	Work for the Dole Phase

Period of Service	Stream A & Stream B Participants		Other Stream A Participants		Other Stream B Participants	Stream C
12–18 months; 24–30 months; etc	Appointments Job Search— up to 20 per month Other suitable Activities as appropriate	Appointments Job Search— up to 20 per month AAR—650 hours over 26 weeks (50 hours/fortnight), Work for the Dole as the principal Activity (that is the default Activity where another Activity is not undertaken for the 18-49 year old cohort)	Appointments Job Search— up to 20 per month Other suitable Activities as appropriate	Appointments Job Search— up to 20 per month AAR—650 hours over 26 weeks (50 hrs/fortnight), Work for the Dole as the principal Activity (that is the default Activity where another Activity is not undertaken for the 18-49year old cohort) AAR for PCP/PCW—390 over 26 weeks (30 hrs/fortnight), choice of activities	Appointments Job Search— up to 20 per month AAR—650 hours over 26 weeks (50 hrs/fortnight), Work for the Dole as the principal Activity (that is the default Activity where another Activity is not undertaken for the 18-49year old cohort) AAR for PCP/PCW—390 over 26 weeks (30 hrs/fortnight), choice of activities	Appointments Job Search— depends on capacity AAR—650 hours over 26 weeks (50 hrs/ fortnight), Work for the Dole as the principal Activity (that is the default Activity where another Activity is not undertaken for the 18-49 year old cohort), can also use non-vocational Activities AAR for PCP/PCW—390 over 26 weeks (30 hrs/fortnight), choice of Activities, can also use non-vocational Activities
18-24 months; 30-36 months; etc	Work for the Dole Phase Appointments Job Search— up to 20 per month AAR—650 hours over 26 weeks (50 hrs/fortnight), Work for the Dole as the principal Activity (that is the default Activity where another Activity is not undertaken for the 18-49 year old cohort.	Case Management Appointments Job Search— up to 20 per month Other suitable Activities as appropriate	Work for the Dole Phase Appointments Job Search— up to 20 per month AAR—650 hours over 26 weeks (50 hrs/fortnight), Work for the Dole as the principal Activity (that is the default Activity where another Activity is not undertaken for the 18-49year old cohort). AAR for PCP/PCW—390 over 26 weeks (30 hrs/fortnight), choice of Activities	Case Management Appointments Job Search— up to 20 per month Other suitable Activities as appropriate	Case Management Appointments Job Search— up to 20 per month Other suitable Activities as appropriate	Case Management Appointments Job Search—depends on capacity Other suitable Activities as appropriate

Mutual Obligation Requirements—Participants 30 years of age up to 49 years of age

Period of Service	Stream A		Stream B	Stream C
	Started in the Work for the Dole Phase for the first time before 1 October 2016	Did not start in the Work for the Dole Phase for the first time before 1 October 2016		
0–6 months	Self Service and Job Activity	Self Service and Job Activity	Case Management	Case Management
	Appointments Job Search— up to 20 per month Other suitable Activities as appropriate	Appointments Job Search— up to 20 per month Other suitable Activities as appropriate	Appointments Job Search— up to 20 per month Other suitable Activities as appropriate	Appointments Job Search— depends on capacity Other suitable Activities as appropriate
6–12 months	Work for the Dole Phase	Case Management		
	Appointments Job Search— up to 20 per month AAR—650 hours over 26 weeks (50 hours per fortnight), Work for the Dole as the principal Activity (that is the default Activity where another Activity is not undertaken for the 18-49 year old cohort) AAR for PCP/PCW—200 hours over 26 weeks (15–16 hours per fortnight), choice of Activities	Appointments Job Search— up to 20 per month Other suitable Activities as appropriate		
12–18 months; 24–30 months; etc	Case Management	Work for the Dole Phase	Work for the Dole Phase	Work for the Dole Phase
	Appointments Job Search— up to 20 per month Other suitable Activities as appropriate	Appointments Job Search— up to 20 per month AAR—650 hours over 26 weeks (50 hours per fortnight), Work for the Dole as the principal Activity (that is the default Activity where another Activity is not undertaken for the 18-49 year old cohort) AAR for PCP/PCW—200 hours over 26 weeks (15–16 hours per fortnight), choice of Activities	Appointments Job Search— up to 20 per month AAR—650 hours over 26 weeks (50 hours per fortnight), Work for the Dole as the principal Activity (that is the default Activity where another Activity is not undertaken for the 18-49 year old cohort) AAR for PCP/PCW—200 hours over 26 weeks (15–16 hours per fortnight), choice of Activities	Appointments Job Search—depends on capacity AAR—650 hours over 26 weeks (50 hours per fortnight), Work for the Dole as the principal Activity, (that is the default Activity where another Activity is not undertaken for the 18-49 year old cohort), can also use non-vocational Activities AAR for PCP/PCW—200 hours over 26 weeks (15–16 hours per fortnight), choice of Activities, can also use non-vocational Activities.
18–24 months; 30–36 months; etc	Work for the Dole Phase	Case Management	Case Management	Case Management
	As above for the Work for the Dole Phase for six months	As above for Case Management for six months	As above for Case Management for six months	As above for Case Management for six months

Mutual Obligation Requirements — Participants 50 years of age up to 59 years of age

Period of Service	Stream A		Stream B	Stream C
	Started in the Work for the Dole Phase for the first time before 1 October 2016	Did not start in the Work for the Dole Phase for the first time before 1 October 2016		
0–6 months	Self Service and Job Activity	Self Service and Job Activity	Case Management	Case Management
	Appointments Job Search— up to 20 per month Other suitable Activities as appropriate	Appointments Job Search— up to 20 per month Other suitable Activities as appropriate		
6–12 months	Work for the Dole Phase	Case Management		
	Appointments Job Search— up to 20 per month AAR—390 hours over 26 weeks (30 hours per fortnight), choice of activities AAR for PCP/PCW—200 hours over 26 weeks (15–16 hours per fortnight), choice of Activities	Appointments Job Search— up to 20 per month Other suitable Activities as appropriate		
12–18 months; 24–30 months; etc	Case Management	Work for the Dole Phase	Work for the Dole Phase	Work for the Dole Phase
	Appointments Job Search— up to 20 per month Other suitable Activities as appropriate	Appointments Job Search— up to 20 per month AAR—390 hours over 26 weeks (30 hours per fortnight), choice of activities AAR for PCP/PCW—200 hours over 26 weeks (15–16 hours per fortnight), choice of Activities	Appointments Job Search— up to 20 per month AAR—390 hours over 26 weeks (30 hours per fortnight), choice of activities AAR for PCP/PCW—200 hours over 26 weeks (15–16 hours per fortnight), choice of Activities	Appointments Job Search—depends on capacity AAR—390 hours over 26 weeks (30 hours per fortnight), choice of Activities, can also use non-vocational Activities AAR for PCP/PCW—200 hours over 26 weeks (15–16 hours per fortnight), choice of Activities, can also use non-vocational Activities
18–24 months; 30–36 months; etc	Work for the Dole Phase	Case Management	Case Management	Case Management
	As above for the Work for the Dole Phase for six months	As above for Case Management for six months	As above for Case Management for six months	As above for Case Management for six months

Mutual Obligation Requirements—Participants 60 years of age and over

Period of Service	Stream A		Stream B	Stream C
	Started in the Work for the Dole Phase for the first time before 1 October 2016	Did not start in the Work for the Dole Phase for the first time before 1 October 2016		
0–6 months	Self Service and Job Activity	Self Service and Job Activity	Case Management	Case Management
	Appointments Job Search— up to 10 per month Other suitable Activities as appropriate	Appointments Job Search— up to 10 per month Other suitable Activities as appropriate		
6–12 months	Work for the Dole Phase	Case Management		
	Appointments Job Search— up to 10 per month AAR—130 hours over 26 weeks (10 hours per fortnight), choice of activities. No AAR once the Aged Pension age is reached. Other suitable Activities as appropriate	Appointments Job Search— up to 10 per month Other suitable Activities as appropriate		
12–18 months; 24–30 months; etc	Case Management	Work for the Dole Phase	Work for the Dole Phase	Work for the Dole Phase
	Appointments Job Search— up to 10 per month Other suitable Activities as appropriate	Appointments Job Search— up to 10 per month AAR—130 hours over 26 weeks (10 hours per fortnight), choice of activities. No AAR once the Aged Pension age is reached. Other suitable Activities as appropriate	Appointments Job Search— up to 10 per month AAR—130 hours over 26 weeks (10 hours per fortnight), choice of activities. No AAR once the Aged Pension age is reached. Other suitable Activities as appropriate	Appointments Job Search—depends on capacity AAR—130 hours over 26 weeks (10 hours per fortnight), choice of activities. No AAR once the Aged Pension age is reached. Other suitable Activities as appropriate
18–24 months; 30–36 months; etc	Work for the Dole Phase	Case Management	Case Management	Case Management
	As above for the Work for the Dole Phase for six months	As above for Case Management for six months	As above for Case Management for six months	As above for Case Management for six months

Notes:

- NEIS Prospective Participants who have been assessed as NEIS Eligible will meet their AAR for the period they are participating in NEIS Training.
- Participants in NEIS who have not transferred to NEIS Allowance when they commence NEIS Assistance will fully meet their Mutual Obligation Requirements.
- Volunteer Participants do not have a mandatory number of Job Searches.
- Outside the AAR, Providers can require Participants to participate in other Activities (in addition to Job Search and Provider Appointments).
- Participants can meet their AAR through full participation in the Defence Reserves (240 hours over 26 weeks or 18–20 hours per fortnight).

Attachment B – Early School Leaver Facsimile Cover Sheet

Fax to: Services Australia Business Hotline

1300 786 102



Verification of Year 12 or equivalent qualification

(Office use only: CBHESL)

Attached to this Verification Facsimile Cover Sheet is evidence of a completed Year 12 or equivalent qualification (i.e. Certificate III or higher) for:

Participant's
name _____

CRN _____

Declaration by Provider

I have sighted:

(tick as to which applies)

- ☐ the original qualification
- ☐ a certified true copy of the qualification
- ☐ a letter from the relevant school or educational institution formally verifying attainment of the qualification
- ☐ a Statutory Declaration detailing the name of the course, date completed, institution and institution contact details.

Signed:

Name (Please print):

Organisation:

Office telephone & fax numbers:

Number of pages (including cover sheet):

Guideline:

Activity Management

Participating in Activities helps Participants to improve their skills and motivation so they can find and keep a job. Activities can also develop a Participant's ability to take directions from a Supervisor, work independently, communicate effectively, and work as part of a team.

This Guideline outlines the requirements for jobactive Providers when setting up and managing Activities (other than Work for the Dole Activities, PaTH Internships or National Work Experience Programme activities except where stated).

Published on: 5 November 2020

Version: 7.0

Effective from: 7 December 2020

Effective end: 7 March 2021

Changes from the previous version (Version 6.1)

Policy changes:

Pages 4-31: Added information regarding the PaTH Business Placement Partnerships initiative.

Pages 32, 46: Removed requirement for Career Transition Assistance (CTA) Agreements (**Note: this change is effective from 1 January 2021**).

Page 21: Removed a requirement preventing Activity Host Organisations who have downsized their workforce in the previous 12 months from hosting a Work Experience (Other) placement. This is a temporary adjustment reflecting the economic impact of COVID-19, to ensure Work Experience (Other) can continue to be utilised by impacted businesses during the recovery. The reintroduction of this requirement will be reviewed quarterly.

Wording changes:

Pages 10-26: Clarified Employment Skills Training (EST) requirements and system steps.

Page 38: Clarified Skills for Education and Employment (SEE) arrangements, and amended references to the Adult Migrant English Program (AMEP).

Page 39: Labelled Work Health and Safety requirements for Other Government Programs as 'Work Health and Safety Content'.

Pages 45-53: Attachment A and B, example WHS and Risk Assessment Template (non-mandatory) moved out of Guideline into separate stand-alone document on Provider Portal.

Document Change History:

A full document history is available at the [Provider Portal](#).

Effective end: 7 March 2021

Related documents and references

[Job Seeker Calendar and AAR Details IT Supporting Document](#)

[Insurance Reader's Guide](#)

[Using the Employment Fund General Account Guideline](#)

[Managing and Monitoring Mutual Obligation Requirements Guideline](#)

[Exploring Being My Own Boss Additional Services](#)

[Managing PaTH Internships](#)

[How people access NEIS and participate in NEIS](#)

[Training Guideline](#)

[Privacy Guideline](#)

[Regional Employment Trials Guideline](#)

[Work for the Dole Guideline](#)

Employment Services Reporting:

AM001 - jobactive Activity Management

AM002 - jobactive Activity Placement

AM003 - WfD Phase Caseload Management

AM004 - WfD Phase Forecasting

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1. Identifying suitable Activities for Participants

Activities can generally be undertaken at any time where the Provider thinks it will be of benefit to the Participant. A broad range of Activities designed to improve a Participant's employment prospects can be included within a Participant's Job Plan at any time.

The types of Activities which can be undertaken include:

- Work for the Dole - for Participants aged 18 years or over (for information on Work for the Dole Activities, see the [Work for the Dole Guideline](#))
- PaTH Internships - for Participants aged 17 to 24 years (for information on setting up or managing PaTH Internships, see the [Managing PaTH Internships Guideline](#))
- PaTH Industry Pilots – for eligible Participants aged 17-24 years (for information on each individual Pilot, see the Provider Portal)
- Industry Workforce Solutions available through PaTH Business Placement Partnerships, for Youth Jobs PaTH Program eligible participants (for information on each Industry Workforce Solution, see the Provider Portal)
- National Work Experience Programme (NWEPP) - for Participants aged 17 years or over, in receipt of income support with Mutual Obligation Requirements (for information on managing NWEPP Activities, see the [Managing National Work Experience Programme Activities Guideline](#))
- Work Experience (Other) – for Participants aged 15 years or over
- PaTH Employability Skills Training (EST) – for Participants aged 15 to 24 years
- Career Transition Assistance (CTA) – for Participants aged 45 years or over
- Launch into Work program pre-employment projects – for Participants aged 15 years or over
- Voluntary Work
- Part-time employment
- Study or training - subject to approved short course conditions
- Accredited language, literacy and numeracy courses, including the Skills for Education and Employment (SEE) program, and Adult Migrant English Program (AMEP)
- Regional Employment Trials program
- Defence Reserves
- New Enterprise Incentive Scheme (NEIS) Training
- NEIS Assistance – for Participants who do not transfer to NEIS Allowance when their NEIS Agreement begins
- other government programs – including state government programs and 'Exploring Being My Own Boss' Workshops
- non-government programs and other Activities designed to improve a Participant's employment prospects
- non-vocational interventions or assistance including drug or alcohol treatments
- non-vocational preventative health interventions and assistance – for Indigenous Participants and Participants in Stream C

More information on these Activities is provided in the [Activity-specific information](#) of this Guideline.

When placing Participants into Activities, Providers must give priority over other Participants to Fully Eligible Participants (those with Mutual Obligation Requirements) and to Participants with an Annual Activity Requirement (AAR) in the Work for the Dole Phase.

All eligible Participants in the Work for the Dole Phase must participate in one or more Activities, from a suite of approved Activities to meet their AAR.

For information on the suite of approved Activities to meet the AAR see the [Managing and Monitoring Mutual Obligation Requirements Guideline](#).

(Deed references: Clauses 87, 106, 107, 108, 109, 109D, 109F)

2. Sourcing Activities for Participants

Providers can provide the Activities themselves or Broker or Purchase Activities from an Activity Host Organisation.

Brokering occurs when an Activity is sourced through an Activity Host Organisation without any payment.

In the case of PaTH Industry Pilots, Providers may arrange (not provide, Purchase or Broker) placement in an Industry Pilot hosted by a PaTH Industry Pilot Provider.

In the case of PaTH Business Placement Partnerships, Providers may arrange (not provide, Purchase or Broker) placement in an Industry Workforce Solution hosted by a Business Partnerships Provider.

In the case of Launch into Work Placements, Providers may arrange (not provide, Purchase or Broker) Launch into Work Placements hosted by a Launch into Work Organisation.

In the case of the Regional Employment Trials (RET) program, Providers may arrange (not provide, Purchase or Broker) Placements in a RET Activity.

Providers remain responsible for ensuring that all Activities are delivered in accordance with the Deed regardless of whether the Provider delivers the Activity itself or the Activity is externally hosted by an Activity Host Organisation, a RET Grant Recipient, a PaTH Industry Pilot Provider, a Business Partnerships Provider or a Launch into Work Organisation.

Activity Host Organisations must not:

- have engaged in illegal operations or promote or condone any form of unlawful conduct
- be associated with the sex industry
- promote or condone gambling that the Department deems inappropriate
- promote or condone any form of violence, self-harm or suicide
- promote or condone any form of discrimination, including on the grounds of race, ethnic group, language, sex, religion or disability
- provide any other service that is likely to bring the Participant, the Provider or the Department into disrepute.

If the Provider Purchases an Activity it must do so under a Subcontract compliant with clause 48 of the Deed, or an Activity Host Organisation Agreement.

Providers must have a formal Activity Host Organisation Agreement or Subcontract (where appropriate) in place for National Work Experience Programme Placements, Work Experience (Other), Voluntary Work, and Work for the Dole Activities. Other Activities do not require an Activity Host Agreement or Subcontract.

Activity Host Organisation agreements

This section applies to Voluntary Work Activities, National Work Experience Programme Placements and Work Experience (Other) Placements. Work for the Dole and PaTH Internship arrangements are specified in the separate Guidelines.

Providers can provide Voluntary Work Activities, National Work Experience Programme Placements or Work Experience (Other) Placements themselves or they can Broker or Purchase Activities from an Activity Host Organisation.

If the Provider Brokers or Purchases the Activity it must do so under an Activity Host Organisation Agreement or Subcontract (where appropriate), even where there is a pre-existing relationship between Provider and Activity Host Organisation, or the Participant has a pre-existing placement outside jobactive.

Activity Host Organisation Agreements between Providers and Activity Host Organisations ensure that both parties understand their rights and obligations. The Activity Host Organisation Agreement must be signed by the Participant, Provider and Activity Host Organisation prior to the Participant commencing in the Activity.

Providers and Activity Host Organisations must discuss and document the Activity Host Organisation obligations, including:

- details of the proposed Activity and its associated tasks
- the Participant's needs and capabilities
- details of the Supervision being provided
- details of the contact person for daily evidence to be sent to, for example QR codes and passcodes will be sent to the activity supervisor so Participants can self-report their attendance
- how attendance will be reported for Participants who have been assessed as not being capable of recording their own attendance, and what support should be provided if a Participant requests their supervisor to record attendance on their behalf
- stakeholders and their roles—in particular those who are best placed to manage associated risk
- work health and safety and incident reporting.

The Work Experience Activity Agreement template for National Work Experience Programme Placements and Work Experience (Other) Placements can be found on the Provider Portal. This template must be used for any National Work Experience Programme Placement or Work Experience (Other) Placement.

The Activity Host Organisation Agreement templates for Voluntary Work and Work for the Dole can be found on the Provider Portal. While Providers may use their own agreement for Voluntary Work or Work for the Dole Activities, they must ensure that the topics in the Department's template agreement are covered in their

agreement and must include, word for word, any clauses specified by the Department, for example on displacement and work health and safety.

(Deed references: Clauses 48, 107, 108, 110, 111, and 112).

3. Commencing and managing a Participant in an Activity

When identifying appropriate Activities for Participants, Providers should:

- identify and appropriately take into account the individual needs of the Participant
- identify if the Participant is eligible to participate in the Activity, where relevant
- explain to the Participant when to commence an Activity and the consequences of not commencing an Activity on time
- identify the frequency of Contact with the Participant while they are participating in the Activity. The frequency, timing and duration of this Contact will be negotiated between the Provider and the Participant and should match the Participant's needs.

A Provider must, in consultation with the Participant, update a Participants' Job Plan with information about the selected Activity.

Where required, the Job Plan must also include the number of hours each fortnight a Participant is required to undertake in an Activity. This applies to any compulsory Activity, both during and outside of the Work for the Dole Phase. See the [Managing and Monitoring Mutual Obligation Requirements Guideline](#) and [Job Plan and Scheduling Mutual Obligation Requirements Guideline](#).

Once a Participant has commenced an Activity, the Provider must support them to meet the terms of their Job Plan by:

- meeting with or contacting Participants to obtain feedback on their progress and resolving issues that may arise
- providing or ensuring adequate supervision of the Activity to maintain the general health and welfare of all Participants
- ensuring that work health and safety standards are upheld, where relevant
- ensuring that Participants have adequate safety equipment and clothing for the Activity, where relevant
- ensuring that Participants are provided with all things necessary for participation in Activities, including materials, equipment, on-site services and facilities (such as toilets) and training
- ensuring that Participants are benefiting from the Activity, enhancing their Employment prospects and are not being exploited
- minimising disruptions where a Participant is attending an Activity (e.g. arranging Provider appointments outside Activity times where possible)
- monitoring the Participants' progress, attendance, behaviour and satisfaction with the Activity
- ensuring that Participants understand their requirement to record or report their own attendance at Activities (or if they are unable to report their own attendance—such as in the case of participation in the SEE or AMEP programs—that there are arrangements in place for the training provider to report on the Participants' behalf)

- keeping an accurate record of attendance for approved Activities being undertaken for the purposes of meeting the AAR.

Participants will generally be required to source their own transport to and from an Activity. In some instances, Providers will be required to, or may choose to, arrange transport for Participants to and from an Activity in cases where:

- a Participant does not have access to a vehicle or does not have a drivers' licence, or 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
- the Activity has a residential or overnight accommodation component.

If Providers are transporting Participants to and/or from an Activity, this must be included in the risk assessment of the Activity.

Setting up Activities in the Department's IT System



Documentary evidence: Providers must identify and create all of their Activities in the Activity Management component of the Department's IT System, with the exception of the creation of RET, Non-Government Program, PaTH Industry Pilots, PaTH Business Placement Partnerships run Industry Workforce Solutions and Launch into Work Activities, which are created by the Department.

When creating Activities, Providers must identify if there is any evidence required from the Participant to verify attendance at the Activity. Where evidence is required, this will be a QR code or passcode the Participant must scan using the Job Seeker App or record in the jobactive website (Please note, a number of Activities are not scheduled in the Calendar in ESS Web. For example, attendance of Participants placed in the SEE program will be verified by attendance reports supplied by the SEE training provider). This is mandatory for Work for the Dole Activities.

Providers will need to enter recipient details when creating the Activity so the evidence is automatically sent to the Self-Reporting Evidence Recipient to be made available for the Participant. The Department's IT System will create unique passcodes or QR codes for each Activity each day. The Activity Supervisor or Provider will need to make these details available to Participants who participate in the Activity as they will need to input the code to have their attendance marked off.

Providers must create schedules of daily Activity participation when creating Activities to identify the start and end dates, and days and times, an Activity will run for groups of Participants. Schedules can exist for different locations for the same Activity and multiple schedules at different times for different groups. Providers place a Participant's details against an Activity when the Participant is referred to the Activity. Providers must also include Activity Host Organisation details when setting up Activities and course identifiers (for study or training placements). Providers can link a Participant to a schedule which will populate their Calendar with the daily Activity requirements they must meet.

This will give each Activity a unique Activity ID and assist Providers in identifying and managing a Participant's placement.

Where there are multiple Participants undertaking Activities for the same organisation, Providers should create a single Activity record and place the Participants with the same organisation into that single Activity.

A separate Activity should be created for each unique Activity that is being undertaken by a Provider's Participants. An Activity is considered unique where the tasks being undertaken are not the same as an existing Activity, or are undertaken under different circumstances.

For example, Participants doing similar Voluntary Work with different organisations would be considered to be doing different Activities and each should have a separate activity created in the Department's IT system. Correspondingly, a single Work for the Dole project being completed across multiple host organisations would be considered to be a single Activity and separate records would not need to be created.

For Participants doing part-time work Activities, the Department's IT System automatically creates a part-time work Activity and places the Participant into that Activity when the Participant declares hours of employment to Services Australia. However, if the Provider has already manually placed the Participant into a part-time work Activity, the Department's IT System will not create the Activity automatically. When a Provider manually places a Participant into a part-time work Activity, this will be the activity recorded in the Activity Management component of the Department's IT System.

Because paid employment is not scheduled in the Calendar, the Participant or the Provider should enter paid employment as a Personal Event so that any conflict is avoided.

For more information see the [Job Seeker Calendar and AAR IT Supporting Document](#).

EST Activities

EST Providers will create all EST Courses in the Activity Management component of the Department's IT System and record Participant attendance at EST Courses via the Supervisor App.

EST Providers will enter all EST Course details into Activity Management, including the type of EST Course (i.e. whether it is a Training Block 1 or Training Block 2 Course, and whether or not it has an industry-specific focus), the name of the EST Course supervisor, address, and scheduled dates and attendance times for the EST Course.

Providers can search for and view EST Courses and refer Participants who are EST Eligible into these EST Courses through Activity Management.

Providers must not refer Participants from their caseload to an EST Course delivered by an EST Provider that is either the Provider's Own Organisation or a Related Entity.

CTA Activities



Documentary Evidence: CTA Providers will create all CTA Courses in the Activity Management component of the Department's IT System and record Participant

attendance at CTA Courses via the Supervisor App where the Participant is unable to record their own attendance.

CTA Providers will enter all CTA Course details into Activity Management, including the name of the CTA Course contact, address, and scheduled dates and times for the CTA Course.

jobactive Providers can search for and view CTA Courses in their Employment Region, and can refer Participants who are CTA Eligible into these CTA Courses through Activity Management.

RET Activities

The Department will create RET Activities in the Activity Management component of the Department's IT system. The Department will notify the RET Partnering provider of the Activity ID so that they can refer Participants into the RET Activity.

Scheduling Activity Participation in the Calendar

Providers must schedule Participant Activity requirements in the Provider Calendar in the Department's IT System. This includes all:

- Activities, except
 - Education and Training where the course is delivered online, or that portion of the course delivered online.
 - where it is a requirement that the Participant resides with the host organisation, either as part of a residential program or Drug and Alcohol Treatment or as part of Defence Reserves.
 - Employment and work experience activities where the hours are irregular and are organised directly between the Participant and the employer or host.
 - Where the Department's IT System does not support scheduling of the activity (for example, SEE program). For more information see the [Job Seeker Calendar and Annual Activity Requirement IT Supporting Document](#).
- Workshops, training and other activities delivered by the Provider to Participants

Providers must schedule the individual dates, days, start and end times and breaks of Activities. For paid Employment, Providers must use Participant Personal Events to schedule the days and times of paid Employment, unless the Participant has created Personal Events for paid employment.

Requirements cannot be scheduled unless the corresponding Job Plan code is in the Participant's Job Plan and within the recorded date range.

Where requirements are scheduled, these will be visible to Participants in their Calendar to allow them to record their own attendance.

See the [Job Plan and Scheduling Mutual Obligation Requirements Guideline](#) for more information.

Recording and Monitoring Attendance at Activities

Participants have responsibility for recording and/or reporting their own attendance at Activities if they are found capable of doing so. Providers will assess a Participant's capability to record their own attendance at Activities; where the Participant is capable, they will have the 'Personal Responsibility to Report and Record Attendance' Job Plan code in their Job Plan.

Participants will scan a QR code via the Job Seeker App or record a passcode through the jobactive website to record their attendance at an Activity. If an Activity runs for more than four hours, two codes will be generated: one for each four-hour block. The Participant will need to record both codes to record their attendance for the whole requirement.

Where evidence is not required, such as at individually based Activities, Participants are still required to record and verify their attendance using the Job Seeker App or jobactive website by confirming they have attended and participated for the duration.

Where hours are not required to be scheduled (see [Scheduling Activity Participation in the Calendar](#)), providers must manually record the hours completed each month.

Where Participants are not capable of recording their own attendance using technologies, they are still responsible for reporting their attendance. This may involve a Participant calling their Provider to request they record their attendance, or asking the Activity Supervisor at their requirement to ensure their attendance is recorded on their behalf.

If attendance is not recorded by the end of the day, the Participant's Income Support Payment will be automatically suspended.

Note that under the SEE contract, SEE training providers are only required to report hours of attendance fortnightly to the program. They will discuss with referring Providers how regularly they must supply the attendance records.

There will be some Activities where there is no documentary evidence for recording attendance required to be kept by Providers.



System step: For Participants unable to record attendance at Activities, Providers **must** use the Calendar to record the Participant's attendance in the Department's IT System by the end of the day. This **must** be done for every day that the Participant is required to participate.

Providers **must** record the hours completed by Participants within 20 Business Days of a Participant exiting the Work for the Dole Phase or when they exit the Provider's caseload (e.g. exiting from jobactive or transferring to another Provider) to enter hours of participation in the Phase or set the AAR Flag to 'met', if appropriate. If nothing has been entered into the system after the 20 Business Day timeframe, the Participant's required hours will be recorded as not met.

Non-Work for the Dole Activity Costs

Some costs associated with Activities may be reimbursed through the Employment Fund. See the [Using the Employment Fund General Account Guideline](#).

For non-Work for the Dole Activity costs claimed through the Employment Fund, the Activity identifier for which the claim is being made must be recorded in the Department's IT System.

(Deed reference: Clause 88)

Record keeping



Documentary evidence: The Provider must keep records of attendance for each Participant who participates in relevant Activities in accordance with the Deed.

Where Participants record their own attendance at Activities via the Job Seeker App or the jobactive website, this will count as documentary evidence for Participant attendance.

Where Activity attendance information has been entered by the Activity Host Organisation into the Supervisor App or directly into the Department's IT System, documentary evidence is not required to be kept.

The Provider must make sure that Supervisors are aware that they are required to notify the Provider of any misconduct that has occurred at Activities on the day of the event.

Providers need to record Participants' attendance at Activities where the Participant has reported their attendance to them, there are issues with on-line dashboard or app for the Participant to record their attendance directly or the Provider has taken responsibility for monitoring and recording attendance on the day of the Activity.



Documentary evidence: jobactive Providers **must** retain evidence (either hard copy or soft copy) of statements of attainment or similar (for accredited education).



Documentary evidence: For both self-employment and part-time/casual paid work, income reported by the Participant to Services Australia is acceptable documentary evidence. If the Participant is in the Work for the Dole Phase, this information will automatically populate into the AAR Details screen, and is also available from the Case Summary Screen (Job Seeker Information – View Declared Earnings).



Documentary evidence: jobactive Providers **must** retain evidence (either hard copy or soft copy) of payslips or Employer payroll summaries (for part-time work), if the Provider is not using the employment hours declared to Services Australia.

Additionally, documentary evidence for self-employment can include:

- a Profit and Loss Statement
- a signed and dated written statement from an accountant and/or registered bookkeeper
- copies of records from the Australian Taxation Office and/or a tax return statement
- a Business Activity Statement.



Documentary evidence: jobactive Providers **must** retain evidence (either hard copy or soft copy) of signed training notice or signal notice (for Defence Force Reserves).



Documentary evidence: jobactive Providers **must** retain evidence (either hard copy or soft copy) of invoices for services or a letter of acceptance into a program (for non-vocational interventions).



Documentary evidence: jobactive Providers **must** retain evidence (either hard copy or soft copy) of Activity Host Organisation Agreements for Work for the Dole, and Voluntary Work.



Documentary evidence: jobactive Providers **must** retain evidence (either hard copy or soft copy) of Activity Host Organisation Agreements for the National Work Experience Programme and Work Experience (Other) Placements.



Documentary evidence: jobactive Providers **must** retain evidence (either hard copy or soft copy) of risk assessment documentation for the National Work Experience Programme, Work Experience (Other) and Voluntary Work which details that all Deed and relevant guideline requirements have been considered for both the Participant and the Activity.



System step: Participants are expected to record and report their attendance at EST Activities., EST Providers also record daily attendance of Participants participating in EST Courses using the Supervisor App. Providers can view attendance records in the Participant's Calendar.

For further information on recording Participants' attendance and participation hours, see the Job Seeker Personal Responsibility Module available in the Learning Centre.

Completing Activities



System step: At the completion of an Activity the Provider must input into the Department's IT System the relevant details, including:

- recording an Activity placement end reason and end date for Participant placement records
- final attendance information (including recording hours completed on Activities) for Participants where relevant
- for EST only, in the field provided enter an assessment, from the Provider's perspective, of the impact the EST Course had on the Participant's employability skills. The assessment should be completed at the next meeting with the Participant as soon as possible after their completion of EST. Selection of an assessment result is mandatory when the Provider updates the exit reason to 'successfully completed' in Activity Management. Providers can update the assessment result after the initial assessment to account for observed changes in a Participant's skills.



System step: For study or training activities, Providers need to record the outcomes of the training course upon completion (for example, whether a certificate or statement of attainment was achieved).

For Participants who have completed an EST Course, Providers will receive an assessment of learning outcomes. If the Participant's participation in the EST Course has resulted in the achievement of a certificate or statement of attainment, the EST

Provider will include this achievement in the assessment of learning outcomes from the EST Course.

For information on additional Documentary Evidence that needs to be retained for a Participant's AAR, refer to the [Managing and Monitoring Mutual Obligation Requirements Guideline](#).



Documentary evidence: jobactive Providers **must** retain evidence (either hard copy or soft copy) of statements of attainment or similar (for accredited education).

For Participants who have participated in and completed a CTA Course, jobactive Providers will receive an individually tailored Career Pathway Plan and an up to date résumé at the Warm Handover Meeting with a CTA Provider. The CTA Provider will upload the Career Pathway Plan and Résumé against the relevant Activity Placement in the Department's IT System.

4. Managing risks with Activities

Insurance coverage for Participants

The Department purchases personal accident insurance and combined public and/or product liability insurance to cover Participants undertaking Activities, including:

- Voluntary Work
- National Work Experience Programme
- Work Experience (Other)
- PaTH Internships
- PaTH Industry Pilots
- PaTH Business Placement Partnerships run Industry Workforce Solutions
- Launch into Work Placements
- RET Activities
- Non-government programs approved for AAR purposes
- Hosted Industry Awareness Experiences that form part of EST and are hosted on a third party's premises, for example a tour of an employer's premises
- Hosted Outbound Employer Visits that form part of CTA and are hosted on a third party's premises, for example a tour of an employer's premises
- other approved work experience Activities
- any other Activities the Department advises.

However, these policies have exclusions. See the [Insurance Reader's Guide](#) and insurance policies on the Provider Portal.

(Deed references: Clauses 42, 107, 109, 109A, 109D, 109F).

Sourcing additional insurance coverage

If alternative insurance is in place, Providers can still deliver Activities where tasks are excluded under the Department's policies.

Providers can confirm the Activity Host Organisation, CTA Provider, RET Grant Recipient, PaTH Industry Pilot Provider, Business Partnerships Provider or Launch

into Work Organisation has appropriate insurance coverage, or where coverage is insufficient, the Provider can decide to purchase additional insurance.

For information on using the Employment Fund to purchase additional insurance, please refer to the [Using the Employment Fund General Account Guideline](#).

As an alternative to purchasing insurance, the Provider could 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 references: Clause 42, 107, 109, 109F)

Ensuring Work Health and Safety measures are in place

This section applies to Voluntary Work Activities, National Work Experience Programme Placements, Work Experience (Other) Placements, PaTH Internships, PaTH Industry Pilots, PaTH Business Placement Partnerships run Industry Workforce Solutions, RET Activities and Launch into Work Placements.

△ Work Health and Safety content: The Provider must ensure that there is a safe system of work in place and ensure that the Activity Host Organisation, PaTH Industry Pilot Provider, Business Partnerships Provider, RET Grant Recipient or Launch into Work Organisation is aware of and understands the need to comply with relevant work health and safety requirements (in accordance with sub clause 110.1 of the Deed).

Providers must take all reasonable steps to minimise the likelihood of injury to Participants and any other people at the Activity location. Participants are to be provided with all things necessary to undertake their Activity safely, including but not limited to, appropriate and adequate:

- training and supervision
- personal protection equipment and clothing
- on-site facilities (for example, access to drinking water and toilets)
- processes for reporting any work health and safety issues and any other concerns.

Providers must consult, coordinate and cooperate as appropriate with Activity Host Organisations, PaTH Industry Pilot Providers, Business Partnerships Providers, Launch into Work Organisations, RET Grant Recipients and the Department, to ensure that any work health and safety issues in relation to an Activity are appropriately managed.

(Deed references: Clause 8, 42, 69, 107, 109, 109A, 109D, 109F, 110, 111, 112, 113)

Conducting risk assessments

This section applies to Voluntary Work Activities, National Work Experience Programme Placements, Work Experience (Other) Placements, PaTH Internships and Launch into Work Placements.

The Provider must ensure a Competent Person conducts and documents a risk assessment before an Activity commences. If the Provider does not itself have a Competent Person, it must engage a Competent Person for this purpose.

The risk assessment is to:

- identify potential risks and hazards associated with the tasks that will be undertaken during the Activity
- identify if the Activity is suitable for the relevant Participant/s, including identifying any risks that may arise from a Participant's personal circumstances.

The risk assessment should take into account the role of the Activity Host Organisation or Launch into Work Organisation and the tasks the Participants will be undertaking, with regard to the following factors:

- the nature of the tasks to be undertaken
- the Participant's personal circumstances (that is, working capabilities, any health or other personal issues and level of experience)
- the level of supervision
- the nature of the risk
- the cause of the risk
- consequences of an incident.

In undertaking the risk assessment, the Provider must consider the working environment, including whether the placement is:

- in a non-public area (such as a private residence worksite with a trades person)
- with a sole trader (such as a butcher or hairdresser who operates from a small shop or private residence)
- working alone with another person
- with alternative hours of work (for example, early starts, night work)
- working in a labour hire environment in one or more different workplaces.

For example, the Provider will need to consider the risks of placing a Participant with medical needs in a remote location Activity and ensure this is a suitable placement for the Participant.

Providers must review risks regularly and take appropriate action on those risks where required. The Provider and Activity Host Organisation or Launch into Work Organisation must determine and implement appropriate methods to mitigate the identified risks after conducting the risk assessment.

Where a 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 Activity Host Organisation or Launch into Work Organisation, the Activity must not proceed.

[Further information on conducting Risk Assessments is available on the Provider Portal.](#)



Documentary evidence: Providers have the discretion to determine how they document their risk assessments.



Documentary evidence: 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 on request.

(Deed references: Clauses 42, 88, 110, and 111)

Supervision requirements

This section applies to Voluntary Work Activities, National Work Experience Programme Placements and Work Experience (Other) Placements.

△ Work Health and Safety content: Providers must make sure the Activity is well supervised to protect the health, welfare and safety of Participants and others.

There must be a higher level of Supervision where contact with Children, the elderly, or other people from vulnerable groups are involved. This may mean there needs to be a higher ratio of Supervisors to Participants.

The Provider must ensure that all relevant Personnel and Supervisors:

- are fit and proper persons to be involved in the Activities
- have a high level of skill or knowledge and training or experience for the Activity in which they are engaged
- have a high level of skill or knowledge and training or experience working with, training and supervising people in such Activities
- have relevant work health and safety training
- have had checks as specified in clause 8 of the Deed and have met any additional statutory requirements before being given responsibility for the Supervision of Participants

Supervisors (whether engaged by the Provider or an Activity Host Organisation) must notify the Provider of Participants' non-compliance at Activities no later than at the end of the relevant day.

The Employment Fund can be used to pay for Supervisor costs, if the costs are associated with the literal supervision of Participants on the Activity and not for any other tasks or services already paid for under the Deed. See the [Using the Employment Fund General Account Guideline](#) for further information on what can be claimed through the Employment Fund.

(Deed references: Clauses 42, 88, 110, and 111).

Conducting background checks

This section applies to Voluntary Work Activities, National Work Experience Programme Placements, Work Experience (Other) Placements, PaTH Internships, PaTH Employability Skills Training, PaTH Industry Pilot Placements, PaTH Business Placement Partnerships run Industry Workforce Solutions, Launch into Work Placements, RET Activities and the New Enterprise Incentive Scheme.

For the purpose of this Guideline, 'checks' refers to criminal records checks, Working with Children checks and/or Working with Vulnerable People checks.

Providers must establish whether the nature of an Activity requires Participants and/or Supervisors to have checks. Activities that require checks include those where:

- legislation requires checks to be conducted
- the Activity is subject to industry standards or legal requirements that an Activity can only be carried out by people who have not been convicted of particular crimes

- the Activity is specified by the Department or the Activity description in the Department's IT Systems as requiring checks
- the Participant or Supervisor will have regular or unsupervised contact with Children, the elderly or other classes of vulnerable people.

Unless notified otherwise by the Department, the Provider must arrange for any checks to be completed before allowing the Participant to participate in the Activity. With the exception of PaTH Industry Pilots, PaTH Business Placement Partnerships run Industry Workforce Solutions, Launch into Work Placements and RET Activities, the Provider must also arrange for any necessary checks before allowing a Supervisor to participate in the Activity. PaTH Industry Pilot Providers, Business Partnerships Providers, Launch into Work Organisations and RET Grant Recipients are responsible for arranging checks for Supervisors on these programs.

Providers should contact the relevant organisation 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 Activities for Participants awaiting the outcomes of the checks.

Providers should take appropriate action once the checks are completed. Where checks show that Participants or Supervisors must not do particular Activities, alternative Activities should be undertaken.

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. Check results must be handled in accordance with the requirements outlined in clauses 35 and 38 of the Deed. Additional information regarding disclosure of information and privacy considerations can be found in the [Privacy Guideline](#).

If checks are required for Activities 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.

Providers can seek Reimbursement through the Employment Fund for costs associated with Participant checks for Activities. Costs associated with checks for Supervisors cannot be claimed through the Employment Fund.

(Deed references: Clauses 8, 88, 112, and 124)

5. Managing incidents that occur on Activities

- △ Work Health and Safety content:** If a Participant or member of the public is injured during an Activity, the Provider should, first and foremost, encourage the injured person to seek appropriate medical attention or call emergency services depending on the nature of the incident. The Supervisor must try and protect other Participants from unnecessary trauma where possible.

When must an Incident be reported?

- △ Work Health and Safety content:** As outlined in the [Insurance Reader's Guide](#), if an incident results in the death or serious injury of a Participant, the Supervisor must immediately notify the

work health and safety regulator of the incident in accordance with laws of the relevant state or territory.

△ The Provider must notify the Department, as outlined in the [Insurance Reader's Guide](#), within 24 hours, and as soon as possible, of any incident and/or near miss that occurs during an Activity, including those that result in accident, injury or death of:

- any Participant (including where the incident occurred while the Participant was travelling to or from an Activity)
- any Personnel involved in the delivery or supervision of the Activity
- members of the general public.

All Incidents – both Personal Accident and Public and Products Liability



Documentary evidence: Providers must advise the department of any incident that occurs in the method outlined in the [Insurance Reader's Guide](#), giving full details of the incident (irrespective of whether a claim is being made at the time). Forms for host organisations to notify providers of WHS Incidents are available on the Insurance page of the Provider Portal. Forms for providers to complete to notify the department of any public and products liability incidents are also available on the Insurance page of the Provider Portal.

- A WHS Employment Assistance Program Incident Report must be completed by the Host when an incident involves a Participant's accident, injury or death and submitted as outlined in the Insurance Reader's Guide. A public and products liability claim form/incident report is used when a third party alleges a Participant has been negligent and caused accident, injury or death, or property damage.

The incident report must identify if the incident was caused by an instance of misconduct by a Participant. Misconduct is defined as being something that would, if the Participant was a paid employee, normally result in the paid employee being terminated from paid employment. Any misconduct by Participants may require the Provider to lodge a non-compliance report.

It is important that Participants have access to reporting mechanisms in the event they wish to report an incident, lodge a complaint or provide positive/constructive feedback confidentially. The Provider needs to 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.

For further information in relation to the process for reporting incidents and completing incident forms refer to the [Insurance Reader's Guide](#).

(Deed references: Clause 110)

Incident Recording Requirements in ESS



System step: The provider must complete the 'Job Seeker - WHS Incident' screen in ESS Web, giving full details of the incident (irrespective of whether a claim is being made at the time).

Following submission, the provider will receive confirmation of successful submission of the incident and a copy of the information will be sent to:

- The Work for the Dole branch, and
- The relevant Account Manager.

The Provider is able to report any instances of misconduct or threatening behaviour on the 'Job Seeker Incident Report' screen of ESS Web, whether or not the incident is associated with a police report.

For further information on the incident reporting process, see the [Insurance Reader's Guide](#) and [Servicing Participants with Challenging Behaviour Guideline](#).

6. Activity-specific information

For information relating to Work for the Dole Activities, see the [Work for the Dole Guideline](#). For information relating to PaTH Internships, see the [Managing PaTH Internships Guideline](#). For information relating to the National Work Experience Programme, see the [Managing National Work Experience Programme Activities Guideline](#). For information relating to RET Activities see the [Regional Employment Trials Guideline](#).

Work Experience (Other) Placements

Work Experience (Other) Placements allow Participants who may not be job-ready to undertake short term, unpaid, observational work experience placements to build soft skills and gain a better understanding of how workplaces operate.

Under Work Experience (Other) Placements, the Provider may provide or Broker up to a maximum of four (4) weeks of unpaid work experience.

Work Experience (Other) Placements can occur in for-profit and not-for-profit organisations (referred to as Activity Host Organisations) and do not need to have a likelihood of an outcome of paid Employment.

A Work Experience (Other) Placement is not Employment, training, an apprenticeship, or other similar scheme.

Work Experience (Other) Placements:

- are voluntary
- are for Participants aged 15 years and over regardless of whether or not they are in receipt of an Income Support Payment
- do not attract the Approved Program of Work Supplement
- must only be up to a maximum of 50 hours a fortnight and involve a maximum duration of four (4) weeks total participation time
- must not exceed eight (8) hours per day
- must not include participation on a public holiday, are observational only and cannot involve productive work
- are not Employment, and do not, in themselves, entail creating an Employment arrangement
- may be arranged even where there is no prospect of future employment with the Activity Host Organisation

- must not be used as a stop-gap measure while an organisation is undertaking recruitment exercises, or as a way of meeting ad-hoc needs in lieu of creating paid Employment opportunities
- must not, in whole or in part, involve work which would have been undertaken by a paid worker if the Work Experience (Other) Placement had not taken place
- must be ended where the Activity Host Organisation offers a paid employment position to the Participant
- must be ended if an organisation downsizes its workforce at the time of hosting a placement
- cannot be approved for AAR purposes except for Stream C jobactive Participants.

Providers must ensure that each Work Experience (Other) Placement:

- is not an Employment relationship under the relevant Commonwealth, state or territory legislation
- meets Commonwealth, state or territory legislation including work, health and safety laws and anti-discrimination laws
- has a Work Experience Activity Agreement (Activity Host Organisation Agreement) completed before the placement commences (available from the Provider Portal).

Participants undertaking a Work Experience (Other) Placement must have, or must be provided with, the appropriate knowledge and skills to safely observe work tasks in the workplace, including being supervised, prior to commencing in the placement.



Documentary evidence: jobactive Providers **must** retain evidence (either hard copy or soft copy) of timesheets or other records of attendance. Where Activity attendance information has been recorded by the Participant, entered by the Activity Host Organisation into the Supervisor App or directly into the Department's IT System, offline records are not required to be kept.



Documentary evidence: jobactive Providers **must** retain evidence (either hard copy or soft copy) of Activity Host Organisation Agreements for the National Work Experience Programme and Work Experience (Other) Placements.



Documentary evidence: jobactive Providers **must** retain evidence (either hard copy or soft copy) of risk assessment documentation for the National Work Experience Programme, Work Experience (Other) and Voluntary Work which details that all Deed and relevant guideline requirements have been considered for both the Participant and the Activity.

PaTH Employability Skills Training (EST)

Overview of EST

EST gives young Participants the opportunity to enhance their employability through targeted training.

Participating in EST helps young Participants understand employer expectations of potential new employees in a recruitment process and the workplace. EST consists of two training blocks with different content focuses:

- Training Block 1 Courses are designed to equip young Participants with pre-employment skills and prepare them to meet the expectations of Employers. This type of EST Course covers the 10 Core Skills for Work listed in the Core Skills for Work Developmental Framework (2013).
- Training Block 2 Courses focus on job preparation and are designed to equip young Participants with advanced job-hunting skills, career development interview skills and the opportunity to participate in industry awareness experiences. These experiences will provide Participants with an insight into the tasks and duties of different industries.

Referring Participants to EST Activities

A Participant is EST Eligible if they are aged between 15 and 24 years, receiving income support and have Mutual Obligation Requirements. Participants who are EST Eligible can be referred to an EST Course from day one in jobactive. EST Courses consist of 75 hours of training, delivered at 25 hours per week over three weeks for Participants with a full-time Mutual Obligation Requirement and 15 hours per week over five weeks for Participants with a part-time Mutual Obligation Requirement.

Participants with part-time Mutual Obligation Requirements such as Principal Carer Parents and those with Partial Capacity to Work may volunteer to undertake more than 15 hours per week of EST.

An EST Eligible Participant has a mandatory requirement to participate in EST once they have received services through jobactive for five months. Refer to the system step section below and Managing and Monitoring Mutual Obligation Requirements Guideline for further information on mandatory requirements and exemptions.

An EST Mandatory Participant must be immediately considered for both EST Courses. Providers must refer Participants to the most suitable EST Course.

Providers should ensure they refer Participants to EST Courses with sufficient lead time for the EST Course to meet the required minimum referral numbers (eight referrals for regional, 10 referrals for non-regional). Where a referral is made to an EST Course less than five days before the commencement date, Providers should confirm in ESS Web that the minimum referrals have been met and, if they have not, contact the EST provider to confirm the Course will be going ahead.

Providers must ensure a current phone number and email address are recorded on the Participant's ESS Web profile at the time of referral to enable EST providers to make contact with Participants prior to the training. When making a referral to EST, Providers must discuss the training with Participants, and determine if the Participant should be referred to a Training Block 1 Course, a Training Block 2 Course, or both types of EST Courses (noting the Participant remains EST Mandatory if they do not complete both Courses). When discussing EST referral with Participants, Providers must communicate information about the course content and benefits of attending. To facilitate these conversations, an EST Participant fact sheet is available on the Provider Portal and short promotional videos can be found at <https://jobsearch.gov.au/employability-skills-training>.

Participants should only undertake each type of EST Course once and may undertake them in any order. Exceptions may be made with Departmental approval for Participants who have participated but did not achieve the required learning

outcomes. Where the Department gives approval, jobactive Providers can re-enrol Participants once more, with a different EST Provider.

When the Participant participates in an EST Course, the EST Provider gives the Participant a written assessment, either electronically or in hard copy, of their employability skills, assessed against the relevant learning outcomes for the EST Course. Participants can use the assessment to promote themselves to Employers for PaTH Internships, other work experience opportunities or Employment. The Provider also receives a copy of this assessment.

Providers must collaborate with EST Providers to ensure Participants are referred to suitable EST Courses and, where relevant, the industry specialisation aligns with the Participants aspirations. Providers should be aware that some EST Providers deliver EST Courses that have been tailored for particular Participant cohorts (e.g. Indigenous and or culturally and linguistically diverse). EST Courses for Participants with part-time Mutual Obligation Requirements should be negotiated with EST providers where there is a need.

Participants in EST are subject to the Targeted Compliance Framework (TCF). To assist EST providers to manage attendance, a direct contact number for the referring jobactive site should be available in ESS Web.



System step: The Department's IT Systems identify if a Participant is EST Eligible or mandatory. Providers receive a notification in the Department's IT Systems to let them know an EST Eligible Participant has reached five months of service in jobactive. In addition to the EST eligible widget in ESSWeb, EST caseload reports are available in Employment Services Reporting and Qlik. As Participant circumstances can change, Providers should regularly use these tools to identify EST Mandatory and Eligible Participants, including those not in any Activity.

The Provider should make every effort to refer Participants to available EST Courses as quickly as possible. However, if the Provider does not think the Participant would benefit from either type of EST Course, or there are no suitable EST Courses currently available within the next eight weeks to refer the Participants to, the Provider must record this in the Department's IT Systems, using one of the following EST exemption reasons:

- The Participant already has the relevant skills or experience (such as through having relevant recent workforce experience or already having a part-time job) or has already completed similar training.
- The Participant has Non-Vocational Barriers, which should be addressed first as a priority before they can benefit from the training. For example, a Participant may have health issues related to substance abuse that should be addressed first. A Participant who is a refugee may have language or literacy needs that should be addressed through participation in another program. A Participant may have unstable accommodation and need to address their accommodation issues first.
- There are no suitable EST Courses available for the Participant. For example, where the Participant would have to travel more than 90 minutes each way to the training (60 minutes for Participants with part-time Mutual Obligation Requirements).

- The Participant is referred to another suitable Activity. This reason should only be used when there is an active referral or commencement to another Activity in the Job Plan in ESS Web. Where another Activity referral is in place with an end date in the near future, Providers should consider creating an EST referral for a future course so the Participant can move from their current Activity into EST.
- The only available EST Courses are delivered online, and the Participant lacks suitable IT for online delivery. For example, where the Participant lives in a location with poor internet connectivity. Where the Participant lacks a suitable device to participate in an online course, Providers should, where possible, assist the Participant to gain access to a suitable device.

Using one of these exemption reasons removes the Participant from the EST Mandatory caseload. After eight weeks, the Department's IT Systems removes the exemption reason, making the Participant EST Mandatory again. Providers must then reassess the suitability of EST for the Participant. Providers' use of these reasons will be monitored. Refer to ESS Web System Help > jobactive > Activities for detailed systems information about creating and ending EST referrals.

Career Transition Assistance (CTA)

Overview of CTA

CTA is an activity for mature-age people, 45 years and over, to help them identify and articulate transferable skills, increase job readiness and target job search to local industries and available jobs. CTA will also help to address Participants' functional IT skills, so that they can confidently apply for jobs online, and develop the basic IT skills required in many workplaces.

CTA runs for eight weeks, and referrals to CTA can be made by a jobactive Provider.

Participation in CTA and the AAR

For Participants in the Work for the Dole Phase, participation in CTA will fully meet their AAR for the duration of the placement. Participants will not need to complete other Activities while participating in CTA. If the Participant stops attending CTA they must be referred to another Activity in order to complete their AAR hours for the remaining weeks of their Work for the Dole Phase.

Participation in CTA will be for 75 hours over an eight-week period.

Referring Participants to CTA

All Participants aged 45 years and over, and registered with a jobactive Provider, are eligible to participate in CTA. Participation in CTA is voluntary, and where an eligible Participant elects to participate in CTA they are to be considered suitable for referral unless one or more of the below factors is present:

- a significant non-vocational issue that needs to be addressed as a priority before they can benefit from CTA, or
- the Participant has already commenced a CTA Course during their current Period of Service and the Participant is being serviced by the same Provider.



System step: The Department's IT System will identify if a Participant is CTA Eligible. jobactive Providers will be able to view a list of CTA Eligible participants via the CTA Eligibility Widget in the Department's IT System.

jobactive Providers should determine if the CTA Eligible Participant would benefit from referral to CTA. Where it is identified that a Participant would benefit from CTA, jobactive Providers should make every effort to refer the Participant to an available CTA Course as quickly as possible.

jobactive Providers should consider discussing a Referral to CTA with those Participants who feel they would benefit from it. Participants electing to participate in CTA will be able to choose their CTA Provider from those delivering services in their region. jobactive Providers are required to refer Participants to the CTA Provider chosen by the Participant.

To make a referral to CTA, jobactive Providers must search for CTA Activities and refer the CTA Eligible Participant/s into these activities through Activity Management.

Upon receipt of a Referral, the CTA Provider must, by no later than the end of the next Business Day, arrange an Initial Meeting between the relevant CTA Provider and the CTA Eligible Participant.



System step: To place a Participant into a CTA Course, jobactive Providers must search for and view CTA Courses, and must refer CTA Eligible Participants into the CTA Course through Activity Management.



System step: When placing a Participant into a CTA Course, the jobactive Provider must include a schedule for the Participant's attendance in the activity. The CTA Provider will have included a schedule(s) against the CTA Course. The jobactive Provider should select and modify the schedule in the Participant's calendar as necessary to meet the Participant's needs.



System step: For Participants participating in CTA, any hours scheduled for CTA that are marked as attended in the Participant's calendar will automatically accrue towards the Participant's AAR. For Participants who are in the Work for the Dole Phase and who have an AAR, jobactive Providers must manually record additional monthly hours so that the Participant fully meets their AAR requirement for the period of participation in CTA.

Working with the CTA Provider

jobactive Providers will need to work with CTA Providers to facilitate referrals and receive information about the Participant throughout their time in the program.

jobactive Providers will need to be available for a Warm Handover Meeting with the Participant and CTA Provider within five Business Days of the Participant's completion of CTA.

The purpose of the Warm Handover Meeting is to discuss the Participant's next steps following completion of CTA, including pursuing employment and work experience opportunities. As part of this meeting, the CTA Provider must have uploaded on the Department's IT Systems a copy of the Participant's updated

résumé and Career Pathway Plan. The CTA Provider will also offer the Participant two future Contacts to occur within three months of the completion of CTA.



System step: At the Warm Handover Meeting, the CTA Provider will be required to specify the details of the two future Contacts with the Participant. jobactive Providers should use these details to book Third Party Appointments for the Participant and issue formal notification of the appointment/s.

CTA Fees

CTA Providers will be paid by the Department on commencement of a Participant into CTA. Payments will be automated using the Department's IT Systems.

A Participant is deemed to have commenced CTA once the **CTA Provider** has:

- completed the Initial Meeting with the Participant
- assessed the Participant as suitable for participation in CTA
- completed the Career Pathway Assessment
- updated the placement status in the Department's IT Systems.

PaTH Industry Pilots

The Youth Jobs PaTH Industry Pilots (Industry Pilots) aim to increase the take up and more effective use of employment services by employers through industry-led pre-employment pathways.

Industry Pilots will use a combination of existing government programs, particularly elements of Youth Jobs PaTH, combined with other supports to connect employers, jobactive Providers and Participants through tailored pathways to employment. Industry Pilots may include elements of pre-employment training, Youth Jobs PaTH Internships or National Work Experience Programme (NWEPP) placements. For information on managing these specific elements of an Industry Pilot, please also read the Managing PaTH Internship Guideline and Managing National Work Experience Programme Activities Guideline.

Where an Industry Pilot involves an NWEPP placement or PaTH Internship, jobactive providers and the host business will be eligible to receive relevant payments associated with these placements, just as they would for any other eligible placement or internship.

Participants' AAR

For Participants in the Work for the Dole Phase, participation in an Industry Pilot will fully meet their AAR for the duration of the Placement, regardless of their hours of attendance. Participants will not have to complete other Activities whilst participating in an Industry Pilot. If the Participant stops attending or does not commence employment at the end of the Industry Pilot, before their Work for the Dole Phase is complete they need to be referred to another AAR Activity in order to complete their AAR for the remaining weeks of their Work for the Dole Phase. Participation in an Industry Pilot is voluntary and participants will not be subject to

the Targeted Compliance Framework regarding their participation in an Industry Pilot.

Placing a Participant into a pre-employment project

Pre-screening

The Department will notify jobactive Providers of the Industry Pilots, their locations and Activity codes. jobactive Providers are encouraged to connect with Pilot Providers and screen their caseload for Participants who may be suitable and eligible to participate in an Industry Pilot. Referrals to an Industry Pilot must be made through the Pilot Provider's relevant referral process.

jobactive Providers must ensure that all Participants they refer meet the relevant Industry Pilot requirements outlined by the Pilot Provider. jobactive Providers should ensure Participants are provided with details of the Industry Pilot and requirements from the Pilot Provider, including attendance at information sessions, interviews where required and an understanding of the industry and positions available. The Pilot Provider will use further screening and selection activities to identify preferred Participants, invite them to commence in the Industry Pilot, and advise the jobactive Provider of their selection.

Where a jobactive Provider has determined that a Participant is suitable and interested in participating in an Industry Pilot, the jobactive provider should record the details of the Pilot Provider's pre-screening process in the Departments IT system using an Informal Activity. The jobactive provider should add the details into the participants Job plan using a Voluntary Free Text code and then—using the Job seeker calendar—place the participant into the Informal Activity with days of attendance scheduled as appropriate.

Acceptance and referral

After completing the pre-screening process Pilot Providers will advise jobactive Providers of the Participant's acceptance into the Industry Pilot. Once participants are accepted into the Industry Pilot, Providers must refer the Participant to the Industry Pilot using the relevant Activity ID. Each Industry Pilot Activity ID is available on the Provider Portal.

If it is a requirement of the Industry Pilot, jobactive Providers must ensure that any employer-required checks (e.g. police check, drug and alcohol screening, working with children checks etc.) are conducted prior to the Participant commencing in the Industry Pilot. Risk assessments must also be finalised prior to any PaTH Internship or National Work Experience Programme placements commencing as part of the Industry Pilot.

Participation in an Industry Pilot must be included as a voluntary Activity in the Participant's Job Plan. jobactive Providers must record this Activity in the Job Plan using the free text code, and include the relevant Activity details, such as information about the Pilot Provider and dates and hours of participation.



System step: A PaTH Industry Pilot Activity Type has been created in the Department's IT System. The Department will provide the relevant Activity ID to jobactive Providers. Once the Participant has been accepted into an Industry Pilot, jobactive Providers can refer the Participant into the Activity using the relevant

Activity ID. jobactive Providers must also refer Participants to elements within the Industry Pilot pathway using current processes for placing a Participant into the Activity, e.g. PaTH Internships, EST and NWEF.



System step: For Participants undertaking an Industry Pilot, use of the Calendar is not required. However, Providers are encouraged to use the Calendar to ensure conflicting appointments aren't scheduled, by creating a personal event for the Participant using the 'working casual / regular' event type.

Activity management

jobactive Providers should ensure that appointments, interviews, job search or other Activities are not scheduled for Participants whilst they are participating in an Industry Pilot. If it is absolutely necessary for a Participant to attend an appointment, jobactive Providers should discuss this with the Pilot Provider and Participant.

jobactive Providers are expected to support Participants to successfully participate in and complete the Industry Pilot.

Each Industry Pilot Provider will outline any additional requirements to support participation in an Industry Pilot – e.g. transport costs; clothing etc. Referring participants to an Industry Pilot is contingent on accepting the terms and conditions of the Industry Pilot and meeting these requirements must be managed in a timely manner by jobactive Providers, so Participants and employers are not adversely affected.



Documentary evidence: jobactive Providers **must** retain evidence (either hard copy or soft copy) in relation to participation in elements of an Industry Pilot (such as a PaTH Internship or NWEF Placement) in accordance with all DEED and relevant guideline requirements.

PaTH Business Placement Partnerships

PaTH Business Placement Partnerships (Business Partnerships) trial co-designed industry specific pre-employment pathways to prepare young Participants for identified jobs.

The Department has established a panel of industry associations with a national footprint that are Business Partnership Providers. The Department may co-design Industry Workforce Solutions, with Business Partnerships Providers, that respond to emerging employment opportunities. The Panel commenced in October 2020 and will cease on 30 June 2022.

Industry Workforce Solutions will provide tailored pathways to employment and may include elements of pre-employment training, Youth Jobs PaTH Internships or National Work Experience Programme (NWEF) placements. For information on managing these specific elements of an Industry Workforce Solution, please also read the Managing PaTH Internship Guideline and Managing National Work Experience Programme Activities Guideline.

Where an Industry Workforce Solution involves an NWEF placement or PaTH Internship, jobactive providers and the host business will be eligible to receive

relevant payments associated with these placements, just as they would for any other eligible placement or internship.

Participants' AAR

For Participants in the Work for the Dole Phase, participation in an Industry Workforce Solution will fully meet their AAR for the duration of the Placement, regardless of their hours of attendance. Participants will not have to complete other Activities whilst participating in an Industry Workforce Solution. If the Participant stops attending or does not commence employment at the end of the Business Partnerships Industry Workforce Solution, before their Work for the Dole Phase is complete they need to be referred to another AAR Activity in order to complete their AAR for the remaining weeks of their Work for the Dole Phase. Participation in an Industry Workforce Solution is voluntary and participants will not be subject to the Targeted Compliance Framework regarding their participation in an Industry Workforce Solution.

Placing a Participant into a pre-employment project

Pre-screening

The Department will notify jobactive Providers of Industry Workforce Solutions, their locations and Activity codes. jobactive Providers are encouraged to connect with Business Partnerships Providers and screen their caseload for Participants who may be suitable and eligible to participate in an Industry Workforce Solution. Referrals to an Industry Workforce Solution must be made through the Business Partnerships Provider's relevant referral process.

jobactive Providers must ensure that all candidates they refer meet the relevant Industry Workforce Solution requirements outlined by the Business Partnerships Provider. jobactive Providers should ensure candidates are provided with details of the Industry Workforce Solution and requirements from the Business Partnerships Provider, including attendance at information sessions, interviews where required and an understanding of the industry and positions available. The Business Partnerships Provider will use further screening and selection activities to identify preferred Participants, invite them to commence in the Industry Workforce Solution, and advise the jobactive Provider of their selection.

Where a jobactive Provider has determined that a Participant is suitable and interested in participating in an Industry Workforce Solution, the jobactive Provider should record the details of the Business Partnerships Provider's pre-screening process in the Department's IT system using an Informal Activity. The jobactive Provider should add the details into the Participant's Job Plan using a Voluntary Free Text code and then—using the Job seeker calendar—place the participant into the Informal Activity with days of attendance scheduled as appropriate.

Acceptance and referral

After completing the pre-screening process, Business Partnerships Providers will advise jobactive Providers of the Participant's acceptance into the Industry Workforce Solution. Once Participants are accepted into the Industry Workforce Solution, Providers must refer the Participant to the Industry Workforce Solution

using the relevant Activity ID. Each Industry Workforce Solution Activity ID is available on the Provider Portal.

If it is a requirement of the Industry Workforce Solution, jobactive Providers must ensure that any employer-required checks (e.g. police check, drug and alcohol screening, working with children checks etc.) are conducted prior to the Participant commencing in the Industry Workforce Solution. Risk assessments must also be finalised prior to any PaTH Internship or National Work Experience Programme placements commencing as part of the Industry Workforce Solution.

Participation in an Industry Workforce Solution must be included as a voluntary Activity in the Participant's Job Plan. jobactive Providers must record this Activity in the Job Plan using the free text code, and include the relevant Activity details, such as information about the Business Partnerships Provider and dates and hours of participation.



System step: To refer to an Industry Workforce Solution go to the PaTH Industry Pilots Activity Type in the Department's IT System. Each Industry Workforce Solution has had an Activity ID created which can be found on the Provider Portal. Once the Participant has been accepted into an Industry Workforce Solution, jobactive Providers can refer the Participant into the Activity using the relevant Activity ID. jobactive Providers must also refer Participants to any programs that are included in the Industry Workforce Solution such as PaTH Internships, EST and NWEF.



System step: For Participants undertaking an Industry Workforce Solution, use of the Calendar is not required. However, Providers are encouraged to use the Calendar to ensure conflicting appointments aren't scheduled, by creating a personal event for the Participant using the 'working casual / regular' event type.

Activity management

jobactive Providers should ensure that appointments, interviews, job search or other Activities are not scheduled for Participants whilst they are participating in an Industry Workforce Solution. If it is absolutely necessary for a Participant to attend an appointment, jobactive Providers should discuss this with the Business Partnerships Provider and Participant.

jobactive Providers are expected to support Participants to successfully participate in and complete the Industry Workforce Solution.

Each Business Partnerships Provider will outline any additional requirements to support participation in an Industry Workforce Solution – e.g. transport costs; clothing etc. Referring participants to an Industry Workforce Solution is contingent on accepting the terms and conditions of the Industry Workforce Solution and meeting these requirements must be managed in a timely manner by jobactive Providers, so Participants and employers are not adversely affected.



Documentary evidence: where an Industry Workforce Solution includes other programs such as a PaTH Internship or NWEF Placement, jobactive Providers **must** complete and retain the relevant pieces of evidence (either hard copy or soft copy) in accordance with all DEED and relevant guideline requirements.

Launch into Work Placements

Launch into Work is a program which supports Participants to increase their skills, experience and confidence through participation in pre-employment projects that provide training, work experience and mentoring, tailored to a specific job and business. The Launch into Work Organisation is required to commit to employing all suitable Participants who successfully complete the Placement.

Participants' AAR

For Participants in the Work for the Dole phase, participation in Launch into Work Placements will fully meet their AAR for the duration of the Placement. Participants will not have to complete other Activities whilst participating in a Launch into Work Placement. If the Participant stops attending the Placement, or does not commence employment with the Launch into Work Organisation at the end of the Placement, they need to be referred to another AAR Activity in order to complete their AAR hours for the remaining weeks of their Work for the Dole Phase.

Placing a Participant into a pre-employment project

The Department will notify Providers when there is a Launch into Work pre-employment project planned in their Employment Region and invite them to a project briefing session with the Launch into Work Organisation.

The briefing session will involve the Launch into Work Organisation providing an overview of the employment opportunities to be filled by the project, the screening and selection process and the pre-employment project. Following the briefing session, Providers will screen their caseload for candidates who may be suitable for the project and working for the employer and refer them to an information session with the Launch into Work Organisation.

Providers should send a list of potentially suitable and interested candidates (in keeping with the Launch into Work Organisation's requirements) to the contact person by the designated referral cut-off date. Providers must ensure candidates have the details of the information session, know what they need to take with them, and have a basic understanding of the employer and positions available. The Launch into Work Organisation will use further screening and selection activities to identify their preferred Participants and invite them to commence a Launch into Work Placement.

If it is a requirement of the Launch into Work project, Providers must ensure that any employer-required checks (e.g. police check, drug and alcohol screening, working with children checks etc.) are conducted prior to the pre-employment project commencing. Risk assessments must also be finalised prior to the Placement commencing.

Participation in a Launch into Work Placement should be included as a voluntary Activity in the Participant's Job Plan. Providers should record this Activity in the Job Plan using the free text code. Providers should include the relevant Activity details, such as information about the Launch into Work Organisation and dates and hours of participation.



System step: A Launch into Work Activity Type has been created in the Department's IT System. The Department will provide the relevant Activity ID to those Providers with a Participant in a Launch into Work Placement. Providers can then place an eligible Participant into the Launch into Work Placement using current processes for placing a Participant into any other Activity.



System step: For Participants undertaking a Launch into Work Placement, Providers are encouraged to use the Calendar to ensure conflicting appointments aren't scheduled, by creating a personal event for the Participant using the 'working casual / regular' event type (note: even though participation in a project is not employment this is the only available event type).

(Deed references: Clause 109D)

Activity management

Providers are expected to support Participants to successfully participate in and complete their Launch into Work Placement.

Providers should ensure that appointments, interviews, job search or other Activities are not scheduled for Participants whilst they are participating in a project. If it is absolutely necessary for a Participant to attend an appointment, Providers should discuss this with the Launch into Work Organisation and Participant.

Providers are expected to support Participants with transport costs to attend the project and for their first month of employment.

Expectations for other financial contributions will be outlined at the project briefing session. Providers should make themselves aware of any financial contribution required and ensure that this is coordinated in a timely manner. Referral of a Participant to a Launch into Work Placement is contingent on the Provider's agreement to make the financial contributions specified at the briefing session.

Voluntary Work

Voluntary Work must only be undertaken in a not-for-profit community organisation.

Voluntary Work must:

- be of benefit to the Participant and the local community and offer no financial gain to the volunteer organisation (also referred to as an Activity Host Organisation)
- provide the Participant with the opportunity to gain vocational and non-vocational skills that will directly improve their Employment prospects
- provide opportunities that will develop or enhance a Participant's ability to work as part of a team, take directions from a Supervisor, work independently, communicate effectively, and become more motivated and dependable.

Voluntary Work must not exceed 26 weeks' duration, unless the Provider determines this is the best participation option under the circumstances.

If Voluntary Work is undertaken as a means of meeting a Participant's AAR, Services Australia is not required to approve the Activity Host Organisation. If a Participant aged 55 and over is undertaking Voluntary Work, or doing Voluntary Work combined

with paid work to fully meet their Mutual Obligation Requirements, Services Australia will need to assess the Activity and organisation before commencement.

Participants 55 years of age and over can meet their full-time Mutual Obligation Requirements by participating in paid work (including self-employment), approved Voluntary Work or a combination of these Activities, depending on their age and circumstances.

- If the Participant is aged 55 to 59 years and in their first 12 months of receiving an Income Support Payment, they can fully meet their Mutual Obligation Requirements by participating in 30 hours per fortnight of:
 - paid work or
 - a combination of approved Voluntary Work and paid work.
However, this must include at least 15 hours per fortnight of paid work.
- If the Participant is aged 55 to 59 years and has been receiving an Income Support Payment for more than 12 months, they can fully meet their Mutual Obligation Requirements by participating in 30 hours per fortnight of paid work, approved Voluntary Work or a combination of the two Activities.
- If the Participant is aged 60 years up to (but not including) the Pension Age, they can fully meet their Mutual Obligation Requirements by participating in 30 hours per fortnight of paid work, approved Voluntary Work or a combination of the two activities.

Voluntary Work must not:

- be undertaken in the Participant's own home
- involve working for the Participant's or a family member of the Participant's own organisation
- primarily promote a particular religious or political view
- involve violence towards people or property damage
- undertake tasks which would normally be done by a paid employee, including a casual or part-time paid employee
- reduce hours usually worked by a paid employee or reduce customary overtime of an existing worker.

Voluntary Work can be conducted in an Activity Host Organisation's place of business where all other requirements specified in the Deed have been met.



Documentary evidence: jobactive Providers **must** retain evidence (either hard copy or soft copy) of timesheets or other records of attendance. Where Activity attendance information has been recorded by the Participant, entered by the Activity Host Organisation into the Supervisor App or directly into the Department's IT System, offline records are not required to be kept.



Documentary evidence: jobactive Providers **must** retain evidence (either hard copy or soft copy) of risk assessment documentation for the National Work Experience Programme, Work Experience (Other) and Voluntary Work which details that all Deed and relevant guideline requirements have been considered for both the Participant and the Activity.



Documentary evidence: jobactive Providers **must** retain evidence (either hard copy or soft copy) of Activity Host Organisation Agreements for Work for the Dole, and Voluntary Work.

Part-Time Employment

Part-time employment is work that is not on a permanent, full-time basis and can include work on a casual or temporary basis and self-employment.

Where hours undertaken in part-time employment during the Work for the Dole Phase do not fully satisfy the hours required to meet the Participant's AAR the Participant must be placed into additional Activities.

Unlike other Activity types, Providers are not required to create a separate Activity record for part-time employment and can instead use a paid work Activity that has been pre-created by the Department. For more information refer to [Setting up Activities in the Department's IT System](#).



Documentary evidence: For both self-employment and part-time/casual paid work, income reported by the Participant to Services Australia is acceptable documentary evidence. If the Participant is in the Work for the Dole Phase, this information will automatically populate into the AAR Details screen and is also available from the Case Summary Screen (Job Seeker Information – View Declared Earnings).



Documentary evidence: jobactive Providers **must** retain evidence (either hard copy or soft copy) of payslips or Employer payroll summaries (for part-time work), if the Provider is not using the employment hours declared to Services Australia.

Additionally, documentary evidence for self-employment can include:

- a Profit and Loss Statement
- a signed and dated written statement from an accountant and/or registered bookkeeper
- copies of records from the Australian Taxation Office and/or a tax return statement
- a Business Activity Statement.

Training and study

Training and study provide Participants with the opportunity to learn skills and gain qualifications that will improve their prospects of finding work.

The Provider will need to determine whether training is in the best interest of the Participant, and identify a suitable course, before referring a Participant to training.

Participants can undertake study or training at any time as long as it meets the requirements of an Approved Short Course. It can also meet a Participant's AAR. The [Managing and Monitoring Mutual Obligation Requirements Guideline](#) outlines the definition of an Approved Short Course and information on how training and study can count towards meeting a Participant's AAR.

Study and training can be funded through the Employment Fund in accordance with the [Using the Employment Fund General Account Guideline](#).



Documentary evidence: Where study is undertaken online, Providers can request documentary evidence from Participants of the online hours that they complete. Where the study hours are not sufficient to meet the Participant's AAR, other activities will need to be undertaken to meet the AAR.



Documentary evidence: jobactive Providers must retain evidence (either hard copy or soft copy) of timesheets or other records of attendance. Where Participants are recording their own attendance, documentary evidence is not required to be kept.



Documentary evidence: jobactive Providers must retain evidence (either hard copy or soft copy) of statements of attainment or similar (for accredited education).

Accredited language, literacy and numeracy courses

Participants can undertake accredited language, literacy and numeracy courses to help improve their employability. Accredited courses include those delivered through the Skills for Education and Employment (SEE) program and the Adult Migrant English Program (AMEP), where Participants are eligible.

Skills for Education and Employment program (SEE)

The SEE program provides initial, basic and advanced accredited English language training as well as basic and advanced literacy and numeracy training. Participation in the program will help Participants improve their reading, writing, oral communication and numeracy skills, often in the vocational context, so they can acquire confidence and skills to improve their employment prospects.

The SEE program:

- provides for up to 650 hours of free training
- can be undertaken part-time (10 to 19 hours per week) or full-time (20 to 25 hours per week)
- must be completed over no more than a two-year period
- can be delivered in classroom settings or remotely via Online Learning Systems, virtual classrooms or printed resources.

Providers must enter information relating to SEE program placements into the Activity Management component of the Department's IT System to ensure that eligible Participants receive the fortnightly \$20.80 Language, Literacy and Numeracy Supplement (where eligible).

For more information on the SEE program, including program eligibility, please visit the [SEE Webpage](#).

Adult Migrant English Program (AMEP)

The AMEP helps Participants to learn foundation English language skills to enable them to settle and confidently participate in Australian society.

The AMEP provides 510 hours of English language tuition to eligible migrants and humanitarian entrants. To access the program, Participants must be permanent residents of Australia or hold an eligible visa. For more information on the AMEP, please visit the [Department of Home Affairs Website](#).

Defence Reserves

Defence Reserves is only available to Participants who can meet the enlistment and ongoing standards required by the Defence Reserves.

Defence Reservists receive a daily allowance to cover their costs while in training. The amount of this allowance varies. All Defence Reserves allowances are tax free and not considered to be income under the *Social Security Act 1991*.

Further information on Defence Reserves is available by calling Defence Reserves Support - General Enquiries on 1800 803 485 or from the [Defence Reserves Support website](#).



Documentary evidence: jobactive Providers **must** retain evidence (either hard copy or soft copy) of signed training notice or signal notice (for Defence Force Reserves).

Exploring Being My Own Boss Workshop

Participants who participate in an [Exploring Being My Own Boss Workshop](#) with their NEIS Provider may be able to undertake a 'complementary placement' to help them determine if self-employment is for them.

A 'complementary placement' is a:

- National Work Experience Programme Placement
- Work Experience (Other) Placement.

A jobactive Provider may be asked by a NEIS Provider to place an eligible Participant into a 'complementary placement' Activity.

The Participant must meet the eligibility requirements for the Activity and the jobactive Provider must meet the requirements outlined in relevant Guidelines and the Deed for placing a Participant into the Activity.

Non-vocational assistance and Interventions

Non-vocational assistance and Interventions can be undertaken where a Provider determines it is in the best interests of the Participant.

Examples of non-vocational assistance include:

- parenting courses
- career counselling
- cultural services and
- personal development courses.

Examples of Interventions include:

- drug or alcohol addiction treatments (including rehabilitation)
- counselling services
- disability Intervention
- medical or health-related services.

A Participant may participate in any of the above programs at any time.

For Stream A and B Participants, only participation in drug or alcohol addiction treatments (including rehabilitation) will count towards the Participant's AAR.

For Stream C Participants, participation in any of the above Activities will count towards the Participants AAR. Where the Participant is in drug or alcohol treatment, Providers must update the Participant's Job Plan with the NV07 code as a voluntary activity.

For Indigenous Participants and Participants in Stream C, participation in preventative health treatments will count towards the Participant's AAR. Where the Participant is in drug or alcohol treatment, Providers must update the Participant's Job Plan with the NV14 code as a voluntary activity.

Documentary evidence: jobactive Providers **must** retain evidence (either hard copy or soft copy) of invoices for services or a letter of acceptance into a program (for non-vocational interventions).

Funding of any of the above Activities through the Employment Fund is subject to the Using the [Employment Fund General Account Guideline](#). Please see the [Managing and Monitoring Mutual Obligation Requirements Guideline](#) for further information.

Other government programs

Participants can undertake other government programs or other Activities, including other Australian Government, state or territory, or local government programs, if the Provider agrees.

Other government programs should not duplicate services Providers are contracted to deliver under jobactive.

For example, Participants may undertake programs such as Exploring Being My Own Boss Workshops, NEIS Assistance, NEIS Training and Defence Reserves.

NEIS Participants in receipt of Parenting Payment (Single) or the Disability Support Pension are able to choose to remain on their current payment or move to NEIS Allowance. NEIS participants exit jobactive to begin NEIS Assistance. For those NEIS participants who choose to remain on their current payment, their participation in NEIS Assistance will fully meet their Mutual Obligation Requirements.

Other government programs Participants can participate in vary between jurisdictions. Providers can contact their relevant state, territory or local government for up-to-date information on their range of programs available.

Some government programs undertaken will count towards a Participant's AAR in the Work for the Dole Phase, see the [Managing and Monitoring Mutual Obligation Requirements Guideline](#).



Work Health and Safety content: Before referring a Participant to an Other Government Program, Providers should be satisfied that there is a safe system of work in place, including that the relevant program is complying with work health and safety requirements relevant to the jurisdiction in which the program occurs. Providers must take all reasonable steps to minimise the likelihood of injury to Participants and any other people at the program location.

Vocational Training and Employment Centres

Vocational Training and Employment Centres (VTEC) support Indigenous Participants into sustainable employment. VTEC is an opt-in program that connects Indigenous Participants with guaranteed jobs and brings together the support services necessary to prepare Participants for long term employment.

VTECs need to ensure that Participants have a genuine interest in working in the field of the job and will be offered employment based around their skillsets and

interests. Participants who are actively participating in VTECs will be fully meeting their Mutual Obligation Requirements.

VTEC is open to all Indigenous Participants, and Providers should contact their nearest VTEC and work together to undertake an informal assessment of the Participant's suitability for the available jobs.



System step: To record a VTEC placement, Providers should use the 'Vocational Training and Employment Centres' Activity Sub Type, available under the 'Other Government Programs' Activity in the Activity section of the Department's IT System. When the participation schedule in VTEC is not known, Providers are not required to use the Calendar.

The Try, Test and Learn Fund

The Try, Test and Learn (TTL) Fund is administered by the Department of Social Services (DSS) and trials new or innovative approaches to assist vulnerable people into stable, sustainable employment. Each TTL Fund project primarily targets individuals in one or more priority groups, which generally includes people receiving income support. A Participant's participation in an employment-focused TTL Fund project can count towards their AAR as another government program Activity.

Providers are encouraged to familiarise themselves with locally run projects that may assist their Participants to improve their employability. As eligibility requirements for each project may differ, providers should discuss any potential Participants with the relevant delivery organisation prior to referral.

The Department of DSS has published a [factsheet for jobactive providers](#) which lists the projects available across regions and more information is available on the [DSS website](#).

Regional Employment Trials – 10 Selected Trial Regions

The Regional Employment Trials program commenced on 1 October 2018 in ten selected trial regions. Participation in a Regional Employment Trials Activity is voluntary, and providers should record participation in a Regional Employment Trials Activity as a voluntary activity in the Participant's Job Plan. Participation will fully meet the Participant's fortnightly AAR, regardless of their hours of participation.

Providers may combine a Regional Employment Trials Activity with other supporting Activities where the Regional Employment Trials Activity provides the Participant with insufficient hours to fully meet their AAR hours for that month.

Participants who agree to be referred to the Trial are expected to fully participate in the Trial. Where this is not possible, the provider is required to work with the participant to renegotiate the activities in their Job Plan.

Where a Participant's participation in a Trial activity ends prior to the end of the Participant's Work for the Dole Phase, the Participant will need to be referred to another activity in order to fully meet their AAR.

See the Regional Employment Trials Guideline for further information, including on selected Trial regions.

Non-government programs

Participants can undertake non-government programs or other Activities designed to improve their Employment prospects at any time if the Provider agrees.


Some non-government programs have been approved by the Department for AAR purposes, using the following principles:

- the program must have a demonstrated ability to, or high likelihood of, assisting Participants to move into sustainable work during the program or upon completion
- the program must comprise of more than just the delivery of a training course and any training must be vocational (preferably accredited) or directed at increasing Participant employability
- the program must not be undertaken by a Provider or an entity related to a Provider
- the program must not duplicate services Providers are contracted to deliver under jobactive.

A Participant's hours undertaken in approved non-government programs may be counted towards the AAR during the Work for the Dole Phase, as outlined in the Managing and Monitoring Mutual Obligation Requirements Guideline.

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 System for each approved non-government program.

Approval of a non-government program does not constitute approval of any costs associated with the operation of the program. Providers are responsible for determining whether any costs involved with Participants participating in the program meet Employment Fund principles. Refer to the [Using the Employment Fund General Account Guideline](#).

 **Work Health and Safety content:** Before referring a Participant to an approved non-government program, Providers should be satisfied that there is a safe system of work in place, including that the relevant program is complying with work health and safety requirements relevant to the jurisdiction in which the program occurs. Providers must take all reasonable steps to minimise the likelihood of injury to Participants and any other people at the program location.



System step: When claiming approved non-government program costs through the Employment Fund, the Activity ID for which the claim is being made must be recorded in the comments field of the Employment Fund commitment in the Department's IT System.

Further information to support this policy and the application form, can be found on the Department's website at www.employment.gov.au/non-government-programmes-approved-annual-activity-requirement-purposes or on the [Participation and Compliance Framework page](#) of the Provider Portal.

7. Summary of required Documentary Evidence

**Documentary Evidence:** Record keeping

- The Provider must keep records of attendance for each Participant who participates in relevant Activities in accordance with the Deed. Participants will either record their own attendance at an Activity or will report to a Supervisor or Provider to record their attendance on their behalf.

**Documentary Evidence:** Managing risks with Activities

- Providers have the discretion to determine how they document their risk assessments for National Work Experience Programme Placements, Work Experience (Other) Placements, PaTH Internships, Launch into Work Placements and Voluntary Work Activities.
- The Provider must retain Records of each risk assessment and any action taken in accordance with each risk assessment. The Provider must provide the relevant Records to the Department on request.

**Documentary Evidence:** Completing incident reports – both Personal Accident, and Public and Products Liability

- Providers must notify the department of any incident via the mechanism outlined in the [Insurance Reader's Guide](#), giving full details of the incident (irrespective of whether a claim is being made at the time).

**Documentary Evidence:** Training and study (other than EST)

- Where study is undertaken online, Providers can request documentary evidence from Participants of the online hours that they complete. Where the study hours are not sufficient to meet the Participant's AAR, other Activities will need to be undertaken to meet the AAR.

**Documentary evidence:** jobactive Providers **must** retain evidence (either hard copy or soft copy) of statements of attainment or similar (for accredited education).

Documentary evidence: For both self-employment and part-time/casual paid work, income reported by the Participant to Services Australia is acceptable documentary evidence. If the Participant is in the Work for the Dole Phase, this information will automatically populate into the AAR Details screen and is also available from the Case Summary Screen (Job Seeker Information – View Declared Earnings).



Documentary evidence: jobactive Providers **must** retain evidence (either hard copy or soft copy) of payslips or Employer payroll summaries (for part-time work), if the Provider is not using the employment hours declared to Services Australia.

Additionally, documentary evidence for self-employment can include:

- a Profit and Loss Statement
- a signed and dated written statement from an accountant and/or registered bookkeeper
- copies of records from the Australian Taxation Office and/or a tax return statement
- a Business Activity Statement.



Documentary evidence: jobactive Providers **must** retain evidence (either hard copy or soft copy) of signed training notice or signal notice (for Defence Force Reserves).



Documentary evidence: jobactive Providers **must** retain evidence (either hard copy or soft copy) of invoices for services or a letter of acceptance into a program (for non-vocational interventions).



Documentary evidence: jobactive Providers **must** retain evidence (either hard copy or soft copy) of Activity Host Organisation Agreements for Work for the Dole, and Voluntary Work.



Documentary evidence: jobactive Providers **must** retain evidence (either hard copy or soft copy) of Activity Host Organisation Agreements for the National Work Experience Programme and Work Experience (Other) Placements.



Documentary evidence: jobactive Providers **must** retain evidence (either hard copy or soft copy) of risk assessment documentation for the National Work Experience Programme, Work Experience (Other) and Voluntary Work which details that all Deed and relevant guideline requirements have been considered for both the Participant and the Activity.

All capitalised terms in this guideline have the same meaning as in the jobactive Deed 2015–2022 (the Deed).

This Guideline is not a stand-alone document and does not contain the entirety of Employment Services Providers' obligations. It must be read in conjunction with the Deed and any relevant Guidelines or reference material issued by Department of Education, Skills and Employment under or in connection with the Deed.

Guideline:

Eligibility, Referral and Commencement

This Guideline outlines who is Eligible for jobactive Services and arrangements for Participants to be Referred and Commenced in an appropriate Stream. Providers must provide Participants with appropriate Services, taking into account their individual circumstances, to assist them to find employment and move off Income Support Payments.

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Changes from the previous version (Version 9.1)

Policy changes:

Nil

Wording changes:

Removal of the words 'by Services Australia' (page 3)

The words 'by Services Australia' replaced with 'to jobactive' (page 4)

Changes to reflect how Referrals are made to jobactive, including automatic Referral through the Department's IT Systems (pages 4, 5 and 7).

References to Online Employment Services Trial (OEST) changed to Online Employment Services (OES) (page3)

Removal of the word 'Trial' (page 5)

A full document history is available on the [Provider Portal](#)

Related documents and references

[Assessments Guideline – Job Seeker Classification Instrument \(JSCI\) and Employment Services Assessments \(ESAt\)](#)

[Direct Registration Guideline](#)

[Job Plan and Scheduling Mutual Obligation Requirements Guideline](#)

[Managing and Monitoring Mutual Obligation Requirements Guideline](#)

[Period of Service, Suspensions and Exits Guideline](#)

[Privacy Guideline](#)

[Transfer Guideline](#)

[Stronger Transitions Guideline](#)

[Volunteers Guideline](#)

[Time to Work Employment Services](#)

[TTW Eligibility, Referral, Commencement and Caseload Guideline](#)

[Structural Adjustment Programmes Guideline](#)

Effective end: 11 April 2021

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1. Eligibility for jobactive Services

Eligibility for jobactive Services generally depends on the type of Income Support Payment a Participant is receiving. The [Eligibility Tables](#) identify the main categories of Participants based on their individual circumstances and their eligibility for jobactive Services.

The Department of Education, Skills and Employment (the Department) may amend the eligibility for jobactive Services at any time.

For Participants on income support, Eligibility is shown in the Department's IT Systems, based on information entered by Services Australia.

2. Eligible Participants Referred automatically through the Department's IT Systems

The majority of Participants will be automatically Referred through the Department's IT Systems, not via Services Australia. A Participant may be initially Referred to Online Employment Services (OES) or a Provider following the grant of income support and:

- the application of the Job Seeker Classification Instrument (JSCI) or
- an Employment Services Assessment (ESAt), where applicable.

The Participant (except a Time to Work Employment Service Participant) referred to a jobactive Provider will be referred to Stream A, Stream B or Stream C based on the outcome of the Participant's JSCI or, where applicable, an ESAt. Time to Work Employment Service Participants will be referred to Stream B as a minimum or Stream C, dependent on the outcome of an ESAt.

Participants automatically Referred will be randomly allocated to a Provider's caseload after taking into consideration provider site to postcode mapping and provider referral tolerance. Participants who are randomly allocated to a provider will still have the opportunity to transfer to a provider of their choice – Refer to the [Transfer Guideline](#).

Participants in Online Employment Services (OES) who complete their period in Online Employment Services

Participants who are serviced in OES and who complete their period of assistance in OES, or who leave OES for other reasons (including Opting Out) but who remain Fully Eligible for jobactive, will be transferred to a jobactive Provider. These Participants will be provided the opportunity to choose their jobactive Provider before leaving OES, but will be automatically transferred to a departmentally nominated Provider should they not do so.

(Deed reference: Clause 82 – Transfer of Stream Participants to the Provider)

Providers must have Electronic Diary timeslots available.

Providers are responsible for booking an Initial Interview for Participants who have been referred to them automatically through the Department's IT Systems.

Providers must also ensure that the Electronic Calendar has, at all times, capacity to receive Appointments within the next two Business Days for all other Referrals. Refer to the [Managing and Monitoring Mutual Obligation Requirements Guideline](#).

(Deed references: Clauses 77.2 and 83.1)

For Time to Work Employment Service (TWES) Participants referred to jobactive, Providers will need to schedule/block out time in their Electronic Calendar for a facilitated transfer meeting with the Participant and TWES Provider, using the 'Provider Event' functionality.

(Deed reference: Clauses 82.4)

3. Eligible Participants referred by Services Australia

Services Australia will refer some eligible individuals to a jobactive Provider. This may include but is not limited to:

- DSP Recipients with participation Requirements
- Vulnerable Participants
- those who cannot complete the registration and assessment process online. Direct Registration of Eligible Participants

Some eligible individuals may elect to participate in jobactive Services and can Directly Register with a jobactive Provider. The jobactive Provider is responsible for determining a person's eligibility for Direct Registration and registering that person for Services. Refer to the [Direct Registration Guideline](#).

Retrenched workers and their partners

Retrenched Workers and their partners are eligible for immediate access to jobactive Services. These Participants receive services as a Fully Eligible Participant in the stream appropriate to their level of labour market disadvantage as determined by the Job Seeker Classification Instrument. Refer to the [Assessments Guideline](#).

Some retrenched workers and their partners may be eligible for additional assistance through Structural Adjustment Programmes, which enable recently retrenched workers from eligible companies or industries to access jobactive Services. Structural Adjustment Programme Participants are eligible for immediate access to jobactive Services as a Stream B Participant to assist them to find new employment. For information relating to Structural Adjustment Programmes including eligibility and registration, refer to the [Structural Adjustment Programme Guideline](#).

Providers must use the hierarchy of eligibility below to Directly Register any retrenched workers and/or their partners.

Retrenched workers and their partners - hierarchy of eligibility

Retrenched workers and their partners do not need to participate in the same program. Where a retrenched worker and their partner are eligible for a Structural Adjustment Programme this will take priority.

While a retrenched person and their partner may be eligible to register for jobactive under multiple retrenched worker programs, they can only be registered under **one** retrenched worker program each. (e.g. Structural Adjustment Programme Participant or a general retrenched worker/partner). This might mean that in some cases, the retrenched worker and their partner are registered in different retrenched worker programs.

Where the Structural Adjustment Programme provides Services for a retrenched worker but not their partner, then the worker should commence with the appropriate program and the partner can receive Services appropriate to their level of labour market disadvantage as determined by the Job Seeker Classification Instrument.

The programs are to be applied to retrenched workers and their partners with the following priority:

1. Structural Adjustment Programme
2. As a Fully Eligible Participant in the stream appropriate to their level of labour market disadvantage as determined by the Job Seeker Classification Instrument.

Transition to Work Participants nearing the end of TtW

Transition to Work (TtW) Providers will refer Participants with Mutual Obligation Requirements to jobactive Services if they are nearing the end of their 18 months in TtW and are not tracking towards an outcome. A TtW Provider may also refer a Participant if they are not fully engaging in TtW. The TtW Provider will identify jobactive Providers in the Employment Region and offer the Participant a choice of Provider, if applicable.

The TtW Provider must organise and attend an initial planning meeting with the jobactive Provider and the Participant, to be held in the first week of the Participant's eighteenth month in TtW. The purpose of this meeting is for the jobactive Provider to set out participation expectations and organise an assessment for the participant.

At this point, the TtW Participant has not been referred to the jobactive Provider. Therefore, a Participant appointment cannot be made in the jobactive Provider's calendar. The jobactive Provider will need to manually schedule/block out time for this meeting in their calendar.

The TtW Provider will organise the Participant's Initial Interview with a jobactive Provider to be held in the final week of the eighteenth month. This is where the Participant is referred to the jobactive Provider by the Transition to Work Provider and exited from Transition to Work.

If the Transition to Work Participant is transferring to a jobactive Provider before 18 months of service then the Transition to Work Provider must organise and attend one meeting with the Participant and the jobactive Provider. This should occur within one month of the decision to move to the jobactive Provider. The exception is if the Participant Exited shortly after Commencement in Transition to Work.

4. Preparing for all Appointments

When preparing for all Appointments, including the Initial Interview, Providers must take into consideration whether the Participant has any special requirements.

For example, when a Participant requests or where the Provider considers it appropriate, Providers must use an interpreter to ensure that the Participant understands their requirements.

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 it is not the Case Manager's role to act as an interpreter).

Providers should also deliver services to Participants in a culturally sensitive way, based on details in the Participant's record in the Department's IT Systems. Cultural sensitivities may be particularly applicable where participants identify as Indigenous Australians or as being from Culturally and Linguistically Diverse backgrounds. Sensitivities to consider may include, but are not limited to, language barriers, gender roles, potential misinterpretation of body language and suspicion of authorities.

Authorised Nominees

The Department's correspondence and notifications to a Participant are also provided to that Participant's authorised correspondence nominee/s. This includes information about their Mutual Obligation Requirements and the need to attend appointments and agreed activities. The nominee can, therefore, contact the Participant's Provider if and when required to reschedule their appointment.

When the nominee rebooks appointments for the Participant, the Provider should work with the nominee to ensure the Participant is aware of their Mutual Obligation Requirements and what may happen if he/she does not comply with them.

Best practice for the Provider is to record details of the conversation with the nominee in the comments screen in the Department's IT systems. Providers should also regularly check with the Participant that nominee details are up to date and correct.

5. Initial Interviews and other meetings with Participants

All new Participants must have an Initial Interview

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

- were Referred automatically through the Department's IT Systems
- were Referred by Services Australia
- were Referred by a TtW Provider
- have Directly Registered for assistance (see [Direct Registration Guideline](#))
- have transferred to the Provider (see [Transfers Guideline](#)).

This includes:

- developing and approving a Job Plan (see [Job Plan and Scheduling Mutual Obligation Requirements Guideline](#)) and
- providing the Participant with the relevant Privacy Notification and Consent Form in the [Privacy Guideline](#) and seek the individual's express written consent to collect their sensitive information by asking the individual to sign and date the relevant form. The Provider **must** advise the individual that they are not required to give consent for the collection of their sensitive information and can withdraw their consent at any time (see the [Privacy Guideline](#)).

Initial Interview when a Participant changes Streams

Where a Participant becomes eligible for a new Stream as a result of a JSCI Change of Circumstances Reassessment, the Provider must conduct an Initial Interview.

Note: To ensure the currency of notification and consent, best practice is for Providers to provide and ask the Participant to sign and date the Privacy Notification and Consent form every time the JSCI Change of Circumstances is conducted. A Participant is not required to sign the Privacy Notification and Consent Form for an Initial Interview for a New Stream if they remain with the same Provider.

Facilitated Transfer meeting for Participants exiting from Time to Work Employment Services (TWES) to jobactive

A TWES Participant may be Referred to jobactive before the TWES Participant's release from prison, where they meet jobactive eligibility.

To assist the TWES Participant's move to jobactive, the TWES Provider must organise a facilitated transfer meeting with the post-release Provider and TWES Participant before the TWES Participant's release from prison. However, in some cases the Facilitated Transfer Meeting may need to happen after the Participant's release from Prison.

The purpose of the facilitated transfer meeting is to introduce the TWES Participant to their post-release employment services provider and to discuss the TWES Participant's Transition Plan and their transition to jobactive following their release from prison. The post-release Provider must attend the facilitated transfer meeting, in person or by telephone, and explain the Services that will be available to the TWES Participant when they Commence in jobactive.

The Transition Plan will be developed by the TWES Provider in consultation with the TWES Participant and will outline actions to help address any barriers that the Participant will face following their release from prison and detail their plan for employment. The post-release Provider should use the Transition Plan to identify any support or services that the Participant may require to address these barriers and assist the Participant to move into employment. The post-release Provider must consider any comments or recommendations that are contained in the Transition Plan when setting the terms of a Job Plan.

Where possible, the staff member who will be providing Services to the Participant upon their release from prison should attend the meeting.

Where a TWES Participant Commences in jobactive and the TWES Provider has not attended a facilitated transfer meeting, the Provider should contact the TWES Provider to discuss the TWES Participant's participation in the TWES program and their Transition Plan.

Where a Participant is referred to a post-release Provider which is the same organisation that delivered Time to Work Employment Services to the Participant, the TWES Provider must still arrange a Facilitated Transfer Meeting. This will ensure that the Participant has the opportunity to meet the jobactive staff who will service them post-release and understand the post-release services they will receive.

(Deed references: Clauses 82.4)

Participants exiting from Transition to Work to jobactive

In the first week of the Participant's eighteenth month in TtW, the TtW Provider will organise and attend an initial planning meeting with the jobactive Provider and the Participant. The purpose of this meeting is for the jobactive Provider to set out the expectations of participation in jobactive Services and identify what type of activities are most appropriate for the Participant in the Work for the Dole (WfD) phase. Noting, the TtW Provider will not be able to make this appointment directly to the jobactive Provider's calendar and timing should be negotiated between all parties.

In the final week of the eighteenth month in TtW, the TtW Provider will refer the Participant to jobactive and organise the Participant's Initial Interview with the jobactive Provider.

If the TtW Participant is transferring to a jobactive Provider **before** 18 months of service then the TtW Provider must organise and attend one meeting with the Participant and the jobactive Provider. This should occur within one month of the decision to move to the jobactive Provider. The exception is if the Participant Exited shortly after Commencement in TtW.

Please note: TtW Participants exiting from TtW after six months and transitioning to jobactive will Commence in the WfD Phase of jobactive.

(Deed references: Clauses 82.3)

Vulnerable Youth or Vulnerable Youth (Student)s

Following the immediate Direct Registration of a Vulnerable Youth or Vulnerable Youth (Student) who presents in crisis, Providers must immediately provide or refer the young person to relevant crisis assistance. The support provided will depend on the nature of the crisis but could include assistance with emergency accommodation, counselling or other non-vocational support. Refer to the [Direct Registration Guideline](#).

(Deed references: Clauses 78.3)

6. Participants are automatically Commenced in the Department's IT systems

A Participant is automatically Commenced in the Department's IT systems when the Provider records attendance at the Initial Interview and the Participant has an approved Job Plan.

A Participant who changes Stream due to a Change of Circumstances Reassessment remains commenced in their previous Stream until the Provider has undertaken an Initial Interview for the new Stream.

The Provider must deliver Services in accordance with the Deed, Guidelines, Service Delivery Plan, Job Plan and Participant's circumstances once the Participant is Commenced.

7. Administration Fees are calculated and paid automatically by the Department's IT systems

Administration Fees are calculated and paid automatically by the Department's IT Systems once the Participant is Commenced and at the start of each Administration Fee Period thereafter. This system calculation includes all pro-rata adjustments and 25 per cent regional loading for administration of Services to Participants in Regional Locations.

Providers are not required to submit a claim for payment. Administration Fee Tax Invoices will be automatically generated in the Department's IT Systems and do not require acceptance before payment is made.

(Deed references: Clauses 123, 126, Annexure B2)

8. Referral to another program as a result of Change of Circumstances Reassessment

In some instances, a Participant may be referred to an ESAt after a JSCI Change of Circumstances Reassessment. If, as a result of the ESAt, the Participant is referred to DES or TtW, the Provider must continue to deliver Services to the Participant until they have commenced in that program. Once the Participant has commenced in the new program, they will be Exited from jobactive Services. Refer to [Assessments Guideline – Job Seeker Classification Instrument \(JSCI\) and Employment Services Assessments \(ESAt\)](#).

(Deed references: Clauses 79, 82, 85, 87)

Referral of a Participant to Transition to Work

A Provider may refer Stream C Participants to Transition to Work if they meet eligibility requirements and would benefit from the service.

The eligibility requirements are:

- aged 15-24 years on Commencement in the Transition to Work Service, and
- a Stream C Participant, and

- identified by their jobactive Provider as having a capacity to benefit from Transition to Work Services: for example, a young Participant who has addressed their unstable housing or mental health issues, and
- an Australian citizen, or
- the holder of a permanent visa, or
- New Zealand Special Category Visa holders (a protected Special Category Visa holder; or non-protected Special Category Visa holder), or
- nominated Visa Holders (including Temporary Protection Visa Holders and Safe Haven Visa Holders).

9. Services must be delivered to Participants who return after Exiting

Where a Participant Exits and returns to Services within 13 consecutive weeks of Exit, the Provider must resume providing Services to a Participant in accordance with the Deed. When a Participant returns to Services at 13 consecutive weeks or more from their date of Exit, their Period of Service will re-set and they will need to be Commenced into Service as a new referral.

A new JSCL will need to be conducted prior to the Provider delivering Services to the Participant, as their previous JSCL will be inactive as a result of the Exit.

(Deed references: Clauses 95.3 and 95.4)

10. Summary of required Documentary Evidence

Retrenched Workers



Documentary evidence: Please refer to the [Direct Registration Guideline](#).

Job Plan



Documentary evidence: Where the Participant has agreed to a Job Plan by signing a hard copy version, a copy must be retained by the Provider.

Eligibility in jobactive

The sections below are not mutually exclusive and sections of this table should be considered in combination according to Participant individual circumstances.

For example, Participants may be in receipt of JobSeeker Payment, be Mature Age (55+) and have a Partial Capacity to Work; or be in receipt of Disability Support Pension, be a Vulnerable Youth and a Parent.

Please Note:

- People with a Partial Capacity to Work who are fully meeting their requirements through part-time paid employment or study and who do not have a requirement to remain connected to their Employment Provider may elect to participate in Employment Provider Services.
- Volunteer Participants on Norfolk Island and in the Yarrabah community will continue to be eligible for Stream A Volunteer services and will not be referred to the Volunteer Online Employment Services Trial (VOEST).

	Fully Eligible	Eligible for Volunteer Online Employment Services (VOEST) for 12 months	Not Eligible
JobSeeker Payment	JobSeeker Payment recipient		
Parents	<p>Parenting Payment recipient with participation requirements Principal Carer parents who are fully meeting their requirements through part-time paid employment or study and who do not have a requirement to remain connected to their Employment Provider but may elect to participate in Employment Provider Services.</p> <p><i>Note: Fully Eligible Participants who are fully meeting their part-time Mutual Obligation Requirements or are currently subject to a Services Australia -granted Exemption may voluntarily elect to participate in Employment Provider Services. If they choose to do so, they continue to be serviced as a Fully Eligible Participant.</i></p>	<p>Parenting Payment recipients without participation requirements Parents (with a youngest child under six years old) in receipt of Parenting Payment (Partnered)/Parenting Payment (Single).</p> <p>ParentsNext Intensive Stream volunteers and ParentsNext compulsory participants.</p>	
Disability Support Pension	<p>Disability Support Pension recipient with compulsory requirements Disability Support Pension recipients aged under 35 years with a work capacity of eight or more hours per week (without a youngest child under six years) will have compulsory activity requirements.</p> <p>Disability Support Pension applicants and recipients subject to review (without compulsory requirements) undertaking a Program of Support (not eligible for Disability Employment Services or Community Development Programme) Fully eligible for assistance while they undertake their Program of Support requirement provided they remain connected or do not Exit for more than 13 weeks.</p> <p><i>Note: Fully Eligible Participants who do not remain connected or who complete their Program of Support may be eligible for the VOEST in the future.</i></p>	<p>Disability Support Pension applicants and recipients subject to review (without compulsory requirements) undertaking a Program of Support (not eligible for Disability Employment Services or Community Development Programme) who do not remain connected or Exit for more than 13 weeks.</p> <p>Disability Support Pension recipients without compulsory requirements</p> <p>Australian Disability Enterprises Participant</p> <p>Disability Pensioner (DVA)</p>	
Youth and students	<p>Youth Allowance (other) recipient</p> <p>Vulnerable Youth and Vulnerable Youth (Student) Young people who are not in receipt of Income Support Payments aged 15 to 21 who are not working 15 hours or more per week, who are not in Full-time Study and who have at least one serious Non-vocational Barrier are eligible for immediate Stream C Services as a Vulnerable Youth. Ongoing assistance is subject to confirmation through an ESAt. If they are not eligible for Stream C and are not otherwise determined to be Fully Eligible, they must be Exited by the Provider and may be referred to the VOEST by Services Australia should they require assistance as a Volunteer.</p> <p>Full-Time students aged 15 to 21 years who present in crisis and have at least one Non-vocational Barrier are eligible for immediate Stream C services as Vulnerable Youth</p>	<p>Full-time students seeking an apprenticeship or traineeship</p> <p>Young people who are not in receipt of Income Support Payments who are under school-leaving age, including those under 17 years, are Eligible only if they have permission to leave school.</p>	<p>Youth Allowance (full-time Student) recipient</p> <p>ABSTUDY recipient</p> <p>Austudy recipient</p>

	Fully Eligible	Eligible for Volunteer Online Employment Services (VOEST) for 12 months	Not Eligible
	(Student) if no appropriate youth services are available in the local area. Ongoing assistance is subject to having their eligibility for Stream C confirmed by an ESAt.		
Visa holders and migrants	<p>Visa holders with working rights attached, on income support To be a Fully Eligible Participant, Visa holders with working rights attached, must be in receipt of an Income Support Payment type that would otherwise enable an individual to access services as a Fully Eligible Participant. Other rows in this table specify Income Support Payment types that enable people to access services as a Fully Eligible Participant.</p> <p>New Zealand non-protected Special Category Visa holders in receipt of JobSeeker Payment or Youth Allowance (Other)</p>	<p>Visa holders with working rights attached, not on income support, including temporary residents With the exception of working holiday visas.</p> <p>Visa holders with working rights attached, who are on an Income Support Payment listed in the section of this table titled Other income support without Participation requirements</p> <p>Migrants serving a Newly Arrived Residents Waiting Period</p> <p>Status Resolution Support Services (SRSS) program recipients - people who are actively engaged with the Department of Home Affairs in resolving their immigration status.</p>	<p>Visa holders without working rights (including temporary residents)</p> <p>Overseas visitors on working holiday visas are Eligible for Harvest Trail Services only</p>
Newly Arrived Refugees	Newly arrived refugees are able to voluntarily participate in the appropriate level of service based on their assessment (i.e. Stream A, Stream B or Stream C) for 12 months after they have started on income support following arrival. During this time they are not required to participate in jobactive. Standard eligibility and Mutual Obligation rules would apply after the end of this period.		
Special Benefit	Other Special Benefit recipients are fully eligible for Services, however have voluntary requirements with their employment services Provider.		
Mature Age	<p>Mature age (aged 55 years and over) Participants who are meeting their Mutual Obligation Requirements and who may elect to participate in Employment Provider Services.</p> <p><i>Note: Fully Eligible Participants who are fully meeting their part-time Mutual Obligation Requirements or are currently subject to a Services Australia -granted Exemption may voluntarily elect to participate in Employment Provider Services. If they choose to do so, they continue to be serviced as a Fully Eligible Participant.</i></p>		
Pre-release Prisoners	<p>Pre-release Prisoners Prisoners or detainees must be in the final 12 months of their sentence and be approved by corrective services or youth justice case managers. They must be prisoners or detainees aged 15 years and over (including those not in receipt of income support) who have been referred to an Employment Provider by state or territory corrective or youth justice services and Directly Registered by the Employment Provider.</p>		
Retrenched worker or partner of a retrenched worker	<p>Retrenched workers and their partners People who have been retrenched in the last six months or who have received notification from their employer in the three months prior to their retrenchment date and their partners are eligible for immediate access to jobactive Services.</p>		

	Fully Eligible	Eligible for Volunteer Online Employment Services (VOEST) for 12 months	Not Eligible
	<p>Retrenched workers and their partners may be eligible for assistance through the programs in the following hierarchy. Providers must use this hierarchy to Directly Register any retrenched workers and/or their partners.</p> <ol style="list-style-type: none"> 1. Structural Adjustment Programme. 2. As a Fully Eligible Participant in the stream appropriate to their level of labour market disadvantage as determined by the Job Seeker Classification Instrument. <p>Where a Structural Adjustment Programme provides Services for a retrenched worker but not their partner, then the worker should commence with the appropriate program and the partner can receive Services appropriate to their level of labour market disadvantage as determined by the Job Seeker Classification Instrument.</p> <p>A retrenched worker and their partner must only be registered in one of the above retrenched worker programs each.</p> <p>A special placement flag will identify whether a Participant is registered as a Fully Eligible Retrenched Worker/Partner or as a Structural Adjustment Programme Participant. Eligibility requirements are outlined in the relevant Structural Adjustment Programme Guidelines.</p>		
Other income support without Participation requirements		<p>Participants in receipt of Income Support Payments without participation requirements</p> <p>Carer Payment recipient, Carer Allowance recipient, Aged Pension recipient, Low Income Card holder, Widow Allowance recipient, Farm Household Allowance recipient, Service Pensioner (DVA), Partner Service Pensioners (DVA), War Widow(er)s Pensioner (DVA), Rehabilitation Allowance recipient, Widows B Pensioner, Partner Allowance recipient, Assistance for Isolated Children recipient, Child Care Assistance recipient, Double Orphan Pension recipient, Family Payment recipient, Mobility Allowance recipient</p>	
Early School Leavers	<p>Early School Leavers</p> <p>Early School Leavers unable to access Transition to Work will be referred by Services Australia to jobactive.</p>		
Not in receipt of income support	<p>Retrenched workers and their partners and Structural Adjustment Programme Participants may be eligible for jobactive services without being in receipt of income support.</p> <p>Eligibility requirements are outlined in the Structural Adjustment Programme Guidelines.</p>	<p>Participants not in receipt of Income Support Payments</p> <p>Subject to them not being:</p> <ul style="list-style-type: none"> • full-time students • working in paid employment for 15 hours or more per week and not on an Income Support Payment • overseas visitors on working holiday visas or overseas students studying in Australia, or • prohibited by law from working in Australia. 	
Australian Government Disaster Recovery payment			<p>Australian Government Disaster Recovery Payment recipient: except if they fall into any of the Fully Eligible or Volunteer categories</p>

	Fully Eligible	Eligible for Volunteer Online Employment Services (VOEST) for 12 months	Not Eligible
Workers Compensation			People receiving workers compensation

All capitalised terms in this guideline have the same meaning as in the jobactive Deed 2015–2022 (the Deed).

In this guideline, references to Provider mean an Employment Provider, as defined in the Deed.

This Guideline is not a stand-alone document and does not contain the entirety of Employment Services Providers' obligations. It must be read in conjunction with the Deed and any relevant Guidelines or reference material issued by Department of Education, Skills and Employment under or in connection with the Deed.

Guideline:

Performance Framework

jobactive is underpinned by a sound Performance Framework based on the principles of efficiency, effectiveness, quality and assurance. This Guideline contains detailed information on the Performance Frameworks for each of the services delivered under the jobactive Deed 2015–2022 (hereafter the Deed). Performance Framework elements common to all programs are outlined in this section.

The following programs are outlined in stand-alone chapters:

- Employment Provider Services
- New Business Assistance with New Enterprise Incentive Scheme (NEIS)

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Changes from the previous version (Version 3.5)

Policy changes:

Nil

Wording changes:

Front Page – Amend program name to ‘New Business Assistance with NEIS’

Star Ratings – Changes to the text reflect removal of unnecessary detail as part of Guideline streamlining project. Refinement of the definitions of the Work for the Dole Phases performance measure denominators to account for the period during which mutual obligations requirements were lifted. Addition of Drug / Alcohol characteristic to the regression model.

Document Change History:

A full document history is available in Archived Guidelines, on the same Provider Portal page as this guideline.

Related documents and references

[Program policy Guidelines on Provider Portal](#)

[Learning Centre website](#)

[Employment Services Reporting](#) and [Qlik](#)

Effective end: 30 June 2021

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1. Star Ratings

This section describes the methodology used to calculate the jobactive Star Ratings which assess the relative performance levels of Providers. They inform Participant and employer choice and the Department's performance review, business review and reallocation processes.

Star Ratings are calculated at both Employment Region (contract) level and site level. All ratings are released for the information of all Providers on the Provider Portal while the public releases on the jobactive and Department websites include only the site level ratings.

Star Ratings Methodology

The Star Ratings assess Providers against Key Performance Indicator 1 (efficiency) and Key Performance Indicator 2 (effectiveness) via the six performance measures in Table 1. The methodology has eight major steps.

Table 1 – Performance Measures and Weightings

Performance Measure	Weighting
26 Week Outcomes – All Participants	50%
26 Week Outcomes – Indigenous Participants	10%
26 Week Outcomes – Time to Placement	10%
12 Week Outcomes	10%
Work for the Dole Phase – Participation	10%
Time to Commence in Work for the Dole / Activity	10%

Step 1: Calculate Actual Performance

Actual performance is calculated for each performance measure in each Stream.

Step 2: Calculate Expected Performance

For each performance measure (except Time to Commence in Work for the Dole / Activity) regression analysis determines the performance levels which could reasonably have been expected given Participants' individual characteristics and the characteristics of the local labour market.

Step 3: Calculate Actual to Expected Ratios

Actual performance is divided by expected performance (or national average performance in the case of the Time to Commence measure).

Step 4: Standardise Actual to Expected Ratios

The Actual to Expected Ratios are standardised to performance measure scores between zero and four which are similarly distributed on the same scale, allowing them to be aggregated in line with their respective weightings.

Step 5: Calculate Stream Level and Overall Star Percentages

Stream level performance scores are calculated by aggregating the performance measure scores according to their weightings. The Stream scores are compared with national average scores of two to calculate the Stream Star Percentage.

The Overall Star Percentages are calculated by aggregating the Stream Star Percentages with the following weightings:

- Stream A: 25 per cent
- Stream B: 35 per cent
- Stream C: 40 per cent.

Step 6: Apply Indigenous Outcomes Incentive

For each Stream within a contract, the Indigenous Outcomes Incentive can result in a bonus, a demerit or no change. These are calculated and applied to the respective Stream Star Percentages. The Overall Star Percentages are recalculated.

The Stream bonuses or demerits for a contract are also applied to the respective Stream Star Percentages of each site belonging to that contract.

Step 7: Apply Compliance Indicator Penalties

In cases where a Provider's Employment Region Compliance Indicator Score is below 83, a penalty is applied to the Overall Star Percentages in that region at both contract and site level. This may also lead to lower Overall Star Ratings.

Step 8: Allocate Star Ratings

Star Ratings are allocated using the Star Percentage bandwidths shown in Table 2.

Table 2 – Star Percentage Bandwidths

Star Rating	Star Percentage Bandwidth
5-Star	30 per cent or more above the national average
4-Star	Between 15 and 29 per cent above the national average
3-Star	Between 14 per cent above and 14 per cent below the national average
2-Star	Between 15 and 39 per cent below the national average
1-Star	40 per cent or more below the national average

Performance Reports

Spreadsheet-based reports can be accessed from Employment Services Reporting by selecting reports, jobactive and performance. They are updated weekly and monthly and provide data on the six Star Ratings performance measures and the Indigenous Outcomes Incentive. There is data for both the two-year assessment period and the contract period to date, including:

- numerators, denominators and rates at contract and site level.
- Employment Region and national averages.

Two Star Ratings Qlik Apps are available on the 'Qlik Data Analysis' site. User Guides for these Apps are available from the 'About Qlik' site.

The Star Ratings Analysis App is updated monthly and provides visual analysis and discovery tools to assess performance levels against the six Star Rating performance measures over time.

The Star Ratings Performance Measures App is updated weekly and provides detailed information on the six performance measures, the Indigenous Outcomes Incentive and the impact of the two-year assessment period.

Star Ratings Definitions

Rolling Assessment Period and Timing

Star Ratings are calculated quarterly and use a two-year rolling assessment period. Table 3 details the assessment periods (the start and end dates) and the months of publication from the June 2020 release. The end dates for the December quarter releases account for the Department shutdown period. Any extensions to the end dates will be advised in news items on the Provider Portal and are most likely to occur in response to natural disasters or technical systems issues.

Table 3 – Assessment Periods for Star Ratings Releases

Star Ratings Release	Assessment Period	Month of Publication
June 2020	1 July 2018 – 30 June 2020	September 2020
September 2020	1 October 2018 – 30 September 2020	November 2020
December 2020	1 January 2019 – 8 January 2021	February 2021
March 2021	1 April 2019 – 31 March 2021	May 2021
June 2021	1 July 2019 – 30 June 2021	August 2021
September 2021	1 October 2019 – 30 September 2021	November 2021
December 2021	1 January 2020 – 7 January 2022	February 2022
March 2022	1 April 2020 – 31 March 2022	May 2022
June 2022	1 July 2020 – 30 June 2022	August 2022

Performance Measure Definitions

26 Week Outcomes - All Participants

The 26 Week Outcome rate for all eligible Participants.

Numerator: 26 Week Outcomes for eligible Participants that were lodged during the assessment period plus Transition to Work Sustainability Employment Outcomes for Participants who were referred from jobactive plus 26 Week Harvest Trail Services (HTS) jobactive outcomes.

Denominator (Stream A): Participants who reached three months' period of service in Employment Services at least 28 weeks before the end of the assessment period.

Denominator (Streams B & C): Participants who commenced at least 28 weeks before the end of the assessment period.

Denominator (Exclusions): The following groups of Participants are excluded from the denominator to reflect the two-year rolling assessment period.

- Participants who exited at least 26 weeks before the assessment period start date.
- Participants who exited up to 26 weeks before the assessment period start date with a 26 Week Outcome lodged prior to the assessment period start date.

Two-Year Rolling Assessment Period Case Study

A Participant exits Stream C assistance with a Provider site on 1 February 2018 and a 26 Week Outcome is lodged on 1 June 2018.

For the June 2020 Stream C Star Ratings, the two-year assessment period start date is 1 July 2018. As the outcome was lodged prior to 1 July 2018 it is excluded from the numerator in the calculation of the rating. The commencement record is also excluded from the denominator as the Participant exited within 26 weeks of 1 July 2018 and a 26 Week Outcome was lodged prior to 1 July 2018.

26 Week Outcomes - Indigenous Participants

The 26 Week Outcome rate for all eligible Indigenous Participants. This has the same definition as the 26 Week Outcomes – All Participants measure except that it assesses Indigenous Participants only and Transition to Work Outcomes are not included in the numerator.

26 Week Outcomes – Time to Placement

The average number of days taken to achieve 26 Week Outcomes.

Numerator (Stream A): Total period of service days between Participants' commencement dates or passing three months in Employment Services (whichever is the latest) and their job placement dates that led to the 26 Week Outcome.

Numerator (Streams B & C): Total period of service days between Participants' commencement dates and their job placement dates that led to the 26 Week Outcome.

Denominator: 26 Week Outcomes for eligible Participants that were lodged during the assessment period.

Two-Year Rolling Assessment Period Case Study

A Provider site lodged a Stream C 26 Week Outcome on 1 June 2018. The Participant had a period of service of 100 days between their commencement date with the site and the date of placement in the job that led to the outcome.

For the June 2020 Stream C Star Ratings, the two-year assessment period start date is 1 July 2018. As the outcome was lodged prior to the rolling period start date, it is excluded from the denominator and the 100 period of service days is excluded from the numerator.

12 Week Outcomes - All Participants

The 12 Week Outcome rate for all eligible Participants.

Numerator: 12 Week Full and Partial Outcomes for eligible Participants which were lodged during the assessment period plus Transition to Work 12 Week Employment Outcomes for Participants who were referred from jobactive plus 12 Week HTS jobactive outcomes.

Denominator (Stream A): Participants who reached three months' period of service in Employment Services at least 14 weeks before the end of the assessment period.

Denominator (Streams B & C): Participants who commenced at least 14 weeks before the end of the assessment period.

Denominator (Exclusions): The following groups of Participants are excluded from the denominator to reflect the two-year rolling assessment period.

- Participants who exited at least 12 weeks before the assessment period start date.
- Participants who exited up to 12 weeks before the assessment period start date with a 12 Week Outcome lodged prior to the assessment period start date.

Work for the Dole Phase - Participation

The average proportion of Annual Activity Requirement hours achieved by Participants while in the Work for the Dole Phase. For information on approved activities, refer to

the Activity Management Section of the jobactive Guidelines page on the Provider Portal.

Numerator: Aggregate proportions of Annual Activity Requirement hours met during the Work for the Dole Phase for eligible Participants.

For Participants who commenced the phase up to 13 March 2020 and exited after this date, their required hours are reduced to reflect the period between their phase start date and 13 March 2020, while still using total recorded hours to calculate the proportions achieved.

Participants who are placed in a job during the Work for the Dole Phase and achieve a 12 Week Full Outcome from that placement during the same phase are counted as having met the entirety of their Annual Activity Requirement.

Denominator: Participants with an Annual Activity Requirement who completed or exited the Work for the Dole Phase during the assessment period.

Denominator (Exclusions): For the June 2020, September 2020 and December 2020 Star Ratings, participants with Work for the Dole Phase start dates after 13 March 2020 are excluded.

Two-Year Rolling Assessment Period Case Study

A Stream C Participant exited the Work for the Dole Phase on 1 June 2018. This Participant is excluded from the June 2020 and subsequent Stream C Star Rating calculations having exited prior to the assessment period start date of 1 July 2018.

Time to Commence in Work for the Dole / Activity

The average numerator value (see Table 4) achieved by Participants who commenced in the Work for the Dole Phase.

Numerator: Aggregate values for time taken to commence Participants (who are in the denominator) in a Work for the Dole or other Approved Activity.

Denominator: Participants with an Annual Activity Requirement who commenced in the Work for the Dole Phase on or after the assessment period start date.

Denominator (Exclusions):

- Participants who commenced within 15 business days of the end of the assessment period and who had not yet achieved a numerator value.
- For the June 2020, September 2020 and December 2020 Star Ratings, participants with Work for the Dole Phase start dates after 13 March 2020 are excluded.

Table 4 – Numerator Values for Time to Commence in Work for the Dole / Activity

Time taken to Commence Approved Activity after Commencing in the Work for the Dole Phase	Numerator Value
<= 5 business days (1 week)	1
6 to 10 business days (2 weeks)	0.66
11 to 15 business days (3 weeks)	0.33
Did not commence Activity within 3 weeks	0

Two-Year Rolling Assessment Period Case Study

A Stream C Participant commenced in the Work for the Dole Phase on 20 June 2018 and commenced an approved activity eight business days later on 30 June 2018. This earns a numerator value of 0.66 for the June 2018 to March 2020 ratings. For the June 2020 (and subsequent) ratings, this Participant is excluded having commenced the phase prior to the assessment period start date of 1 July 2018. This reduces the numerator by 0.66 and the denominator by 1.

Additional Notes on Performance Measure Definitions

The denominator conditions for the 12 Week and 26 Week Outcome performance measures include an additional two weeks to allow for cases where the outcome start date is moved forward to align with Services Australia fortnightly payment periods.

Stream A Participants who are exited from assistance before reaching three months in Employment Services are not eligible for Employment Outcomes and are excluded from the relevant denominators.

Commencement records for which the 'Days Available' Participant characteristic reflects less than two weeks of assistance are excluded.

Commencement records which otherwise would not meet the criteria for inclusion in the denominator are included if an outcome for the measure has been achieved.

The 12 Week and 26 Week Outcome claims submitted by Providers count towards Star Rating calculations if they:

- were lodged within the period being assessed
- have a status of approved, pending, or acquitted on the final day of the period being assessed (this means that Pay Slip Verified Outcome Payments need to be finalised by the final day of the period and Outcomes which have since been recovered are not included)
- are not a multiple outcome for a single Participant commencement record for the same performance measure (e.g. if a Stream A Participant has a 12 Week Partial Outcome followed by a 12 Week Full Outcome, only the first Outcome counts towards the Stream A 12 Week Outcomes measure).

Regression

The Star Ratings methodology recognises that Providers operate in disparate labour markets and work with diverse Participants. To control for differences in Participant and labour market characteristics, the Star Ratings methodology uses regression analysis—a standard statistical technique that accounts for different relationships among variables. The use of regression analysis allows for fair comparison of Providers' performances across Australia.

A separate regression model is run for five of the six performance measures for each Stream, resulting in 'expected' outcome rates for each Provider. These 'expected' rates represent what Providers could reasonably be expected to have achieved given the unique set of Participants they assisted under local labour market conditions. The actual Outcome rate is divided by the expected Outcome rate to derive an actual-versus-expected ratio. Higher ratios contribute to higher Star Percentages and Star Ratings.

The Time to Commence in Work for the Dole / Activity performance measure is not subject to regression analysis as performance is a function of individual Provider's level of organisation and ability to activate Participants, as opposed to external factors

such as local labour market conditions. Providers should plan ahead of Participants commencing in the Work for the Dole Phase in order to perform well against the measure.

The Participant and labour market characteristics which are accounted for in the jobactive Star Ratings model are set out in Table 5. Additional characteristics may be included for one or more of the six performance measures.

Table 5 – Labour Market and Participant Characteristics

Labour Market Characteristics	Description
State Final Demand Change ¹	Change in per capita State Final Demand.
Income Support	The proportion of the population on income support for the Participant's Australian Bureau of Statistics (ABS) Statistical Area 2 level.
Low Skilled Vacancy Rate	Low skilled vacancies proportion for Participant's Internet Vacancy Index region.
Metro Employment Region	Participant is being assisted by a Metropolitan located site.
Unemployment Rate ²	The unemployment rate of the Participant's ABS Statistical Area 4 level spatial unit.
Unemployment Rate Change ²	Change in unemployment rate over 12 months at Greater Capital City Statistical Area ³ level (since the March 2017 release).
Participant Characteristics	Description
Access to transport	Type of transport available as recorded in the Job Seeker Classification Instrument (JSCI).
Age	Age at commencement.
Age Youngest Child	The age of the youngest dependent child.
Allowance Type	Allowance type at commencement.
Commencement Month	The year and month that the Participant commenced assistance.
Contactability	Has access to a phone as recorded in the JSCI.
Culturally and Linguistically Diverse	Country of birth – grouped into main English-speaking countries, and other countries classified into geographical regions reflecting the ABS' Australian Standard Classification of Countries.
Days Available	Number of days provider has had to place the Participant.
Disability	Identification of any disability as recorded in the JSCI.
Drug / Alcohol	Identified as having drug or alcohol issues through an ESAt.
Early School Leaver	Identified as subject to the Early School Leavers policy.
Education Level	Highest education level as recorded in the JSCI.
Ex-Offender	Identified as having had a custodial sentence in JSCI.
English Language Proficiency	Participant is recorded as being proficient in English in the JSCI.
Flow	Identified as an active Participant at the start of jobactive.
Gender	Gender.
Indigenous	Participant is Indigenous.
JSCI Score	JSCI Score.
Long Term Income Support	Proportion of the preceding 10 years the Participant was on income support (or from the age of 15 if under 25).
Previous Work Experience	Work experience type over the previous two years prior to JSCI interview.
Transient	Participant's postcode changed one or more times during period of assistance.
Unemployment Duration	Unemployment duration at commencement.
Unstable Accommodation	Identified as having unstable accommodation in JSCI.
Vocational Qualifications	Participant has a useful vocational qualification as identified in their JSCI.
Work Capacity Hours	Hours per week available for work from the Employment Services Assessment.

Table 5 Notes:

¹ <http://www.abs.gov.au/ausstats/abs@.nsf/mf/5206.0> Final Demand statistics with particular reference to the table - 5206.0 - Australian National Accounts - Table 17.

² <http://www.abs.gov.au/ausstats/abs@.nsf/mf/6291.0.55.001> has Unemployment Rate and Unemployment Rate Change statistics with particular reference to the tables - 6291.0.55.001 - Labour Force, Australia, Detailed - Electronic Delivery – Table 02 and RM1.

³ <http://www.abs.gov.au/ausstats/abs@.nsf/PrimaryMainFeatures/1270.0.55.001?OpenDocument> has information and maps on the Greater Capital City Statistical Areas with particular reference to:

- 1270.0.55.001 - Australian Statistical Geography Standard (ASGS): Volume 1 - Main Structure and Greater Capital City Statistical Areas
- 1270.0.55.001 - GCCSA ASGS Edition 2011 pdf maps

Standardisation

Standardisation is applied to each Star Ratings performance measure which results in a final performance measure score. Standardisation is used to ensure that above average performance is properly credited. This enables the Star Ratings model to treat performance measures with different means and standard deviations equally. In this way, the Star Ratings compensates for differing distributions of performance measure results without advantaging or disadvantaging Providers.

The standardised performance measure scores for any Provider will have the same rank as the equivalent pre-standardised performance measure score. Additionally, standardisation preserves relative difference in results between any two performance measure star scores.

Indigenous Outcomes Incentive

The Indigenous Outcomes Incentive (IOI) is an adjustment to the Stream level Star Percentages based on comparisons of outcome rates for Indigenous Participants with the rates for non-Indigenous Participants on a like-for-like basis. This is achieved via the use of regression to calculate 'expected' rates which account for the personal and labour market factors which have been identified as affecting the likelihood of each Participant achieving outcomes.

- Bonuses are applied when Providers have achieved higher actual to expected rate ratios for their Indigenous Participants in comparison with their non-Indigenous Participants.
- Demerits are applied when Providers have achieved lower actual to expected rate ratios for their Indigenous Participants in comparison with their non-Indigenous Participants.
- If, in a given Stream, a Provider achieved exactly the same actual to expected rate ratio for their Indigenous and non-Indigenous Participants, the Stream will receive neither a bonus nor a demerit.
- No bonuses or demerits are applied for contracts which have assisted fewer than 20 Indigenous Participants in the two-year assessment period.

The steps undertaken to calculate the IOI are:

1. For each Stream within a contract, calculate the actual 4, 12 and 26 Week Outcome rates achieved over the two-year assessment period, for Indigenous Participants and for non-Indigenous Participants separately.

2. Using regression, calculate the respective expected outcome rates. The regression uses the same set of Star Rating characteristics with the exception of the Indigenous flag.
3. Calculate the actual to expected rate ratios for Indigenous and non-Indigenous Participants for each outcome type.
4. IOI Ratios are calculated for each outcome type by dividing the Indigenous ratios by the non-Indigenous ratios.
5. An IOI Score is calculated by aggregating the ratios using these weightings:
 - 26 Week Outcomes 60 per cent
 - 12 Week Outcomes 30 per cent
 - 4 Week Outcomes 10 per cent
6. The IOI Score is applied to adjust the Stream Star Score (SSC) which results in an adjusted Stream Star Percentage. The formula includes a five per cent weighting and is scaled so that contracts with higher ratings receive higher bonuses and lesser demerits than contracts with lower ratings and vice versa. This is because higher rated contracts will have achieved higher than expected outcome rates for their non-Indigenous Participants and have therefore set higher standards to achieve for their Indigenous Participants than lower rated contracts. The formula which is applied is as follows:
 - **Bonus:** $SSC + ((IOI\ Score - 1) \times (SSC + 5) \times 5\ per\ cent)$
 - **Demerit:** $SSC + ((IOI\ Score - 1) \times (5 - SSC) \times 5\ per\ cent)$
7. The adjusted SSCs are used to determine the Star Percentages and then the Star Ratings for each Stream, and for the contract overall.
8. The calculated SSC adjustments for a contract are then applied to all sites belonging to that contract.

Star Ratings for New and Ceased Contracts and Sites

New Contracts and Their Sites

From the time a Provider commences delivering jobactive services in an Employment Region, all performance data which meet the criteria for individual performance measures will be included in the statistical regression calculations of the Star Ratings model. However, around 12 months of performance data is required before its contract and site level ratings are publicly released.

An exception to this occurs with contract novations, where new Providers take over the operations of existing contracts. The new Provider has a new contract and new sites but inherits the past performance data of the ceased contract and its sites. The Star Ratings model aggregates the performance data of both the new and original contracts and sites. This means that Star Ratings for the new contracts and sites can be calculated from the very next release following the novations.

New Sites with Existing Contracts

In the immediate release following their commencement of service, these sites receive ratings which have been imputed from their contract level ratings. Actual ratings will be calculated and published after around 12 months of operation. However regardless of whether an actual rating is calculated for a new site, from the time the site commences, all performance data which meet the criteria for individual performance measures will contribute to the Provider's contract level ratings.

Ceased Sites with Continuing Contracts

While Star Ratings are not calculated for ceased sites, their performance data will continue to contribute to their respective contract level ratings.

Ceased Contracts

While Star Ratings are not calculated for ceased contracts and their associated sites, their performance data (within the two-year assessment period) is retained in the regression analysis. New contracts do not inherit the past performance data of ceased contracts, with the exception of contract novations as described above.

Treatment of Participants referred to the Community Development Programme

The Star Ratings model accounts for Participants who are transferred to the Community Development Programme but are not immediately exited. For these Participants, their Community Development Programme referral dates are deemed to be their exit dates.

Treatment of Participants supported by Structural Adjustment Programmes

Participants being supported under a Structural Adjustment Programme (SAP) may commence with a jobactive Provider while still employed by the company they are being retrenched from. Providers can enter a 'Redundancy Due Date' on the Department's Employment Services System (ESS) which recognises the date on which Participants actually cease their employment with the company. While the Redundancy Due Date field is not mandatory, it is required for the Star Ratings calculations to account for SAP Participants.

In cases for which the Redundancy Due Date is later than the jobactive Commencement Date, the Star Ratings will treat the Participant as having commenced on the Redundancy Due Date. This properly recognises the date from which Participants are actually available for new employment.

Treatment of Participants participating in the Online Employment Service Trial

Commencement records related to participation in the Online Employment Service Trial from July 2018 are excluded from the Star Ratings Model. Participants who leave the trial and commence with a jobactive provider are included in the rating calculations from the date of commencement with the provider.

Treatment of New Employment Services Trial (NEST) Participants and NEST Providers

Commencement records related to the participation of Participants in the NEST from July 2019 are excluded from the Star Ratings Model. From the December 2019 release onwards, the NEST contracts have been treated as ceased contracts.

Imputed Stream Star Ratings and imputed Performance Measure Scores

Contracts and sites with 26 Week Outcomes – All Participants performance measure denominators of less than 20 are given imputed Stream Star Ratings.

- Contract ratings are imputed by calculating the average Star Percentage of those Streams that did have sufficient data.
- Site ratings are imputed from their contract level Stream Star Percentages.

Actual Stream Star Ratings are calculated for contracts and sites with denominators of 20 or more for the 26 Week Outcomes – All Participants performance measure. Where the denominator for any other measure is less than 20, the following business rules are applied to impute a performance score.

- Contract performance scores are imputed from the 26 Week Outcomes – All Participants measure score.
- Site performance scores are imputed from the contract performance score.

Star Ratings Worked Examples

This section demonstrates important elements of the Star Ratings Methodology.

Worked Example: Calculate Stream Star Scores

Stream Star Scores are calculated by aggregating the final performance measure scores together using the measure weightings as set out in Table 6.

Table 6 – Stream Star Score Calculation Worked Example

Performance Measure	Final Score	Weighting	Weighted Score
26 Week Outcomes – All Participants	2.2	50%	1.10
26 Week Outcomes – Indigenous Participants	1.0	10%	0.10
26 Week Outcomes – Time to Placement	1.5	10%	0.15
12 Week Outcomes	2.3	10%	0.23
Work for the Dole Phase Participation	1.9	10%	0.19
Time to Commence in Work for the Dole / Activity	1.7	10%	0.17
Stream Star Score			1.94

Worked Example: Calculate Overall Star Scores

Overall Star Scores are calculated by aggregating the Stream Star Scores using the Stream level weightings as shown in Table 7.

Table 7 – Overall Star Score Worked Example

Stream	Final Stream Score	Weighting	Weighted Star Score
Stream A	1.53	25%	0.383
Stream B	1.94	35%	0.679
Stream C	2.97	40%	1.188
Overall Star Score			2.250

Worked Example: Calculate Stream and Overall Star Percentages and Star Ratings

Star Percentages are calculated by comparing the Star Score with the national average of 2. A positive Star Percentage indicates the distance above the national average while a negative Star Percentage indicates the distance below the national average. Star Percentages are rounded down to the nearest whole number.

The formula for determining the Star Percentage is:

$$(\text{Star Score} - \text{National Average}) / \text{National Average} \times 100$$

Consider the Star Scores from Table 7. The calculation of the Star Percentages is shown in Table 8. The Star Ratings are allocated by mapping the Star Percentages to the Star Percentage bandwidths detailed in Table 2.

Table 8: Stream and Overall Star Percentages and Star Ratings Worked Example

Stream	Star Score	National Average	Comparison	Star Percentage	Star Rating
Stream A	1.53	2.00	-23.5%	-23	2-Stars
Stream B	1.94	2.00	-3.0%	-3	3-Stars
Stream C	2.97	2.00	+48.5%	+48	5-Stars
Overall	2.25	2.00	+12.5%	+12	3-Stars

Worked Example: Calculating the Indigenous Outcomes Incentive Bonus/Demerit

Table 9 details how a Stream IOI Score is calculated for a contract. In this case it is a positive IOI Score of 1.23. This contract had higher actual to expected ratios for Indigenous Participants than non-Indigenous Participants for 12 and 26 Week Outcome rates but a lower ratio for 4-Week Outcome rates.

Table 9: Stream IOI Score Worked Example

Outcome
Type

	Indigenous Participants			Non-Indigenous			IOI	Weight	IOI
	Actual	Expected	Ratio	Actual	Expected	Ratio	Ratio		Score
	a	b	c (a/b)	d	e	f (d/e)	g (c/f)	h	i=g*h
26 Week	6.8	5.4	1.27	7.5	8.0	0.94	1.35	60%	0.81
12 Week	10.2	9.5	1.08	13.1	13.1	1.00	1.08	30%	0.32
4 Week	10.8	11.5	0.94	15.1	15.2	0.99	0.95	10%	0.09
							IOI	Score:	1.23

Given that the IOI Score is greater than one, an IOI bonus is applied. If this contract has a Stream Star Ratings Score of 2.25 (giving a Star Percentage of +12 and a rating of 3-Stars) then it is adjusted using the following formula:

Adjusted Stream Star Ratings Score = $2.25 + [(1.23 - 1) \times (2.25 + 5) \times 5\%] = 2.33$

The adjusted score of 2.33 increases the Stream Star Percentage by 4 percentage points to +16 which is also enough in this case to improve the rating to 4-Stars.

A site belonging to this contract has a Stream Star Percentage of -16 and a Star Rating of 2-Stars. Its Star Percentage is also adjusted by 4 percentage points to -12 and the rating increases to 3-Stars.

Worked Example: Stream Imputation - Site

Table 10 is a worked example of how site Star Percentages are imputed if one or more Streams do not meet the thresholds for calculating ratings.

Table 10 – Stream Imputation

Star Percentage	Overall	Stream A	Stream B	Stream C
Contract	+12	-22	-3	+48
Site A	+16	-26	-10	+66
Site B		-10	Insufficient Data	+31
Site C		Insufficient Data	Insufficient Data	Insufficient Data

Site B has insufficient data in Stream B. It is given the contract level Star Percentage of -3 which contributes to an Overall Star Percentage of +8.

Site C has insufficient data in all three Streams. It is given the same Overall and Stream level Star Percentages as were achieved at contract level.

2. Quality Assurance Framework

Introduction

All organisations contracted to deliver jobactive services under the Deed must achieve and maintain certification under the Department's Quality Assurance Framework (QAF).

The QAF sets the minimum standards of quality for Providers, ensuring their policies and processes support continuous improvement and quality service delivery.

Certification under the QAF requires:

- demonstrated adherence to the Department's [Quality Principles](#)
- Certification against one of the Department's approved [Quality Standards](#)

Both are assessed via on-site audits, conducted by an approved Quality Auditor.

Providers delivering services under the NEST must maintain QAF Certification under the Deed. The Provider's conformance with the Quality Principles will not be assessed in the NEST Employment Regions.

Administrative Considerations

Roles and Responsibilities

- **The Department** – is responsible for supporting Providers and Quality Auditors through the Certification process, granting QAF Certification and ensuring Providers under the Deed continue to meet QAF requirements. The Department also manages the QAF Auditor List and associated Deed.
- **Employment Provider** – is responsible for preparing for its Certification, engaging a Conformity Assessment Body (CAB) from the QAF Auditor List for this purpose, and obtaining its Audit Plan template from the Department. Following the Audit, the Provider approves any documentation (such as a Corrective Actions Plan) before submitting to the Department.
- **Conformity Assessment Body (CAB)** – is responsible for following the conditions set out in the QAF Auditor List Deed, including approving documents prepared by their Quality Auditors.
- **Quality Auditor** – is responsible for conducting Audits on behalf of CABs and providing recommendations on the Provider's conformance with QAF requirements.

Tendering Groups

Where the Provider is a collection of organisations delivering Services as a Tendering Group, the lead member of the Tendering Group must achieve and maintain Certification against the QAF. All Sites listed in the Tendering Group's Deed schedule are within the scope for the Site sample. When auditing against the Quality Principles, the lead member's head office must be audited as part of the Site sample.

Change of membership

If there is a change in membership of the Tendering Group the new Tendering Group must gain or maintain QAF Certification in accordance with this Guideline or as otherwise advised by the Department.

Novations, transfers and new Employment Providers

If an organisation becomes a Provider following the execution of a Deed of Novation, or if a new Provider is awarded a jobactive Deed 2015-2022, the organisation must demonstrate adherence to the Quality Principles through a Certification Audit, or as otherwise specified in the Deed of Novation. The organisation must also achieve certification against an approved Quality Standard within the timeframe advised by the Department.

If business is transferred to an organisation that is an existing Provider, and this organisation has achieved QAF Certification, the organisation must maintain its QAF Certification in accordance with this Guideline, or as otherwise specified in the business transfer deed.

The Quality Principles

The Quality Principles cover the minimum requirements for delivering Employment Services and promote a strong focus on continuous organisational improvement.

The Quality Principles audit criteria are comprised of [Key Performance Measures \(KPMs\)](#) and corresponding [Practice Requirements](#), supported by [Minimum Evidence Requirements](#) (see Attachment A).

Key Performance Measures

Each of the seven Quality Principles are underpinned by a set of Key Performance Measures (KPMs).

Practice Requirements and Minimum Evidence Requirements

Each KPM contains Practice Requirements. The Provider must meet each Practice Requirement within the KPM to demonstrate conformance with the KPM.

In order to demonstrate conformance with each Practice Requirement, the Provider must address each of the Minimum Evidence Requirements during its audit. [Attachment A](#) sets out the evidentiary requirements.

The Quality Standards

The Quality Standards set the foundation of quality management, and support an organisation to achieve consistent business processes and drive measurable performance improvements.

The Quality Standards approved by the Department under the QAF are:

- **ISO 9001** – Internationally recognised standard that promotes a quality management system as an integral part of an organisation's operations.
- **Employment Services Industry Standards (ESIS)** – Developed by the National Employment Services Association (NESA) for the Australian Employment Services industry.
- **National Standards for Disability Services (NSDS)** – Provides the basis for the Disability Employment Services (DES) Quality Framework.

A Provider must choose one of these Quality Standards to be certified against as part of its QAF Certification. If the Provider changes to a different approved Quality

Standard, it must achieve certification against the new Standard prior to the expiry date of its previous certification.

For QAF purposes, the scope of Quality Standard certification must include a Provider's jobactive business.

A Provider must be delivering DES if using NSDS for QAF Certification. A Provider who ceases to deliver DES during the term of the Deed, and any Extended Service Periods, must transition to an alternate approved Quality Standard prior to the expiry of their NSDS Quality Standard.

A Provider using NSDS for QAF purposes must have its NSDS audit plan endorsed by the department prior to audit commencement to ensure the audit sample is representative of its jobactive business.

Quality Standards Certification

A Provider must achieve and maintain certification against a Quality Standard by fulfilling all the requirements of the relevant Quality Standard, including following the relevant audit schedule. A Provider should discuss its Quality Standards auditing requirements with its [CAB](#).

Following each Quality Standards Audit, the Provider must submit the resulting Quality Standards Report to the Department, along with copies of new or updated Quality Standard Certificates as evidence of Quality Standard Certification. The Provider must notify the Department immediately if its certification lapses or is suspended as this may affect its QAF Certification.

Any Non-conformance identified during a Quality Standard Audit must be addressed in accordance with the requirements of the relevant Quality Standard and with this Guideline. Refer to [Quality Standard Non-conformance](#) for further information.

CABs and Quality Auditors

The Department maintains a list of approved CABs on the [Provider Portal](#). These CABs, and their Quality Auditors, must participate and pass all the Department's required training to conduct QAF audits. A Provider must engage a CAB for QAF purposes that is on this list, including for Quality Standards Audits.

Quality Principles Audits and Reports

There are three types of Quality Principles Audits under the QAF:

- Certification Audit – conducted when initially gaining QAF Certification and when seeking recertification. Certification is valid for four years.
- Surveillance Audit – conducted within two years of achieving QAF Certification or recertification.
- Extraordinary Audit – conducted if directed by the Department.

All Quality Principles Audits are conducted by the Quality Auditor on site, unless otherwise agreed by the Department, and in accordance with this Guideline and the approved [QAF Audit Plan](#).

During the audit, the Quality Auditor will determine whether a Provider adheres to the Quality Principles by gathering evidence and conducting interviews with staff and Participants at each Site before preparing Site findings. The Provider must work with the Quality Auditor to ensure all Practice Requirements are appropriately addressed.

The Quality Auditor must prepare the [Quality Principles Report](#) addressing all KPMs outlined in the Audit Plan and indicating whether conformance has been demonstrated against each Practice Requirement.

The Quality Auditor must hold an [Audit Close Meeting](#) with the Provider, following which the Provider must review the Quality Principles Report and submit it to the Department within six weeks of the Audit Close Meeting.

The Provider is responsible for its audit costs, including the [close out](#) of Non-conformances.

Certification Audits

A Provider must undergo a Certification Audit to gain initial QAF Certification and again to achieve recertification prior to the Certification expiry, or as otherwise advised by the Department.

Quality Auditors must assess the Provider's adherence to all seven Quality Principles by auditing a sample of the Provider's Sites and its head office (see [Quality Principles Audit Sampling](#) for further detail).

A Provider seeking recertification will be considered for a scope reduction, based on its performance against selected measures detailed in the table in [Attachment A](#). A Provider's eligibility for scope reduction will be determined at the time it requests its Audit Plan template.

Surveillance Audits

The Surveillance Audit ensures the Provider has maintained the systems, policies and processes that led to its initial Certification. Surveillance Audits must be completed within two years of Certification or recertification, or as otherwise advised by the Department.

Surveillance Audits involve auditing the head office plus a smaller sample of the Provider's Sites than for a Certification Audit (see [Quality Principles Audit Sampling](#)).

A Provider undertaking a Surveillance Audit will be considered for a scope reduction, based on its performance against selected measures detailed in the table at [Attachment A](#). A Provider's eligibility for scope reduction will be determined at the time it requests its Audit Plan template. Quality Principles 1-3 are generally not in scope for Surveillance Audits but may be included at the Department's discretion, particularly where the most recent Quality Audits (Quality Standards and Quality Principles) identified a relevant Non-conformance. The Department reserves the right to include any KPM, regardless of a Provider's performance against it.

Failing to undergo a Surveillance Audit in accordance with the requirements of this Guideline may result in the suspension of the Provider's QAF Certification.

Extraordinary Audits

An Extraordinary Audit is conducted at the direction of the Department by a Quality Auditor. The Provider is required to cover the audit costs.

The scope is determined by the Department on a case-by-case basis and is usually targeted to a specific aspect of the QAF. Quality Auditors may also recommend additional auditing requirements for the Department's consideration.

Preparing for your Audit

Audit timeframes

When scheduling Audits, the Provider should be mindful of the key dates to ensure it meets the required timeframes. The Department strongly recommends a Provider begins preparing for scheduled QAF Audits nine months prior to the relevant anniversary dates (see QAF Reporting Schedule below).

A Provider must complete its Quality Principles Audit and submit its audit report to the Department, along with a copy of its latest Quality Standards Report, at least four months prior to the relevant anniversary date, and within six weeks of the Audit Close Meeting.

Engaging a Conformity Assessment Body

The Provider must engage a CAB from the QAF Auditor List to conduct a Quality Principles Audit. Any agreement entered into by a Provider with a CAB must:

- be in writing
- require the CAB to provide any information (including working papers) and assistance relating to QAF Audits to the Department when requested
- reserve the right of termination to take into account the Department's right to remove the CAB from the QAF Auditor List.

Requesting and Completing your Audit Plan

The QAF Audit Plan (Audit Plan) provides the basis on which the Quality Principles Audit will be conducted. It outlines the Sites to be included in the sample and the relevant Claims Sampling and Participant Sampling to be conducted at each Site.

When preparing for the audit, the Provider must request the Audit Plan template from the Department. The Audit Plan template assists the Quality Auditor and the Provider ensure the relevant sampling requirements will be met.

The Provider must complete the Audit Plan in conjunction with its Quality Auditor and submit it to the Department for approval no later than two months (40 business days) before the commencement of its Quality Principles Audit.

The Quality Principles Audit must be conducted in accordance with the approved Audit Plan. The Department will consider requests to change the Audit Plan on a case-by-case basis. However, the Department must approve any changes before the Quality Principles Audit starts.

Audit Intelligence

At the time the Audit Plan is requested (from the Department), the Department may supply the Provider with information to assist with the Quality Principles Audit, such as programme assurance activity results. The Provider must provide this Audit Intelligence to the Quality Auditor to assist in the planning of the audit.

Quality Principles Audit Sampling

The sampling methodology outlined in this Guideline is for Quality Principles Audits only. The sampling requirements for the Quality Standards are governed by the Standards themselves. The Provider should discuss the sampling requirements of the Quality Standards with its CAB.

The sampling numbers provided in this document are the minimum numbers required. If a Quality Auditor considers that additional sampling is required to determine conformance with the audit criteria, they may increase the sampling numbers.

For Quality Principles Audits, sampling falls into the following three categories:

- Site sampling
- Claims sampling
- Participant sampling.

Site sampling

Quality Auditors must ensure that the Site sample is representative of the Provider's business. As most Providers operate more than one Site, multiple Sites must be audited to ensure adequate representation of its business. Table 11 explains the method for determining the number of Sites to be included in the sample for each type of Quality Principles Audit.

The Provider's head office must be audited at each Quality Principles Audit. If the Provider has a jobactive delivery Site co-located with its head office, this may be included in the audit sample, however, will be subject to the same considerations listed below (i.e. no repetition, geographical coverage). Sites in the NEST Employment Regions are out of scope for site sampling.

Table 11 – Calculating Site Sample Sizes

Audit Type	Number Of Sites
Certification Audit	The square root of Site count (\sqrt{n}) rounded to the next whole number, plus the head office.
Surveillance Audit	60 per cent of the square root of the Site count ($\sqrt{n} \times 0.6$) rounded to the next whole number, plus the head office.
Extraordinary Audit	The Department will determine the number of Sites in an Extraordinary Audit on a case-by-case basis.

Table 11 Note:

The Site Count is equal to the sum of the Full-time and Part-time Sites listed in the Provider's Deed Schedule.

The Quality Auditor will determine the Sites that make up the Site sample. When determining the Site sample, consideration should be given to the following:

- No repetition—It is expected that over the duration of the Deed, Quality Principles Audits would sample as many Sites as possible. Generally, Sites that have been audited previously would not be included in future Quality Principles Audits unless it is considered relevant. For example, following the identification of Non-conformance, or when the Site count is too small, requiring Sites to be audited multiple times.
- Geographical coverage—Where the Provider operates in more than one Employment Region, Quality Auditors should aim to select Sites from different Employment Regions. Where the calculated Site sample is larger than the total number of Employment Regions in which the Provider operates, the Quality Auditor may choose multiple Sites within Employment Regions.
- Varying Site types—Quality Auditors should consider the range of service Sites (Full-time, Part-time and Outreach) operated by the Provider.
- Changes in servicing arrangements—Whether the Provider has established any new Sites or received additional Business Share since the last Quality Principles Audit.
- Subcontractor Sites—Sites operated by Subcontractors are included in the scope of the Quality Principles Audit. Quality Auditors should give consideration to the amount of Subcontractors delivering services on behalf of the Provider. Quality Auditors should seek to include Sites from different Subcontractors where relevant.

Please note that the above considerations are provided as guidance only and are not mandatory requirements. They are intended to assist in ensuring the Site sample is reflective of the Provider's business.

Claims sampling

Quality Auditors must select and review enough claims for payment or claims for reimbursement (Claims) to determine the level of conformance with the Provider's claims processing procedures.

A minimum of 10 Claims per Site, capped at a total of 50 Claims across the organisation, must be reviewed by the Quality Auditor. However, Quality Auditors may review further Claims if they consider additional checking is required to determine the Provider's level of conformance.

Where the Provider's Site sample is greater than five Sites, the number of Claims checked must be evenly distributed across each of the Sites in the sample. If the Provider processes its Claims through a central claims processing unit, the Quality Auditor must ensure that the Claims reviewed during the audit are linked to the Sites included in the Site sample.

The Department may request that Quality Auditors focus on particular Claim types. Quality Auditors may refer to relevant guidelines when considering a Provider's approach to Claims processing. Please note, Quality Auditors must check Claims to ensure the Provider's adherence to its policies and processes. However, they are not expected to check Claims for validity against the Deed.

While it is not expected that every Claim type be checked by the Quality Auditor, all Claim types made by the Provider are within the scope for checking.

Participant sampling

While assessing adherence to the Quality Principles, Quality Auditors must collect evidence to demonstrate the Provider's delivery of quality Services to Participants.

Participant sampling is conducted in two ways. The first is through a selection and review of Participant files. This involves an audit review of all documentation associated with providing Services to the Participant. This can include, but is not limited to:

- file notes (both electronic and hard copy)
- copies of Job Plans
- Employment Fund reimbursements and receipts
- the Participant's résumé
- Training referrals and certificates
- Job Seeker Classification Instrument (JSCI) and other Participant assessments
- reviews and participation reporting information.

The second method of Participant sampling is through conducting interviews directly with Participants. Acceptable methods for interviewing Participants include one-on-one sessions, group interviews, phone interviews as well as video conference tools such as Skype. Quality Auditors may choose to review the files of those Participants they interview in advance, to help develop questions for the interview.

The number of Participant interviews and file reviews to be conducted at each Site depends on the Site's caseload. The file review and Participant interview sampling requirements are set out in Table 12.

Table 12 – File review and Participant interview sampling requirements

SITE SIZE (Stream Participants on Site's active caseload)	File review sample	Participant interview sample
Small (0–600)	4	4
Medium (601–1200)	8	8
Large (1201+)	12	12

If the Quality Auditor is unable to interview the minimum number of Participants at a given Site, the Quality Auditor must state this in the Quality Principles Report and explain why these interviews were not conducted. The Department may require

additional interviews to be conducted if there is a significant gap between the number of interviews conducted during the audit and the minimum sampling requirements.

Selecting the sample

The Quality Auditor will be responsible for selecting and reviewing Site, Claim and Participant samples. However, for Participant sampling, the Quality Auditor may seek assistance from the Provider to better understand the Participant. Participants selected for the sample should be representative of the organisation and include Participants from a range of cohorts.

Finalising your Audit

Audit Close Meeting

Following the completion of a Quality Principle Audit, the Quality Auditor must discuss the outcomes of the Audit and conduct an Audit Close Meeting with the Provider. The date of the Audit Close Meeting must be recorded in the Quality Principles Report before it is submitted to the Department.

Quality Principles Reports

Following a Quality Principles Audit, Quality Auditors are required to complete a Quality Principles Report, providing justification statements against each Practice Requirement being audited, and raising Non-conformances where required. The Department's electronic Quality Principles Report template must be used.

The Quality Principles Report must be submitted to the Department within 30 business days (six weeks) from the Audit Close Meeting, together with a [Corrective Action Plan](#), if Non-conformances have been identified.

Providers and Quality Auditors should discuss any corrective actions required, including how and when any Non-conformances should be downgraded or closed out.

Quality Principles Reports must be clear, accurate and evidence based. It must contain sufficient detail to demonstrate how the recommendations for Conformance or Non-conformance were determined for a Practice Requirement. This will assist the Department in determining whether a Provider has met the requirements for QAF Certification.

Evidence can be presented in many forms, including:

- hard copy—signed forms or records of attendance
- electronic—comments recorded in the Department's Employment Services System or the Provider's third-party IT System
- observed—staff meeting with Participants or staff demonstrating a process
- interviews—staff and/or Participant's confirmation of ability or service delivery and satisfaction.

The Department conducts a thorough review of the Quality Principles Report to assess how effectively the justification statements:

- address the Minimum Evidence Requirements for each Practice Requirement audited

- support the conformance ratings recorded.

During this process, the Department may request further information to clarify any issues or request changes to the report in consultation with the Quality Auditor. The Department may reject Quality Principles Reports if Practice Requirements are not appropriately addressed, which could impact on the Provider's QAF Certification.

The Department endeavours to complete these reviews within 20 business days.

Addressing Non-conformance

When auditing against the Quality Principles, any issues identified by a Quality Auditor are raised in the form of a Non-conformance. Non-conformances are issued when a Quality Auditor determines that a certain aspect of the system being audited does not conform to the Quality Principles.

Non-conformance Classifications

There are two Non-conformance classifications, which are defined in Table 13.

Table 13 – Non-conformance classifications

Major Non-conformance	Minor Non-conformance
<p>A Major Non-conformance is defined as:</p> <ul style="list-style-type: none"> • a failure to satisfy 50 per cent of the Practice Requirements across a Quality Principle, regardless of which KPM they fall under or • a failure to satisfy any of the Practice Requirements within a KPM or • a failure to close out a Minor Non-conformance within six months or • a Major Non-conformance identified against a Quality Standard during a Quality Standard Audit. 	<p>A Minor Non-conformance is defined as:</p> <ul style="list-style-type: none"> • failure to meet a Practice Requirement or • a Minor Non-conformance identified against a Quality Standard during a Quality Standard Audit.

Impact on QAF Certification

Major Non-conformance

QAF Certification is not granted or renewed until all the Major Non-conformances are downgraded to a Minor Non-conformance or closed out. Major Non-conformances must be closed out or downgraded within three months of the Audit Close Meeting, or, in the case of Department-identified Major Non-conformances, within three months of the date the Provider is advised of the Department-identified Non-conformance. Failure to address Major Non-Conformances within the required timeframes may result in QAF Certification being suspended and remedial action being taken against the Provider (see clause 52.2 and 98.11 of the Deed).

Minor Non-conformance

QAF Certification may be granted if Minor Non-conformances are issued. Minor Non-conformances must be closed out within six months of the Audit Close Meeting, or, in the case of Department-identified Major Non-conformances, within

six months of the date the Provider is advised of the Department-identified Non-conformance.

Any Minor Non-conformance will be upgraded to Major Non-conformance if it has not been addressed within the required timeframe and may result in QAF Certification being suspended.

Quality Standard Non-conformance

If a Non-conformance raised in a Provider's Quality Standard audit is relevant to the Quality Principles, the Quality Auditors must include the Non-conformance in the Audit Report under the relevant Quality Principle.

Any Non-conformance raised against a Quality Standard that results in the suspension or cancellation of certification against that Quality Standard may result in the Provider's QAF Certification being suspended.

Department-identified Non-conformance

The Department may issue a Non-conformance where it is not satisfied that the evidence included in the Quality Principles Audit Report addresses the requirements, or indicates a Non-conformance. The Department reserves the right to raise Non-conformances where it has received information contrary to that provided in the Quality Principles Report, including information provided through its assurance activities.

Quality Principles Corrective Action Plan

A Corrective Action Plan (CAP) must be submitted to the Department within 30 business days (six weeks) of the Audit Close Meeting. The Quality Auditor may use the Department's CAP template or its own template. The CAP must contain:

- the proposed action to be taken to address the Non-conformance (that is to close the Non-conformance, or to downgrade a Major Non-conformance to a Minor Non-conformance)
- the timeframes for progress milestones
- the endorsement from the Quality Auditor and a determination as to whether the Non-conformance can be closed out remotely or if further on-site audit activity is required.

Department-identified Non-conformances should be added to the Provider's CAP submitted to the Department within 30 business days (six weeks) of the Department notifying the Provider of the Department-identified Non-conformances.

Closing out Non-conformances

The Department must receive confirmation from the Quality Auditor that the Non-conformances have been addressed within the required timeframes. This is done through submission of an updated CAP to the Department by the Provider, that includes the Quality Auditor's agreement to the close out of the relevant Non-conformances.

Closing out Major Non-conformances can be achieved by downgrading it to a Minor Non-conformance, which must also be agreed through a Quality Auditor and may be demonstrated remotely or at the Site. If the Major Non-conformance has been

downgraded, the Provider must completely close out the Minor Non-conformance within three months (that is, a maximum timeframe of six months from the [Audit Close Meeting](#) date, or, for Department-identified Non-conformance, a maximum timeframe of six months from the date the Department advised the Provider of the Department-identified Non-conformance).

Department identified Non-conformances are subject to the same requirements as Quality Auditor raised Non-conformances and must be closed out by the Quality Auditor.

All Non-conformances must be checked during the next Quality Principles Audit.

3. Compliance Indicator

Introduction

The Compliance Indicator is calculated as a value between zero and one hundred at the National, State and Employment Region levels. It is based on reviews finalised¹ in the 18-month period prior to the date of calculation i.e. transactions assessed during 1 October 2018 to 31 March 2020 contribute to the March 2020 score.

The Compliance Indicator Methodology

All Programme Assurance Activities are included in the calculation of the Compliance Indicator. Activities may, however, be excluded on a case-by-case basis where:

- the result of the activity identifies deficiencies, ambiguity or inconsistencies within the Deed, Guidelines or advice provided by the Department that materially contributed to non-compliance observed
- the objective of the Programme Assurance Activity is information-gathering
- the Department has taken an extended length of time to deliberate or finalise a particular activity
- the activity is out of scope for the Compliance Indicator
- or for any other reason determined by the Department.

Providers, as part of their quarterly Compliance Indicator release, will be given details of each of the Programme Assurance Activities that contribute to the Compliance Indicator score.

The Compliance Indicator uses a number of variables in its calculation:

- Claim Value Weighting: value of the claim or activity
- Review result score: assessment result for each claim or activity
- Review type weighting: type of Programme Assurance Activity.

Claim Value Weighting

For payment integrity related reviews, the Claim Value Weighting is the square root of the claim value and divided by 10. The minimum and maximum values attributed to the Claim Value Weighting are capped between one and eight respectively.² For Non-Payment Integrity activities commenced prior to 1 July 2018, a fixed Claim Value Weighting has been applied: four for JSCI Change of Circumstance Reassessments; and six for Work for the Dole reviews and the Internship Host Agreement and Risk Assessment.

Table 14, outlines the Claim Value Weightings for Non-Payment Integrity Programme Assurance Activities commenced from 1 July 2018. They are included in the calculation of the Compliance Indicator as a separate component.

Table 14—Non-Payment Integrity Claim Value Weightings – July 2018 onwards

¹ The Finalisation date is when each activity is completed in its entirety.

² Claims worth \$100 or less have a value of one and any claim with a value of \$6,400 or more is capped at a value of eight.

Non-Payment Integrity assurance activity	Claim Value Weighting
JSCI Change of Circumstance Reassessments	3.0
Risk Assessment (job seeker) – Administration (Work for the Dole)	4.0
Risk Assessment (place) – Administration (Work for the Dole, Voluntary Work Activities, National Work Experience Programme Placements, Work Experience (Other) Placements, PaTH Internships and Launch into Work Placements)	4.0
Host Agreements (Work for the Dole, (Voluntary Work Activities, National Work Experience Programme Placements, Work Experience (Other) Placements and PaTH Internships.	5.0
Job Seeker Compliance – Procedural Error	5.0
Work for the Dole Acquittals – Group Based Activities	5.0
Mandatory Employability Skills Training participants – In Activities	6.0
Incident Reports	6.0
Job Plan Appropriateness (Department of Education, Skills and Employment Review)	6.0
Targeted Compliance Framework (Education, Skills and Employment Review)	6.0
Targeted Compliance Framework (Services Australia Review)	6.0
Work for the Dole bona fides	6.0
Competent Person	8.0
Risk Assessment (job seeker) – Content (Work for the Dole)	8.0
Risk Assessment (place) – Content (Work for the Dole, Voluntary Work Activities, National Work Experience Programme Placements, Work Experience (Other) Placements, PaTH Internships and Launch into Work Placements)	8.0
Work health and safety (WHS) audits	8.0

Review Result Scores

The Department will allocate a score for each review undertaken through a Programme Assurance Activity (see Table 17).

Table 15—Review result scores

Review result	Review result score
Satisfies requirements	1.0
Requirements mostly satisfied	1.0
Requirements partially met	0.6
Requirements not met	0.0

Payment Integrity Review calculation

The Claim Value Weighting for each transaction is multiplied by the Review Result Score to give the Weighted Review Score. These are summed to give the numerator value. The sum of the Claim Value Weightings for the same transactions provides the denominator.

For example, an Employment Fund Claim was worth \$220 result in a Claim Value Weighting of 1.48. If the review result for this claim was 'Requirements partially met' the individual weighted review score for this claim is 0.89 (1.48 x 0.6), which is

the contribution of this transaction to the numerator. The denominator contribution is the Claim Value Weighting of 1.48.

Non-Payment Integrity review calculation

The calculation of the Non-Payment Integrity component is the same as for the payment-integrity reviews with one exception. The difference is that the calculation is undertaken at the Programme Assurance Activity level as opposed to individual transaction level.

A Non-Payment Integrity Programme Assurance Activity looking at JSCI Change of Circumstance Reassessments is given a Claim Value Weighting of three. It involves the review of 500 records, with 30 records assessed as 'Requirements partially met' and 20 assessed as 'Requirements not met' with the remaining 450 records either fully or mostly satisfying requirements. The score for this activity is therefore equal to 93.6 $((450 \times 1 + 30 \times 0.6 + 20 \times 0)/500)$. This score of 0.936 is then multiplied by the Claim Value Weighting of three applied to this activity to determine this project's relative contribution to the Compliance Indicator. Given the Claim Value Weighting of this activity was three, then this value is added to the denominator.

Review Type Weightings

There are four separate review types contributing different weightings to the final score: Rolling Random Sample (60 per cent); Non-Risk Based (20 per cent); Risk Based (10 per cent) and Non-Payment Integrity (10 per cent).

The methodology also imposes a condition that if less than 25 reviews are undertaken for the Rolling Random Sample, Non-Risk-Based or Risk-Based components, then that component will contribute only a proportion (of 25) of the review type weighting. For example, if only 10 reviews are conducted on Risk Based activities, then a proportion of the 10 per cent weighting for that component would be applied. In this case, it would be $(10 \div 25) \times 10$ per cent.

A comparable condition is applied to the weighting that the Non-Payment Integrity component contributes to the final score. Instead of looking at the number of individual reviews completed within a review type, the sum of the Claim Value Weighting of the Programme Assurance Activities is assessed, and if it sums to less than 10, then the relative contribution will be reduced to that percentage. For example, the two Non-Payment Integrity Programme Assurance Activities included in the calculation are:

- JSCI Change of Circumstance Reassessments - Claim Value Weighting = 3
- Work for the Dole bona fides – Claim Value Weighting = 6

The sum of the Claim Value Weightings for these activities is nine, therefore the Non-Payment Integrity weighting will drop to nine per cent (or 0.09).

Out of Scope Reviews

Transactions 'out of scope' include:

- Provider identified claims – claims where the provider has identified a claim made in error

- hand selected claims – claims that are known to be non-compliant for various reasons and are recovered
- related claims – claims that are deemed non-compliant resulting from the assessment of different claim.

Final Compliance Indicator Score

For each component, a score, as defined in the Payment Integrity Review calculation and Non-Payment Integrity review calculation sections above are calculated, which are then multiplied by their respective Review Type Weightings. The sum of these four values forms the final Compliance Indicator score.

The [Learning Centre](#) has a detailed walkthrough Webinar, the Compliance Indicator in Practice, that Providers are encouraged to access to view a number of example of Compliance Indicator score calculations.

In cases where at the Employment Region level the margin of error is larger than 12 per cent, then, the following imputation rules are used:

- the Provider's State level Compliance Indicator Score is applied
- if the margin of error at the State level is also greater than 12 per cent then the organisation level Compliance Indicator Score is applied
- if the margin of error at the organisation level is also greater than 12 per cent, then neither the Provider or its regions will have a Compliance Indicator Score.

Star Ratings Interaction

A Provider's Compliance Indicator score may, at the Employment Region level, impact upon their Star Percentage.

- Compliance Indicator Scores of 95 and above are considered to meet the Department's target level of compliance with the Deed and guidelines.
- Compliance Indicator Scores between 83 and 94.9 are below the Department's target level of compliance with the Deed, but the Department will not apply any penalties to Star Percentages to allow for a 12 per cent margin of error.
- Compliance Indicator Scores below 83 will reduce Providers' Overall Star Percentages. This may lead to lower Star Ratings. A Provider will lose one Star Percentage for every two points their Compliance Indicator Score is below 83. . In practice, a Compliance Indicator Score of 68.8 results in a 7.1 $((83 - 68.8)/2)$ reduction in the Star Percentage.

4. Service Guarantees and Service Delivery Plans

Service Guarantee

As part of the Australian Government's commitment to deliver high-quality employment services for Stream Participants and Employers, a key component of the Employment Services Performance Framework is to ensure that stakeholders are receiving quality services.

Common to all Providers, the Service Guarantee reflects the government's expectations of how Providers will interact with Stream Participants and specifies the minimum level of service each Stream Participant or volunteer Stream Participant can expect to receive, as well as the requirements a Stream Participant needs to meet while looking for a job.

Documentary evidence:

The provider must prominently display the Service Guarantees and Service Delivery Plan(s) in its offices and all Sites, and make these available to Stream Participants, potential Stream Participants, Volunteers and Employers.

(Deed References: Clauses 1.6, 28.1, 30.1, 73.1, 99.1(c), Annexure B3)

Service Delivery Plan

Each Provider's Service Delivery Plan(s) is published on the Provider's page of the jobactive website and given to Stream Participants and potential Stream Participants at their initial appointment with their Provider. The Provider's Service Delivery Plan(s) captures the commitments made by the Provider in its tender response and outlines the specific services an Employer or Stream Participant can expect from them.

Documentary evidence:

The provider must:

- prominently display the Service Guarantees and Service Delivery Plan(s) in its offices and all Sites, and make these available to Stream Participants, potential Stream Participants and Employers
- upload the Service Delivery Plan(s) on the Provider's page of the jobactive website.

(Deed References: Clause 73.1(b and c))

Assessment of Service Delivery Plans

The Department will monitor Service Guarantees, Service Delivery Plan(s) and representations in the Provider's response to tender (service offer) on an ongoing basis to assess the Provider's performance.

The Department's assessment of service delivery against the Service Guarantees and the Provider's Service Delivery Plan(s) will be undertaken as part of the measurement of a Provider's performance against KPI 3. This will involve the Department making an assessment of whether Providers are meeting the service delivery standards outlined in the Service Guarantees, their service offer and their Service Delivery Plan(s) through a range of activities, including direct demonstration by the Provider to the Department.

Where the Department determines that a Provider is not delivering services as outlined in their Service Delivery Plan or the Service Guarantees, the Department reserves the right to apply remedial actions to that Provider, with the type of actions applied dependant on the nature of the non-compliance. Providers not meeting the service delivery standards may also be in scope for business reallocation.

(Deed References: Clauses 28.1, 30.1(a), 73.1, 73.2, 84.1(e), 99.1(c)(iii), 102.1(b), 103.1, 104.1, Annexure B3)

5. Performance Reviews

Approach

The Department will provide timely and regular feedback to Providers regarding their performance and will work proactively with Providers to address performance management issues.

Formal performance feedback will be provided at least once every 12 months, but feedback may be provided, at the discretion of the Department, following each Performance Period and the public release of Star Ratings. This feedback will generally be provided in writing but may also include face-to-face discussions.

Documentary evidence: Without limiting any other provisions of this Deed, the Provider must provide, as required by the Department specific reports on the Services, including on the results of internal and external audits of Payment claims and claim processes, action taken to address performance issues raised by the Department, and training provided to Personnel and Subcontractors.

(Deed References: Clauses 4.1(C), 24.1(a)(i), 26, 28, 29.2, Annexure A2, 99.1(c)(iii), 101)

6. Business Reallocation

Approach

There have been two performance-based business reallocations for Providers: at the 18 and 36 months points of the Deed. The Department may conduct performance-based business reallocations for Providers at other points of the Deed. Providers assessed at a Star Rating of 2-Stars or below at the Employment Region or Site level at these points in the Deed may be in scope for business reallocation. Where performance against other measures of performance and operation, such as the service offer or Compliance Indicator score is not to the Department's satisfaction, Providers may also be in scope for business reallocation.

Consistent with past practice, the Department's approach to adjusting Providers' Business Shares will be communicated to Providers before the business reallocation process.

(Deed references: Clauses 26-29, 52, 99, 100, 101)

7. New Business Assistance with NEIS Performance Framework

Introduction

The Department will provide timely and regular feedback to NEIS Providers about their performance at the completion of each performance period. This feedback may be face to face and/or in writing. Informal performance feedback may also be

provided at the Department's discretion. The Department will work proactively with NEIS Providers to address performance management issues.

NEIS Provider performance will be measured in relation to usage of NEIS places, achievement of Post-Programme Outcomes and the delivery of quality services that are compliant with the deed. This section of the Guideline outlines the methodology and approach that will be used by the Department to measure performance.

(Deed reference: Clause 28)

NEIS Performance Assessment

The Department will measure NEIS Provider performance using a single NEIS performance score. The single performance score will provide a simple and transparent mechanism for measuring performance at an Employment Region level.

Weightings and single performance score

The single performance score will incorporate performance from three NEIS Key Performance Indicators. Performance against these Key Performance Indicators will be weighted to produce the single overarching score. The weightings for each Key Performance Indicator will be:

- | | |
|--|---------------|
| • KPI 1a – Place Utilisation | • 45 per cent |
| • KPI 2 – Post-Programme Outcomes Achieved | • 45 per cent |
| • KPI 3 – Quality | • 10 per cent |

The Department will review these weightings periodically to ensure they remain appropriate.

KPI 1b (exits) will be excluded from the single performance score.

Highly Disadvantaged (HD) Trial performance will also be excluded from the single performance score. HD Trial performance will be discussed as part of regular performance discussions.

The methodology for measuring performance against each Key Performance Indicator is outlined in Table 17. NEIS Providers can also refer to the NEIS Performance Framework Industry Information Paper and NEIS Quality Assessment Matrix (available on Provider Portal) for further information.

NEIS Business reallocation

The Department will undertake NEIS business reallocation on an annual basis following the end of the financial year (performance as at 30 June).

The NEIS business reallocation process may result in NEIS places being reallocated from poorer performing NEIS Providers.

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

(Deed reference: Clause 132)

Benchmarks

NEIS Provider performance will be measured against an overarching benchmark of 77 per cent at an Employment Region level.

The Department set this overarching benchmark by considering the weightings of each Key Performance Indicator and setting individual Key Performance Indicator benchmarks.

Table 16— Key performance indicator weightings and set benchmarks

KPI	Weighting	Benchmark
KPI 1a—Place utilisation	45%	85%
KPI 2—Outcomes	45%	68%
KPI 3—Quality	10%	80%
Total	100%	77%

The overarching benchmark at an Employment Region level will be the basis for determining which providers are in scope for business reallocation.

The individual Key Performance Indicator benchmarks will assist NEIS Providers to identify where they are performing well, as well as any areas for improvement.

The Department may also consider performance in relation to individual Key Performance Indicators during business reallocation and in regular performance discussions.

Right of reply

The Department will formally notify NEIS Providers subject to a reduction in NEIS places and they will have the opportunity to submit a 'right of reply'. The 'right of reply' may describe:

- labour market or geographical factors that affected performance, or
- extenuating circumstances³ that may have affected their ability to use their NEIS places.

NEIS Providers will need to include strategies for responding to these challenges in their 'right of reply'.

Providers will have five business days from notification to submit a 'right of reply' for the Department's consideration.

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

(Deed reference: Clause 28, 30.5, Clause 131)

³ Extenuating circumstances are circumstances that are outside the NEIS Provider's control, have not affected other providers (such as policy changes, the transition to jobactive), and are not situations internal to the NEIS Provider's organisation.

Table 17 — Measuring NEIS Key Performance Indicators**KPI 1 — Efficiency**

Key Performance Measure	Practice Requirement	Evidence
The NEIS Provider utilises allocated NEIS Places within the Employment Region(s).	The NEIS Provider has in place appropriate strategic and operational planning practices to fully utilise all NEIS Places allocated to them within their Employment Region during each financial year.	The Department's IT Systems will identify the number of NEIS Places allocated to a NEIS Provider at a specific point in time, and the number of NEIS Places used during the same period.
Reasons for NEIS Participants exiting NEIS Assistance early.	The NEIS Provider must discuss the reason a NEIS Participant wants to exit NEIS Assistance prior to completion, and work with the NEIS Participant to resolve any issues.	A NEIS Provider must enter the reason why a NEIS Participant exits NEIS Assistance in the Department's IT Systems. The Department's IT Systems will identify those NEIS Participants who exit NEIS Assistance at or before completion (52 weeks).

KPI 2 — Effectiveness

Key Performance Measure	Practice Requirement	Evidence
<p>The percentage of NEIS Post-Programme Outcomes achieved.</p> <p>Note: participants who exit as a result of personal/medical reasons will be excluded from the measure if they do not achieve a Post-Programme Outcome.</p>	The NEIS Provider delivers NEIS Services that result in a NEIS Post-Programme Outcome for contract to date.	<p>The Department's IT Systems will identify the number of NEIS Participants who:</p> <ul style="list-style-type: none"> exited 15 weeks or more ago (those participants who could have achieved a Post-Programme Outcome) who have not exited for personal/medical reasons have achieved a Post-Programme Outcome.

KPI 3 — Quality and Assurance

The Department will use the evidence outlined below to assess NEIS Provider performance against KPI 3. An assessment matrix will be used by Account Managers to ensure a consistent approach is applied when assessing quality and Deed compliance.

Key Performance Measure	Practice Requirement	Evidence
The NEIS Provider's procedures and practices support the delivery of NEIS Services in accordance with the Deed.	The NEIS Provider has strategies and practices in place to ensure compliance with the Deed and NEIS Guidelines.	<p>The NEIS Provider has documented policies and procedures that reflect their servicing strategies and compliance with the Deed and NEIS Guidelines.</p> <p>These policies and procedures have been implemented wholly and consistently across the organisation:</p> <ul style="list-style-type: none"> • staff are consistently applying the policies and procedures when servicing NEIS Participants • all NEIS Participant records maintained by the provider in the Department's IT Systems and/or in third party systems are accurate, align with documentary evidence requirements and are in accordance with the Deed • NEIS Participants are provided with the services outlined in the Deed within the required timeframes • NEIS Participant commencement paperwork is accurate and provided within the required timeframes.
<p>The number of validated complaints for the relevant Performance Period received via:</p> <ul style="list-style-type: none"> • the Department's National Customer Service Line • the Department's Employment Services Tip Off Line • the Departments Post-Program Monitoring Survey • ministerial correspondence • the Ombudsman. 	The NEIS Provider has in place strategies for monitoring NEIS Participant satisfaction of the NEIS Services delivered and addressing complaints when raised.	<p>The Provider has in place documented policies and procedures to support the raising of complaints and feedback. The policies detail:</p> <ol style="list-style-type: none"> how complaints and feedback are used to improve service delivery how the outcome of a complaint is communicated to the complainant escalation procedures. <p>The complaints and feedback process is implemented consistently across the organisation:</p> <ol style="list-style-type: none"> Staff can readily access the complaints procedure and can articulate the process Complaints are referred to the Department when required Complaints are investigated by an appropriately senior staff member. <p>Records of complaints are maintained and include:</p>

Key Performance Measure	Practice Requirement	Evidence
		<ul style="list-style-type: none"> i. detailed information relating to the complaint, including the date of the complaint and who the complaint relates to ii. steps taken to resolve the complaint iii. the outcome of any investigation iv. any follow-up action required. <p>The Provider's feedback mechanism is open and transparent:</p> <ul style="list-style-type: none"> i. NEIS Participants are aware of feedback and complaints procedures and feel comfortable to raise a complaint without fear of retribution. ii. Feedback from NEIS Participants indicates that complaints lodged have, or are being, resolved.
NEIS Providers delivering NEIS Training are a Registered Training Organisation (RTO) certified against the Australian Skills Quality Authority (ASQA) Standards.	NEIS Providers ensure that NEIS Training is delivered by accredited trainers employed by RTOs in line with ASQA requirements.	NEIS Providers delivering NEIS Training are subject to the ASQA compliance and accreditation regime. Those NEIS Providers who do not deliver NEIS Training must ensure NEIS Prospective Participants are referred to an RTO for NEIS Training.

Attachment A: jobactive Quality Assurance Framework Evidence Requirements

Principle 1 - Governance

Key Performance Measure	Practice Requirement	Minimum Evidence Requirements
1.1 Corporate governance and management systems satisfy legal and contractual requirements that withstand public scrutiny. Scope Reduction Principles 1-3 are not included in Surveillance Audits.	1.1.1. The Provider's corporate governance arrangements promote confidence that Employment Services are being delivered effectively.	a) There are processes in place supporting the ongoing operation of the Provider's governing body. These processes: <ul style="list-style-type: none"> i. ensure that members or directors have an understanding of their responsibilities and accountabilities, including ethical, legal and contractual requirements, ii. specify how the governing body operates and records its governance function—for example, processes cover escalation of matters to the governing body, frequency of meetings, recording of minutes and management of conflicts of interest. b) Corporate planning includes integrating internal business services and systems to support the delivery of Employment Services. This includes having in place: <ul style="list-style-type: none"> i. organisational charts that outline how business services interlink, ii. corporate or business plans that ensure that staffing levels and expertise are commensurate with caseload levels.
	1.1.2. The Provider has in place appropriate processes for decision making that outline the authority or delegations within the Provider that support staff in carrying out their roles and responsibilities.	a) The Provider has decision-making processes in place that include decision-making matrices (financial and administrative). b) The Provider can demonstrate that these processes have been implemented, are used and adhered to in day to day operations.
1.2 The Provider has appropriate policies and processes in place that manage operational and strategic risks, including disaster recovery, as well as practices to ensure effective document control and record keeping practices.	1.2.1. The Provider has in place corporate governance arrangements that manage risk, including fraud and cyber security.	a) The Provider has a documented, enterprise-wide risk management framework in place that includes: <ul style="list-style-type: none"> i. processes for identifying and managing risk, including incident management and disaster recovery plans, ii. organisational and Site risk management plans, and iii. evidence of regular review of risk management plans. b) To manage the risk of fraud the Provider has a documented fraud control plan, which refers to: <ul style="list-style-type: none"> i. clear processes for staff to notify management of potential fraud, ii. the Department's tip-off line contact details, and iii. ensuring staff awareness of fraud prevention iv. considering what risks exist as they relate to cyber security.

Key Performance Measure	Practice Requirement	Minimum Evidence Requirements
		c) Appropriate treatment for any alleged or actual instances of fraud or misconduct that has been identified, including the documentation of treatment plans.
	1.2.2 The Provider has in place effective records management and document control processes.	a) The Provider has in place processes to ensure that there is accurate record keeping and document control and that processes are understood by all staff, who can detail how they access information. This includes demonstrating that: <ul style="list-style-type: none"> i. there is accurate record keeping that aligns with defined processes, Deed and guideline requirements, including Documentary Evidence requirements in guidelines where relevant, ii. all forms and documents use version control and are kept up to date, with current versions being readily identifiable and accessible, and iii. out-of-date material is not used by staff.

Principle 2 - Leadership

Key Performance Measure	Practice Requirement	Minimum Evidence Requirements
2.1 All employees have a shared understanding of the Provider's direction, including the vision and purpose that directs the Provider's conduct.	2.1.1. The Provider has a clear purpose and a vision.	a) The Provider has a vision statement that outlines its mission and values. b) Staff can demonstrate that they understand the vision and how their individual and team roles link to the objectives of the Provider.
	2.1.2. The Provider's code of conduct is promoted, easily located, followed, and upheld, by the Provider.	a) The Provider has in place a code of conduct that includes: i. a set of values that outline the expectations placed on staff within the Provider, and ii. a requirement that staff act in a manner that withstands public scrutiny. b) The code of conduct is promoted effectively throughout the Provider and: i. the Provider can demonstrate how it communicates the requirements of the code of conduct to staff, ii. staff can accurately describe the requirements of the code of conduct, and iii. where a breach of the code of conduct occurs, it is appropriately managed and action is taken to prevent it from reoccurring.
2.2 Internal planning and communication ensures understanding, consistent messaging and encompasses people at all levels.	2.2.1. The Provider has in place appropriate strategic and operational planning practices that facilitate quality management and improve its effectiveness.	a) There are strategic and operational plans that are aligned to and support the Provider's purpose and vision, and include: i. performance objectives and reporting mechanisms, and ii. strategies for achieving Employment program outcomes. b) Staff are involved, where appropriate, in the development of strategic and operational plans.
	2.2.2. Communication and sharing of information occurs systematically throughout the Provider.	a) The Provider has in place systematic internal communication processes and ensures that knowledge and information is shared throughout the Provider. This includes the Provider demonstrating that: i. processes ensure a regular flow of accurate and timely information, and ii. communication processes are followed to ensure all Sites are provided with consistent information.

Principle 3 - Staff

Key Performance Measure	Practice Requirement	Minimum Evidence Requirements
3.1 The Provider's human resource policies ensure that there are systems in place to support staff in the delivery of Employment Services.	3.1.1. The Provider has in place merit-based recruitment and selection processes.	a) Recruitment and selection processes: <ul style="list-style-type: none"> i. reflect the core competencies and skill attributes of the job description, ii. encourage workplace diversity and cultural competency, and iii. require police checks and Working with Children Checks (as required by relevant legislation).
	3.1.2. Staff understand the skills and competency requirements needed to successfully undertake their role.	a) The Provider has documented job descriptions that include statements of the skills and competencies required for the position, including cultural competency skills.
3.2 The Provider has a structured approach to developing staff and an effective performance management system.	3.2.1. The Provider has staff training and development policies and processes in place.	a) The Provider has an induction process outlining what is required of inductees, supporting staff and managers, and conducts induction training for all staff. b) The staff development policy and processes: <ul style="list-style-type: none"> i. incorporate details of the Provider's plan for the ongoing training and development of all staff, ii. is informed by internal and external audits and/or reviews, and iii. contains strategies for identifying skill gaps. c) Staff are appropriately trained to deliver Employment Services on an ongoing basis and individual training records are maintained.
	3.2.2. The Provider's performance management framework supports the ongoing development of staff.	a) The Provider has a performance management framework in place that outlines the methods and timing for providing ongoing individual feedback to staff, particularly where there is skill or competency deficiency identified. b) The Provider can demonstrate that performance management processes are followed consistently. This includes demonstrating that: <ul style="list-style-type: none"> i. all staff are given timely and relevant performance feedback, and ii. action has been taken when skills or competency deficiencies, or underperformance, has been identified.

Principle 4 - Participants

Key Performance Measure	Practice Requirement	Minimum Evidence Requirements
4.1 The Provider has strategies in place that result in effective engagement with Stream Participants. This KPM is a minimum requirement for all Providers.	4.1.1. The Provider has a communication policy in place to engage with Stream Participants.	a) The Provider's communication policies and processes include: <ul style="list-style-type: none"> i. a variety of communication methods, and ii. the frequency of contact between the Provider and Stream Participants, that is line with the Service Guarantee and Service Delivery Plans.
	4.1.2. The Provider regularly reviews its caseload to ensure Stream Participant engagement.	a) The Provider has processes in place to conduct regular caseload monitoring across all sites and address emerging issues. These processes support the consistent review of caseloads to ensure: <ul style="list-style-type: none"> i. timely activation of Stream Participants from date of referral, ii. the timely commencement and ongoing participation of Stream Participants into Work for the Dole and other relevant activities, and iii. prompt re-engagement of Stream Participants following Suspension and exemption periods or who fall out of employment. The Provider has a process in place to maintain engagement with Stream Participants to ensure they remain in Employment for the length of the payment period.
4.2 Employment Services are delivered to Stream Participants, assisting them to become work ready and gain sustainable Employment, in line with individual program eligibility and the Provider's service delivery model. Scope Reduction	4.2.1. The Provider delivers services in line with the Service Guarantee, its Service Delivery Plans and the Joint Charter of Deed Management (Joint Charter).	a) The Provider has policies and processes that reflect the servicing strategies outlined in the Service Guarantee and its Service Delivery Plans. b) Staff can describe the obligations outlined in the Service Guarantee and its Service Delivery Plans and correctly apply them to individual Stream Participants.
	4.2.2. Staff understand the eligibility criteria for individual Employment Services programs and can identify the Mutual Obligation Requirements and compliance requirements for individual Stream Participants.	a) Staff are able to describe the various programs and eligibility requirements. b) Staff can demonstrate that they are able to identify the varying circumstances and Mutual Obligation Requirements of individual Stream Participants.

Key Performance Measure	Practice Requirement	Minimum Evidence Requirements
<p>80 per cent of commitments measured by the Department during the monitoring period (two years or contract to date, whichever is less) are assessed as 'Met'</p> <p>NOTE: Those commitments assessed as partially met will not count as 'Met'.</p>	<p>4.2.3. Staff undertake assessments of Stream Participant's circumstances and implement strategies that focus on assisting them to become work ready and gain sustainable Employment.</p>	<p>a) The Provider's Stream Participant assessment is used to implement strategies and includes:</p> <ul style="list-style-type: none"> i. complex issue identification and treatment, ii. identification of employment goals, and iii. identification of skill and development needs.
	<p>4.2.4. The Provider has a variety of strategies in place for promoting a wide range of Employment opportunities to Stream Participants.</p>	<p>a) Staff can describe the strategies they use to provide Stream Participants with advice on:</p> <ul style="list-style-type: none"> i. job searching methods, ii. government incentives such as Wage Subsidies, iii. available vacancies, local labour market opportunities and employer needs and preferences, and iv. selecting and applying for suitable jobs.
<p>4.3 Job Plans set out an individualised Employment-orientated action plan for each Stream Participant.</p>	<p>4.3.1. Plans are tailored to the Stream Participant. They contain activities that will satisfy the Stream Participant's Mutual Obligation Requirements (where relevant) and assist them to become work ready and gain sustainable Employment.</p>	<p>a) All Stream Participants have an individualised and up-to-date Job Plan, which has been signed and agreed to by the Stream Participant and recorded on the Department's IT Systems. There is evidence of regular review and modification in accordance with internal processes.</p> <p>b) The Job Plan contains:</p> <ul style="list-style-type: none"> i. the number of job searches that must be undertaken by the Stream Participant each month, ii. current, time-specific activities for the Stream Participant to complete, iii. activities focused on securing and maintaining Employment, and iv. hours of participation that do not exceed the Stream Participant's Mutual Obligation Requirements. <p>c) The Provider has a systematic approach to ensuring that Stream Participants fulfil the requirements of their individual Job Plans, including:</p> <ul style="list-style-type: none"> i. ensuring that Stream Participants apply for and accept suitable roles, ii. ensuring that Stream Participant mutual obligations, including monthly job search requirements, are being met iii. placing Participants into suitable activities to meet their Annual Activity Requirements in a timely fashion, and correctly recording their hours of participation in activities.

Key Performance Measure	Practice Requirement	Minimum Evidence Requirements
	4.3.2. The Provider has processes in place to ensure Stream Participants fulfil their Mutual Obligation Requirements and staff effectively undertake action under the Targeted Compliance Framework.	<ul style="list-style-type: none"> a) The Provider's compliance processes outline when the reporting of non-attendance or non-compliance in relation to Mutual Obligation Requirements should occur and include: <ul style="list-style-type: none"> i. the need to consider complex issues and Acceptable and Valid Reasons before reporting incidents of non-compliance, and ii. the provision of full Formal Notification of the Stream Participant's requirements in accordance with the Notification Timeframes and using the templates and/or scripts specified by the Department. b) Where a Stream Participant has failed to comply with their Mutual Obligation Requirements: <ul style="list-style-type: none"> i. considering appropriate strategies for engagement and, as appropriate, ii. ensuring timely re-engagement, and iii. taking timely action under the Targeted Compliance Framework including submission of compliance recommendations with sufficient evidence to inform the decision by Services Australia.
4.4 The Provider's service delivery strategy incorporates policies and processes that measure Stream Participant satisfaction, support Stream Participants in the raising of complaints, and are in line with the Deed and guidelines.	4.4.1. The Provider has policies and processes in place for proactively monitoring Stream Participant satisfaction with the Employment Services delivered.	<ul style="list-style-type: none"> a) The Provider has processes in place for proactively monitoring Stream Participant satisfaction with the Employment Services delivered, which are applied consistently and as planned. b) Stream Participants confirm that they have received tailored services from the Provider, that are in line with the Service Guarantee and Service Delivery Plan, and which meet their individual needs.
	4.4.2. The Provider's policies and processes support the raising of complaints and feedback, with no fear of retribution, and facilitate complaints resolution.	<ul style="list-style-type: none"> a) The Provider has in place policies and processes to support the raising of complaints and feedback. The policies detail: <ul style="list-style-type: none"> i. how the outcome of a complaint is communicated to the complainant, and ii. escalation processes, including relevant delegations. b) The Provider can demonstrate that the complaints and feedback process is implemented consistently across the Provider, and that: <ul style="list-style-type: none"> i. staff can articulate the process, ii. complaints are referred to the Department when required, and iii. records of complaints indicate appropriate escalation consistent with processes. c) The Provider's feedback mechanism is open and transparent and: <ul style="list-style-type: none"> i. Stream Participants are aware of feedback and complaints processes and feel comfortable to raise a complaint without fear of retribution, and ii. feedback from Stream Participants indicates that complaints lodged have or are being resolved.

Principle 5 – Labour market, Employers and community

Key Performance Measure	Practice Requirement	Minimum Evidence Requirements
5.1 The Provider identifies and incorporates local labour market knowledge into service delivery.	5.1.1. The Provider has policies in place to incorporate labour market knowledge to assist staff to achieve Employment outcomes.	a) The Provider has documented labour market plans that demonstrate how local, regional and national labour market information is used to determine areas of current and future job opportunities.
	5.1.2. The Provider identifies the cohort groups it services and implements specific policies that assist these Stream Participants into Employment.	b) The Provider has in place policies that assist staff in tailoring Employment Services to different cohort groups. c) The Provider can demonstrate that staff consistently apply policies for engaging and servicing different cohort groups in their respective Employment Regions.
	5.1.3. The Provider has in place policies and processes that assure the cultural competence of staff in dealing with Stream Participants.	a) The Provider's policies and processes demonstrate a commitment to culturally appropriate service delivery. b) The Provider has in place policies and processes for accessing interpreting services, and: i. staff can accurately describe these processes and how they are used, and ii. there is evidence of professional interpreters being engaged, where appropriate, to address Stream Participants' needs.

Key Performance Measure	Practice Requirement	Minimum Evidence Requirements
<p>5.2 The Provider has a systematic approach to servicing the needs of Employers including evidence of ongoing relationships that deliver Employment outcomes for Stream Participants.</p> <p>Scope Reduction 80 per cent of the Provider's contracts have a Star Rating of 3 or above based on the last published results</p>	<p>5.2.1. The Provider has in place proactive policies for meeting the needs of Employers.</p>	<p>a) The Provider can demonstrate how they develop and maintain relationships with Employers and Employer groups. This includes demonstrating that there is:</p> <ul style="list-style-type: none"> i. ongoing marketing to Employers both of Provider Services and of individual Stream Participants, and ii. evidence of Employer networks and/or databases. <p>b) The Provider can describe how they supply information to Employers about government incentives available to the Employer, including Wage Subsidies.</p> <p>c) The Provider can describe how they participate, facilitate and contribute to industry strategies including collaboration with other Providers, which improve the quality of services to Employers.</p>
	<p>5.2.2 The Provider has in place proactive processes for sourcing and matching Stream Participants with vacancies.</p>	<p>a) The Provider's staff can describe how they source vacancies and match and place Stream Participants into Employment, including any related strategies outlined in Service Delivery Plans. This involves staff:</p> <ul style="list-style-type: none"> i. assessing the needs of Employers, ii. matching the needs of Employers with skills of the Stream Participants on their caseload, and iii. providing ongoing assistance to Employers, for eligible Stream Participants post placement, to improve Employment outcomes.
<p>5.3 - There are effective relationships developed and maintained with Activity Host Organisations, other Providers and organisations that deliver complementary services.</p>	<p>5.3.1 This Practice Requirement no longer needs to be met.</p>	<p>This Minimum Evidence Requirement no longer needs to be met.</p>
	<p>5.3.2. The Provider can demonstrate linkages with Activity Host Organisations.</p>	<p>a) The Provider can demonstrate the approach taken to promote the Work for the Dole program to potential Host Organisations.</p> <p>b) The Provider has policies in place to develop and maintain relationships with Activity Host Organisations for all relevant programs, including, but not limited to, Work for the Dole, the National Work Experience Programme, PaTH Internships and staff can describe these policies.</p> <p>c) The Provider can demonstrate collaboration with other Providers to meet the needs of Activity Host Organisations for all relevant programs, and to deliver the Work for the Dole program.</p>

Key Performance Measure	Practice Requirement	Minimum Evidence Requirements
	5.3.3. The Provider can demonstrate linkages between the services that the Provider delivers and appropriate referral to and from other agencies.	a) The Provider has established networks, where relevant, with other services, including but not limited to the New Business Assistance with NEIS, Employability Skills Training and Career Transition Assistance. b) Information is maintained, at Site level, about complementary programs or services that may be available to Stream Participants.

Principle 6 – Operational effectiveness

Key Performance Measure	Practice Requirement	Minimum Evidence Requirements
6.1 Provider's policies and processes support the delivery of services that comply with the Deed and guidelines.	6.1.1. The Provider's policies and processes ensure compliance with the Deed, and changes in the Deed and guidelines are promptly and accurately reflected in the Provider's systems, processes and practices.	<ul style="list-style-type: none"> a) The Provider's policies and processes ensure that the requirements of the Deed and guidelines are being met. b) The Provider can demonstrate that it has in place processes for accurately and promptly updating the Provider's systems, policies and processes following Deed and guideline updates. c) The Provider's staff can describe the importance of complying with the Deed and guidelines, and how they are notified of updated processes.
	6.1.2. The Provider has policies and processes in place to ensure staff awareness of probity and accountability issues.	<ul style="list-style-type: none"> a) The Provider has policies and processes in place to address probity and accountability issues.
6.2 The Provider has arrangements in place to monitor and comply with the Privacy Act, Work Health and Safety Act and other relevant legislation.	6.2.1. The Provider has policies and processes in place to ensure that personal information is handled in a manner consistent with the Privacy Act and other legislation.	<ul style="list-style-type: none"> a) The Provider has privacy and confidentiality policies and processes in place to comply with all relevant legislative and Departmental requirements (including those outlined in the Department's Records Management Instructions). b) The Provider can demonstrate how it has implemented its privacy and confidentiality processes. This includes demonstrating that: <ul style="list-style-type: none"> i. staff can accurately describe how these processes are used and how they are implemented in their daily work, ii. information is stored securely including electronically, and iii. there are facilities, such as private interview rooms, that accommodate private discussion with Stream Participants.
	6.2.2. The Provider has arrangements in place to promote their privacy and confidentiality policies to Stream Participants and Employers.	<ul style="list-style-type: none"> a) The Provider has in place processes to ensure Stream Participants are informed of how their personal information may be used. This must incorporate: <ul style="list-style-type: none"> i. relevant information about protecting Stream Participants' privacy and the handling of confidential issues is shared with Stream Participants at their first interview with the Provider, and ii. where relevant, additional considerations for managing issues of privacy, where these are required by local communities. b) The Provider can demonstrate that they inform Employers about how their disclosed information is managed.

Key Performance Measure	Practice Requirement	Minimum Evidence Requirements
	6.2.3 The Provider has policies and processes in place to ensure that Work Health and Safety requirements are handled in a manner consistent with relevant legislation.	<ul style="list-style-type: none"> a) The Provider has policies and processes in place to comply with all relevant work health and safety legislation, including reporting of Notifiable Incidents. b) There are policies in place to ensure changes to Work Health and Safety legislation generate a review of the Provider's processes. c) The Provider has policies and processes in place to regularly monitor all Activities to ensure the ongoing work health and safety of Stream Participants. d) The Provider can demonstrate effective implementation of these policies and processes.
6.3 Claiming processes used by the Provider are systematic and ensure claiming practices align with the Deed and relevant guidelines. Scope Reduction At an organisation level the Compliance Indicator result was 83 or more (based on the data available to providers as at the time the Audit Plan is requested).	6.3.1. The Provider ensures reimbursement and claiming policies and processes are in place and align with the Deed and relevant guidelines.	<ul style="list-style-type: none"> a) The Provider's claiming policies and processes: <ul style="list-style-type: none"> i. support compliance with relevant guidelines, including relevant Documentary Evidence requirements of those guidelines, ii. specify the internal and external (where required) approval processes for expenditure, reimbursements and claims, and iii. clearly identify accountability and delegation arrangements.
	6.3.2. The Provider ensures that reimbursements and claims policies and processes are systematically applied by the Provider.	<ul style="list-style-type: none"> a) The Provider can demonstrate that the policies and processes for reimbursements and claims are systematically applied including that when submitting reimbursements and claims to the Department the staff responsible: <ul style="list-style-type: none"> i. process reimbursements and claims in accordance with the Provider's processes, and ii. ensure the application of the Deed and relevant guidelines.

Principle 7 – Continual improvement

Key Performance Measure	Practice Requirement	Minimum Evidence Requirements
7.1 The Provider has an effective internal audit system in place.	7.1.1. The Provider has formally defined internal audit processes in place.	a) The Provider has an internal audit function that supports the Provider's overall effectiveness. An internal audit process is approved by the Provider's governing body and outlines the purpose, authority and responsibility of the internal audit function. The audit processes detail: <ol style="list-style-type: none"> how the Provider ensures that the internal audit function remains an independent process, free of operational interference, how the Provider's internal audit activity mitigates fraud and how this activity interlinks with its risk management strategies. b) The Provider's staff responsible for conducting internal audits are independent, objective and impartial and have a clear separation of duties, particularly where audits are conducted by Employment Service staff.
	7.1.2. The Provider ensures that internal audit activity is effectively planned and undertaken as scheduled.	a) The Provider effectively plans internal audit activity by: <ol style="list-style-type: none"> preparing an internal audit schedule that is approved by directors and board members ensuring that internal audit activities are appropriate to the size and structure, for the services being delivered, of the Provider, and adopting a risk-based approach to determining internal audit priorities b) The Provider's internal audit plan includes activities targeted at its internal quality management system as well as Deed and guideline related compliance. c) The Provider undertakes internal audit activities as outlined in the Provider's audit schedule, and can demonstrate that: <ol style="list-style-type: none"> all scheduled audits have been conducted, and reasons that audits are undertaken outside the audit schedule are documented.
7.2 The Provider has in place a systematic approach to identifying and implementing continual improvement activities.	7.2.1. The Provider has in place processes for the systematic monitoring and reporting of Site, Employment Region and Provider performance.	a) The Provider has in place processes to measure and review performance at a Site, Employment Region and Provider level. These reviews include specific monitoring of placement and Outcome data in relation to Aboriginal and Torres Strait Islander peoples. b) The Provider can demonstrate that ongoing performance monitoring is conducted as planned and how this monitoring has informed specific performance improvement policies. c) The Provider monitors and reviews its Employment placement strategies to ensure they continue to be effective in securing Employment outcomes for Stream Participants.

Key Performance Measure	Practice Requirement	Minimum Evidence Requirements
	7.2.2. The Provider can demonstrate how feedback received from a variety of sources informs the implementation of continual improvement activities.	<ul style="list-style-type: none"> a) The Provider collates Provider-wide information on feedback and complaints received from Employers, Stream Participants, Auditors and the Department and can demonstrate how feedback received informs continual improvement. b) Records of complaints and feedback are maintained and include: <ul style="list-style-type: none"> i. detailed information relating to the complaint, including the date of the complaint and the Site to which the complaint relates, ii. steps taken to resolve the complaint, iii. the outcome of any investigation, and iv. any follow-up action required. c) The Provider can demonstrate how it uses observations, recommendations and Opportunities for Improvement from QAF and Quality Standard audits, to improve the Provider's effectiveness.
	7.2.3. The Provider has in place a continual improvement register that is used to monitor continual improvement proposals and the activities that address them.	<ul style="list-style-type: none"> a) The Provider can demonstrate that there is a continual improvement register and that it is effectively utilised, including demonstrating that: <ul style="list-style-type: none"> i. there is a systematic process to updating and monitoring the continual improvement register, ii. the register contains all corrective action, iii. the register contains all current and completed improvement activities, iv. the register contains issues and opportunities that have been informed by a variety of sources, v. the register demonstrates the Provider's timely response to identified issues and opportunities, and vi. the governing body regularly reviews the continual improvement register and contributes to its ongoing development. b) The Provider can demonstrate that non-conformity against either the Provider's chosen Quality Standard or the Department's Quality Principles, is reflected in its continual improvement register and timely corrective action has been completed.

All capitalised terms in this Guideline have the same meaning as in the jobactive Deed 2015–2022 (the Deed).

In this Guideline, references to Provider mean an Employment Provider, and references to Participants mean Stream Participants as defined in the Deed.

In this guideline, references to NEST Provider means a New Employment Services Trial Provider, and references to NEST Participants means Enhanced Services Participants as defined in the New Employment Services Trial Deed 2019–2022.

This Guideline is not a stand-alone document and does not contain the entirety of Employment Services Providers' obligations. It must be read in conjunction with the Deed and any relevant Guidelines or reference material issued by Department of Education, Skills and Employment under or in connection with the Deed.

Guideline:

Period of Service, Suspensions and Exits

Period of Service is the time participants spend in Online Employment Services (OES) and in jobactive. It identifies when they must participate in activities and determines the services providers must deliver. It is affected by periods of Suspension and when participants are Exited.

Suspensions are periods when participants are not required to participate in jobactive services and providers are not required to deliver services to them during that period although they may agree to do so in some circumstances.

Participants may be Exited if they are meeting their obligations or are no longer eligible for jobactive services. This will usually happen automatically but there are some instances when providers can manually Exit participants.

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Policy changes:

Nil

Wording changes:

Page 1 Update that Period of Service counts for OES

Page 3 Changes to reflect that OES count towards a participant's Period of Service

Document Change History:

A full document history is available on the [Provider Portal](#)

Related documents and references

[Managing and Monitoring Mutual Obligation Requirements Guideline](#)

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1. Period of Service determines the phase of a participant

Participants move between jobactive phases at specific points in their Period of Service (except Volunteers, who are only eligible for six months of jobactive support. From 9 December 2019, newly registered Volunteers are eligible for the Volunteer Online Employment Services Trial (VOEST) for a period of 12 months only).

The phases in jobactive are:

- the Self Service and Job Activity Phase
- the Case Management Phase
- the Work for the Dole Phase

Providers must deliver specific services to Participants appropriate to their jobactive phase.

Participants may participate in a Work for the Dole Activity while in the Case Management Phase. This participation will not move the participant into the Work for the Dole Phase early.

Participants who are serviced in OES and complete their period of assistance in OES, or who leave OES for other reasons (including Opting Out) but who remain Fully Eligible for jobactive, will be transferred to a jobactive provider and their service in OES will count towards their Period of Service.

(Deed references: Clause 82 – Transfer of Stream Participants to the Provider, Chapter B1- Clause 75.3, Chapter B2, specifically Sections B2.1 – Stronger Participation Incentives Participants, B2.2 – Stream A (General) Participants, and B2.3 – Stream B (General) Participants and Stream C Participants.)

The Period of Service is calculated by the Department's IT Systems

The Period of Service:

- starts when a participant Commences in a Stream
- pauses while a participant is Suspended
- ends when the participant:
 - is Exited, or
 - moves to another Stream, except in the case of a Stronger Participation Incentive (SPI) Participant who moves from Stream A to Stream B and remains an SPI Participant.

(Deed References: Clause 92 and Annexure A1)

2. Suspensions pause Period of Service and affect services to participants

The Period of Service pauses when a participant is Suspended and restarts when the Suspension ends.

Providers generally do not need to deliver services to Suspended participants, however participants aged 55 years or over can be required to attend appointments relating to employment opportunities.

Participants may be Suspended for a range of reasons

Participants are Suspended if they are:

- a Fully Eligible Participant:
 - with an Exemption applied by the Services Australia
 - who is a Principal Carer Parent (PCP) and is fully meeting their part-time Mutual Obligation Requirements through participating in 30 hours a fortnight of paid work and/or study
 - who has a Partial Capacity to Work (PCW) of 15 to 29 hours a week and is fully meeting their part-time Mutual Obligation Requirements through participating in 30 hours a fortnight of paid work and/or study
 - aged 55 years and over and is meeting their Full-Time Mutual Obligation Requirements through participating in paid work and/or approved Voluntary Work depending on their age and circumstances.
 - If the participant is aged 55 – 59 and in their first 12 months of receiving payment, they can fully meet their Mutual Obligation Requirements by completing 30 hours per fortnight of paid work. These participants can also fully meet their Mutual Obligation Requirements by completing 30 hours per fortnight of a combination of approved Voluntary Work and paid work. However, this must include at least 15 hours per fortnight of paid work.
 - If the participant is aged 55 – 59 and has been receiving payment for more than 12 months, they can fully meet their Mutual Obligation Requirements if they undertake at least 30 hours per fortnight of paid work, approved Voluntary Work or a combination of the two Activities.
 - If the participant is aged between 60 and the age pension age, they can fully meet their Mutual Obligation Requirements if they undertake at least 30 hours per fortnight of paid work, approved Voluntary Work or a combination of the two activities.
- with a temporary reduced work capacity of less than 15 hours per week
- identified as a PCW Participant who has a current and future work capacity of less than 15 hours per week

Who applies a Suspension

Suspensions can be applied by Services Australia if:

- participants qualify for an exemption from their Mutual Obligation Requirements when their personal circumstances make it difficult for them to meet those requirements, or
- a participant is participating in an appropriate activity to meet their Mutual Obligation Requirements.

Suspensions can be applied by providers:

- when a participant is a Volunteer who is experiencing a situation that affects their ability to participate for a specified period
- when the participant is a ParentsNext Volunteer and the ParentsNext Provider agrees to the Suspension if:

- the ParentsNext Volunteer's ParentsNext Provider notifies the jobactive provider that the ParentsNext Volunteer has an Exemption or
- the jobactive provider identifies that the ParentsNext Volunteer has experienced circumstances which prevent them from participating in Services for a specified period of time.

Suspensions can be applied by the Department on behalf of providers if:

- a Volunteer has a New Enterprise Incentive Scheme (NEIS) referral
- the provider requests a suspension for a Fully Eligible Participant who meets the Suspension criteria.



Documentary evidence: Where a provider Suspends a participant, the provider must record the reason for the Suspension, and the start and end dates for the Suspension, in the Department's IT System.

(Deed references: Clauses 93)

Fully Eligible Participants who are Suspended can voluntarily participate in jobactive services

A Fully Eligible Participant with Mutual Obligation Requirements can choose to participate voluntarily in jobactive services while they are Suspended after:

- being contacted by their provider to discuss and agree to voluntarily participate while Suspended, or
- notifying Services Australia who will either call their provider or book an Appointment for them, or
- directly contacting their provider to request jobactive services.

The provider must provide jobactive services to a Suspended Fully Eligible Participant if they advise they want to voluntarily participate in Services.

Fully Eligible Participants on a preclusion period (a period during which they do not receive an income support payment from Centrelink because of a lump-sum payment) may also participate voluntarily in Services.



Documentary evidence: Where a Fully Eligible Participant elects to volunteer while Suspended, the provider must record, in the Department's IT system:

- the agreed start and end dates for the volunteering period
- the agreed voluntary Activities in the Job Plan
- that the Stream Participant is participating as a Volunteer.



Documentary evidence: The provider must immediately record the end of the Suspension or volunteering period in the Department's IT System. No additional Documentary Evidence is required.

(Deed reference: Clause 93.4)

jobactive services resume when a Suspension ends

When a Suspension ends, providers must resume delivery of jobactive services.



System Step: Providers receive a noticeboard message when a Suspension is applied and when it ends.

(Deed references: Clauses 93.3, 93.5, 93.6, 93.9)

3. Participants may Exit from jobactive services for a range of reasons

Most Exits happen automatically (Effective Exit)

In most cases, participants will be Exited automatically from jobactive services. This is called an Effective Exit and can occur when:

- a Volunteer (registered prior to 9 December 2019) has reached a maximum of six months Period of Service in Stream A
- a Fully Eligible Participant:
 - is in a job and has stopped receiving an eligible Income Support Payment (for example when a participant has six consecutive fortnights with nil rate of Income Support)
 - has not lodged a report of income with Services Australia (even if this is zero) 14 days after their Report Due Date and their payment is cancelled by Services Australia
 - is fully meeting their Mutual Obligation Requirements and no longer needs to remain fully connected to the provider
 - is commenced in Disability Employment Services or the Community Development Programme, or
- they commence in NEIS.

Some Exits can be actioned by providers (Provider Exit)

Volunteers, ParentsNext Volunteers, and some Fully Eligible Participants may be eligible for a provider Exit which is processed manually by the provider.

Fully Eligible Participants

Providers can Exit Fully Eligible Participants who are Suspended and:

- have a Partial Capacity to Work (PCW) of:
 - less than 15 hours per week, or
 - 15 hours or more per week and are meeting their Mutual Obligation Requirements through 30 hours or more a fortnight of paid work and/or study that will likely be ongoing or last more than 13 weeks.
- are Principal Carer Parents (PCP) who:
 - have a long-term Exemption (end date longer than 16 weeks), or
 - are meeting their Mutual Obligation Requirements through 30 hours or more a fortnight of paid work and/or study that will likely be ongoing or last more than 13 weeks.
- are Vulnerable Youth, Vulnerable Youth (Student), Structural Adjustment Programme participants, or Pre-release Prisoners who have no Mutual Obligation Requirements and no longer wish to participate.

Volunteers (registered prior to 9 December 2019)

Providers can Exit a Volunteer who is on their caseload once they have been informed of the six-month limit to their eligibility, and both parties agree to the Exit.

ParentsNext Volunteers

Providers must Exit a ParentsNext Volunteer if both they, and the ParentsNext provider assess that the ParentsNext Volunteer is unsuitable for jobactive services.

Structural Adjustment Programme participant, Stronger Transition participants and retrenched workers and their partners

Providers should manually Exit a Structural Adjustment Programme participant or retrenched worker or their partner who has no Mutual Obligation Requirements and no longer wishes to participate.

Providers should manually Exit a Structural Adjustment Programme participant, Stronger Transition participant or retrenched worker or their partner who has no Mutual Obligation Requirements if the participant is in Employment and the Provider has claimed a 26-week Employment Outcome for that Employment.

This applies to existing Stronger Transitions Participants. From 1 July 2020, the Stronger Transitions program is closed to new entrants.

Vulnerable Youth and Vulnerable Youth (Student)

Providers must Exit a Vulnerable Youth or Vulnerable Youth (Student) where the Employment Services Assessment (ESAt) determines that they are not a Fully Eligible for jobactive services. They may be referred to the VOEST via Services Australia.

(Deed reference: Clause 95)

Providers should assess the appropriateness of participant requests to Exit

Fully Eligible Participants requesting an Exit

If a Fully Eligible Participant advises their provider that they wish to Exit, the provider should determine whether a provider Exit is appropriate. This decision should consider whether the Fully Eligible Participant:

- is eligible for a provider Exit
- wishes to access Services in the future
- is currently tracking towards an Outcome Payment, or has a pending Outcome Payment claim
- is receiving post-placement support
- is in an activity that is likely to last more than 13 weeks (and has a Partial Capacity to Work of less than 15 hours per week or is meeting Mutual Obligation Requirements through 30 hours or more a fortnight of paid work and/or study).
- is aware of the Services that the provider can offer.

Volunteers (registered prior to 9 December 2019) requesting an Exit

If a Volunteer tells their provider they no longer want to participate in jobactive services, the provider must inform them of the six month limit to their eligibility.

Depending on their individual circumstances, the Volunteer may choose to:

- continue receiving jobactive services
- be Suspended, or
- be Exited.

A provider must resume the delivery of jobactive services to a Volunteer if they return to services within 13 Weeks from the date of Exit and have not received a total of six months of Services as a Volunteer.

(Deed references: Clauses 75, 93, 95.6)

Providers must continue delivering jobactive services if a participant request to Exit is not approved

The provider must advise a participant when they do not approve a request for a provider Exit and must continue to deliver jobactive services.

(Deed references: Clauses 93.2, 93.4)

Some participants cannot be Exited

Participants aged 55 years and over who are fully meeting their full-time Mutual Obligation Requirements through paid work (including self-employment), approved Voluntary Work, or a combination of these Activities cannot be Exited.

These participants will remain connected with a provider but will be Suspended. They cannot be required to undertake Job Search, other additional requirements, or to attend provider appointments, unless they relate to employment opportunities or job referrals. Appointments must be made around the times of their paid and Voluntary Work hours.

These participants still have full-time Mutual Obligation Requirements and are required to attend job interviews with employers and accept increased hours of paid work until they obtain a full-time job or no longer receive income support.

4. Summary of required Documentary Evidence

Suspensions



Documentary evidence: Where a provider Suspends a participant, the provider must record the reason for the Suspension, and the start and end dates for the Suspension, in the Department's IT System.



Documentary evidence: Where a Fully Eligible Participant elects to volunteer while Suspended, the provider must record, in the Department's IT system:

- the agreed start and end dates for the volunteering period
- the agreed voluntary Activities in the Job Plan
- that the Stream Participant is participating as a Volunteer.



Documentary evidence: The provider must immediately record the end of the Suspension or volunteering period in the Department's IT System.

Exits



Documentary evidence: Where the provider determines it is appropriate to Exit a Participant, the provider must record this in the Department's IT Systems, including the reason for the decision. No additional Documentary Evidence is required.

All capitalised terms in this guideline have the same meaning as in the jobactive Deed 2015–2022 (the Deed).

In this guideline, references to provider mean an Employment Provider, references to participants mean Stream Participants, and references to jobactive services mean Employment Provider Services as defined in the Deed.

This Guideline is not a stand-alone document and does not contain the entirety of Employment Services providers' obligations. It must be read in conjunction with the Deed and any relevant Guidelines or reference material issued by Department of Education, Skills and Employment under or in connection with the Deed.

Guideline:

Targeted Compliance Framework: Mutual Obligation Failures

The Targeted Compliance Framework (TCF) is designed to target financial penalties towards only those Participants who persistently commit Mutual Obligation Failures without a Valid Reason or Reasonable Excuse, while providing protections for the most vulnerable. It is designed to encourage Participants to engage with their employment services provider (Provider), take personal responsibility for managing and meeting their Mutual Obligation Requirements, and actively look for work.

Participants commit Mutual Obligation Failures when they fail to comply with any one of a range of particular requirements specified in the Social Security Law. Broadly speaking, these requirements include, among other things:

- entering into a Job Plan
- attending appointments, and participating in activities, where required by their Job Plan
- acting appropriately during those appointments and while participating in those activities
- undertaking adequate Job Searches, where required by their Job Plan
- attending job interviews
- acting on job opportunities when requested to do so by their Provider.

If a Participant persistently commits Mutual Obligation Failures, they progress through the compliance framework. The Participant may eventually incur financial penalties after they:

- have participated in a Capability Interview with their Provider, and a Capability Assessment with Services Australia, to ensure that the Mutual Obligation Requirements specified in their Job Plan are appropriate for their personal circumstances and that they are capable of meeting them
- have continued to commit Mutual Obligation Failures.

That Participant may also face financial penalties if, at any time, they commit a Work Refusal Failure or an Unemployment Failure. See the [Work Refusal Failures and Unemployment Failures Guideline](#) for more information.

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Changes from the previous version (Version 3.0)

Policy changes:

Changes have been made to this Guideline to reflect the policy change regarding the timing of payment suspensions, which stipulates that payment suspensions occur at a minimum two Business Days following the recording of a Mutual Obligation Failure for job seekers in the Green and Warning Zones unless, within those two Business Days, the Provider records that the Participant has a Valid Reason or the Participant meets a Reconnection Requirement.

Wording changes:

Nil

A full document history is available on the [Provider Portal](#).

Related documents and references

jobactive

[Job Plan and Setting Mutual Obligation Requirements Guideline](#)

[Capability Assessment Guideline](#)

[Capability Interview Guideline](#)

[Work Refusal Failures and Unemployment Failures Guideline](#)

ParentsNext

[Capability Assessment Guideline](#)

[Capability Interview Guideline](#)

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1. Interpretation

Unless otherwise specified:

- all references in this Guideline to:
 - a 'Participant' are references to a 'Fully Eligible Participant (Mutual Obligation)' as defined in the jobactive Deed 2015–2022 (jobactive Deed) or a 'Compulsory Participant' as defined in the ParentsNext Deed 2018–2021 (ParentsNext Deed), as relevant;
 - a 'Job Plan' are references to a 'Job Plan' as defined in the jobactive Deed or a 'Participation Plan' as defined in the ParentsNext Deed, as relevant;
 - '3 active months' are, broadly speaking, references to 91 days, but prolonged for the time the Participant is in a penalty period or has an Exemption (up to a maximum of 12 months); and
 - '6 active months' are, broadly speaking, references to 182 days, but prolonged for the time the Participant is in a penalty period or has an Exemption (up to a maximum of 12 months); and
- capitalised terms in this Guideline have the meaning given to them in the jobactive Deed or the ParentsNext Deed, as relevant.

2. The Targeted Compliance Framework (TCF)

Providers' main obligations relating to the Targeted Compliance Framework (TCF) are set out in Chapter B3 of the jobactive Deed or Chapter B3 of the ParentsNext Deed, as relevant. One of the key obligations is that Providers must actively monitor and record each Participant's compliance against their Mutual Obligation Requirements (see section B3.1 in the jobactive Deed or the ParentsNext Deed, as relevant). This includes recording compliance against requirements that, if not complied with, would result in a Mutual Obligation Failure, Work Refusal Failure or Unemployment Failure for jobactive Participants, or a Mutual Obligation Failure for ParentsNext Participants.

For more information on the meaning of the term 'Mutual Obligation Failure', see section 3, Committing Mutual Obligation Failures.

See the [Targeted Compliance Framework: Work Refusal and Unemployment Failures Guideline](#) for more information on Work Refusal Failures and Unemployment Failures.

In summary, a Participant's Income Support Payment potentially may be:

- suspended, reduced and/or cancelled—if they commit a Mutual Obligation Failure (see section [Committing Mutual Obligation Failures](#) in this Guideline)
- suspended and/or cancelled if they commit a Work Refusal Failure (that is, they refuse or fail to accept an offer of suitable employment, subject to certain exceptions)
- cancelled if they commit an Unemployment Failure (that is, they become unemployed as a result of a voluntary act or misconduct, subject to certain exceptions).

Note that, if a Participant's Income Support Payment is cancelled, the Participant must serve a four-week preclusion period before they may be paid again (after reapplying for income support).

A key principle of the TCF is personal responsibility. Participants are held personally responsible for managing, meeting and reporting on their Mutual Obligation Requirements each fortnight in return for their Income Support Payment. This means that Participants are responsible for:

- meeting their Mutual Obligation Requirements, including those set out in their Job Plan
- self-reporting participation against their Mutual Obligation Requirements as they are scheduling in their Electronic Calendar—when they are found to be reasonably capable of doing so
- looking for work and reporting their Job Searches on time each month—when required to do so.

The three zones

The TCF comprises three zones for Participants:

- the Green Zone
- the Warning Zone
- Penalty Zone.

The key things that influence whether a Participant moves from one zone to another are:

- whether they accrue a Demerit. See [Attachment A](#) for information on the circumstances in which a Participant will accrue a Demerit. Broadly speaking, it is intended that a Participant will accrue a Demerit when they commit a Mutual Obligation Failure without a Valid Reason
- how many Demerits they accrue in a particular time period
- the types of Mutual Obligation Failures that lead to the accrual of the Demerits
- the outcomes of any Capability Interview or Capability Assessment that the Participant participates in.

See the [Capability Interview Guideline](#) and the [Capability Assessment Guideline](#) for more information on Capability Interviews or Capability Assessments.

Each of the three zones are described in further detail below.

For a diagram illustrating the three zones in the TCF, see [Attachment B](#).

The Green Zone

All Participants begin in the Green Zone. As long as they do not commit any Mutual Obligation Failures without a Valid Reason, they will remain in this zone.

The Warning Zone

Moving into the Warning Zone helps to reinforce the importance of meeting Mutual Obligation Requirements and discourages Participants from committing any further Mutual Obligation Failures.

When a Participant in the Green Zone accrues a Demerit, they move into the Warning Zone. Each Demerit has a lifespan of 6 active months, after which they are automatically removed by the Department's IT Systems.

In some circumstances (discussed below), when a Participant is in the Warning Zone, the Provider must conduct a Capability Interview with the Participant.

The Provider must do this when the Department's IT Systems specify that the Participant's Reconnection Requirement is a Capability Interview (the timing of when this occurs is discussed below). Note that the Department's IT Systems refer to a Reconnection Requirement as a 're-engagement requirement'.

See the [Reconnection Requirements](#) section of this Guideline for more information on setting Reconnection Requirements.

The outcome of a Capability Interview determines whether the Participant will remain in the Warning Zone or will go back to the Green Zone with their Demerits reset to zero. The purpose of a Capability Interview is to determine whether a Participant's Job Plan is suitable for the Participant, and to provide an additional opportunity for the Participant to disclose information that may be affecting their capacity to comply with their Mutual Obligation Requirements. A Job Plan will be suitable for a Participant if the Mutual Obligation Requirements specified in the Participant's Job Plan are appropriate for their individual circumstances and the Participant is capable of meeting them.

Broadly speaking, the Department's IT Systems will specify that the Participant's Reconnection Requirement is a Capability Interview when the Participant has, in 6 active months, incurred three Demerits or a Demerit for a 'fast-track' Mutual Obligation Failure.

A fast-track Mutual Obligation Failure is one of the following:

- intentionally acting in a manner at a job interview that could result in an offer of employment not being made to the Participant
- failing to attend a job interview
- failing to act on a job opportunity when requested to do so by their Provider.

Note that, if a Participant has less than three Demerits when they incur a Demerit for a fast-track Mutual Obligation Failure, the Department's IT Systems will automatically increase the number of Demerits to three.

In practice, fast-track Mutual Obligation Failures do not apply in ParentsNext because ParentsNext Participants do not have obligations related to finding work.

A factor that influences whether a Provider must conduct a Capability Interview in the circumstances described above is the outcome of any Capability Interview or Capability Assessment that has been conducted in relation to the Participant in the last 60 days.

Providers' main obligations regarding Capability Interviews are set out in clauses 114.7, 114.8 and 114.9 of the jobactive Deed or clauses 97.1, 97.2 and 97.3 of the ParentsNext Deed, as relevant. See also the [Capability Interview Guideline](#) for more information.

The Department's IT Systems will determine whether the Participant will remain in the Warning Zone, or go back to the Green Zone with their Demerits reset to zero. This is based on the information that the Provider records in the Department's IT Systems regarding the outcome of the Capability Interview. It is intended that, if the result of the Capability Interview is that:

- the Participant's Job Plan is not suitable for the Participant (i.e. the Mutual Obligation Requirements specified in the Participant's Job Plan are not appropriate for their circumstances, and/or the Participant is not capable of meeting them), the Participant will go back to the Green Zone with their Demerits reset to zero, or
- the Participant's Job Plan is suitable for the Participant (i.e. the Mutual Obligation Requirements specified in the Participant's Job Plan are appropriate for their circumstances and the Participant is capable of meeting them), the Participant will continue in the Warning Zone with their confirmed Demerits.

In some circumstances (discussed below), when a Participant is in the Warning Zone, Services Australia will conduct a Capability Assessment with the Participant. The Department's IT Systems will notify the Provider when this will occur.

(Deed references: jobactive Deed 2015–2022 clauses 114.7, 114.8 and 114.9; ParentsNext Deed 2018–2021 clauses 97.1, 97.2 and 97.3)

The Penalty Zone

There are a number of criteria that must be satisfied before a Participant will enter the Penalty Zone. The first is that the Participant has attended a Capability Interview and the outcome of that Capability Interview is that the Participant's Job Plan is suitable for the Participant.

The second criterion that must be satisfied before a Participant will enter the Penalty Zone is that the Participant has incurred five Demerits in 6 active months. When this occurs, Services Australia will arrange for the Participant to attend a Capability Assessment with Services Australia. Note that, if a Participant has three or four Demerits when they incur a Demerit for a fast-track Mutual Obligation Failure (discussed above), the Department's IT Systems will automatically increase the Participant's total number of Demerits to five.

The final criterion is that the outcome of the Capability Assessment is that the Participant's Job Plan is suitable for the Participant. This means that the outcome of a Capability Assessment determines whether the Participant will enter the Penalty Zone or will go back to the Green Zone with their Demerits reset to zero.

The Capability Assessment has the same goals as the Capability Interview: to assess whether a Participant's Job Plan is suitable for the Participant (i.e. whether the Mutual Obligation Requirements specified in the Participant's Job Plan are appropriate for their circumstances and whether the Participant is capable of meeting them).

The Department's IT Systems will determine whether the Participant will enter the Penalty Zone or will go back to the Green Zone with their Demerits reset to zero. It does this based on the information that Services Australia records in the

Department's IT Systems regarding the outcome of the Capability Assessment. It is intended that, if the result of the Capability Assessment is that:

- the Participant's Job Plan is not suitable for the Participant (i.e. the Mutual Obligation Requirements specified in the Participant's Job Plan are not appropriate for their circumstances, and/or the Participant is not capable of meeting them), the Participant will go back to the Green Zone with their Demerits reset to zero; or
- the Participant's Job Plan is suitable for the Participant (i.e. the Mutual Obligation Requirements specified in the Participant's Job Plan are appropriate for their circumstances and the Participant is capable of meeting them), the Participant will enter the Penalty Zone.

Broadly speaking, it is intended that a Participant in the Penalty Zone will incur the following financial penalties in succession if they continue to commit Mutual Obligation Failures:

- first Mutual Obligation Failure without a Reasonable Excuse in the Penalty Zone—loss of one week's Income Support Payment
- second Mutual Obligation Failure without a Reasonable Excuse in the Penalty Zone—loss of two weeks' Income Support Payment
- third Mutual Obligation Failure without a Reasonable Excuse in the Penalty Zone—Income Support Payment is cancelled, and the Participant must serve a four-week preclusion period before they may be paid again (after reapplying for income support). The preclusion period referred to here is called a 'post-cancellation non-payment period' in the relevant legislation.

Once a Participant's Income Support Payment has been cancelled, the Participant must reapply for income support—they will not automatically receive an Income Support Payment again once the four-week preclusion period has ended. If a Participant has had their Income Support Payment cancelled, but they return to payment within 3 active months of cancellation, they will return to the beginning of the Penalty Zone. In other words, their next Mutual Obligation Failure without a Reasonable Excuse (committed within 3 active months after cancellation) would result in another loss of one week's payment.

It is intended that a Participant in the Penalty Zone will return to the Green Zone if they do not commit any further Mutual Obligation Failures for 3 active months. The potential to return to the Green Zone through demonstrating compliance provides a further incentive for Participants to change their behaviour and meet their Mutual Obligation Requirements.

Note that, although Participants can incur financial penalties while they are in the Penalty Zone (as discussed above), they do not accrue further Demerits.

Recording participation by close of business

Providers have an obligation to record Engagements in each Participant's Electronic Calendar (see clause 83A of the jobactive Deed or clause 71 of the ParentsNext Deed, as relevant). The types of Engagements that must be recorded include all Mutual Obligation Requirements, except for those that involve a requirement to:

- undertake adequate Job Searches

- enter into a Job Plan, or
- act on a job opportunity.

Providers also have an obligation to confirm or record participation against each Mutual Obligation Requirement scheduled in a Participant's Electronic Calendar. This must be done no later than close of business on the day that the Mutual Obligation Requirement is scheduled to occur in the Participant's Electronic Calendar (see clause 106A of the jobactive Deed or clause 88 of the ParentsNext Deed, as relevant).

Except in the case of attending a Provider Appointment, if participation is not recorded by close of business on the day that the Mutual Obligation Requirement is scheduled to occur in the Participant's Electronic Calendar (either by the Provider or by the Participant), the Department's IT Systems will automatically suspend the Participant's Income Support Payment in the Green Zone and the Warning Zone after two Business Days if the Participant does not make contact or does not meet a Reconnection Requirement (where the Participant does not have a Valid Reason). See the [Payment Suspension](#) section of this Guideline for more information on payment suspensions.

Although a Participant does not necessarily accrue a Demerit for failing to record their participation against a Mutual Obligation Requirement, they may potentially accrue a Demerit if they did not attend or participate in the Mutual Obligation Requirement, including if they failed to give prior notice of their inability to meet the requirement when it was reasonable to expect them to do so. See [Attachment A](#) for information on the circumstances in which a Participant will accrue a Demerit.

(Deed references: jobactive Deed 2015–2022 clause 83A, 106A; ParentsNext Deed 2018–2021 clauses 71, 88)

Self-reporting participation

Providers must assess whether each individual Participant is capable of taking personal responsibility for self-reporting participation against all the Mutual Obligation Requirements in their Job Plan (see clause 106A.1 of the jobactive Deed or clause 88.1 of the ParentsNext Deed, as relevant).

If the Provider assesses that a Participant is not capable of self-reporting as referred to above, the Provider must remove the Job Plan code 'Personal Responsibility to Record or Report Attendance (PA03)' from the Participant's Job Plan. It is then the Provider's responsibility to record the Participant's participation against each of the Mutual Obligation Requirements scheduled in their Electronic Calendar (see clause 106A.2 of the jobactive Deed or clause 88.2 of the ParentsNext Deed, as relevant). Providers are encouraged to work with Participants assessed as not capable of self-reporting to help them build the required skills to be able to self-report their participation against each of the Mutual Obligation Requirements scheduled in their Electronic Calendar.

If the Provider assesses that a Participant is capable of self-reporting as referred to above, the Provider must confirm with the Participant that they understand that this means:

- the Participant must record their participation against each of the Mutual Obligation Requirements scheduled in their Electronic Calendar themselves—either on the jobactive website, or by using the Job Seeker App
- if the Participant does not do this, their Income Support Payment will be suspended—and, if their payment is suspended, it will remain suspended until they contact their Provider to discuss.

For information on how Providers must assess whether each individual Participant is capable of taking personal responsibility for self-reporting participation against all the Mutual Obligation Requirements in their Job Plan, refer to the [Job Plan and Scheduling Mutual Obligation Requirements Guideline](#) on the Provider Portal.

(Deed references: jobactive Deed 2015–2022 clauses 106A.1, 106A.2; ParentsNext Deed 2018–2021 clauses 88.1, 88.2)

3. Committing Mutual Obligation Failures

The term ‘Mutual Obligation Failure’ is defined in the jobactive Deed and ParentsNext Deed by reference to the meaning of that term in the *Social Security (Administration) Act 1999* (see the definition of ‘mutual obligation failure’ in section 42AC of that Act). In summary, this means that a Participant will commit a Mutual Obligation Failure if they:

- fail to enter into a Job Plan
- fail to attend, or to be punctual for, an appointment that they are required to attend under their Job Plan
- fail to attend, to be punctual for, or to participate in, an activity that they are required to undertake under their Job Plan
- fail to undertake adequate Job Searches
- fail to comply with any other requirement in their Job Plan
- act in an inappropriate manner:
 - during an appointment that they are required to attend under their Job Plan, or
 - while participating in an activity that they are required to undertake under their Job Plan
- intentionally act in a manner that could result in an offer of employment not being made to the person
- fail to:
 - attend a job interview, or
 - act on a job opportunity when requested to do so by their Provider.

Fast-track Mutual Obligation Failures

Particular types of Mutual Obligation Failures are referred to as ‘fast-track’ Mutual Obligations Failures because they can result in a Participant having a Capability Interview or Capability Assessment more quickly than would otherwise be the case. See [The Warning Zone](#) section of this Guideline for more information on ‘fast-track’ Mutual Obligations Failures.

Prior notice and Acceptable Reasons

A Participant may notify the Provider, before the start time scheduled for a Mutual Obligation Requirement, that they are unable to comply with their Mutual Obligation Requirement. Providers must then assess whether the Participant's reason for being unable to comply with the Mutual Obligation Requirement is an Acceptable Reason. If the Provider is satisfied that the Participant has an Acceptable Reason for being unable to comply with the Mutual Obligation Requirement, they have an obligation to reschedule or remove the Mutual Obligation Requirement from the Electronic Calendar. See clause 106B.1 of the jobactive Deed or clause 89.1 of the ParentsNext Deed, as relevant, together with the definition of 'Acceptable Reason' in Annexure A1 in the relevant Deed.

For the purposes of the above, the Provider must determine that a Participant has an Acceptable Reason for being unable to satisfy a Mutual Obligation Requirement if:

- the Participant notified the Provider, before the start time scheduled for a Mutual Obligation Requirement, that the Participant is unable to satisfy the Mutual Obligation Requirement
- the Provider is satisfied that the Participant has a Valid Reason for being unable to satisfy the Mutual Obligation Requirement.

A Provider must determine that the Participant has a Valid Reason for a Mutual Obligation Failure when they are satisfied that the reason the Participant provides:

- would directly prevent the Participant from meeting the Mutual Obligation Requirement at the time that the Mutual Obligation Requirement is scheduled to occur;
- would be considered to be reasonable by a member of the general public; and
- aligns with the Participant's personal circumstances as known by the Provider.

However, note the exception to the above discussed in the [Drug and alcohol dependency or misuse](#) section of this Guideline.

Where a Provider has an obligation to reschedule or remove a Mutual Obligation Requirement under clause 106B.1 of the jobactive Deed or clause 89.1 of the ParentsNext Deed, the Provider must select 'No Longer Required' or 'Rescheduled' (as appropriate) in relation to the Mutual Obligation Requirement in the Participant's Electronic Calendar. This will either remove the Mutual Obligation Requirement from the Participant's Electronic Calendar or allow the Mutual Obligation Requirement to be re-scheduled in the Participant's Electronic Calendar.

Despite the above, the Provider must select 'No Longer Required' in relation to the Mutual Obligation Requirement in the Participant's Electronic Calendar if the Mutual Obligation Requirement in question is a requirement to undertake Job Searches or a requirement to act on a job opportunity.

If the Provider selects 'No Longer Required' or 'Rescheduled' in relation to a Mutual Obligation Requirement in the Participant's Electronic Calendar as referred to above, the Provider must also select a description of the relevant Valid Reason from the drop-down menu that will appear. In selecting a Valid Reason option from the drop-down menu, the Provider must select the option that is most similar to the

Participant's Valid Reason as they described it to the Provider. The Provider must not use the options in the drop-down menus to prompt or elicit responses from the Participant. A full list of these drop-down menu options can be found at [Attachment C](#).

If the Provider is **not** satisfied that the Participant has a Valid Reason for being unable to satisfy the Mutual Obligation Requirement, the Provider must tell the Participant why. The Provider must then remind the Participant that they are still expected to meet the Mutual Obligation Requirement and must remind them about the consequences of non-compliance.

(Deed references: jobactive Deed 2015–2022 clause 106B.1; ParentsNext Deed 2018–2021 clause 89.1; definition of 'Acceptable Reason' in Annexure A1 in the relevant Deed)

Misconduct—Acting in an inappropriate manner

Particular types of Mutual Obligations Failures are referred to as 'misconduct' in the Department's IT Systems. The circumstances in which the Provider must select 'misconduct' are described below in the [When the Participant does not have a Valid Reason](#) section of this Guideline.

Misconduct refers to:

- inappropriate behaviour by the Participant:
 - during an appointment that they are required to attend under their Job Plan, or
 - while participating in an activity that they are required to undertake under their Job Plan, or
- behaviour by a Participant, during a job interview, that could result in an offer of employment not being made to the Participant.

A Provider must determine that a Participant's behaviour involved 'misconduct' in the circumstances described above when the Participant's behaviour during the relevant appointment, activity or job interview:

- was within the Participant's control
- prevented the purpose of the relevant appointment, activity or job interview from being met
- would be judged by a reasonable person as being inappropriate in the circumstances.

This behaviour may include:

- dressing in a way that is clearly inappropriate for the relevant appointment, activity or job interview
- using offensive language during the relevant appointment, activity or job interview
- showing an obvious lack of interest in the relevant appointment, activity or job interview
- exaggerating the severity of an existing injury or illness to avoid fully participating in the relevant appointment, activity or job interview
- leaving the relevant appointment, activity or job interview before its completion.

Behaviour that appears to be inappropriate but is out of the Participant's control must not be determined by a Provider to be misconduct. For example, a Participant may act in an inappropriate manner because they:

- do not have appropriate clothes to wear to the relevant appointment, activity or job interview
- are affected by a major personal crisis
- are affected by a medical condition.

Mutual Obligation Failures

Participant contact

In most cases, if the Provider becomes aware that a Participant has apparently committed a Mutual Obligation Failure, the Provider must attempt to contact the Participant on the same Business Day on which the Provider becomes aware of the apparent Mutual Obligation Failure. See clauses 114.1 and 114.2 of the jobactive Deed or clauses 96.1 and 96.2 of the ParentsNext Deed, as relevant. If there is contact between the Provider and the Participant on that day, the Provider must:

- discuss with the Participant the circumstances of the apparent Mutual Obligation Failure so that the Provider can determine whether a Mutual Obligation Failure has actually been committed; and
- if the Provider considers that a Mutual Obligation Failure has been committed:
 - discuss with the Participant their reasons for the Mutual Obligation Failure, assess whether the Participant has a Valid Reason, and comply with the obligations set out below in the [Assessing Valid Reasons](#) section in this Guideline
 - set an appropriate Reconnection Requirement for the Participant (if they do not have a Valid Reason for the relevant Mutual Obligation Failure) in accordance with the [Reconnection Requirements](#) section in this Guideline; or
- if the Provider considers that a Mutual Obligation Failure has not been committed, not take any further action.

See clause 114 of the jobactive Deed or clause 96 of the ParentsNext Deed, as relevant.

See the [Assessing Valid Reasons](#) section in this Guideline for more information on Valid Reasons.

See the [Reconnection Requirements](#) section in this Guideline for more information on Reconnection Requirements.

(Deed references: jobactive Deed 2015–2022 clause 114; ParentsNext Deed 2018–2021 clause 96)

Contact attempt not required

The Provider is not required to attempt to contact the Participant if the Mutual Obligation Failure has occurred because the Participant:

- failed to undertake adequate Job Searches (this does not apply to participants in ParentsNext), or
- failed to enter into a Job Plan.

See clause 114.2 of the jobactive Deed or clause 96.2 of the ParentsNext Deed, as relevant.

In these instances, the Provider should wait for the Participant to make contact. Once the Participant has made contact, the Provider must:

- schedule a date and time for a Reconnection Requirement to occur (if the Participant does not have a Valid Reason for the relevant Mutual Obligation Failure) in accordance with the [Reconnection Requirements](#) section in this Guideline
- otherwise comply with the Deed clauses referred to above.

(Deed references: jobactive Deed 2015–2022 clause 114.2; ParentsNext Deed 2018–2021 clause 96.2)

Contact attempt not successful

As discussed above, in most cases, the Provider has an obligation to attempt to contact the Participant on the same Business Day on which the Provider becomes aware of an apparent Mutual Obligation Failure. When the Provider attempts to contact the Participant in accordance with that obligation and the attempt is not successful, the Provider must:

- record that they are not in contact with the Participant, and select ‘Did Not Attend—Invalid’ in relation to the relevant Mutual Obligation Requirement in the Participant’s Electronic Calendar. Doing so will:
 - create a pending Demerit on the Participant’s record if the Participant is in the Warning Zone; or
 - create a pending Non-Compliance Report on the Participant’s record if the Participant is in the Penalty Zone; and
- comply with clause 114.5 of the jobactive Deed or clause 96.5 of the ParentsNext Deed, as relevant.

If the Participant is in the Green Zone or the Warning Zone, the Department’s IT Systems will automatically suspend the Participant’s Income Support Payment if, within two Business Days, the Participant does not make contact or does not meet a Reconnection Requirement (where the Participant does not have a Valid Reason).

If the Participant is in the Penalty Zone, Income Support Payment suspension will occur when the Provider has recorded ‘Did Not Attend—Invalid’ in the Department’s IT Systems.

If the Participant later contacts the Provider to discuss the Mutual Obligation Failure, the Provider must:

- schedule a date and time for a Reconnection Requirement to occur (if the Participant does not have a Valid Reason for the relevant Mutual Obligation Failure) in accordance with the Reconnection Requirements section in this Guideline; and
- otherwise comply with clause 114.6 of the jobactive Deed or clause 96.5 of the ParentsNext Deed, as relevant.

(Deed references: jobactive Deed 2015–2022 clause 114.5; ParentsNext Deed 2018–2021 clause 96.5)

When a Participant commits a Mutual Obligation Failure

When a Participant commits a Mutual Obligation Failure, it is intended that there are a few consequences:

- Their Income Support Payment is suspended:
 - If the Participant is in the Green Zone or the Warning Zone, payment suspension will occur if, within two Business Days of the date of the Mutual Obligation Failure, they do not provide a Valid Reason or meet a Re-connection Requirement.
 - If the Participant is in the Penalty Zone, payment suspension will occur at the time the Provider records that a Mutual Obligation Failure has occurred.
- They accrue a Demerit if they do not have a Valid Reason.

See [Attachment A](#) for information on the circumstances in which:

- a Participant's Income Support Payment is suspended
- the suspension of a Participant's Income Support Payment is lifted
- a Participant will accrue a Demerit.

Two Business Day delay of payment suspension: Green and Warning Zones

The purpose of delaying the suspension of an Income Support Payment is to allow Participants two Business Days to contact their Provider, and to discuss and—when possible—resolve the Mutual Obligation Failure before a Participant's payment is impacted. This will also reduce the number of payment suspensions Participants' experience in the course of their servicing.

In the Green Zone and the Warning Zone, a Participant's Income Support Payment is generally suspended two Business Days following the day a Mutual Obligation Failure is recorded in the Department's IT Systems.

Suspension of a Participant's Income Support Payment will not occur if, within those two Business Days, the Participant contacts the Provider and:

- the Provider records that the Participant has a Valid Reason, or
- the Participant meets a Reconnection Requirement.

See the [Reconnection Requirements](#) and [Assessing Valid Reasons](#) sections of this Guideline.

During the two Business Days that occur between:

- the recording of a Mutual Obligation Failure in the Department's IT Systems, and
- the suspension of a Participant's Income Support Payment,

the Provider must be available to engage with Participants who make contact to discuss a Mutual Obligation Failure and the relevant delayed payment suspension.

During this discussion, the Provider must determine whether the Participant has a Valid Reason for the Mutual Obligation Failure and must immediately record this assessment in the Department's IT Systems. As a result of this assessment:

- If the Provider records that the Participant has a Valid Reason, the payment suspension will be avoided .

- If the Provider records that the Participant does not have a Valid Reason, the Participant must meet a Reconnection Requirement.
 - If the Participant meets the Reconnection Requirement before the two Business Day timeframe has expired, the payment suspension will be avoided.
 - If the Participant does not meet the Reconnection Requirement before the two Business Day timeframe has expired, the payment suspension will occur two Business Days following the day the Mutual Obligation Failure was recorded. This suspension will generally be maintained until the Participant meets the Reconnection Requirement.

If the Provider has discussed the Mutual Obligation Failure with the Participant and is satisfied that a Reconnection Requirement is not necessary, the Provider must record either 'Re-engagement Not Required' or 'Compliance Action No Longer Appropriate'.

See the [Reconnection Requirements](#) section of this Guideline.

Immediate payment suspension: Penalty Zone

In the Penalty Zone, a Participant's Income Support Payment is generally suspended at the time a Mutual Obligation Failure is recorded in the Department's IT Systems. This immediate suspension is intended to encourage the Participant to contact their Provider and discuss the Mutual Obligation Failure.

On the day the Provider records a Mutual Obligation Failure in the Department's IT Systems

The effects of recording a Mutual Obligation Failure in the Department's IT Systems differ depending on whether the Participant is in the Green Zone or Warning Zone, or whether they are in the Penalty Zone.

When the Provider records in the Department's IT Systems that a Participant has committed a Mutual Obligation Failure in the Green Zone or Warning Zone, the Department's IT Systems send the Participant a notification to advise them:

- that it appears they have failed to meet a Mutual Obligation Requirement
- to contact their Provider as soon as possible
- that their Income Support Payment may be suspended after two Business Days have passed if they take no further action.

When the Provider records in the Department's IT Systems that a Participant has committed a Mutual Obligation Failure in the Penalty Zone, the Department's IT Systems send the Participant a notification to advise them:

- that their Income Support Payment is suspended
- why their Income Support Payment is suspended
- what they must do to lift the Income Support Payment suspension
- to contact their Provider as soon as possible.

The automatic notifications described above only occur if the Participant has SMS or e-mail details recorded in the Department's IT Systems for automatic notification. If the Participant does not have SMS or e-mail details recorded in the Department's

IT Systems for automated notification, the Provider must send the notice prepared by the Department's IT Systems in response to the Mutual Obligation Failure to the Participant's postal address. See clauses 114.2(a)(iii), 114.5(a)(i), 114.5(c) and 115.4(a)(ii) of the jobactive Deed, or clauses 96.5(a)(i) and 96.5(c) of the ParentsNext Deed, as relevant.

If the Participant's Income Support Payment has been suspended as a result of recording the Mutual Obligation Failure, the payment will normally remain suspended until they meet a Reconnection Requirement or until the Provider records a Valid Reason in the Department's IT Systems. Failure to comply with a Reconnection Requirement within 28 days of notification will usually result in Services Australia cancelling the Participant's Income Support Payment. For more information on Reconnection Requirements, see the [Reconnection Requirements](#) section in this Guideline.

(Deed references: jobactive Deed 2015–2022 clauses 114.2(a)(iii), 114.5(a)(i), 114.5(c) and 115.4(a)(ii); ParentsNext Deed 2018–2021 clauses 96.5(a)(i) and 96.5(c))

After two Business Days have passed since the Provider recorded the Mutual Obligation Failure in the Department's IT Systems: in the Green and Warning Zones

If the Participant is in the Green Zone or the Warning Zone, the Department's IT Systems will automatically suspend the Participant's Income Support Payment once two Business Days have passed and:

- the Participant has not contacted their Provider, or
- the Provider has recorded that the Participant does not have a Valid Reason, and the Participant has not yet met a Reconnection Requirement.

When the Participant's Income Support Payment is suspended, the Department's IT Systems send them a payment suspension notification to notify them:

- that their Income Support Payment is suspended
- why their Income Support Payment is suspended
- what they must do to lift the Income Support Payment suspension
- to contact their Provider as soon as possible.

As noted above, if the Participant does not have SMS or e-mail details recorded in the Department's IT Systems for automated notification, the Provider must send the notice prepared by the Department's IT Systems in response to the Mutual Obligation Failure to the Participant's postal address. See clause 114.5(c) in the jobactive Deed or clause 96.5(c) of the ParentsNext Deed, as relevant.

A Participant's Income Support Payment will normally remain suspended until they meet a Reconnection Requirement or until the Provider records a Valid Reason in the Department's IT Systems, and an Income Support Payment will normally be cancelled by Services Australia if the Participant fails to meet a Reconnection Requirement within four weeks of notification. For more information on Reconnection Requirements, see the [Reconnection Requirements](#) section in this Guideline.

(Deed references: jobactive Deed 2015–2022 clauses 114.2(a)(iii), 114.5(a)(i), 115.4(a)(ii); ParentsNext Deed 2018–2021 clause 96.5(a)(i))

Assessing Valid Reasons

Providers have obligations to assess whether a Participant has a Valid Reason for a Mutual Obligation Failure in a number of specific circumstances (see clauses 114.4, 114.6 and 114.11 of the jobactive Deed or clauses 96.4 and 96.6 of the ParentsNext Deed, as relevant). It is intended that if the Participant:

- has a Valid Reason for a Mutual Obligation Failure, any Demerit on their record relating to that Mutual Obligation Failure will be removed; or
- does not have a Valid Reason, the Demerit will be confirmed.

See [Attachment A](#) for information on the circumstances in which:

- a Demerit (pending confirmation) will be put on a Participant's record
- a Demerit (pending confirmation) will be confirmed or removed from the Participant's record.

For the purposes of the above, a Provider must determine that the Participant has a Valid Reason for a Mutual Obligation Failure when they are satisfied that:

- the reason the Participant provided:
 - directly prevented the Participant from meeting the Mutual Obligation Requirement at the relevant time that the Mutual Obligation Failure occurred
 - would be considered to be reasonable by a member of the general public
 - aligns with their personal circumstances as known by the Provider
- it would have been unreasonable to expect the Participant to give prior notice of their inability to meet the relevant Mutual Obligation Requirement.

However, note the exception to the above discussed below under the heading 'Drug and alcohol dependency or misuse'.

(Deed references: jobactive Deed 2015–2022 clauses 114.4, 114.6, 114.11; ParentsNext Deed 2018–2021 clauses 96.4, 96.6)

Drug and alcohol dependency or misuse

There are limits on the circumstances in which a Provider can determine that a Participant's drug or alcohol misuse or dependency is a Valid Reason for a Mutual Obligation Failure. Valid Reason determinations are discussed above in the [Prior notice and Acceptable Reasons](#) and [Assessing Valid Reasons](#) sections of this Guideline. Subject to what is stated in those sections, the first time a Participant cites drug or alcohol misuse or dependency as the reason they have committed a Mutual Obligation Failure, the Provider may determine that this is a Valid Reason. If the Participant does this, the Provider must identify and source an available and appropriate treatment program, and must encourage the Participant to participate in that program. Participation in treatment services to address drug or alcohol misuse or dependency may reduce other Mutual Obligation Requirements. See the [Managing and Monitoring Mutual Obligation Requirements](#) Guideline for information on setting Mutual Obligation Requirements.

If a Participant cites drug or alcohol misuse or dependency as the reason they have committed a Mutual Obligation Failure, the Provider must not determine that this is a Valid Reason if:

- the Participant previously committed a Mutual Obligation Failure on or after 1 July 2018;
- the Provider determined that the Participant's drug or alcohol misuse or dependency was a Valid Reason for that previous Mutual Obligation Failure, so it did not result in a Demerit
- as a result of the Mutual Obligation Failure, the Provider referred to Participant to treatment to address the drug or alcohol misuse or dependency
- the Participant refused or failed to participate in the treatment.

The Provider must not determine that drug or alcohol misuse or dependency is a Valid Reason in the circumstances described above, unless one of the following applies:

- the treatment that the Participant was referred to was not available or appropriate for the Participant
- the Participant was genuinely unable to participate in the treatment
- the Participant agreed to participate in the treatment but, despite taking all reasonable steps to commence the treatment, the treatment did not commence, or
- before the Participant was referred to the treatment, the Participant had:
 - completed the same type of treatment as the treatment they were referred to, or
 - completed treatment that was substantially similar to the treatment they were referred to

and, in the opinion of an appropriately qualified medical professional, the Participant would not benefit from further treatment of the same kind as the type of treatment already completed by the person.

When the Participant has a Valid Reason

On the day that the Provider determines that a Participant has a Valid Reason for a Mutual Obligation Failure, they must record this assessment in the Department's IT Systems. The way to record this assessment can differ, depending on the type of Mutual Obligation Failure that the Participant has committed. The steps that the Provider must take, depending on the type of Mutual Obligation Failure, are described below.

When the Provider records that the Participant has a Valid Reason, the Provider must also select a description of the relevant Valid Reason from a drop-down menu that will appear. In selecting a Valid Reason option, the Provider must select the option that is most similar to the Participant's Valid Reason as they described it to the Provider. The Provider must not use the options in the drop-down menus to prompt or elicit responses from the Participant. By recording a reason that is Valid, the Provider is:

- finalising the Mutual Obligation Failure and preventing the payment suspension if the Participant's Income Support Payment has not yet been suspended

- lifting the Participant's payment suspension if the Participant's Income Support Payment is suspended, and removing the relevant Demerit from the Participant's record.

A full list of these drop-down menu options can be found at [Attachment D](#). In the Department's IT Systems:

- 'reasons accepted' refers to reasons that the Provider determines are Valid Reasons; and
- 'reasons not accepted' refers to reasons that the Provider determines are not Valid Reasons.

[Failures against requirements that are in the Participant's Electronic Calendar](#)

On the day that the Provider determines that a Participant has a Valid Reason for a Mutual Obligation Failure:

- If the Provider has not already recorded an attendance result in relation to the relevant Mutual Obligation Requirement—the Provider must select 'Did Not Attend—Valid'.
- If the Provider has already recorded 'Did Not Attend—Invalid' or 'Misconduct' in relation to the relevant Mutual Obligation Requirement—the Provider must select 'Yes' in response to the question of whether they accept the job seeker's given reason.

[Failures to undertake adequate Job Searches](#)

For failures to undertake adequate Job Searches, on the day that the Provider determines that a Participant has a Valid Reason for a Mutual Obligation Failure, the Provider must select 'Yes' on the Provider Re-engagement page in the Department's IT Systems to indicate that the job seeker's reason for not meeting their Job Search requirement has been accepted.

[Failures to enter into a Job Plan](#)

For failures to enter into a Job Plan, on the day that the Provider determines that a Participant has a Valid Reason for the Mutual Obligation Failure, the Provider must select 'Yes' on the Provider Re-engagement Page in the Department's IT Systems to indicate that the job seeker's reason for failing to enter into a Job Plan has been accepted.

Once the Provider has recorded that the Participant has a Valid Reason, the Provider must then create a Provider Appointment for the Participant to attend within two Business Days after the day the Provider has recorded their assessment. If the Participant attends the Provider Appointment, the Provider must discuss the Job Plan with the Participant. If the Participant does not attend the Provider Appointment to discuss the Job Plan, this is a Mutual Obligation Failure, and the Provider must comply with their usual obligations regarding Mutual Obligation Failures.

Failures to act on a job opportunity

For failures to act on a job opportunity, on the day that the Provider determines that a Participant has a Valid Reason for a Mutual Obligation Failure, the Provider must select 'Unsatisfactory—Valid' on the Provider Re-engagement page in the Department's IT Systems to indicate that the job seeker's reason for failing to act on a job opportunity has been accepted.

When the Participant does not have a Valid Reason

On the day that the Provider determines that a Participant does not have a Valid Reason for failing to meet a Mutual Obligation Requirement, the Provider must record this assessment in the Department's IT Systems. The way to record this assessment can differ, depending on the type of Mutual Obligation Failure the Participant has committed. The steps that the Provider must take, depending on the type of Mutual Obligation Failure, are described below.

When they do this, the Provider must also select a description of the Participant's reason that was not a Valid Reason from a drop-down menu that will appear. In selecting a reason option, the Provider must select the option that is most similar to the reason that the Participant gave as they described it to the Provider. By recording that the Participant's reason is not a Valid Reason, the Provider is confirming the relevant Demerit on the Participant's record.

A full list of these drop-down menu options can be found at [Attachment D](#). In the Department's IT Systems:

- 'reasons accepted' refers to reasons that the Provider determines are Valid Reasons
- 'reasons not accepted' refers to reasons that the Provider determines are not Valid Reasons.

On the day that the Provider determines that a Participant does not have a Valid Reason for failing to meet a Mutual Obligation Requirement, the Provider must explain the following to the Participant, depending on whether they are in the Green Zone or Warning Zone, or in the Penalty Zone.

If the Participant is in the Green Zone or Warning Zone, the Provider must inform them that:

- their Income Support Payment will be suspended in two Business Days as a result of a Mutual Obligation Failure, unless the Participant is able to meet a Reconnection Requirement before those two Business Days lapse, and
- if the Participant does not meet a Reconnection Requirement within two Business Days, their Income Support Payment will remain suspended until they do so.

If the Participant is in the Penalty Zone, the Provider must inform them that:

- their Income Support Payment has been suspended as a result of a Mutual Obligation Failure, and
- they must meet a Reconnection Requirement to have their Income Support Payment suspension lifted.

Regardless of what Zone the Participant is in, the Provider must then also explain to the Participant:

- why their given reason was not a Valid Reason and what the consequences of this are
- how this decision will be recorded on the 'Participant's Participation (Compliance) History' page in the Department's IT Systems and displayed on the 'Participant's Compliance Status Indicator' on the online Dashboard
- whether the Mutual Obligation Failure is considered a 'fast-track' Mutual Obligation Failure and, if so, what that means and what the next steps are
- the number of Demerits the Participant has accrued so far
- the importance of meeting all Mutual Obligation Requirements
- the consequences of persistent non-compliance, including financial penalties and Income Support Payment cancellation, what and when the Participant's Reconnection Requirement will be.

By reinforcing the consequences of failing to meet Mutual Obligation Requirements, Participants are encouraged to meet their Mutual Obligation Requirements in the future and remain engaged with their Providers.

Failures against requirements that are in the Participant's Electronic Calendar

On the day that the Provider determines that a Participant does not have a Valid Reason for a Mutual Obligation Failure:

- If the Provider has not already recorded an attendance result in relation to the relevant Mutual Obligation Requirement—the Provider must select 'Did Not Attend—Invalid' or 'Misconduct'.
- If the Provider has already recorded 'Did Not Attend—Invalid' or 'Misconduct' in relation to the relevant Mutual Obligation Requirement—the Provider must select 'No' in response to the question of whether they accept the job seeker's given reason.

Failures to undertake adequate Job Searches

For failures to undertake adequate Job Searches, on the day that the Provider determines that a Participant does not have a Valid Reason for a Mutual Obligation Failure, the Provider must select 'No' on the Provider Re-engagement page in the Department's IT Systems to indicate that the job seeker's reason for not meeting their Job Search requirement has not been accepted.

Failures to enter into a Job Plan

For failures to enter into a Job Plan, on the day that the Provider determines that a Participant does not have a Valid Reason for the Mutual Obligation Failure, the Provider must select 'No' on the Provider Re-engagement page in the Department's IT Systems to indicate that the job seeker's reason for failing to enter into a Job Plan has not been accepted.

Failures to act on a job opportunity

For failures to act on a job opportunity, on the day that the Provider determines that a Participant does not have a Valid Reason for a Mutual Obligation Failure, the Provider must select 'Unsatisfactory—Invalid' on the Provider Re-engagement page in the Department's IT Systems to indicate that the job seeker's reason for failing to act on a job opportunity has not been accepted.

Manually removing Demerits

Providers have obligations to remove Demerits in certain circumstances. See clauses 114.11 and 114.12 of the jobactive Deed or clause 98 of the ParentsNext Deed, as relevant. If the Participant is in the Penalty Zone when the provider assesses that a Demerit should be removed in accordance with clause 114.11 of the jobactive Deed or clause 98 of the ParentsNext Deed, as relevant, the Provider should contact their Account Manager for advice before removing the Demerit.

When removing the Demerit, the Provider must record the reason for the removal in the Department's IT Systems. A full list of these drop-down menu options can be found at [Attachment E](#).

(Deed references: jobactive Deed 2015–2022 clauses 114.11, 114.12; ParentsNext Deed 2018–2021 clause 98)

Participants cannot appeal Demerit decisions under Social Security Law

All Participants have the right to ask for a review of a decision made under Social Security Law, and, in most cases, appeal the decision to a court or tribunal. This includes decisions to suspend a Participant's Income Support Payment as a result of non-compliance and decisions made by Services Australia to reduce or cancel their Income Support Payment.

Demerit decisions are not decisions under Social Security Law and so Participants cannot appeal or ask for a formal review of any decision to confirm a Demerit using the same processes as those that apply for decisions under Social Security Law. However, Participants may dispute Demerit decisions.

Disputing a Demerit decision with the National Customer Service Line

If a Participant is dissatisfied with a Demerit decision, they must first discuss the decision with their Provider. If they still wish to dispute the decision after this discussion, they can contact the Department of Education, Skills and Employment National Customer Service Line (NCSL).

By contacting the NCSL to dispute a Demerit decision, the Participant will in effect make a jobactive servicing-related complaint. If required and appropriate, Providers must action complaints that are referred back to them by the NCSL. This may include reviewing the Demerit decision-making process, any Valid Reason assessments, or information that has been recorded on the Department's IT Systems.

(Deed references: jobactive Deed 2015-2020 clause 114.12 and ParentsNext Deed 2018-2021 clause 98.2)

4. Reconnection Requirements

A Participant must generally meet a Reconnection Requirement following a Mutual Obligation Failure when they do not have a Valid Reason.

If the Provider has discussed the Mutual Obligation Failure with the Participant and is satisfied that a Reconnection Requirement is not necessary, the Provider must record either 'Re-engagement Not Required' or 'Compliance Action No Longer Appropriate'.

If the Participant's Income Support Payment has been suspended, they must meet a Reconnection Requirement in order to have their Income Support Payment suspension lifted.

See [Attachment A](#) for information on the circumstances in which:

- a Participant's Income Support Payment is suspended
- the suspension of a Participant's Income Support Payment is lifted.

'Reconnection Requirements' are referred to as 're-engagement requirements' in the Department's IT Systems.

Note that a Reconnection Requirement is a Mutual Obligation Requirement. This means that, among other things:

- the Provider must comply with clause 83A of the jobactive Deed or clause 71 of the ParentsNext Deed, as relevant, when recording Reconnection Requirements in a Participant's Electronic Calendar
- the Provider must comply with clause 106B of the jobactive Deed or clause 89 of the ParentsNext Deed, as relevant, in relation to rescheduling or removing a Reconnection Requirement from a Participant's Electronic Calendar.

(Deed references: jobactive Deed 2015–2022 clauses 83A, 106B; ParentsNext Deed 2018–2021 clauses 71, 89)

Setting a Reconnection Requirement

For the purposes of the jobactive Deed and ParentsNext Deed and this Guideline, a Participant will be taken to have complied with a Reconnection Requirement where the Provider has, in accordance with the relevant Deed and this Guideline:

- discussed with the Participant their reasons for the relevant Mutual Obligation Failure
- then determined that the Participant has a Valid Reason for the Mutual Obligation Failure.

All the obligations discussed below in relation to setting Reconnection Requirements only apply where the Participant does not have a Valid Reason for the relevant Mutual Obligation Failure.

Subject to this Guideline (including the above provisions in particular), Providers have obligations to set Reconnection Requirements in certain circumstances following a Mutual Obligation Failure (see clauses 114.2(a)(ii), 114.4(b) and 114.6(b)(ii) of the jobactive Deed or clauses 96.4(b) and 96.5(a)(i) of the ParentsNext Deed, as relevant). When setting a Reconnection Requirement, the Provider must follow the prompts in the Department's IT Systems and notify the Participant of the

Reconnection Requirement. The Department's IT Systems will specify the type of Reconnection Requirement that the Provider must set for the purposes of complying with their Deed obligation referred to above.

Note that, when a Provider sets a Reconnection Requirement as discussed above, they are imposing a Reconnection Requirement for the purposes of subsection 42AM of the *Social Security (Administration) Act 1999*.

Providers have obligations to schedule Reconnection Requirements in the timeframes specified in this Guideline. See clauses 114.2(a)(ii) and 114.4(b) of the jobactive Deed, and clause 96.4(b) of the ParentsNext Deed. The Provider must schedule the Reconnection Requirement in the Participant's Electronic Calendar to occur within two Business Days following the day of the contact between the Participant and their Provider to discuss the relevant Mutual Obligation Failure. Exceptions to this two Business Day requirement are:

- the Department's IT Systems automatically sets the date and time of the Reconnection Requirement as discussed below under the heading 'Reconnection Requirements that have times and dates automatically set by the Department's IT Systems', or
- the Participant has a Valid Reason for not being able to meet the Reconnection Requirement within the two Business Day timeframe as discussed below under the heading 'Valid Reason to not meet Reconnection Requirement within two Business Days'.

Reconnection Requirements must be scheduled to occur within two Business Days of Participant contact to try and ensure that a Participant's Income Support Payment is not suspended for more than two Business Days following contact with their Provider.

(Deed references: jobactive Deed 2015–2022 clauses 114.2(a)(ii), 114.4(b), 114.6(b)(ii); ParentsNext Deed 2018–2021 clauses 96.4(b), 96.5(a)(i))

Multiple Mutual Obligation Failures before contact

When a Participant commits multiple Mutual Obligation Failures before there is a contact with their Provider to discuss those Mutual Obligation Failures:

- only one Reconnection Requirement can be set
- the Provider must advise Participants that they only have to meet one Reconnection Requirement.

Reconnection Requirements that have times and dates automatically set by the Department's IT Systems

For some Mutual Obligation Failures, the Department's IT Systems will automatically set the Reconnection Requirement. This happens when:

- in jobactive, the Participant has failed to undertake adequate Job Searches by the end of their Job Search Period as referred to in clause 114.2(a) of the jobactive Deed, or
- the Participant has failed to enter into a Job Plan as referred to in clause 114.2(b) of the jobactive Deed or clause 96.2 of the ParentsNext Deed.

Where the Department's IT Systems automatically sets a Reconnection Requirement for a Participant as described above, the Provider does not need to do this.

(Deed references: jobactive Deed 2015–2022 clause 114; ParentsNext Deed 2018–2021 clause 96)

Job Search failures in the Penalty Zone

If a Participant fails to undertake adequate Job Searches and the Participant is in the Penalty Zone, the Participant's Reconnection Requirement is to contact their Provider (this is as opposed to the usual Reconnection Requirement, which is to undertake adequate job searches). The Department's IT Systems automatically sets this Reconnection Requirement. If the Participant's Income Support Payment is suspended, the suspension is lifted when the Provider records that they are in contact with the Participant.

Valid Reason to not meet Reconnection Requirement within two Business Days

When the Provider contacts the Participant to discuss the relevant Mutual Obligation Failure(s), they must consider whether the Participant has a Valid Reason for being unable to meet their Reconnection Requirement within two Business Days following that contact. If the Provider considers that the Participant does have such a Valid Reason, the Provider must select 'Unable to Re-engage Within two Business Days' on the Provider Re-engagement page in the Department's IT Systems. If the Participant's Income Support Payment is suspended, this will lift the Participant's Income Support Payment suspension and remove the need for a Reconnection Requirement.

For the purposes of the above, a Provider must determine that the Participant has a Valid Reason for being unable to meet their Reconnection Requirement within two Business Days when they are satisfied that the reason the Participant is unable to do this:

- directly prevents the Participant from meeting meet their Reconnection Requirement within two Business Days following the contact with their Provider to discuss the relevant Mutual Obligation Failure(s)
- would be considered to be reasonable by a member of the general public
- aligns with the Participant's personal circumstances as known by the Provider.

If the Provider selects 'Unable to Re-engage Within two Business Days' as described above, the Provider must also select a description of the relevant Valid Reason from the drop-down menu that will appear. In selecting a Valid Reason option from the drop-down menu, the Provider must select the option that is most similar to the Participant's Valid Reason as they described it to the Provider. Providers must not use the options in the drop-down menus to prompt or elicit responses from the Participant.

A full list of these drop-down menu options can be found at [Attachment F](#).

Provider not able to arrange or deliver the Reconnection Requirement within two Business Days

In some circumstances, a Provider is not be able to arrange or deliver the Reconnection Requirement within two Business Days following the contact between

the Participant and the Provider to discuss the relevant Mutual Obligation Failure(s). If that is the case, and only if that is the case, the Provider must select 'Re-engagement Not Required' on the provider Re-engagement page. If the Participant's Income Support Payment is suspended, this will lift the payment suspension and remove the need for a Reconnection Requirement. When selecting 'Re-engagement Not Required' as described above, the Provider must also select a description of the relevant reason from the drop-down menu that will appear when they make that selection. In selecting a reason option from the drop-down menu, the Provider must select the option that is most similar to the actual reason.

A full list of these drop-down menu options can be found at [Attachment G](#).

Compliance action no longer appropriate

Once a Participant's Reconnection Requirement has been set, unexpected circumstances may make it inappropriate to expect them to meet a Reconnection Requirement and/or to maintain their payment suspension. If that is the case, the Provider must record 'Compliance action no longer appropriate' on the Provider Re-engagement page. If the Participant's Income Support Payment is suspended, this will lift the payment suspension and remove the need for a Reconnection Requirement.

When selecting 'Compliance action no longer appropriate' as described above, the Provider must also select a description of the relevant reason from the drop-down menu that will appear when they make that selection. In selecting a reason option from the drop-down menu, the Provider must select the option that is most similar to the actual reason.

A full list of these drop-down menu options can be found at [Attachment H](#).

Failure to meet a Reconnection Requirement

If the Provider becomes aware that a Participant has failed to meet a Reconnection Requirement, the Provider must attempt to contact the Participant on the same Business Day. If the Provider:

- is not able to contact the Participant on that day, the Provider must record that they are not in contact with the Participant and select 'Did Not Attend—Invalid' in relation to the Reconnection Requirement in the Participant's Electronic Calendar. In this case:
 - if the Participant's Income Support Payment is not yet suspended, it will be suspended if the Participant does not meet another Reconnection Requirement within two Business Days following the date they failed to meet the original Reconnection Requirement, or
 - if the Participant's Income Support Payment is suspended, the payment will remain suspended, and the Provider must reschedule the Reconnection Requirement
- is able to contact the Participant on that day, the Provider must discuss the Participant's reasons for not meeting the Reconnection Requirement and assess if the Participant had a Valid Reason.

For the purposes of the above, a Provider must determine that the Participant had a Valid Reason for being unable to meet their Reconnection Requirement when they are satisfied that the Participant's reason:

- directly prevented the Participant from meeting meet their Reconnection Requirement
- would be considered to be reasonable by a member of the general public
- aligns with the Participant's personal circumstances as known by the Provider.

If the Participant had a Valid Reason, the Provider must select 'Did Not Attend—Valid' in relation to the Reconnection Requirement in the Participant's Electronic Calendar. If the Participant's Income Support Payment is suspended, this will lift the payment suspension as the Participant will be taken to have met the Reconnection Requirement (as they have a Valid Reason). The Provider must set a Mutual Obligation Requirement for the Participant:

- to occur within two Business Days after the day on which the Provider determines that the Participant has a Valid Reason for not meeting the Reconnection Requirement
- that is the same type as the Mutual Obligation Requirement the Participant failed to meet originally.

If the Participant did not have a Valid Reason, the Provider must select 'Did Not Attend—Invalid' in relation to the Reconnection Requirement in the Participant's Electronic Calendar. In this case:

- if the Participant's Income Support Payment is not yet suspended, it will be suspended if the Participant does not meet another Reconnection Requirement within two Business Days following the date of the original Reconnection Requirement, or
- if the Participant's Income Support Payment is suspended, the payment will remain suspended, and

the Provider must reschedule the Reconnection Requirement.

5. The Penalty Zone

As discussed in further detail above under the heading 'The Penalty Zone', the Department's IT Systems will determine whether the Participant will enter the Penalty Zone based on the information that Services Australia records in the Department's IT Systems regarding the outcome of a Capability Assessment.

Non-compliance reports

If a Participant is in the Penalty Zone, and the Provider records 'Did Not Attend—Invalid' or 'Misconduct' as discussed above under the heading '[When the Participant does not have a Valid Reason](#)', the Department's IT Systems creates a non-compliance report and submits it to Services Australia for investigation, instead of recording a Demerit. The Participant's Income Support Payment is suspended as a result of the creation of a non-compliance report.

If a Participant is in the Penalty Zone, and the Provider records 'Did Not Attend—Valid' as discussed above under the heading '[When the Participant has a Valid](#)

[Reason](#)', any non-compliance report on their record relating to that Mutual Obligation Failure will be closed.

An open non-compliance report on a Participant's record will prevent the Participant from finalising their fortnightly reporting requirement, and it will prevent the Participant from receiving their Income Support Payment.

Summary of required Documentary Evidence

Depending on the Mutual Obligation Failure that the Participant has committed, in addition to the evidence recorded in the Department's IT Systems, the Provider must retain the following Documentary Evidence:

- where the Mutual Obligation Failure is a failure to attend a job interview or act on a job opportunity, a copy of the prior notification of the requirement to attend the job interview or act on the job opportunity;
- where the Mutual Obligation Failure is a failure to attend an appointment, a copy of the prior notification of the requirement to attend the appointment;
- where the Mutual Obligation Failure is a failure to undertake adequate Job Searches, a hard copy of any relevant fully or partially completed Job Searches; and
- where the Mutual Obligation Failure is acting in an inappropriate manner during an appointment or while participating in an activity, details of the job/employer and/or details of the relevant incident, including dates, the parties involved and what occurred.

Attachment A—System steps that affect: creation and confirmation of Demerits; potential suspension of Income Support Payment; lifting of Income Support Payment suspensions

Mutual Obligation Failure related Provider actions in the Department's IT Systems that result in a Participant's Income Support Payment being suspended, the suspension being lifted, or a Demerit being created on a Participant's record or accrued by the Participant (i.e. confirmed).

Type of potential Mutual Obligation Failures	When is a Participant's Income Support Payment suspended?	When is a Demerit created (pending confirmation) on a Participant's record?	When does a Participant accrue a Demerit (i.e. the Demerit is confirmed)?	When is a Participant's potential Income Support Payment suspension prevented? OR When is a Participant's Income Support Payment suspension lifted?
Non-attendance The Participant fails to: <ul style="list-style-type: none"> attend, or to be punctual for, an appointment that they are required to attend under their Job Plan; attend, to be punctual for, or to participate in, an activity that they are required to undertake under their Job Plan; or attend a job interview. The relevant Mutual Obligation Requirement is shown in the	When the Provider selects 'Did Not Attend Invalid (DNAI)' in relation to a Mutual Obligation Requirement in the Participant's Electronic Calendar. See the discussion on page 15 of this Guideline regarding when a Provider must select 'Did Not Attend—Invalid'. When both the Participant and the Provider have failed to select 'Attended' by close of business on the day on which the Mutual Obligation	When the Provider selects 'Did Not Attend Invalid (DNAI)' in relation to a Mutual Obligation Requirement in the Participant's Electronic Calendar. See the discussion on page 15 of this Guideline regarding when a Provider must select 'Did Not Attend—Invalid'.	When the Provider records the reason they did not accept as a Valid Reason in the Department's IT Systems. See the discussion on page 17 of this Guideline regarding when a Provider must select a description of the Participant's reason that was not a Valid Reason.	When the Provider has already recorded 'Did Not Attend—Invalid': when the Provider selects 'Yes' in response to the question 'Do you accept the job seeker's reason?' and records the reason accepted as a Valid Reason on the Provider Re-engagement Page in the Department's IT Systems. OR When the Provider selects 'Attended' or 'Did Not Attend—Valid' in relation to a Reconnection Requirement in the Participant's Electronic Calendar. OR When the Provider reschedules a Reconnection Requirement in the Participant's Electronic Calendar. OR When the Provider selects 'Unable to Re-engage Within two Business Days' on the Provider Re-engagement page in the Department's IT Systems. See the discussion on page 24 of this Guideline regarding when a Provider must select 'Unable to Re-engage Within two Business Days'. OR When the Provider selects 'Re-engagement Not Required' on the Provider Re-engagement page in the Department's

Type of potential Mutual Obligation Failures	When is a Participant's Income Support Payment suspended?	When is a Demerit created (pending confirmation) on a Participant's record?	When does a Participant accrue a Demerit (i.e. the Demerit is confirmed)?	When is a Participant's potential Income Support Payment suspension prevented? OR When is a Participant's Income Support Payment suspension lifted?
Participant's Electronic Calendar as one of the following: <ul style="list-style-type: none"> • 'Provider Appointment'; • 'Activity'; • 'Third Party Appointment' or • 'Job Interview'. 	Requirement is Scheduled to occur in the Participant's Electronic Calendar (for all requirements indicated except Provider Appointment).			IT Systems. See discussion on page 24 of this Guideline regarding when a Provider must select 'Re-engagement Not Required'. OR If a Capability Assessment is the Reconnection Requirement, Services Australia will lift the Income Support Payment suspension once the Participant contacts them to participate in a Capability Assessment. OR When the Provider selects 'Compliance action no longer appropriate' on the Provider Re-engagement page. See the discussion on page 25 of this Guideline regarding when a Provider must select 'Compliance action no longer appropriate'. OR When the Provider selects 'Attended' or 'Did Not Attend—Valid' (where this was previously not selected by close of business on the day on which the Mutual Obligation Requirement is Scheduled to occur in the Participant's Electronic Calendar).
Non-attendance at Activity—Supervisor reported The Participant fails to attend, to be punctual for, or to participate in, an activity that they are	When the activity Supervisor records DNA via the Supervisor App.	N/A—No Demerit.	N/A—No Demerit.	When the Provider selects 'Yes' in response to the question 'Do you accept the job seeker's reason?' and records the reason accepted as Valid on the Provider Re-engagement Page in the Department's IT Systems. OR

Type of potential Mutual Obligation Failures	When is a Participant's Income Support Payment suspended?	When is a Demerit created (pending confirmation) on a Participant's record?	When does a Participant accrue a Demerit (i.e. the Demerit is confirmed)?	When is a Participant's potential Income Support Payment suspension prevented? OR When is a Participant's Income Support Payment suspension lifted?
<p>required to undertake under their Job Plan.</p> <p>The relevant Mutual Obligation Requirement is shown in the Participant's Electronic Calendar as 'Activity'.</p>				<p>When the Provider selects 'Attended' or 'Did Not Attend — Valid' in relation to a Reconnection Requirement in the Participant's Electronic Calendar.</p> <p>OR</p> <p>When the Provider reschedules a Reconnection Requirement in the Participant's Electronic Calendar.</p> <p>OR</p> <p>When the Provider selects 'Unable to Re-engage Within two Business Days' on the Provider Re-engagement page in the Department's IT Systems. See the discussion on page 24 of this Guideline regarding when a Provider must select 'Unable to Re-engage Within two Business Days'.</p> <p>OR</p> <p>When the Provider selects 'Re-engagement Not Required' on the Provider Re-engagement page in the Department's IT Systems. See discussion on page 24 of this Guideline regarding when a Provider must select 'Re-engagement Not Required'.</p> <p>OR</p> <p>If a Capability Assessment is the Reconnection Requirement, Services Australia will lift the Income Support Payment suspension once the Participant contacts them to participate in a Capability Assessment.</p> <p>OR</p>

Type of potential Mutual Obligation Failures	When is a Participant's Income Support Payment suspended?	When is a Demerit created (pending confirmation) on a Participant's record?	When does a Participant accrue a Demerit (i.e. the Demerit is confirmed)?	When is a Participant's potential Income Support Payment suspension prevented? OR When is a Participant's Income Support Payment suspension lifted?
				When the Provider selects 'Compliance action no longer appropriate' on the Provider Re-engagement page. See the discussion on page 25 of this Guideline regarding when a Provider must select 'Compliance action no longer appropriate'.
<p>Misconduct</p> <p>The Participant acted in an inappropriate manner:</p> <ul style="list-style-type: none"> during an appointment that they are required to attend under their Job Plan; or while participating in an activity that they are required to undertake under their Job Plan. <p>The relevant Mutual Obligation Requirement is shown in the Participant's Electronic Calendar as one of the following:</p> <ul style="list-style-type: none"> 'Provider Appointment', which 	<p>When the Provider selects 'Misconduct (MISC)' in relation to the relevant appointment or activity in the Participant's Electronic Calendar, along with the type of inappropriate behaviour.</p> <p>See the discussion on pages 12 and 17 of this Guideline regarding when a Provider must select 'Misconduct'.</p>	<p>When the Provider selects 'Misconduct (MISC)' in relation to the relevant appointment or activity in the Participant's Electronic Calendar, along with the type of inappropriate behaviour.</p> <p>See the discussion on pages 12 and 17 of this Guideline regarding when a Provider must select 'Misconduct'.</p>	<p>When the Provider records the reason they did not accept as a Valid Reason in the Department's IT Systems.</p> <p>See the discussion on page 17 of this Guideline regarding when a Provider must select a description of the Participant's reason that was not a Valid Reason.</p>	<p>When the Provider selects 'Yes' in response to the question 'Do you accept the job seeker's reason?' and records the reason accepted as a Valid Reason on the Provider Re-engagement Page in the Department's IT Systems.</p> <p>OR</p> <p>When the Provider selects 'Attended' or 'Did Not Attend—Valid' in relation to a Reconnection Requirement in the Participant's Electronic Calendar.</p> <p>OR</p> <p>When the Provider reschedules a Reconnection Requirement in the Participant's Electronic Calendar.</p> <p>OR</p> <p>When the Provider selects 'Unable to Re-engage Within two Business Days' on the Provider Re-engagement page in the Department's IT Systems. See the discussion on page 24 of this Guideline regarding when a Provider must select 'Unable to Re-engage Within two Business Days'.</p> <p>OR</p> <p>When the Provider selects 'Re-engagement Not Required' on the Provider Re-engagement page in the Department's</p>

Type of potential Mutual Obligation Failures	When is a Participant's Income Support Payment suspended?	When is a Demerit created (pending confirmation) on a Participant's record?	When does a Participant accrue a Demerit (i.e. the Demerit is confirmed)?	When is a Participant's potential Income Support Payment suspension prevented? OR When is a Participant's Income Support Payment suspension lifted?
<p>includes Reconnection Requirements;</p> <ul style="list-style-type: none"> • 'Activity'; • 'Third Party Appointment'; or • 'Job Interview'. 				<p>IT Systems. See discussion on page 24 of this Guideline regarding when a Provider must select 'Re-engagement Not Required'.</p> <p>OR</p> <p>If a Capability Assessment is the Reconnection Requirement, Services Australia will lift the Income Support Payment suspension once the Participant contacts them to participate in a Capability Assessment.</p> <p>OR</p> <p>When the Provider selects 'Compliance action no longer appropriate' on the Provider Re-engagement page. See the discussion on page 25 of this Guideline regarding when a Provider must select 'Compliance action no longer appropriate'.</p>
<p>Job Plan Failure</p> <p>The Participant fails to enter into a Job Plan</p> <p>See the Job Plan and Scheduling Mutual Obligation Requirements Guideline for information on the process of entering into a Job Plan.</p>	<p><u>Job Plan sent Job Plan online</u>—when the 'think time' expires and the Participant has not agreed to their Job Plan online.</p>	<p>When the 'think time' expires and the Participant has not agreed to their Job Plan online.</p> <p>Demerit is automatically created and confirmed.</p>	<p>When the 'think time' expires and the Participant has not agreed to their Job Plan online.</p>	<p>When the Participant agrees to their Job Plan.</p> <p>OR</p> <p>When the Provider selects 'Yes' in response to the question 'Do you accept the job seeker's reason?' and records the reason accepted as a Valid Reason on the Provider Re-engagement Page in the Department's IT Systems.</p> <p>OR</p>
	<p><u>Job Plan sent Job Plan in hard copy</u>—when the 'think time' expires</p>	<p>When 'think time' expires.</p>	<p>When the Provider records the reason they did not accept as a Valid Reason in the</p>	<p>When the Provider selects 'Attended' or 'Did Not Attend—Valid' in relation to a Reconnection Requirement in the Participant's Electronic Calendar.</p>

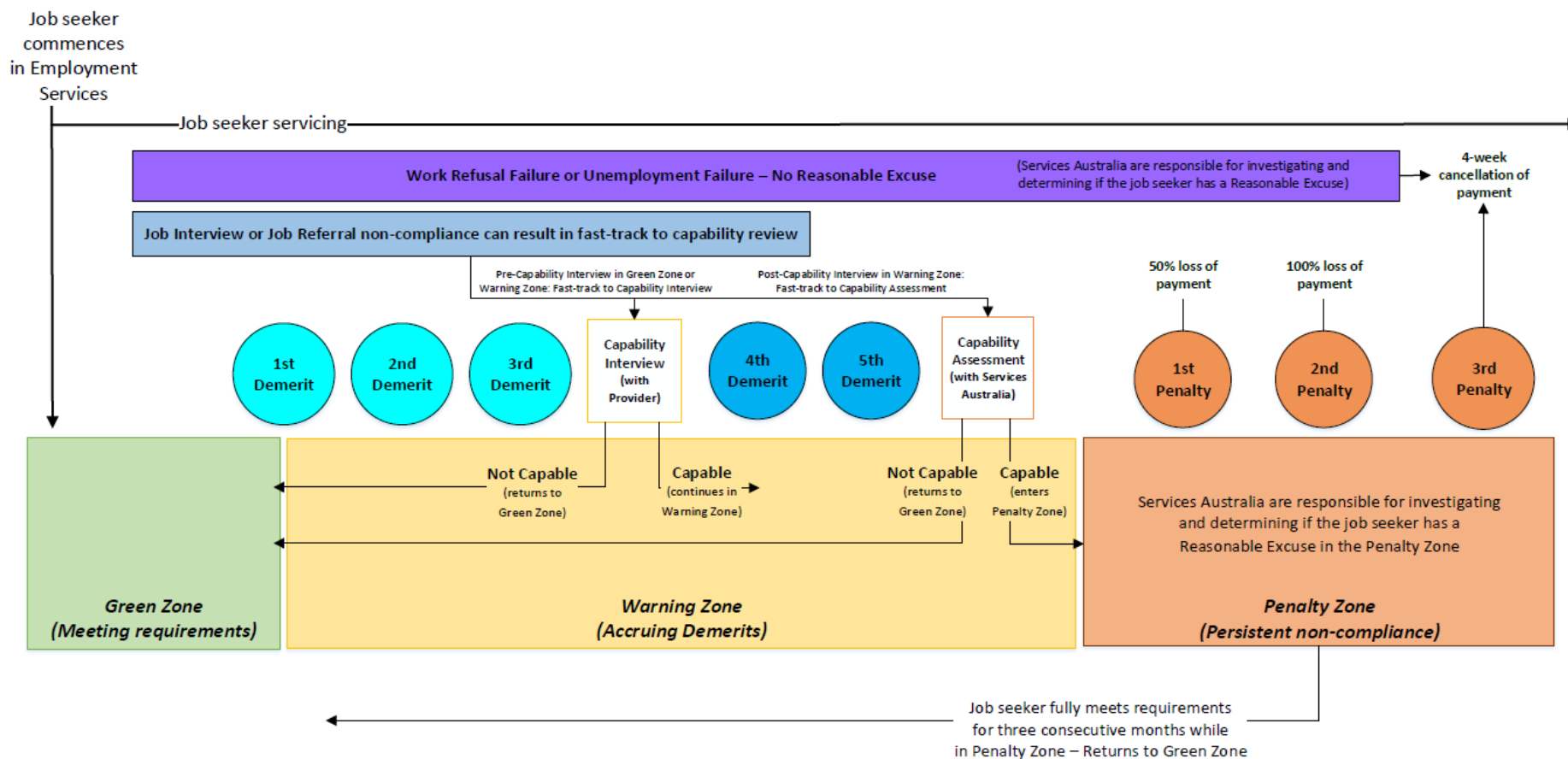
Type of potential Mutual Obligation Failures	When is a Participant's Income Support Payment suspended?	When is a Demerit created (pending confirmation) on a Participant's record?	When does a Participant accrue a Demerit (i.e. the Demerit is confirmed)?	When is a Participant's potential Income Support Payment suspension prevented? OR When is a Participant's Income Support Payment suspension lifted?
			<p>Department's IT Systems.</p> <p>See the discussion on page 17 of this Guideline regarding when a Provider must select a description of the Participant's reason that was not a Valid Reason.</p>	<p>OR</p> <p>When the Provider selects 'Unable to Re-engage Within two Business Days' in relation to a Reconnection Requirement on the Provider Re-engagement page in the Department's IT Systems. See the discussion on page 24 of this Guideline regarding when a Provider must select 'Unable to Re-engage Within two Business Days'.</p> <p>OR</p> <p>If a Capability Assessment is the Reconnection Requirement, Services Australia will lift the Income Support Payment suspension once the Participant contacts them to participate in a Capability Assessment.</p>
	<p><u>If a Participant refuses outright to agree to Job Plan:</u></p> <p>When the Provider selects 'Create Compliance' and selects 'submit' on the Job Plan screen in the Department's IT Systems.</p>	<p>When the Provider selects 'Create Compliance' and selects 'submit'.</p> <p>Demerit is automatically created and confirmed.</p>	<p>When the Provider selects 'Create Compliance' and selects 'submit'.</p> <p>Demerit is automatically created and confirmed.</p>	<p>OR</p> <p>When the Provider selects 'Compliance action no longer appropriate' on the Provider Re-engagement page. See the discussion on page 25 of this Guideline regarding when a Provider must select 'Compliance action no longer appropriate'.</p>
Failure to act on a job opportunity	When the Provider records 'Unsatisfactory—Invalid Reason' on the Job referrals page.	When the Provider records 'Unsatisfactory—Invalid Reason' on the Job referrals page.	When the Provider records 'Unsatisfactory—Invalid Reason' on the Job referrals page.	<p>When the Provider selects 'Unsatisfactory—Valid Reason' on the Provider Re-engagement page in the Department's IT Systems.</p> <p>OR</p>

Type of potential Mutual Obligation Failures	When is a Participant's Income Support Payment suspended?	When is a Demerit created (pending confirmation) on a Participant's record?	When does a Participant accrue a Demerit (i.e. the Demerit is confirmed)?	When is a Participant's potential Income Support Payment suspension prevented? OR When is a Participant's Income Support Payment suspension lifted?
				<p>When the Provider selects 'Satisfactory' in relation to a Reconnection Requirement on the Provider Re-engagement page in the Department's IT Systems.</p> <p>OR</p> <p>When the Provider selects 'When the Provider selects 'Unable to Re-engage Within two Business Days' on the Provider Re-engagement page in the Department's IT Systems. See the discussion on page 24 of this Guideline regarding when a Provider must select 'Unable to Re-engage Within two Business Days'.</p> <p>OR</p> <p>When the Provider selects 'Re-engagement Not Required' on the Provider Re-engagement page in the Department's IT Systems. See discussion on page 24 of this Guideline regarding when a Provider must select 'Re-engagement Not Required'.</p> <p>OR</p> <p>If a Capability Interview is the Reconnection Requirement, the Department's IT Systems will lift the Income Support Payment suspension once the Provider selects 'Attended' or 'Did Not Attend –Valid' in the Participant's Electronic Calendar in relation to the Capability Interview.</p> <p>OR</p> <p>If a Capability Assessment is the Reconnection Requirement, Services Australia will lift the Income Support Payment</p>

Type of potential Mutual Obligation Failures	When is a Participant's Income Support Payment suspended?	When is a Demerit created (pending confirmation) on a Participant's record?	When does a Participant accrue a Demerit (i.e. the Demerit is confirmed)?	When is a Participant's potential Income Support Payment suspension prevented? OR When is a Participant's Income Support Payment suspension lifted?
				suspension once the Participant contacts them to participate in a Capability Assessment. OR When the Provider selects 'Compliance action no longer appropriate' on the Provider Re-engagement page. See the discussion on page 19 of this Guideline regarding when a Provider must select 'Compliance action no longer appropriate'.
Job Search Failure The Participant failed to undertake adequate Job Searches.	When the Job Search Period ends and the number of Job Search efforts that are recorded by the Participant in the Department's IT Systems is not equal to the number of Job Search efforts that are required under the Participant's Job Plan.	When the Job Search Period ends and the number of Job Search efforts that are recorded by the Participant in the Department's IT Systems is not equal to the number of Job Search efforts that are required under the Participant's Job Plan. Demerit is automatically created and confirmed.	When the Job Search Period ends and the number of Job Search efforts that are recorded by the Participant in the Department's IT Systems is not equal to the number of Job Search efforts that are required under the Participant's Job Plan. Demerit is automatically confirmed.	When the Provider selects 'Yes' in response to the question 'Do you accept the job seeker's reason?' and records the reason accepted as a Valid Reason on the Provider Re-engagement Page in the Department's IT Systems. OR When the Provider selects 'Yes' in response to the question 'Has the job seeker now met their re-engagement requirement?' on the Provider Re-engagement Page in the Department's IT Systems. OR When the Provider selects 'Unable to Re-engage Within 2 Business Days' on the Provider Re-engagement page in the Department's IT Systems. See the discussion on page 21 of this Guideline regarding when a Provider must select 'Unable to Re-engage Within 2 Business Days'.
	If the Provider assesses that submitted Job Search efforts are not	When the Provider records an 'Unsatisfactory'	When the Provider records the reason they did not accept as	OR

Type of potential Mutual Obligation Failures	When is a Participant's Income Support Payment suspended?	When is a Demerit created (pending confirmation) on a Participant's record?	When does a Participant accrue a Demerit (i.e. the Demerit is confirmed)?	When is a Participant's potential Income Support Payment suspension prevented? OR When is a Participant's Income Support Payment suspension lifted?
	of satisfactory quality to have satisfactorily met their requirement, payment is suspended when the Provider records an 'Unsatisfactory' assessment result in the Job Search Reporting page.	assessment result in the Job Search Reporting page.	a Valid Reason in the Department's IT Systems. See the discussion on page 17 of this Guideline regarding when a Provider must select a description of the Participant's reason that was not a Valid Reason.	When the Provider selects 'Requirement no longer needs to be met' on the Provider Re-engagement page in the Department's IT Systems. OR If a Capability Assessment is the Reconnection Requirement, Services Australia will lift the Income Support Payment suspension once the Participant contacts them to participate in a Capability Assessment. OR When the Provider selects 'Compliance action no longer appropriate' on the Provider Re-engagement page. See the discussion on page 22 of this Guideline regarding when a Provider must select 'Compliance action no longer appropriate'. OR If the Participant is in the Penalty Zone, when the Provider records that the Participant is in contact.

Attachment B—Overview of the Targeted Compliance Framework



Attachment C—‘Rescheduled’, ‘No Longer Required’ and ‘Requirement no longer needs to be met’ reason options

‘Rescheduled’ or ‘No Longer Required’

- | | |
|---|---|
| <ul style="list-style-type: none"> • Acceptable Reason—Caring/family reasons • Acceptable Reason—Housing—instability issues/inspections • Acceptable Reason—Legal requirements • Acceptable Reason—Travel/transport—access/financial issues • Acceptable Reason—Local issue/natural disaster • Reason not acceptable—flexibility utilised | <ul style="list-style-type: none"> • Acceptable Reason—Cultural business • Acceptable Reason—Major personal crisis affecting job seeker* • Acceptable Reason—Medical/health reason • Acceptable Reason—Working on day of requirement • Provider Initiated—Requirement can’t be delivered |
|---|---|

‘Requirement no longer needs to be met’

Job Search	Job referrals
<ul style="list-style-type: none"> • Job Plan requires update to reflect new job search efforts • Paid work impacting level of job search • Major personal crisis impacting job seeker* • Ongoing local issue/natural disaster impacts ongoing compliance • Cultural business for extended period • Significant and ongoing caring/family duties—no exemption • Significant and ongoing medical/health issues—no exemption 	<ul style="list-style-type: none"> • Applications closed/Vacancy withdrawn • Caring/family duties • Conditions or pay not suitable • Housing instability/emergency • Legal requirements • Local issue/natural disaster • Medical/health issue • Major personal crisis affecting job seeker* • Position no longer suitable • Referral created in error

* In this case, ‘job seeker’ refers to a ‘Fully Eligible Participant (Mutual Obligation)’ as defined in the jobactive Deed 2015–2022 or a ‘Compulsory Participant’ as defined in the ParentsNext Deed 2018–2021, as relevant

Attachment D—Valid Reason assessment options

The following tables replicate the drop-down menus in the system. When recording a reason that is a Valid Reason or that is not a Valid Reason in the Department's IT Systems, the appropriate menu will appear. Reasons may appear in both columns and may be a Valid Reason or not a Valid Reason, depending on the Provider's determination (see the [Assessing Valid Reasons](#) section of this Guideline, above). In the Department's IT Systems, 'reasons accepted' refers to Reasons that the Provider determines are Valid Reasons, and 'reasons not accepted' refers to Reasons that the Provider determines are not Valid Reasons.

Failure to attend a Provider Appointment, Third Party Appointment, activity or job interview

Reasons accepted	Reasons not accepted
<ul style="list-style-type: none"> • Caring/family reasons that were unforeseeable—unable to advise prior • Conditions or pay not suitable⁺ • Conditions/skills beyond job seeker[*] capacity⁺ • Cultural business—unable to advise prior • Believe job seeker⁺ thought they were exempt • Housing instability issues—unable to advise prior • Housing—landlord/property inspection—unable to advise prior • Legal requirements—unable to advise prior • Local issue/natural disaster—unable to advise prior • Major personal crisis affected job seeker⁺—unable to advise prior • Medical/health reason—unable to advise prior • Notification issue—not aware of requirement • Travel/transport, did not have money to pay—unable to advise prior • Travel/transport access issue—unable to advise prior • Working on day of requirement—unable to advise prior 	<ul style="list-style-type: none"> • Away from home/on holiday • Caring/family reasons • Caring—claims childcare will be too expensive if offered job⁺ • Conditions—claims job does not match skills⁺ • Conditions—claims not in preferred employment industry⁺ • Did not believe they had a requirement • Did not think they had to attend—thought exempt • Did not want to attend requirement • Forgot about requirement • Got lost/got time wrong • Housing instability issues • Medical/health reason • Slept in/missed requirement • Travel/transport—did not have money to pay • Travel/transport issue—did not have access • Travel/transport issue—claims distance too great • Undertaking other non-mutual obligation requirement • Prior notice not given and reasonable to expect: <ul style="list-style-type: none"> ▪ Caring/family reasons ▪ Housing—landlord/property inspection ▪ Legal requirement ▪ Medical/health reason

* In this case, 'job seeker' refers to a 'Fully Eligible Participant (Mutual Obligation)' as defined in the jobactive Deed 2015–2022 or a 'Compulsory Participant' as defined in the ParentsNext Deed 2018–2021, as relevant

Failure to attend a Provider Appointment, Third Party Appointment, activity or job interview

Reasons accepted	Reasons not accepted
	<ul style="list-style-type: none"> Travel/transport—did not have money to pay Travel/transport issue—did not have access Working on day of requirement

**Applicable to Job Interviews only*

Misconduct at a Provider Appointment, Third Party Appointment, activity or job interview

Behaviours that may be considered misconduct which prevent the purpose of the requirement from being met include:

- | | |
|--|---|
| <ul style="list-style-type: none"> • Appeared intoxicated/under the influence • Disingenuous • Disruptive/disengaged—unable to complete requirement • Inadequate presentation/attire at requirement • Left prior to completion of requirement | <ul style="list-style-type: none"> • Physically abusive—unable to deliver requirement • Self-sabotage • Theft • Verbally abusive—unable to deliver requirement. |
|--|---|

Reasons accepted	Reasons not accepted
<ul style="list-style-type: none"> • Did not have appropriate attire to wear at requirement • Disability/condition presenting itself as misconduct • Major personal crisis affected job seeker* • Medical issue/condition contributed to behaviour 	<ul style="list-style-type: none"> • Couldn't control behaviour/self • Denied nature of misconduct • Did not believe they were impacted by substances • Did not think they had to stay for the duration • Did not think they were dressed inappropriately • Did not want to participate/engage with requirement • Falsified disability/condition presenting itself as misconduct • Did not want that job⁺

**Applicable to Job Interviews only*

* In this case, 'job seeker' refers to a 'Fully Eligible Participant (Mutual Obligation)' as defined in the jobactive Deed 2015–2022 or a 'Compulsory Participant' as defined in the ParentsNext Deed 2018–2021, as relevant

Failure to agree to a Job Plan

Reasons accepted	Reasons not accepted
<ul style="list-style-type: none"> • Did not understand requirement to agree to Job Plan • Required further assistance to understand terms of Job Plan • Housing instability issues—unable to return Plan or advise prior • Local issue/natural disaster—unable to return Plan or advise prior • Legal requirements—unable to return Plan or advise prior • Medical/health reason—unable to return Plan or advise prior • Travel/transport access issue—unable to return Plan or advise prior 	<ul style="list-style-type: none"> • Away from home/on holiday • Caring/family reasons—claims no time to participate • Does not believe they have to meet requirements • Refuses to participate in employment services • Refuses to look for work—number or overall • Refuses to participate due to study • Refuses to participate in specific activity • Refuses to participate/claims to have no time due to paid work • Refuses to participate due to self-employment • Refuses to discuss requirements • Refuses to participate due to undertaking other, non-mutual obligation requirements • Does not want to enter into a Job Plan • Forgot about requirement • Medical/health reason—could not return Plan • Caring/family reasons—could not return Plan • Travel/transport issues—could not return Plan

Failure to satisfactorily meet a Job Search Requirement

Reasons accepted	Reasons not accepted
<ul style="list-style-type: none"> • Caring/family duties that were significant—no exemption • Cultural business for extended period • Housing instability issues • Legal requirements impacted job search • Local issue/natural disaster impacted job search • Medical/health reason—no exemption • Major personal crisis—no exemption 	<ul style="list-style-type: none"> • Away from home/on holidays • Caring/family requirements affected job search • Claims other requirements affected job search • Does not believe suitable jobs are available • Does not want to apply for jobs • Does not want to apply for jobs using different methods • Does not want to look for work in diverse industries • Does not want to tailor applications to industry • Forgot about job search/got due date wrong • Housing instability • Medical/health reasons • States not required to look for work • States too many job searches required • Technology issue—claims could not submit efforts online • Technology issue—reported job search efforts incorrectly • Thinks quality of applications is satisfactory

Failure to act on a job referral

Reasons accepted	Reasons not accepted
<ul style="list-style-type: none"> • Caring/family duties were significant—no exemption • Commute to/from workplace—distance too great/expensive • Conditions or pay not suitable • Conditions/skills for job beyond job seeker[*] capacity • Cultural business for extended period • Cultural—workplace unsuitable for cultural/religious reasons • Housing instability issues • Legal requirements prevented compliance • Local issue/natural disaster prevented compliance • Major personal crisis affected job seeker[§] • Medical/health reason prevented compliance • Notification issue—not aware of requirement • PCP—job seeker[§] not better off financially • Technology—no access to technology to complete requirement • Technology—no phone or credit to contact employer 	<ul style="list-style-type: none"> • Acted in a manner that did not result in a job offer/interview • Away from home/on holiday • Believes not required to look for work • Caring/family requirements • Caring—claims childcare will be too expensive if job offered • Conditions—claims job does not match skills • Conditions—claims not in preferred employment industry • Conditions—claims too many or too few hours • Conditions—pay not enough (within allowable policy) • Does not want job • Forgot about requirement • Housing instability • Medical/health reason • Résumé not acceptable standard • Technology—claims no access to technology to complete requirement • Technology—claims no phone or credit to contact employer • Travel/transport issue—claims distance too great/expensive

^{*} In this case, 'job seeker' refers to a 'Fully Eligible Participant (Mutual Obligation)' as defined in the jobactive Deed 2015–2022 or a 'Compulsory Participant' as defined in the ParentsNext Deed 2018–2021, as relevant

Attachment E—Manual Demerit removal options

All Demerit types

Reason	Description
Issue affected overall capability—requirements changed	The Participant’s personal circumstances would have likely affected their overall capability to meet requirements. Their Provider has updated their requirements to be more appropriate and to support the Participant to meet them.
New information disclosed—job seeker* in services to address	New information about the Participant has been disclosed which impacted their ability to meet requirements at the time they accrued the Demerit. The Provider has referred the Participant to services, or the Participant is in services, to address this issue.
New information disclosed—likely impacted compliance	New information about the Participant has been disclosed which impacted their ability to meet requirements at the time they accrued the Demerit, and should it have been known, would likely have meant the Participant had a Valid Reason.
Provider Error	An error occurred and the Participant should not have accrued a Demerit—for example, they had a Valid Reason or they should not have had the requirement.

* In this case, ‘job seeker’ refers to a ‘Fully Eligible Participant (Mutual Obligation)’ as defined in the jobactive Deed 2015–2022 or a ‘Compulsory Participant’ as defined in the ParentsNext Deed 2018–2021, as relevant

Job Search Demerits

Reason	Description
Issue affected overall capability—requirements changed	The Participant's personal circumstances would have likely affected their overall capability to meet requirements. Their Provider has updated their requirements to be more appropriate and to support the Participant to meet them.
Job Search efforts submitted after end of Job Search Period—Valid Reason identified	The Participant has submitted their outstanding Job Search efforts online. Upon Participant contact, the Provider identified that the Participant had a Valid Reason for not submitting their efforts by the end of their Job Search Period.
Adjustment not made—paid work impacted number required	<p>The Participant's declared earnings for that period mean that their Provider should have reduced their level of job search.</p> <p>Note: this is only applicable where paid work/self-employment is not included in the Job Plan as a requirement. Where it is included, the Department's IT Systems will automatically make this adjustment based on hours committed to per fortnight (regardless of actual earnings).</p>
Adjustment not made—exemption impacted number required	The Participant had an Exemption during the Job Search Period. Although the system re calculated their required efforts based on the exemption period, the Provider should have made further adjustment due to the nature of the Exemption.
Adjustment not made to number of Job Search efforts required	The Provider failed to adjust the Participant's required Job Search efforts for the Job Search Period. The result was that the number of required efforts was too high, and the Provider will make the adjustment in the Job Plan for the next Job Search Period.
Job Search efforts were reported manually within Job Search Period	The Participant provided their Job Search efforts to their Provider during the Job Search Period; however, the Provider did not record them in the Department's IT Systems before the end of the Participant's Job Search Period.
Job Search efforts were satisfactory	The Provider had assessed that the Participant's Job Search efforts were unsatisfactory in quality. Upon review, the Provider identified that the efforts and quality were satisfactory.

Job Plan Demerits

Reason	Description	Type of failure
Job Plan accepted online—Valid Reason identified	The Participant accepted their Job Plan online, but only after the due date. Upon contact with the Participant, the Provider identified that they had a Valid Reason for not agreeing to the Job Plan within the required timeframe.	Job Plan
Job Plan terms unreasonable/inappropriate	Upon another review of the Job Plan and discussion with the Participant, the Provider identified that the requirements in the Plan are not suitable for Participant.	Job Plan
Signed Job Plan was returned	An error occurred and the Participant did not return their signed hardcopy Job Plan within the required timeframe, however the Provider did not record this agreement in the Department's IT Systems.	Job Plan—where think time granted (hardcopy)
Job seeker* did agree to Job Plan at appointment	An error or misunderstanding occurred and the Participant did actually agree to their Job Plan onsite. However, the Provider did not record this agreement in the Department's IT Systems, and they used the compliance framework instead.	Job Plan—think time granted (hard copy) or refusal recorded
Job seeker** did not refuse to sign Job Plan	An error or misunderstanding occurred and the Participant had not refused to agree to their Job Plan onsite. However the Provider did not record their agreement or their request for think time, and they used the compliance framework instead.	Job Plan—refusal

* In this case, 'job seeker' refers to a 'Fully Eligible Participant (Mutual Obligation)' as defined in the jobactive Deed 2015–2022 or a 'Compulsory Participant' as defined in the ParentsNext Deed 2018–2021, as relevant

Attachment F—‘Unable to Re-engage Within 2 Business Days’ reason options

‘Unable to Re-engage within 2 Business Days’

- | | |
|--|--|
| • Caring/family duties that were unexpected impacts attendance | • Local issue/natural disaster impacts attendance |
| • Cultural business over next two business days impacts attendance | • Major personal crisis affecting job seeker* impacts attendance |
| • Full-Time Activity/Training impacts attendance | • Medical/health issue over next two days impacts attendance |
| • Housing instability/emergency impacts attendance | • Travel/transport—exceptional issue impacts attendance |
| • Legal requirements impact attendance | • Working over next two business days |
-

* In this case, ‘job seeker’ refers to a ‘Fully Eligible Participant (Mutual Obligation)’ as defined in the jobactive Deed 2015–2022 or a ‘Compulsory Participant’ as defined in the ParentsNext Deed 2018–2021, as relevant

Attachment G—‘Re-engagement Not Required’ reason options

The following table describes the options Providers have to record the reason a Re-engagement is Not Required. The table also indicates which requirements each of the options can be recorded against.

Reason	Appointment (Provider or third party)	Activity	Job interview	Job Plan	Job referral
Re-engagement not required—non-compliance discussed	✓	✓	✓		✓
Outreach/Part-time site impacts re-engagement	✓	✓	✓		
Unable to be arranged in next two days		✓			
Applications closed/ Vacancy withdrawn					✓
Local issue/natural disaster impacts compliance	Record as ‘unable to re-engage within 2 business days’			Record ‘compliance action no longer appropriate’	✓
Major personal crisis impacts compliance					✓
Departmental Override [^]	✓	✓	✓	✓	✓
Exit/Transfer from services [^]	✓	✓	✓	✓	✓

[^] Departmental Users or the IT system (automatically) only

Attachment H—‘Compliance Action No Longer Appropriate’ reason options

The following table describes the options Providers have to record the reason Compliance Action is No Longer Appropriate. The table also indicates which requirements each of the options can be recorded against.

Reason	Appointment (Provider or third party)	Job Plan	Activity or job interview	Job Search	Job referral
Applications closed/ Vacancy withdrawn					✓
Local issue/natural disaster impacts compliance	✓		✓	✓	✓
Major personal crisis impacts compliance	✓	✓	✓	✓	✓
Significant and ongoing caring/family duties—no exemption				✓	
Significant and ongoing medical/health issues—no exemption				✓	
Job seeker* requirements changed—job search not applicable				✓	
Departmental Override^	✓	✓	✓	✓	✓
Exit/Transfer from services^	✓	✓	✓	✓	✓

^ Departmental Users or the IT system (automatically) only

* In this case, ‘job seeker’ refers to a ‘Fully Eligible Participant (Mutual Obligation)’ as defined in the jobactive Deed 2015–2022 or a ‘Compulsory Participant’ as defined in the ParentsNext Deed 2018–2021, as relevant

All capitalised terms in this guideline have the same meaning as in the jobactive Deed 2015–2022 (the Deed).

This Guideline is not a stand-alone document and does not contain the entirety of Employment Services Providers' obligations. It must be read in conjunction with the relevant Deed and any relevant Guidelines or reference material issued by Department of Education, Skills and Employment under or in connection with the relevant Deed.

Guideline:

Work Refusal Failures and Unemployment Failures

Under the Targeted Compliance Framework (TCF), there are consequences for Participants if they commit a Work Refusal Failure or an Unemployment Failure. A Participant commits a Work Refusal Failure when they refuse or fail to accept an offer of suitable Employment. A Participant commits an Unemployment Failure when they become unemployed either:

- as a direct or indirect result of a voluntary act (unless Services Australia is satisfied that the voluntary act was reasonable); or
- as a result of their misconduct as an employee.

Broadly speaking, if a Participant commits:

- a Work Refusal Failure, their Income Support Payment may be suspended and will be cancelled if they do not have a Reasonable Excuse; or
- an Unemployment Failure, their Income Support Payment will be cancelled.

If a Participant's Income Support Payment is cancelled, then it cannot be paid for four weeks.

These penalties reinforce the principles that:

- Income Support Payments for Participants should only be available to those who are genuine in their efforts to move into paid work; and
- where Participants gain Employment, they must take all reasonable steps to remain in the workforce, and reduce their reliance and need for an Income Support Payment.

This Guideline does not apply to ParentsNext Providers.

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Version: 3.0

Changes from the previous version (Version 3.0)

Policy changes:

Changes have been made to this Guideline to reflect the policy change regarding the timing of payment suspensions, which stipulates that payment suspensions occur at a minimum two Business Days following the creation of a Work Refusal Failure Report for job seekers in the Green and Warning Zones unless, within those two Business Days, the Provider records in the Department's IT Systems that the Participant is in contact.

Wording changes:

Nil

A full document history is available on the [Provider Portal](#).

Related documents and references

Jobactive

[Job Plan and Scheduling Mutual Obligation Requirements Guideline](#)

[Capability Assessment Guideline](#)

[Capability Interview Guideline](#)

[Targeted Compliance Framework: Mutual](#)

[Obligation Failures Guideline](#)

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1. Interpretation

Unless otherwise specified:

- in this Guideline, all references to a 'Participant' are references to a 'Fully Eligible Participant (Mutual Obligation)' as defined in the jobactive Deed 2015-2022 (the Deed);
- capitalised terms in this Guideline have the meaning given to them in the jobactive Deed; and
- Deed clauses are references to the jobactive Deed.

2. Work Refusal Failures and Unemployment Failures

A Participant commits a Work Refusal Failure when they refuse or fail to accept an offer of suitable Employment.

A Participant commits an Unemployment Failure when they become unemployed either:

- as a direct or indirect result of a voluntary act (unless Services Australia is satisfied that the voluntary act was reasonable); or
- as a result of their misconduct as an employee.

3. Work Refusal Failures

Identifying a Work Refusal Failure

Providers have obligations under the Deed when they become aware that a Participant has apparently committed a Work Refusal Failure (i.e. the Participant has refused or failed to accept an offer of Employment). Providers' main obligations in this case are set out in clause 115 of the Deed.

When the Provider discusses the circumstances of an apparent Work Refusal Failure with the Participant (as referred to in clauses 115.2(a) and 115.5(a) of the Deed), the Provider must consider the issues outlined below.

The Provider must first consider whether the Participant has refused or failed to accept an offer of Employment. If the Participant has not received an offer of Employment (e.g. they attended an interview but were not offered the position), the Provider must not determine that the Participant committed a Work Refusal Failure.

If the Participant has refused or failed to accept an offer of Employment, the Provider must then consider whether the Employment that was offered was suitable for the Participant. Providers must have regard to the following factors (as relevant) when assessing whether the Employment was suitable for the Participant, as any one of these factors would make the work unsuitable:

- the Participant lacks the particular skills, experience or qualifications that are needed to perform the work and no training will be provided by the Employer;
- there is medical evidence that the Participant has an illness, disability or injury that would be aggravated by the conditions in which the work would be performed;

- the Participant is the principal carer for one or more children, and does not have access to appropriate care and supervision for the children at the times when the Participant would be required to undertake the work (which includes reasonable amounts of time that would be needed for the Participant to travel between home and the work);
- performing the work in the conditions in which the work would be performed would constitute a risk to health or safety and would contravene a law of the Commonwealth, a State or a Territory relating to occupational health and safety;
- the terms and conditions for the work would be less generous than the applicable statutory conditions;
- commuting between the Participant's home and the place of work would be unreasonably difficult (that is, it would require the Participant to spend more than 90 minutes each way in commuting time (60 minutes for principal carers or those with a partial capacity to work, see below), using the mode of transport normally available to the Participant);
- the work requires the Participant to change residence;
- the Participant has a verifiable and legitimate objection to the work on moral, cultural or religious grounds (for example, there is evidence that the Participant adheres to a particular set of moral, ethical or religious values and aspects of the work would be inconsistent with those values);
- the work would require the Participant to enlist in the Defence Force or the Reserves; or
- the Participant has a partial capacity to work, or is the principal carer of at least one child, and one or more of the following applies:
 - the duration of the journey between the Participant's home and the place of work would normally exceed 60 minutes;
 - the Participant would be financially worse off as a result of undertaking the work, by comparison with not undertaking the work, considering:
 - the financial cost to the Participant in providing appropriate care and supervision for one or more children, for whom the Participant is the principal carer, at the times when the Participant would be required to undertake the work;
 - the financial cost of travel that would be incurred by the Participant in undertaking the work;
 - the reduction in income support, additional tax paid, or impact on public housing; or
 - the financial benefit for the Participant of undertaking the work would be marginal because of the financial cost to the Participant in providing appropriate care and supervision for one or more children, for whom the Participant is the principal carer, at the times when the Participant would be required to undertake the work.

For more information on Providers' Deed obligations regarding Work Refusal Failures, see the [Reporting a Work Refusal Failure](#) section in this document.

(Deed references: jobactive Deed 2015–2022 clauses 115.2(a), 115.5(a))

Reporting a Work Refusal Failure

Providers must comply with their Deed obligations relating to Work Refusal Failures (see clause 115 of the Deed), regardless of which compliance zone the relevant Participant is in. In accordance with clauses 115.2 and 115.5 of the Deed, following a discussion with the Participant, the Provider must consider whether the Participant has committed a Work Refusal Failure. See above under the heading 'Identifying a Work Refusal Failure'.

Below is a discussion of the system steps that the Provider must follow after they decide whether the Participant has committed a Work Refusal Failure.

Providers have Deed obligations to create Work Refusal Failure reports in certain circumstances (see clauses 115.3(b) and 115.4(a)(i) of the Deed). The systems steps that the Provider must follow to create Work Refusal Failure reports in those circumstances are discussed below.

The Work Refusal Failure report must be created and finalised (as discussed below) within 10 Business Days of the incident date. If this does not occur (e.g. where the Provider does not become aware of a Work Refusal Failure until after 10 Business Days have passed since the incident date), the Department's IT Systems will not allow the Work Refusal Failure report to be finalised, meaning the Work Refusal Failure will not be reported to Services Australia.

The incident date is the date that the Participant:

- refused an offer of suitable Employment. For example, if a Participant was offered a job at an interview and refused that offer:
 - on the day of the interview, the incident date is the date of the interview; or
 - three days after the interview, the incident date is the date that is three days after the interview; or
- failed to accept an offer of suitable Employment. For example:
 - if the Participant was given 14 days to accept the offer, and did not do so, the incident date is the 14th day (unless the Participant actively refuses the job on an earlier day); or
 - if, when the offer was made, the Participant agreed a start date with the potential Employer, but did not commence work on that date, the incident date is date the Participant was due to start.

(Deed references: jobactive Deed 2015–2022 clauses 115.2, 115.3(b), 115.4(a)(i), 115.5)

Contact attempt is successful on the same Business Day

Provider considers that the Participant committed a Work Refusal Failure

This section of the Guideline applies when, after discussing the circumstances of an apparent Work Refusal Failure with the Participant, the Provider:

- considers the Participant committed a Work Refusal Failure (see the discussion under the heading 'Identifying a Work Refusal Failure' above); and

- has an obligation to create a Work Refusal Failure report under clause 115.3(b) of the Deed (i.e. because they had the discussion with the Participant on the Business Day they became aware of the apparent Work Refusal Failure).

In that case, the Provider must create and finalise the Work Refusal Failure report by undertaking the following steps in the Department's IT System:

- selecting 'create compliance';
- selecting the Event Type from the drop down menu that will appear as follows:
 - select 'job seeker failed to accept suitable job' where the Provider considers that the Participant refused or failed to accept an offer of suitable Employment, other than by failing to commence work on the start date agreed with the potential Employer; or
 - select 'job seeker failed to commence suitable job' where the Provider considers that the Participant failed to commence work on the start date agreed with the potential Employer;
- recording the incident date (discussed above);
- answering 'yes' to the question of whether they are in contact with the Participant;
- selecting a reason from the 'Reasons not accepted' column of the drop down menu that will appear. The Provider must select the reason that most closely aligns with the reason the Participant gave as to why they refused or failed to accept the offer of suitable Employment. A full list of these drop-down menu options can be found at Attachment A;
- otherwise accurately answer the questions that will be automatically generated; and
- selecting 'create', which will finalise the Work Refusal Failure report and send it to Services Australia. Services Australia will assess whether the Participant had a Reasonable Excuse for the Work Refusal Failure, which will determine whether the Participant's Income Support Payment is cancelled.

By creating and finalising the Work Refusal Failure report as described above, the Provider is confirming that they consider that the Participant has committed a Work Refusal Failure.

(Deed references: jobactive Deed 2015–2022 clause 115.3(b))

[Provider considers that the Participant has not committed a Work Refusal Failure](#)

This section of the Guideline applies when the Provider:

- is in contact with the Participant on the Business Day on which the Provider became aware of an apparent Work Refusal Failure; and
- after discussing the circumstances of the apparent Work Refusal Failure with the Participant, considers the Participant has not committed a Work Refusal Failure (see the discussion under the heading 'Identifying a Work Refusal Failure' above).

In this case, the Provider does not need to take any further action.

Contact attempt is not successful on the same Business Day

Providers have obligations under the Deed when they become aware that a Participant has apparently committed a Work Refusal Failure, but are unable to contact the Participant on the same day. See clause 115.4 of the Deed. On that day, the Provider must create the Work Refusal Failure report by undertaking the following steps in the Department's IT System:

- selecting 'create compliance';
- selecting the Event Type from the drop down menu that will appear as follows:
 - select 'job seeker failed to accept a suitable job' where the Provider considers that the Participant refused or failed to accept an offer of suitable Employment, other than by failing to commence work on the start date agreed with the potential Employer; or
 - select 'job seeker failed to commence suitable job' where the Provider considers that the Participant failed to commence work on the start date agreed with the potential Employer;
- recording the incident date (discussed above);
- answering 'no' to the question of whether they are in contact with the Participant;
- otherwise accurately answering the questions that will be automatically generated; and
- selecting 'create'. This will create a draft Work Refusal Failure report.

If the Participant is in the Penalty Zone, the Participant's Income Support Payment will be suspended when the Provider creates a Work Refusal Report in the Department's IT System. The Participant will then receive a notification advising them to contact their Provider.

If the Participant is in the Green Zone or Warning Zone, they will receive notification advising that they appear to have committed a Mutual Obligation Failure, that they must contact their Provider as soon as possible, and that their payment may be suspended after two Business Days if they take no further action.

If the Participant does not make contact with their Provider within two Business Days, the Department's IT Systems will automatically suspend the Participant's Income Support Payment and the Participant will receive notification that their Income Support Payment has been suspended and to contact their Provider.

The Participant's Reconnection Requirement is to make contact with their Provider to discuss the Work Refusal Failure. If the Participant's Income Support Payment has been suspended, the suspension will be lifted once they make contact with their Provider, and their Provider finalises the Work Refusal Failure report (as discussed immediately below).

(Deed references: jobactive Deed 2015–2022 clause 115.4)

When there is contact with the Participant

Where there is contact with the Participant after the Business Day on which the Provider became aware of the apparent Work Refusal Failure, the Provider has a

Deed obligation to update the draft Work Refusal Failure report referred to above. See clause 115.5(c) of the Deed.



System Step: The Provider must update and finalise the Work Refusal Failure report by undertaking the following steps in the Department's IT System:

- selecting the pencil icon in the draft Work Refusal Failure report. By doing so, the Provider is confirming that they are in contact with the Participant; and
- either:
 - if the Provider considers the Participant committed a Work Refusal Failure (see the discussion under the heading 'Identifying a Work Refusal Failure' above):
 - selecting 'No' in response to the question of whether they accepted the reason given by the Participant. By doing so, the Provider is confirming that they have determined that the Participant has committed a Work Refusal Failure;
 - selecting a reason from the 'Reasons not accepted' column of the drop down menu that will appear. The Provider must select the reason that most closely aligns with the reason that the Participant gave as to why they refused or failed to accept the offer of suitable Employment. A full list of these drop-down menu options can be found at Attachment A; and
 - selecting 'submit', which will send the Work Refusal Failure report to Services Australia. Services Australia will assess whether the Participant had a Reasonable Excuse for the Work Refusal Failure, which will determine whether the Participant's Income Support Payment is cancelled; or
 - if the Provider considers the Participant did not commit a Work Refusal Failure (see the discussion under the heading 'Identifying a Work Refusal Failure' above):
 - selecting 'Yes' in response to the question of whether they accepted the reason given by the Participant. By doing so, the Provider is confirming that they have determined that the Participant has not committed a Work Refusal Failure;
 - selecting a reason from the 'Reasons accepted' column of the drop down menu that will appear. The Provider must select the reason that most closely aligns with the reason that the Participant gave as to why they did not refuse or fail to accept an offer of suitable Employment. A full list of these drop-down menu options can be found at Attachment A; and
 - selecting 'submit', which will close the report (i.e. the report will not be sent to Services Australia for investigation).

If the Participant's Income Support Payment has been suspended, this suspension is lifted when the Provider selects 'submit'.

If the Participant does not contact their Provider within 28 calendar days of their payment suspension date, their Income Support Payment will automatically be cancelled.

(Deed references: jobactive Deed 2015–2022 clause 115.5(c))



Documentary evidence: Evidence that the Provider must link or upload to the Work Refusal Failure report in the Department's IT System may include notification of Employment offer, details of the job/Employer and dates or evidence from a Transition to Work Provider (for a Transition to Work participant).

4. Unemployment Failures

Identifying an apparent Unemployment Failure

Providers have Deed obligations when they become aware that a Participant has become unemployed apparently as:

- a direct or indirect result of a voluntary act of the Participant; or
- a result of the Participant's misconduct as an employee.

Where a Participant becomes unemployed as described above, this is referred to as an 'apparent Unemployment Failure' in this Guideline. Providers' main obligations in regarding apparent Unemployment Failures are set out in clause 116 of the Deed.

When the Provider discusses the circumstances of an apparent Unemployment Failure with the Participant (as referred to in clauses 116.2(a) and 116.4(a) of the Deed), in addition to whether or not the work was unsuitable (as discussed under the heading 'Identifying a Work Refusal Failure'), the Provider must also consider the issues referred to below.

One of the issues that the Provider must consider is whether the Participant became unemployed as a direct or indirect result of an act of the Participant that was voluntary. For example, a Participant will become unemployed as a direct result of their voluntary act if the Participant voluntarily resigns. Note that this will not be an Unemployment Failure if Services Australia considers that the Participant's voluntary act was reasonable (for example, if the Participant resigned due to bullying or unsafe work practices, or if, for any of the reasons listed under the heading 'Identifying a Work Refusal Failure', the work was unsuitable). When the Provider creates an Unemployment Failure report (as discussed below under the heading 'Reporting an apparent Unemployment Failure'), the report will be sent through the Department's IT Systems to Services Australia. Services Australia will then determine whether the Participant's voluntary act was reasonable (i.e. Services Australia will determine whether the Participant has committed an Unemployment Failure).

In addition to the above, the Provider must also consider the issue of whether the Participant became unemployed as a result of the Participant's misconduct as an employee. Providers must have regard to the following factors (if relevant) when assessing whether the Participant became unemployed as a result of the Participant's misconduct as an employee:

- a **deliberate** failure by the Participant to produce/deliver a reasonable amount of work;
- the Participant's unauthorised absences from duty without good reason;
- the Participant's improper behaviour or practices, such as theft, assault or harassment of other employees;

- deliberate actions by the Participant that cause serious risk to the health or safety of other employees; or
- deliberate actions that threaten the reputation, viability or profitability of the Employer.

For more information on Providers' Deed obligations regarding apparent Unemployment Failures, see the [Reporting an apparent Unemployment Failure](#) section in this document.

(Deed references: jobactive Deed 2015–2022 clauses 116.2(a), 116.4(a))

Reporting an apparent Unemployment Failure

Providers must comply with their Deed obligations relating to apparent Unemployment Failures (see clause 116 of the Deed), regardless of which compliance zone the relevant Participant is in.

In accordance with clauses 116.2 and 116.4 of the Deed, following a discussion with the Participant, the Provider must consider whether the Participant has committed an apparent Unemployment Failure. See above under the heading 'Identifying an apparent Unemployment Failure'.

Below is a discussion of the system steps that the Provider must follow after they decide whether the Participant has committed an apparent Unemployment Failure.

Providers have obligations under the Deed to create Unemployment Failure reports in certain circumstances (see clauses 116.2(b) and 116.3(b) of the Deed). The systems steps that the Provider must follow to create Unemployment Failure reports in those circumstances are discussed below.

The Unemployment Failure report must be created and finalised (as discussed below) within 20 Business Days of the incident date (discussed immediately below). If this does not occur (e.g. where the Provider does not become aware of an Unemployment Failure until after 20 Business Days have passed since the incident date), the Department's IT Systems will not allow the Unemployment Failure report to be finalised, meaning the apparent Unemployment Failure will not be reported to Services Australia.

The incident date is the first full day a Participant is unemployed (e.g. if a Participant was dismissed due to misconduct, the incident date is the day after the day on which they became unemployed).

(Deed references: jobactive Deed 2015–2022 clauses 116.2, 116.3(b), 116.4)

Contact attempt is successful on the same Business Day

Provider considers that the Participant committed an apparent Unemployment Failure

This section of the Guideline applies when, after discussing the circumstances of the apparent Unemployment Failure with the Participant, the Provider:

- considers the Participant committed an apparent Unemployment Failure (see the discussion under the heading 'Identifying an apparent Unemployment Failure' above); and

- has an obligation to create an Unemployment report under clause 116.2(b) of the Deed (i.e. because they had the discussion with the Participant on the Business Day they became aware of the apparent Unemployment Failure).



System Step: In that case, the Provider must create and finalise the Unemployment Failure report by undertaking the following steps in the Department's IT System:

- selecting 'create compliance';
- selecting the Event Type from the drop down menu that will appear as follows:
 - select 'job seeker dismissed for misconduct' where the Provider considers that the Participant became unemployed apparently as a result of the Participant's misconduct as an employee; or
 - select 'job seeker voluntarily leaves a job' where the Provider considers that the Participant became unemployed apparently as a direct or indirect result of a voluntary act of the Participant;
- recording the incident date (discussed above);
- answering 'yes' to the question of whether they are in contact with the Participant;
- selecting a reason from the 'Reasons not accepted' column of the drop down menu that will appear. The Provider must select the reason that most closely aligns with the reason that the Participant gave as to:
 - why the Participant did the voluntary act (e.g. resigned) that lead to their unemployment; or
 - why the Participant engaged in misconduct (or believed they did not engage in misconduct);
- A full list of these drop-down menu options can be found at Attachment B;
- otherwise accurately answer the questions that will be automatically generated; and
- selecting 'create', which will send the Unemployment Failure report to Services Australia for investigation.

(Deed references: jobactive Deed 2015–2022 clause 116.2(b))

[Provider considers that the Participant has not committed an apparent Unemployment Failure](#)

This section of the Guideline applies when the Provider:

- is in contact with the Participant on the Business Day on which the Provider became aware of an apparent Unemployment Failure; and
- after discussing the circumstances of the apparent Unemployment Failure with the Participant, considers the Participant has not committed the apparent Unemployment Failure (see the discussion under the heading 'Identifying an apparent Unemployment Failure' above).

In this case, the Provider does not need to take any further action.

[Contact attempt is not successful on the same Business Day](#)

Providers have Deed obligations where they become aware that a Participant has committed an apparent Unemployment Failure, but were unable to contact the Participant on the same Business Day. See clause 116.3 of the Deed. On that day, the

Provider must create the Unemployment Failure report by undertaking the following steps in the Department's IT System:

- selecting 'create compliance';
- selecting the Event Type from the drop down menu that will appear as follows:
 - select 'job seeker dismissed for misconduct' where the Provider considers that the Participant became unemployed apparently as a result of the Participant's misconduct as an employee; or
 - select 'job seeker voluntarily leaves a job' where the Provider considers that the Participant became unemployed apparently as a direct or indirect result of a voluntary act of the Participant;
- recording the incident date (discussed above);
- answering 'no' to the question of whether they are in contact with the Participant;
- otherwise accurately answering the questions that will be automatically generated; and
- selecting 'create', which will create a draft Unemployment Failure report that the Provider must update when they are next in contact with the Participant.

Unlike the creation of a Work Refusal Failure report, the creation of an Unemployment Failure report does not trigger payment suspension under any circumstances. Therefore, to prompt the Participant to make contact in order to discuss the apparent Unemployment Failure, the Provider must create a Provider Appointment for the Participant to attend within 10 Business Days. See clause 116.3(a) of the Deed.

If the Participant attends the Provider Appointment, the Provider must discuss the Unemployment Failure with them at that Provider Appointment.

If the Participant is in the Penalty Zone and they do not attend the Provider Appointment, their Income Support Payment will be suspended for failing to attend and they will receive notification that they should contact their Provider.

If the Participant is in the Green Zone or Warning Zone and they do not attend the Provider Appointment to discuss the apparent Unemployment Failure, the Participant will receive notification that their payment will be suspended after two Business Days if they do not make contact with their Provider. If the Participant does not make contact with their Provider within two Business Days, their payment is suspended and they will receive notification of the suspension.

See the [Targeted Compliance Framework: Mutual Obligation Failures Guideline](#). Payment suspensions act as a trigger to encourage the Participant to contact their Provider.

Once the Participant makes contact, the Provider can then discuss the apparent Unemployment Failure with them in the same conversation.

If the Participant does not contact their Provider within 28 calendar days of the day on which their Income Support Payment is suspended, their Income Support Payment will automatically be cancelled.

(Deed references: jobactive Deed 2015–2022 clause 116.3)

When there is contact with the Participant

Where there is contact with the Participant after the day the Provider became aware of the apparent Unemployment Failure, the Provider has a Deed obligation to update the draft Unemployment Failure report referred to above. See clause 116.4(b) of the Deed. The Provider must update and finalise the Unemployment Failure report by undertaking the following steps in the Department's IT System:

- selecting the pencil icon in the draft Unemployment Failure report. By doing so, the Provider is confirming that they are in contact with the Participant; and
- either:
 - if the Provider considers the Participant committed an apparent Unemployment Failure (see the discussion under the heading 'Identifying an apparent Unemployment Failure' above):
 - selecting 'No' in response to the question of whether they accepted the reason given by the Participant. By doing so, the Provider is confirming that they have determined that the Participant has committed an apparent Unemployment Failure;
 - selecting a reason from the 'Reasons not accepted' column of the drop down menu that will appear. The Provider must select the reason that most closely aligns with the reason that the Participant gave as to:
 - why the Participant did the voluntary act (e.g. resigned) that lead to their unemployment; or
 - why the Participant engaged in misconduct (or believed they did not engage in misconduct); and

selecting 'submit', which will send the Unemployment Failure report to Services Australia for investigation; or

- if the Provider considers the Participant **did not commit** an apparent Unemployment Failure (see the discussion under the heading 'Identifying an apparent Unemployment Failure' above):
 - selecting 'Yes' in response to the question of whether they accepted the reason given by the Participant. By doing so, the Provider is confirming that they have determined that the Participant has not committed an apparent Unemployment Failure;
 - selecting a reason from the 'Reasons accepted' column of the drop down menu that will appear. The Provider must select the reason that most closely aligns with the reason that the Participant gave as to why the Participant became unemployed. A full list of these drop-down menu options can be found at Attachment B; and
 - selecting 'submit', which will close the report (i.e. the report will not be sent to Services Australia for investigation).

A full list of these drop-down menu options can be found at [Attachment B](#).

(Deed references: jobactive Deed 2015–2022 clause 116.4(b))



Documentary Evidence: Evidence that the Provider must link or upload to the Unemployment Failure report in the Department's IT Systems may include notification of unemployment, or evidence from a Transition to Work Provider (for a Transition to Work Participant), details of the job/Employer and/or details of the incident, including dates, the parties involved and what occurred.

5. Identifying Work Refusal Failures and apparent Unemployment Failures for Transition to Work participants

If a Transition to Work Provider assesses that a Transition to Work participant has committed a Work Refusal Failure or an apparent Unemployment Failure, they will refer the participant to a jobactive Provider. The Transition to Work Provider will:

- explain the impact of the failure to the participant;
- exit the participant from Transition to Work and refer the participant to a jobactive Provider; and
- provide electronic evidence to the jobactive Provider that supports the assessment of a failure.

The jobactive Provider must then comply with their Deed obligations in relation to that Participant, including those relating to Work Refusal Failures and apparent Unemployment Failures.

Summary of required Documentary Evidence



Documentary Evidence: Depending on the failure that has occurred, in addition to the evidence recorded in the Department's IT Systems, Documentary Evidence could include:

- notification of an employment offer;
- the format of the notification (i.e. SMS, email or letter);
- details of the job/Employer and/or details of the incident, including dates, the parties involved and what occurred; and
- evidence from a Transition to Work Provider (for Transition to Work Participants).

Attachment A—Work Refusal Failure reason options

The following tables replicate the drop-down menus in the system.

Job seeker* failed to accept suitable job

Reasons accepted	Reasons not accepted
<ul style="list-style-type: none"> • Caring/family duties that are significant • Conditions or pay not suitable • Conditions/skills beyond job seeker* capacity • Cultural—workplace unsuitable for cultural/religious reasons • Housing instability issues • Legal requirements • Medical—employment will exacerbate medical condition • PCP—unable to arrange suitable childcare • Travel/transport issue—distance too great/expensive • PCP—job seeker* not better off financially 	<ul style="list-style-type: none"> • Caring/family requirements • Caring—childcare not organised as required • Caring—claims childcare too expensive • Conditions—claims too many or too few hours • Conditions—claims job does not match skills • Conditions—claims not in preferred employment industry • Conditions—does not want to undertake certain part of job • Conditions—pay not enough (within allowable policy) • Does not want job • Housing instability • Travel/transport issue—claims distance too great/expensive

* In this case, 'job seeker' refers to a 'Fully Eligible Participant (Mutual Obligation)' as defined in the jobactive Deed 2015–2022

Job seeker* failed to commence suitable job

Reasons accepted	Reasons not accepted
<ul style="list-style-type: none"> • Caring/family duties that were unforeseeable—unable to advise prior • Caring—unable to obtain suitable childcare/too expensive • Conditions or pay not suitable • Conditions/skills for job beyond job seeker⁺ capacity • Cultural business—unable to advise prior • Cultural—workplace unsuitable for cultural/religious reasons • Housing instability issues • Housing—landlord/property inspection—unable to advise prior • Legal requirements—unable to advise prior • Local issue/natural disaster prevented attendance • Medical/health reason—unable to advise prior • Major personal crisis affected job seeker⁺—unable to advise prior • Travel/transport issue—distance too great/expensive • Travel/transport issue—did not have money to pay for • Travel/transport issue on the day—unable to advise prior 	<ul style="list-style-type: none"> • Away from home/on holiday • Caring/family requirements • Caring—childcare not organised as required • Caring—claims childcare too expensive • Conditions—claims too many or too few hours • Conditions—claims job does not match skills • Conditions—claims not in preferred employment industry • Conditions—does not want to undertake certain part of job • Conditions—pay not enough (within allowable policy) • Does not want job • Got start date/time wrong/got lost • Housing instability • Housing—landlord/property inspection • Medical/health reason • Travel/transport issue—claims distance too great/expensive • Travel/transport—did not have money to pay • Travel/transport issue—did not have access <p><i>Prior notice not given and reasonable to expect:</i></p> <ul style="list-style-type: none"> • Caring/family reasons • Housing—landlord/property inspection • Legal requirement • Medical/health reason • Travel/transport—did not have money to pay • Travel/transport issue—did not have access

* In this case, 'job seeker' refers to a 'Fully Eligible Participant (Mutual Obligation)' as defined in the jobactive Deed 2015–2022

Attachment B—Unemployment Failure reason options

The following tables replicate the drop-down menus in the system.

Job seeker* voluntarily leaves a job

Reasons accepted	Reasons not accepted
<ul style="list-style-type: none"> • Caring/family duties that are significant • Conditions—pay disputes • Conditions/skills for job beyond job seeker[‡] capacity • Conditions—workplace conflicts • Conditions—work environment unsafe/no longer accessible • Cultural—workplace unsuitable for cultural/religious reasons • Housing instability issues • Legal requirements • Major personal crisis affected job seeker[‡] • Medical—employment exacerbates medical condition • PCP—childcare no longer suitable • PCP—no longer financially suitable • Travel/transport issue—distance too great/expensive 	<ul style="list-style-type: none"> • Caring—claims childcare too expensive • Caring/family requirements • Conditions—claims too many or too few hours • Conditions—claims not in preferred employment industry • Conditions—claims job does not match skills • Conditions—does not like the workplace/employees • Conditions—does not want to undertake certain part of job • Conditions—does not like the type of work • Conditions—pay not enough (within allowable policy) • Conditions—workplace conflicts • Does not want job • Housing instability • Medical/health reason • Travel/transport issue—claims distance too great/expensive

* In this case, 'job seeker' refers to a 'Fully Eligible Participant (Mutual Obligation)' as defined in the jobactive Deed 2015–2022

Job seeker* dismissed for misconduct

Reasons accepted	Reasons not accepted
<ul style="list-style-type: none"> • Caring/family duties impacted work hours • Claims of misconduct by employer are false • Disability/condition presenting itself as misconduct • Did not have appropriate attire to wear at requirement • Major personal crisis affected job seeker⁵ • Medical issue/condition contributed to behaviour • Significant breakdown in employer relationship 	<ul style="list-style-type: none"> • Believes rules are too strict/not applicable to them • Claims accidentally miscalculated hours worked—excessive • Claims of misconduct are false • Conflict started by other people • Couldn't control behaviour/self • Did not think they were dressed inappropriately • Did not believe they were impacted by substances • Denied nature of misconduct • Falsified disability/condition presenting itself as misconduct

* In this case, 'job seeker' refers to a 'Fully Eligible Participant (Mutual Obligation)' as defined in the jobactive Deed 2015–2022

All capitalised terms in this Guideline have the same meaning as in the jobactive Deed 2015–2022 (the Deed)

- References to a ‘Participant’ are references to a ‘Fully Eligible Participant’.

This Guideline is not a stand-alone document and does not contain the entirety of Employment Services Providers’ obligations. It must be read in conjunction with the Deed and any relevant Guidelines or reference material issued by Department of Education, Skills and Employment under or in connection with the Deed.

Guideline:

Activity Management

Participating in Activities helps Participants to improve their skills and motivation so they can find and keep a job. Activities can also develop a Participant's ability to take directions from a Supervisor, work independently, communicate effectively, and work as part of a team.

This Guideline outlines the requirements for jobactive Providers when setting up and managing Activities (other than Work for the Dole Activities, PaTH Internships or National Work Experience Programme activities except where stated).

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Changes from the previous version (Version 7.0)

Policy changes:

Pages 5-21, 42: Added information regarding the Local Jobs Program.

Wording changes:

Pages 9-11: Consolidated and streamlined activity creation information.

Pages 10-26: Clarified and streamlined Employment Skills Training (EST) requirements, funding arrangements and system steps.

Page 39: Minor wording adjustment to NEIS and Exploring Being My Own Boss Workshop content.

Document Change History:

A full document history is available at the [Provider Portal](#).

Related documents and references

[Job Seeker Calendar and AAR Details IT Supporting Document](#)

[Using the Employment Fund General Account Guideline](#)

[Exploring Being My Own Boss Additional Services](#)

[Insurance Reader's Guide](#)

[Managing and Monitoring Mutual Obligation Requirements Guideline](#)

[Managing PaTH Internships](#)

[How people access NEIS and participate in NEIS Training Guideline](#)

[Privacy Guideline](#)

[Regional Employment Trials Guideline](#)

[Work for the Dole Guideline](#)

[Local Jobs Program Guideline](#)

Employment Services Reporting:

AM001 - jobactive Activity Management

AM002 - jobactive Activity Placement

AM003 - WfD Phase Caseload Management

AM004 - WfD Phase Forecasting

Effective end: 11 April 2021

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1. Identifying suitable Activities for Participants

Activities can generally be undertaken at any time where the Provider thinks it will be of benefit to the Participant. A broad range of Activities designed to improve a Participant's employment prospects can be included within a Participant's Job Plan at any time.

The types of Activities which can be undertaken include:

- Work for the Dole - for Participants aged 18 years or over (for information on Work for the Dole Activities, see the [Work for the Dole Guideline](#))
- PaTH Internships - for Participants aged 17 to 24 years (for information on setting up or managing PaTH Internships, see the [Managing PaTH Internships Guideline](#))
- PaTH Industry Pilots – for eligible Participants aged 17-24 years (for information on each individual Pilot, see the Provider Portal)
- Industry Workforce Solutions available through PaTH Business Placement Partnerships, for Youth Jobs PaTH Program eligible participants (for information on each Industry Workforce Solution, see the Provider Portal)
- National Work Experience Programme (NWEPP) - for Participants aged 17 years or over, in receipt of income support with Mutual Obligation Requirements (for information on managing NWEPP Activities, see the [Managing National Work Experience Programme Activities Guideline](#))
- Work Experience (Other) – for Participants aged 15 years or over
- PaTH Employability Skills Training (EST) – for Participants aged 15 to 24 years
- Career Transition Assistance (CTA) – for Participants aged 45 years or over
- Launch into Work program pre-employment projects – for Participants aged 15 years or over
- Voluntary Work
- Part-time employment
- Study or training - subject to approved short course conditions
- Accredited language, literacy and numeracy courses, including the Skills for Education and Employment (SEE) program, and Adult Migrant English Program (AMEP)
- Regional Employment Trials program
- Local Jobs Program
- Defence Reserves
- New Enterprise Incentive Scheme (NEIS) Training
- NEIS Assistance – for Participants who do not transfer to NEIS Allowance when their NEIS Participant Agreement begins
- other government programs – including state government programs and 'Exploring Being My Own Boss' Workshops
- non-government programs and other Activities designed to improve a Participant's employment prospects
- non-vocational interventions or assistance including drug or alcohol treatments
- non-vocational preventative health interventions and assistance – for Indigenous Participants and Participants in Stream C

More information on these Activities is provided in the [Activity-specific information](#) of this Guideline.

When placing Participants into Activities, Providers must give priority over other Participants to Fully Eligible Participants (those with Mutual Obligation Requirements) and to Participants with an Annual Activity Requirement (AAR) in the Work for the Dole Phase.

All eligible Participants in the Work for the Dole Phase must participate in one or more Activities, from a suite of approved Activities to meet their AAR.

For information on the suite of approved Activities to meet the AAR see the [Managing and Monitoring Mutual Obligation Requirements Guideline](#).

(Deed references: Clauses 87, 106, 107, 108, 109, 109D, 109F)

2. Sourcing Activities for Participants

Providers can provide the Activities themselves or Broker or Purchase Activities from an Activity Host Organisation.

Brokering occurs when an Activity is sourced through an Activity Host Organisation without any payment.

In the case of PaTH Industry Pilots, Providers may arrange (not provide, Purchase or Broker) placement in an Industry Pilot hosted by a PaTH Industry Pilot Provider.

In the case of PaTH Business Placement Partnerships, Providers may arrange (not provide, Purchase or Broker) placement in an Industry Workforce Solution hosted by a Business Partnerships Provider.

In the case of Launch into Work Placements, Providers may arrange (not provide, Purchase or Broker) Launch into Work Placements hosted by a Launch into Work Organisation.

In the case of the Regional Employment Trials (RET) program, Providers may arrange (not provide, Purchase or Broker) Placements in a RET Activity.

In the case of the Local Jobs Program (LJP), Providers may arrange (not provide, Purchase or Broker) Placements in an LJP Activity.

Providers remain responsible for ensuring that all Activities are delivered in accordance with the Deed regardless of whether the Provider delivers the Activity itself or the Activity is externally hosted by an Activity Host Organisation, a RET Grant Recipient, an LJP Activity Host, a PaTH Industry Pilot Provider, a Business Partnerships Provider or a Launch into Work Organisation.

Activity Host Organisations must not:

- have engaged in illegal operations or promote or condone any form of unlawful conduct
- be associated with the sex industry
- promote or condone gambling that the Department deems inappropriate
- promote or condone any form of violence, self-harm or suicide
- promote or condone any form of discrimination, including on the grounds of race, ethnic group, language, sex, religion or disability

- provide any other service that is likely to bring the Participant, the Provider or the Department into disrepute.

If the Provider Purchases an Activity it must do so under a Subcontract compliant with clause 48 of the Deed, or an Activity Host Organisation Agreement.

Providers must have a formal Activity Host Organisation Agreement or Subcontract (where appropriate) in place for National Work Experience Programme Placements, Work Experience (Other), Voluntary Work, and Work for the Dole Activities. Other Activities do not require an Activity Host Agreement or Subcontract.

Activity Host Organisation agreements

This section applies to Voluntary Work Activities, National Work Experience Programme Placements and Work Experience (Other) Placements. Work for the Dole and PaTH Internship arrangements are specified in the separate Guidelines.

Providers can provide Voluntary Work Activities, National Work Experience Programme Placements or Work Experience (Other) Placements themselves or they can Broker or Purchase Activities from an Activity Host Organisation.

If the Provider Brokers or Purchases the Activity it must do so under an Activity Host Organisation Agreement or Subcontract (where appropriate), even where there is a pre-existing relationship between Provider and Activity Host Organisation, or the Participant has a pre-existing placement outside jobactive.

Activity Host Organisation Agreements between Providers and Activity Host Organisations ensure that both parties understand their rights and obligations. The Activity Host Organisation Agreement must be signed by the Participant, Provider and Activity Host Organisation prior to the Participant commencing in the Activity.

Providers and Activity Host Organisations must discuss and document the Activity Host Organisation obligations, including:

- details of the proposed Activity and its associated tasks
- the Participant's needs and capabilities
- details of the Supervision being provided
- details of the contact person for daily evidence to be sent to, for example QR codes and passcodes will be sent to the activity supervisor so Participants can self-report their attendance
- how attendance will be reported for Participants who have been assessed as not being capable of recording their own attendance, and what support should be provided if a Participant requests their supervisor to record attendance on their behalf
- stakeholders and their roles—in particular those who are best placed to manage associated risk
- work health and safety and incident reporting.

The Work Experience Activity Agreement template for National Work Experience Programme Placements and Work Experience (Other) Placements can be found on the Provider Portal. This template must be used for any National Work Experience Programme Placement or Work Experience (Other) Placement.

The Activity Host Organisation Agreement templates for Voluntary Work and Work for the Dole can be found on the Provider Portal. While Providers may use their own agreement for Voluntary Work or Work for the Dole Activities, they must ensure that the topics in the Department's template agreement are covered in their agreement and must include, word for word, any clauses specified by the Department, for example on displacement and work health and safety.

(Deed references: Clauses 48, 107, 108, 110, 111, and 112).

3. Commencing and managing a Participant in an Activity

When identifying appropriate Activities for Participants, Providers should:

- identify and appropriately take into account the individual needs of the Participant
- identify if the Participant is eligible to participate in the Activity, where relevant
- explain to the Participant when to commence an Activity and the consequences of not commencing an Activity on time
- identify the frequency of Contact with the Participant while they are participating in the Activity. The frequency, timing and duration of this Contact will be negotiated between the Provider and the Participant and should match the Participant's needs.

A Provider must, in consultation with the Participant, update a Participants' Job Plan with information about the selected Activity.

Where required, the Job Plan must also include the number of hours each fortnight a Participant is required to undertake in an Activity. This applies to any compulsory Activity, both during and outside of the Work for the Dole Phase. See the [Managing and Monitoring Mutual Obligation Requirements Guideline](#) and [Job Plan and Scheduling Mutual Obligation Requirements Guideline](#).

Once a Participant has commenced an Activity, the Provider must support them to meet the terms of their Job Plan by:

- meeting with or contacting Participants to obtain feedback on their progress and resolving issues that may arise
- providing or ensuring adequate supervision of the Activity to maintain the general health and welfare of all Participants
- ensuring that work health and safety standards are upheld, where relevant
- ensuring that Participants have adequate safety equipment and clothing for the Activity, where relevant
- ensuring that Participants are provided with all things necessary for participation in Activities, including materials, equipment, on-site services and facilities (such as toilets) and training
- ensuring that Participants are benefiting from the Activity, enhancing their Employment prospects and are not being exploited
- minimising disruptions where a Participant is attending an Activity (e.g. arranging Provider appointments outside Activity times where possible)
- monitoring the Participants' progress, attendance, behaviour and satisfaction with the Activity

- ensuring that Participants understand their requirement to record or report their own attendance at Activities (or if they are unable to report their own attendance—such as in the case of participation in the SEE or AMEP programs—that there are arrangements in place for the training provider to report on the Participants' behalf)
- keeping an accurate record of attendance for approved Activities being undertaken for the purposes of meeting the AAR.

Participants will generally be required to source their own transport to and from an Activity. In some instances, Providers will be required to, or may choose to, arrange transport for Participants to and from an Activity in cases where:

- a Participant does not have access to a vehicle or does not have a drivers' licence, or 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
- the Activity has a residential or overnight accommodation component.

If Providers are transporting Participants to and/or from an Activity, this must be included in the risk assessment of the Activity.

Setting up Activities in the Department's IT Systems



Documentary Evidence: Providers must identify and create all of their Activities in the Activity Management component of the Department's IT Systems, with the exception of the creation of RET, Non-Government Program, PaTH Industry Pilots, PaTH Business Placement Partnerships run Industry Workforce Solutions and Launch into Work Activities, which are created by the Department, and the creation of EST, CTA and LJP Activities, which are created by CTA and EST Providers, and LJP Partner Providers

When creating Activities, Providers must identify if there is any evidence required from the Participant to verify attendance at the Activity. Where evidence is required, this will be a QR code or passcode the Participant must scan using the Job Seeker App or record in the jobactive website (Please note, a number of Activities are not scheduled in the Calendar in the Department's IT Systems. For example, attendance of Participants placed in the SEE program will be verified by attendance reports supplied by the SEE training provider). This is mandatory for Work for the Dole Activities.

Providers will need to enter recipient details when creating the Activity so the evidence is automatically sent to the Self-Reporting Evidence Recipient to be made available for the Participant. The Department's IT Systems will create unique passcodes or QR codes for each Activity each day. The Activity Supervisor or Provider will need to make these details available to Participants who participate in the Activity as they will need to input the code to have their attendance marked off.

Providers must create schedules of daily Activity participation when creating Activities to identify the start and end dates, and days and times, an Activity will run for groups of Participants. Schedules can exist for different locations for the same Activity and multiple schedules at different times for different groups. Providers

place a Participant's details against an Activity when the Participant is referred to the Activity. Providers must also include Activity Host Organisation details when setting up Activities and course identifiers (for study or training placements). Providers can link a Participant to a schedule which will populate their Calendar with the daily Activity requirements they must meet.

This will give each Activity a unique Activity ID and assist Providers in identifying and managing a Participant's placement.

Where there are multiple Participants undertaking Activities for the same organisation, Providers should create a single Activity record and place the Participants with the same organisation into that single Activity.

A separate Activity should be created for each unique Activity that is being undertaken by a Provider's Participants. An Activity is considered unique where the tasks being undertaken are not the same as an existing Activity, or are undertaken under different circumstances.

For example, Participants doing similar Voluntary Work with different organisations would be considered to be doing different Activities and each should have a separate activity created in the Department's IT Systems. Correspondingly, a single Work for the Dole project being completed across multiple host organisations would be considered to be a single Activity and separate records would not need to be created.

For Participants doing part-time work Activities, the Department's IT Systems automatically creates a part-time work Activity and places the Participant into that Activity when the Participant declares hours of employment to Services Australia. However, if the Provider has already manually placed the Participant into a part-time work Activity, the Department's IT Systems will not create the Activity automatically. When a Provider manually places a Participant into a part-time work Activity, this will be the activity recorded in the Activity Management component of the Department's IT Systems.

Because paid employment is not scheduled in the Calendar, the Participant or the Provider should enter paid employment as a Personal Event so that any conflict is avoided.

For more information see the [Job Seeker Calendar and AAR IT Supporting Document](#).

Scheduling Activity Participation in the Calendar

Providers must schedule Participant Activity requirements in the Provider Calendar in the Department's IT Systems. This includes all:

- Activities, except
 - Education and Training where the course is delivered online, or that portion of the course delivered online.
 - where it is a requirement that the Participant resides with the host organisation, either as part of a residential program or Drug and Alcohol Treatment or as part of Defence Reserves.

- Employment and work experience activities where the hours are irregular and are organised directly between the Participant and the employer or host.
- Where the Department's IT Systems does not support scheduling of the activity (for example, SEE program). For more information see the [Job Seeker Calendar and Annual Activity Requirement IT Supporting Document](#).
- Workshops, training and other activities delivered by the Provider to Participants

Providers must schedule the individual dates, days, start and end times and breaks of Activities. For paid Employment, Providers must use Participant Personal Events to schedule the days and times of paid Employment, unless the Participant has created Personal Events for paid employment.

Requirements cannot be scheduled unless the corresponding Job Plan code is in the Participant's Job Plan and within the recorded date range.

Where requirements are scheduled, these will be visible to Participants in their Calendar to allow them to record their own attendance.

See the [Job Plan and Scheduling Mutual Obligation Requirements Guideline](#) for more information.

Recording and Monitoring Attendance at Activities

Participants have responsibility for recording and/or reporting their own attendance at Activities if they are found capable of doing so. Providers will assess a Participant's capability to record their own attendance at Activities; where the Participant is capable, they will have the 'Personal Responsibility to Report and Record Attendance' Job Plan code in their Job Plan.

Participants will scan a QR code via the Job Seeker App or record a passcode through the jobactive website to record their attendance at an Activity. If an Activity runs for more than four hours, two codes will be generated: one for each four-hour block. The Participant will need to record both codes to record their attendance for the whole requirement.

Where evidence is not required, such as at individually based Activities, Participants are still required to record and verify their attendance using the Job Seeker App or jobactive website by confirming they have attended and participated for the duration.

Where hours are not required to be scheduled (see [Scheduling Activity Participation in the Calendar](#)), providers must manually record the hours completed each month.

Where Participants are not capable of recording their own attendance using technologies, they are still responsible for reporting their attendance. This may involve a Participant calling their Provider to request they record their attendance, or asking the Activity Supervisor at their requirement to ensure their attendance is recorded on their behalf.

If attendance is not recorded by the end of the day, the Participant's Income Support Payment will be automatically suspended.

Note that under the SEE contract, SEE training providers are only required to report hours of attendance fortnightly to the program. They will discuss with referring Providers how regularly they must supply the attendance records.

There will be some Activities where there is no Documentary Evidence for recording attendance required to be kept by Providers.



System step: For Participants unable to record attendance at Activities, Providers **must** use the Calendar to record the Participant's attendance in the Department's IT Systems by the end of the day. This **must** be done for every day that the Participant is required to participate.

Providers **must** record the hours completed by Participants within 20 Business Days of a Participant exiting the Work for the Dole Phase or when they exit the Provider's caseload (e.g. exiting from jobactive or transferring to another Provider) to enter hours of participation in the Phase or set the AAR Flag to 'met', if appropriate. If nothing has been entered into the system after the 20 Business Day timeframe, the Participant's required hours will be recorded as not met.

Non-Work for the Dole Activity Costs

Some costs associated with Activities may be reimbursed through the Employment Fund. See the [Using the Employment Fund General Account Guideline](#).

For non-Work for the Dole Activity costs claimed through the Employment Fund, the Activity identifier for which the claim is being made must be recorded in the Department's IT Systems.

(Deed reference: Clause 88)

Record keeping



Documentary Evidence: The Provider must keep records of attendance for each Participant who participates in relevant Activities in accordance with the Deed.

Where Participants record their own attendance at Activities via the Job Seeker App or the jobactive website, this will count as Documentary Evidence for Participant attendance.

Where Activity attendance information has been entered by the Activity Host Organisation into the Supervisor App or directly into the Department's IT Systems, Documentary Evidence is not required to be kept.

The Provider must make sure that Supervisors are aware that they are required to notify the Provider of any misconduct that has occurred at Activities on the day of the event.

Providers need to record Participants' attendance at Activities where the Participant has reported their attendance to them, there are issues with on-line dashboard or app for the Participant to record their attendance directly or the Provider has taken responsibility for monitoring and recording attendance on the day of the Activity.



Documentary Evidence: jobactive Providers **must** retain evidence (either hard copy or soft copy) of statements of attainment or similar (for accredited education).



Documentary Evidence: For both self-employment and part-time/casual paid work, income reported by the Participant to Services Australia is acceptable Documentary Evidence. If the Participant is in the Work for the Dole Phase, this information will automatically populate into the AAR Details screen, and is also available from the Case Summary Screen (Job Seeker Information – View Declared Earnings).



Documentary Evidence: jobactive Providers **must** retain evidence (either hard copy or soft copy) of payslips or Employer payroll summaries (for part-time work), if the Provider is not using the employment hours declared to Services Australia.

Additionally, Documentary Evidence for self-employment can include:

- a Profit and Loss Statement
- a signed and dated written statement from an accountant and/or registered bookkeeper
- copies of records from the Australian Taxation Office and/or a tax return statement
- a Business Activity Statement.



Documentary Evidence: jobactive Providers **must** retain evidence (either hard copy or soft copy) of signed training notice or signal notice (for Defence Force Reserves).



Documentary Evidence: jobactive Providers **must** retain evidence (either hard copy or soft copy) of invoices for services or a letter of acceptance into a program (for non-vocational interventions).



Documentary Evidence: jobactive Providers **must** retain evidence (either hard copy or soft copy) of Activity Host Organisation Agreements for Work for the Dole, and Voluntary Work.



Documentary Evidence: jobactive Providers **must** retain evidence (either hard copy or soft copy) of Activity Host Organisation Agreements for the National Work Experience Programme and Work Experience (Other) Placements.



Documentary Evidence: jobactive Providers **must** retain evidence (either hard copy or soft copy) of risk assessment documentation for the National Work Experience Programme, Work Experience (Other) and Voluntary Work which details that all Deed and relevant guideline requirements have been considered for both the Participant and the Activity.

Completing Activities

Once an Activity has ended Providers must complete the Activity in the Department's IT Systems.



System step: Providers must input the relevant details into the Activity Management screen, including:

- an Activity placement end reason and end date for Participant placement records
- final attendance information (including hours completed on Activities) for Participants where relevant

- for EST only, an assessment of the impact the EST Course had on the Participant's employability skills.



System step: For study or training activities, Providers need to record the outcomes of the training course upon completion (for example, whether a certificate or statement of attainment was achieved).

For Participants who have completed an EST Course, Providers will receive an assessment of learning outcomes. If the Participant's participation in the EST Course has resulted in the achievement of a certificate or statement of attainment, the EST Provider will include this achievement in the assessment of learning outcomes from the EST Course.

For information on additional Documentary Evidence that needs to be retained for a Participant's AAR, refer to the [Managing and Monitoring Mutual Obligation Requirements Guideline](#).



Documentary Evidence: jobactive Providers **must** retain evidence (either hard copy or soft copy) of statements of attainment or similar (for accredited education).

For Participants who have participated in and completed a CTA Course, jobactive Providers will receive an individually tailored Career Pathway Plan and an up to date résumé at the Warm Handover Meeting with a CTA Provider. The CTA Provider will upload the Career Pathway Plan and Résumé against the relevant Activity Placement in the Department's IT Systems.

4. Managing risks with Activities

Insurance coverage for Participants

The Department purchases personal accident insurance and combined public and/or product liability insurance to cover Participants undertaking Activities, including:

- Voluntary Work
- National Work Experience Programme
- Work Experience (Other)
- PaTH Internships
- PaTH Industry Pilots
- PaTH Business Placement Partnerships run Industry Workforce Solutions
- Launch into Work Placements
- RET Activities
- LJP Activities
- Non-government programs approved for AAR purposes
- Hosted Industry Awareness Experiences that form part of EST and are hosted on a third party's premises, for example a tour of an employer's premises
- Hosted Outbound Employer Visits that form part of CTA and are hosted on a third party's premises, for example a tour of an employer's premises
- other approved work experience Activities
- any other Activities the Department advises.

However, these policies have exclusions. See the [Insurance Reader's Guide](#) and insurance policies on the Provider Portal.

(Deed references: Clauses 42, 107, 109, 109A, 109D, 109F).

Sourcing additional insurance coverage

If alternative insurance is in place, Providers can still deliver Activities where tasks are excluded under the Department's policies.

Providers can confirm the Activity Host Organisation, CTA Provider, RET Grant Recipient, PaTH Industry Pilot Provider, Business Partnerships Provider, LJP Activity Host or Launch into Work Organisation has appropriate insurance coverage, or where coverage is insufficient, the Provider can decide to purchase additional insurance.

For information on using the Employment Fund to purchase additional insurance, please refer to the [Using the Employment Fund General Account Guideline](#).

As an alternative to purchasing insurance, the Provider could 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 references: Clause 42, 107, 109, 109F)

Ensuring Work Health and Safety measures are in place

This section applies to Voluntary Work Activities, National Work Experience Programme Placements, Work Experience (Other) Placements, PaTH Internships, PaTH Industry Pilots, PaTH Business Placement Partnerships run Industry Workforce Solutions, RET Activities, LJP Activities and Launch into Work Placements.



Work Health and Safety content: The Provider must ensure that there is a safe system of work in place and ensure that the Activity Host Organisation, PaTH Industry Pilot Provider, Business Partnerships Provider, RET Grant Recipient, LJP Activity Host or Launch into Work Organisation is aware of and understands the need to comply with relevant work health and safety requirements..

Providers must take all reasonable steps to minimise the likelihood of injury to Participants and any other people at the Activity location. Participants are to be provided with all things necessary to undertake their Activity safely, including but not limited to, appropriate and adequate:

- training and supervision
- personal protection equipment and clothing
- on-site facilities (for example, access to drinking water and toilets)
- processes for reporting any work health and safety issues and any other concerns.

Providers must consult, coordinate and cooperate as appropriate with Activity Host Organisations, PaTH Industry Pilot Providers, Business Partnerships Providers, Launch into Work Organisations, RET Grant Recipients, LJP Activity Host and the Department, to ensure that any work health and safety issues in relation to an Activity are appropriately managed.

(Deed references: Clause 8, 42, 69, 107, 109, 109A, 109D, 109F, 110, 111, 112, 113)

Conducting risk assessments

This section applies to Voluntary Work Activities, National Work Experience Programme Placements, Work Experience (Other) Placements, PaTH Internships, LJP Activities and Launch into Work Placements.

The Provider must ensure a Competent Person conducts and documents a risk assessment before an Activity commences. If the Provider does not itself have a Competent Person, it must engage a Competent Person for this purpose.

The risk assessment is to:

- identify potential risks and hazards associated with the tasks that will be undertaken during the Activity
- identify if the Activity is suitable for the relevant Participant/s, including identifying any risks that may arise from a Participant's personal circumstances.

The risk assessment should take into account the role of the Activity Host Organisation, LJP Activity Host or Launch into Work Organisation and the tasks the Participants will be undertaking, with regard to the following factors:

- the nature of the tasks to be undertaken
- the Participant's personal circumstances (that is, working capabilities, any health or other personal issues and level of experience)
- the level of supervision
- the nature of the risk
- the cause of the risk
- consequences of an incident.

In undertaking the risk assessment, the Provider must consider the working environment, including whether the placement is:

- in a non-public area (such as a private residence worksite with a trades person)
- with a sole trader (such as a butcher or hairdresser who operates from a small shop or private residence)
- working alone with another person
- with alternative hours of work (for example, early starts, night work)
- working in a labour hire environment in one or more different workplaces.

For example, the Provider will need to consider the risks of placing a Participant with medical needs in a remote location Activity and ensure this is a suitable placement for the Participant.

Providers must review risks regularly and take appropriate action on those risks where required. The Provider and Activity Host Organisation or Launch into Work Organisation must determine and implement appropriate methods to mitigate the identified risks after conducting the risk assessment.

Where a 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 Activity Host Organisation, LJP Activity Host or Launch into Work Organisation, the Activity must not proceed.

[Further information on conducting Risk Assessments is available on the Provider Portal.](#)



Documentary Evidence: Providers have the discretion to determine how they document their risk assessments.



Documentary Evidence: 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 on request.

(Deed references: Clauses 42, 88, 110, and 111)

Supervision requirements

This section applies to Voluntary Work Activities, National Work Experience Programme Placements and Work Experience (Other) Placements.



Work Health and Safety content: Providers must make sure the Activity is well supervised to protect the health, welfare and safety of Participants and others.

There must be a higher level of Supervision where contact with Children, the elderly, or other people from vulnerable groups are involved. This may mean there needs to be a higher ratio of Supervisors to Participants.

The Provider must ensure that all relevant Personnel and Supervisors:

- are fit and proper persons to be involved in the Activities
- have a high level of skill or knowledge and training or experience for the Activity in which they are engaged
- have a high level of skill or knowledge and training or experience working with, training and supervising people in such Activities
- have relevant work health and safety training
- have had checks as specified in clause 8 of the Deed and have met any additional statutory requirements before being given responsibility for the Supervision of Participants

Supervisors (whether engaged by the Provider or an Activity Host Organisation) must notify the Provider of Participants' non-compliance at Activities no later than at the end of the relevant day.

The Employment Fund can be used to pay for Supervisor costs, if the costs are associated with the literal supervision of Participants on the Activity and not for any other tasks or services already paid for under the Deed. See the [Using the Employment Fund General Account Guideline](#) for further information on what can be claimed through the Employment Fund.

(Deed references: Clauses 42, 88, 110, and 111).

Conducting background checks

This section applies to Voluntary Work Activities, National Work Experience Programme Placements, Work Experience (Other) Placements, PaTH Internships, PaTH Employability Skills Training, PaTH Industry Pilot Placements, PaTH Business Placement Partnerships run Industry Workforce Solutions, Launch into Work Placements, RET Activities, LJP Activities and the New Enterprise Incentive Scheme.

For the purpose of this Guideline, 'checks' refers to criminal records checks, Working with Children checks and/or Working with Vulnerable People checks.

Providers must establish whether the nature of an Activity requires Participants and/or Supervisors to have checks. Activities that require checks include those where:

- legislation requires checks to be conducted
- the Activity is subject to industry standards or legal requirements that an Activity can only be carried out by people who have not been convicted of particular crimes
- the Activity is specified by the Department or the Activity description in the Department's IT Systems as requiring checks
- the Participant or Supervisor will have regular or unsupervised contact with Children, the elderly or other classes of vulnerable people.

Unless notified otherwise by the Department, the Provider must arrange for any checks to be completed before allowing the Participant to participate in the Activity. With the exception of PaTH Industry Pilots, PaTH Business Placement Partnerships run Industry Workforce Solutions, Launch into Work Placements, RET Activities and LJP Activities the Provider must also arrange for any necessary checks before allowing a Supervisor to participate in the Activity. PaTH Industry Pilot Providers, Business Partnerships Providers, Launch into Work Organisations, RET Grant Recipients and LJP Activity Hosts are responsible for arranging checks for Supervisors on these programs.

Providers should contact the relevant organisation 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 Activities for Participants awaiting the outcomes of the checks.

Providers should take appropriate action once the checks are completed. Where checks show that Participants or Supervisors must not do particular Activities, alternative Activities should be undertaken.

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. Check results must be handled in accordance with the requirements outlined in clauses 35 and 38 of the Deed. Additional information regarding disclosure of information and privacy considerations can be found in the [Privacy Guideline](#).

If checks are required for Activities 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.

Providers can seek Reimbursement through the Employment Fund for costs associated with Participant checks for Activities. Costs associated with checks for Supervisors cannot be claimed through the Employment Fund.

(Deed references: Clauses 8, 35, 38, 88, 112, and 124)

5. Managing incidents that occur on Activities



Work Health and Safety content: If a Participant or member of the public is injured during an Activity, the Provider should, first and foremost, encourage the injured person to seek appropriate medical attention or call emergency services depending on the nature of the incident. The Supervisor must try and protect other Participants from unnecessary trauma where possible.

When must an Incident be reported?



Work Health and Safety content: As outlined in the [Insurance Reader's Guide](#), if an incident results in the death or serious injury of a Participant, the Supervisor must immediately notify the work health and safety regulator of the incident in accordance with laws of the relevant state or territory.

The Provider must notify the Department, as outlined in the [Insurance Reader's Guide](#), within 24 hours, and as soon as possible, of any incident and/or near miss that occurs during an Activity, including those that result in accident, injury or death of:

- any Participant (including where the incident occurred while the Participant was travelling to or from an Activity)
- any Personnel involved in the delivery or supervision of the Activity
- members of the general public.

All Incidents – both Personal Accident and Public and Products Liability



Documentary Evidence: Providers must advise the department of any incident that occurs in the method outlined in the [Insurance Reader's Guide](#), giving full details of the incident (irrespective of whether a claim is being made at the time). Forms for host organisations to notify providers of WHS Incidents are available on the Insurance page of the Provider Portal. Forms for providers to complete to notify the department of any public and products liability incidents are also available on the Insurance page of the Provider Portal.

- A WHS Employment Assistance Program Incident Report must be completed by the Host when an incident involves a Participant's accident, injury or death and submitted as outlined in the Insurance Reader's Guide. A public and products liability claim form/incident report is used when a third party alleges a Participant has been negligent and caused accident, injury or death, or property damage.

The incident report must identify if the incident was caused by an instance of misconduct by a Participant. Misconduct is defined as being something that would, if the Participant was a paid employee, normally result in the paid employee being terminated from paid employment. Any misconduct by Participants may require the Provider to lodge a non-compliance report.

It is important that Participants have access to reporting mechanisms in the event they wish to report an incident, lodge a complaint or provide positive/constructive feedback confidentially. The Provider needs to 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.

For further information in relation to the process for reporting incidents and completing incident forms refer to the [Insurance Reader's Guide](#).

(Deed references: Clause 110)

Incident Recording Requirements in ESS



System step: The provider must complete the 'Job Seeker - WHS Incident' screen in ESS Web, giving full details of the incident (irrespective of whether a claim is being made at the time).

Following submission, the provider will receive confirmation of successful submission of the incident and a copy of the information will be sent to:

- The Work for the Dole branch, and
- The relevant Account Manager.

The Provider is able to report any instances of misconduct or threatening behaviour on the 'Job Seeker Incident Report' screen of ESS Web, whether or not the incident is associated with a police report.

For further information on the incident reporting process, see the [Insurance Reader's Guide](#) and [Servicing Participants with Challenging Behaviour Guideline](#).

6. Activity-specific information

For information relating to Work for the Dole Activities, see the [Work for the Dole Guideline](#). For information relating to PaTH Internships, see the [Managing PaTH Internships Guideline](#). For information relating to the National Work Experience Programme, see the [Managing National Work Experience Programme Activities Guideline](#). For information relating to RET Activities see the [Regional Employment Trials Guideline](#). For information relating to LJP Activities see the [Local Jobs Program Guideline](#).

Work Experience (Other) Placements

Work Experience (Other) Placements allow Participants who may not be job-ready to undertake short term, unpaid, observational work experience placements to build soft skills and gain a better understanding of how workplaces operate.

Under Work Experience (Other) Placements, the Provider may provide or Broker up to a maximum of four (4) weeks of unpaid work experience.

Work Experience (Other) Placements can occur in for-profit and not-for-profit organisations (referred to as Activity Host Organisations) and do not need to have a likelihood of an outcome of paid Employment.

A Work Experience (Other) Placement is not Employment, training, an apprenticeship, or other similar scheme.

Work Experience (Other) Placements:

- are voluntary
- are for Participants aged 15 years and over regardless of whether or not they are in receipt of an Income Support Payment
- do not attract the Approved Program of Work Supplement

- must only be up to a maximum of 50 hours a fortnight and involve a maximum duration of four (4) weeks total participation time
- must not exceed eight (8) hours per day
- must not include participation on a public holiday, are observational only and cannot involve productive work
- are not Employment, and do not, in themselves, entail creating an Employment arrangement
- may be arranged even where there is no prospect of future employment with the Activity Host Organisation
- must not be used as a stop-gap measure while an organisation is undertaking recruitment exercises, or as a way of meeting ad-hoc needs in lieu of creating paid Employment opportunities
- must not, in whole or in part, involve work which would have been undertaken by a paid worker if the Work Experience (Other) Placement had not taken place
- must be ended where the Activity Host Organisation offers a paid employment position to the Participant
- must be ended if an organisation downsizes its workforce at the time of hosting a placement
- cannot be approved for AAR purposes except for Stream C jobactive Participants.

Providers must ensure that each Work Experience (Other) Placement:

- is not an Employment relationship under the relevant Commonwealth, state or territory legislation
- meets Commonwealth, state or territory legislation including work, health and safety laws and anti-discrimination laws
- has a Work Experience Activity Agreement (Activity Host Organisation Agreement) completed before the placement commences (available from the Provider Portal).

Participants undertaking a Work Experience (Other) Placement must have, or must be provided with, the appropriate knowledge and skills to safely observe work tasks in the workplace, including being supervised, prior to commencing in the placement.



Documentary Evidence: jobactive Providers **must** retain evidence (either hard copy or soft copy) of timesheets or other records of attendance. Where Activity attendance information has been recorded by the Participant, entered by the Activity Host Organisation into the Supervisor App or directly into the Department's IT Systems, offline records are not required to be kept.



Documentary Evidence: jobactive Providers **must** retain evidence (either hard copy or soft copy) of Activity Host Organisation Agreements for the National Work Experience Programme and Work Experience (Other) Placements.



Documentary Evidence: jobactive Providers **must** retain evidence (either hard copy or soft copy) of risk assessment documentation for the National Work Experience Programme, Work Experience (Other) and Voluntary Work which details that all Deed and relevant guideline requirements have been considered for both the Participant and the Activity.

PaTH Employability Skills Training (EST)

Overview of EST

EST gives young Participants the opportunity to enhance their employability through targeted training. EST consists of two training blocks with different content focuses:

- Training Block 1 EST Courses are designed to equip young Participants with pre-employment skills and prepare them to meet Employers' expectations in the workplace. This EST Course covers the 10 Core Skills for Work listed in the Core Skills for Work Developmental Framework (2013).
- Training Block 2 EST Courses focus on job preparation and are designed to equip young Participants with advanced job-hunting, career development and interview skills. Industry awareness experiences provide Participants with insight into the tasks and duties of different industries.

Each EST Course consist of 75 hours of training.

Collaborating with EST Providers

Availability of EST Courses to meet job seekers' needs relies on jobactive providers communicating any lack of suitable EST Courses (for example EST Courses in a particular location, part-time EST Courses or EST Courses with industry specialisation) to EST Providers.

The success of EST relies on jobactive and EST Providers working together to ensure the right EST Courses are available, and that sufficient job seekers are referred for the EST Course to proceed.

Referring Participants to EST Activities

A Participant is EST Eligible if they are aged between 15 and 24 years, receiving an Income Support Payment and have Mutual Obligation Requirements. EST Eligible Participants can be referred to an EST Course from day one in jobactive.

An EST Eligible Participant has a mandatory requirement to participate in EST once they have received services through jobactive for five months.

An EST mandatory Participant must be immediately considered for both EST Courses.

Prior to making a referral to EST, Providers must discuss the training with Participants, and determine if the Participant should be referred to:

- a Training Block 1 EST Course, a Training Block 2 EST Course, or both types of EST Courses (noting EST Courses may be undertaken in any order, and that a Participant remains EST mandatory if they do not complete both EST Courses)
- a generalist EST Course or, if it aligns with their aspirations, a EST Course with an industry specialisation
- a face-to-face or non-face-to-face EST Course, noting that for non-face-to-face EST Courses Providers must ensure Participants have access to the required technology to participate.

Participants with full-time Mutual Obligation Requirements should be referred to EST Courses run for 25 hours per week over three weeks. Participants with part-time Mutual Obligation Requirements should be referred to EST Courses run for 15 hours

per week over five weeks, however they may volunteer to undertake a 25 hours per week EST Course.

When discussing EST referrals with Participants, Providers must communicate information about the EST Course content and benefits of attending. An EST [Participant fact sheet](#) is available on the Provider Portal and short promotional videos can be found on the Australian Government's [Jobsearch](#) website.

Providers should ensure they refer Participants to EST Courses with sufficient lead time for the EST Course to meet the minimum referral numbers for the EST Course to proceed. Providers should also refer Participants to EST Courses with sufficient lead time to allow the Participant to commence on day one. Participants cannot commence after day three.

Providers must ensure contact details are current in the Participant's ESS Web record at the time of referral. This enables EST Providers to make contact with Participants prior to the training.

Providers should generally refer Participants to EST Courses within their residing Employment Region, unless the Participant requests to attend an EST Course in an adjoining Employment Region (for example to facilitate better transport connections).

Participants should only undertake each type of EST Course once. If a Participant has participated but did not achieve the required learning outcomes the Provider can re-enrol the Participant once more, with a different EST Provider.

Providers must not refer Participants to an EST Course delivered by an EST Provider that is either the Provider's Own Organisation or a Related Entity.

Participants in EST are subject to the Targeted Compliance Framework (TCF). To assist EST Providers to manage attendance, a direct contact number for the referring jobactive site should be available in the Department's IT Systems.

Following Participants' participation in EST

Providers will receive a written assessment of each Participant's employability skills, as assessed by the EST Provider against the learning outcomes for the EST Course. The Participant also receives a copy of this assessment, and any certificates or statement of attainments for achieved units of competency, which they can use to promote themselves to Employers.

At the next meeting with the Participant following their completion of EST, EST Providers should make their own assessment of the impact the EST Course had on the Participant's employability skills. If the exit reason 'successfully completed' is selected in the Department's IT Systems, the Provider must enter their rating of the young person's improvement in employability skills. Providers can update the assessment rating if required to account for observed changes in a Participant's skills.



System step: The Department's IT Systems identify if a Participant is EST Eligible or mandatory, and sends a notification to advise when an EST Eligible Participant becomes EST mandatory. In addition to the EST eligible widget, EST caseload reports

are available in Employment Services Reporting and Qlik to identify EST mandatory and Eligible Participants, including those not in any Activity.



System step: Refer to ESS Web System Help > jobactive > Activities for detailed systems information about creating and ending EST referrals.

Exempting EST Mandatory Participants from EST participation

If the EST Provider does not think the Participant would benefit from either type of EST Course, or there are no suitable EST Courses commencing within the next eight weeks, the EST Provider must record one of the following EST exemption reasons in the Department's IT Systems:

- The Participant already has the relevant skills or experience (such as through having relevant recent workforce experience or already having a part-time job) or has already completed similar training.
- The Participant has Non-Vocational Barriers, which should be addressed before they can benefit from the training. For example, a Participant may have unstable accommodation and needs to address their accommodation issues first.
- There are no suitable EST Courses available for the Participant. For example, where the Participant requires a Training Block 1 EST Course and there are no Training Block 1 EST Courses commencing in their Employment Region in the next eight weeks.
- The Participant is referred to another suitable Activity. This reason should only be used when there is an active referral or commencement to another Activity in the Job Plan.
- The only available EST Courses are delivered online, and the Participant lacks suitable IT for online delivery. For example, where the Participant lives in a location with poor internet connectivity.

Using one of these exemption reasons removes the Participant from the EST mandatory caseload. After eight weeks, the Department's IT Systems removes the exemption reason, making the Participant EST mandatory again. Providers must then reassess the suitability of EST for the Participant.

Career Transition Assistance (CTA)

Overview of CTA

CTA is an Activity for mature-age people, 45 years and over, to help them identify and articulate transferable skills, increase job readiness and target job search to local industries and available jobs. CTA will also help to address Participants' functional IT skills, so that they can confidently apply for jobs online, and develop the basic IT skills required in many workplaces.

CTA runs for eight weeks, and referrals to CTA can be made by a jobactive Provider.

Participation in CTA and the AAR

For Participants in the Work for the Dole Phase, participation in CTA will fully meet their AAR for the duration of the placement. Participants will not need to complete other Activities while participating in CTA. If the Participant stops attending CTA they

must be referred to another Activity in order to complete their AAR hours for the remaining weeks of their Work for the Dole Phase.

Participation in CTA will be for 75 hours over an eight-week period.

Referring Participants to CTA

All Participants aged 45 years and over, and registered with a jobactive Provider, are eligible to participate in CTA. Participation in CTA is voluntary, and where an eligible Participant elects to participate in CTA they are to be considered suitable for referral unless one or more of the below factors is present:

- a significant non-vocational issue that needs to be addressed as a priority before they can benefit from CTA, or
- the Participant has already commenced a CTA Course during their current Period of Service and the Participant is being serviced by the same Provider.



System step: The Department's IT Systems will identify if a Participant is CTA Eligible. jobactive Providers will be able to view a list of CTA Eligible Participants via the CTA Eligibility Widget in the Department's IT System.

jobactive Providers should determine if the CTA Eligible Participant would benefit from referral to CTA. Where it is identified that a Participant would benefit from CTA, jobactive Providers should make every effort to refer the Participant to an available CTA Course as quickly as possible.

jobactive Providers should consider discussing a Referral to CTA with those Participants who feel they would benefit from it. Participants electing to participate in CTA will be able to choose their CTA Provider from those delivering services in their Employment Region. jobactive Providers are required to refer Participants to the CTA Provider chosen by the Participant.

To make a referral to CTA, jobactive Providers must search for CTA Activities and refer the CTA Eligible Participant/s into these activities through Activity Management.

Upon receipt of a Referral, the CTA Provider must, by no later than the end of the next Business Day, arrange an Initial Meeting between the relevant CTA Provider and the CTA Eligible Participant.



System step: To place a Participant into a CTA Course, jobactive Providers must search for and view CTA Courses, and must refer CTA Eligible Participants into the CTA Course through Activity Management.



System step: When placing a Participant into a CTA Course, the jobactive Provider must include a schedule for the Participant's attendance in the activity. The CTA Provider will have included a schedule(s) against the CTA Course. The jobactive Provider should select and modify the schedule in the Participant's calendar as necessary to meet the Participant's needs.



System step: For Participants participating in CTA, any hours scheduled for CTA that are marked as attended in the Participant's calendar will automatically accrue towards the Participant's AAR. For Participants who are in the Work for the Dole Phase and who have an AAR, jobactive Providers must manually record additional

monthly hours so that the Participant fully meets their AAR requirement for the period of participation in CTA.

Working with the CTA Provider

jobactive Providers will need to work with CTA Providers to facilitate referrals and receive information about the Participant throughout their time in the program.

jobactive Providers will need to be available for a Warm Handover Meeting with the Participant and CTA Provider within five Business Days of the Participant's completion of CTA.

The purpose of the Warm Handover Meeting is to discuss the Participant's next steps following completion of CTA, including pursuing employment and work experience opportunities. As part of this meeting, the CTA Provider must have uploaded on the Department's IT Systems a copy of the Participant's updated résumé and Career Pathway Plan. The CTA Provider will also offer the Participant two future Contacts to occur within three months of the completion of CTA.



System step: At the Warm Handover Meeting, the CTA Provider will be required to specify the details of the two future Contacts with the Participant. jobactive Providers should use these details to book Third Party Appointments for the Participant and issue formal notification of the appointment/s.

CTA Fees

CTA Providers will be paid by the Department on commencement of a Participant into CTA. Payments will be automated using the Department's IT Systems.

A Participant is deemed to have commenced CTA once the **CTA Provider** has:

- completed the Initial Meeting with the Participant
- assessed the Participant as suitable for participation in CTA
- completed the Career Pathway Assessment
- updated the placement status in the Department's IT Systems.

PaTH Industry Pilots

The Youth Jobs PaTH Industry Pilots (Industry Pilots) aim to increase the take up and more effective use of employment services by employers through industry-led pre-employment pathways.

Industry Pilots will use a combination of existing government programs, particularly elements of Youth Jobs PaTH, combined with other supports to connect employers, jobactive Providers and Participants through tailored pathways to employment. Industry Pilots may include elements of pre-employment training, Youth Jobs PaTH Internships or National Work Experience Programme (NWEPP) placements. For information on managing these specific elements of an Industry Pilot, please also read the [Managing PaTH Internship Guideline](#) and [Managing National Work Experience Programme Activities Guideline](#).

Where an Industry Pilot involves an NWEPP placement or PaTH Internship, jobactive providers and the host business will be eligible to receive relevant payments

associated with these placements, just as they would for any other eligible placement or internship.

Participants' AAR

For Participants in the Work for the Dole Phase, participation in an Industry Pilot will fully meet their AAR for the duration of the Placement, regardless of their hours of attendance. Participants will not have to complete other Activities whilst participating in an Industry Pilot. If the Participant stops attending or does not commence employment at the end of the Industry Pilot, before their Work for the Dole Phase is complete they need to be referred to another AAR Activity in order to complete their AAR for the remaining weeks of their Work for the Dole Phase. Participation in an Industry Pilot is voluntary and participants will not be subject to the Targeted Compliance Framework regarding their participation in an Industry Pilot.

Placing a Participant into a pre-employment project

Pre-screening

The Department will notify jobactive Providers of the Industry Pilots, their locations and Activity codes. jobactive Providers are encouraged to connect with Pilot Providers and screen their caseload for Participants who may be suitable and eligible to participate in an Industry Pilot. Referrals to an Industry Pilot must be made through the Pilot Provider's relevant referral process.

jobactive Providers must ensure that all Participants they refer meet the relevant Industry Pilot requirements outlined by the Pilot Provider. jobactive Providers should ensure Participants are provided with details of the Industry Pilot and requirements from the Pilot Provider, including attendance at information sessions, interviews where required and an understanding of the industry and positions available. The Pilot Provider will use further screening and selection activities to identify preferred Participants, invite them to commence in the Industry Pilot, and advise the jobactive Provider of their selection.

Where a jobactive Provider has determined that a Participant is suitable and interested in participating in an Industry Pilot, the jobactive provider should record the details of the Pilot Provider's pre-screening process in the Departments IT Systems using an Informal Activity. The jobactive provider should add the details into the Participants Job Plan using a voluntary free text code and then—using the job seeker calendar—place the participant into the Informal Activity with days of attendance scheduled as appropriate.

Acceptance and referral

After completing the pre-screening process Pilot Providers will advise jobactive Providers of the Participant's acceptance into the Industry Pilot. Once participants are accepted into the Industry Pilot, Providers must refer the Participant to the Industry Pilot using the relevant Activity ID. Each Industry Pilot Activity ID is available on the Provider Portal.

If it is a requirement of the Industry Pilot, jobactive Providers must ensure that any employer-required checks (e.g. police check, drug and alcohol screening, working

with children checks etc.) are conducted prior to the Participant commencing in the Industry Pilot. Risk assessments must also be finalised prior to any PaTH Internship or National Work Experience Programme placements commencing as part of the Industry Pilot.

Participation in an Industry Pilot must be included as a voluntary Activity in the Participant's Job Plan. jobactive Providers must record this Activity in the Job Plan using the free text code, and include the relevant Activity details, such as information about the Pilot Provider and dates and hours of participation.



System step: A PaTH Industry Pilot Activity Type has been created in the Department's IT Systems. The Department will provide the relevant Activity ID to jobactive Providers. Once the Participant has been accepted into an Industry Pilot, jobactive Providers can refer the Participant into the Activity using the relevant Activity ID. jobactive Providers must also refer Participants to elements within the Industry Pilot pathway using current processes for placing a Participant into the Activity, e.g. PaTH Internships, EST and NWEF.



System step: For Participants undertaking an Industry Pilot, use of the Calendar is not required. However, Providers are encouraged to use the Calendar to ensure conflicting appointments aren't scheduled, by creating a personal event for the Participant using the 'working casual / regular' event type.

Activity management

jobactive Providers should ensure that appointments, interviews, job search or other Activities are not scheduled for Participants whilst they are participating in an Industry Pilot. If it is absolutely necessary for a Participant to attend an appointment, jobactive Providers should discuss this with the Pilot Provider and Participant.

jobactive Providers are expected to support Participants to successfully participate in and complete the Industry Pilot.

Each Industry Pilot Provider will outline any additional requirements to support participation in an Industry Pilot – e.g. transport costs; clothing etc. Referring participants to an Industry Pilot is contingent on accepting the terms and conditions of the Industry Pilot and meeting these requirements must be managed in a timely manner by jobactive Providers, so Participants and employers are not adversely affected.



Documentary Evidence: jobactive Providers **must** retain evidence (either hard copy or soft copy) in relation to participation in elements of an Industry Pilot (such as a PaTH Internship or NWEF Placement) in accordance with all DEED and relevant guideline requirements.

PaTH Business Placement Partnerships

PaTH Business Placement Partnerships (Business Partnerships) trial co-designed industry specific pre-employment pathways to prepare young Participants for identified jobs.

The Department has established a panel of industry associations with a national footprint that are Business Partnership Providers. The Department may co-design Industry Workforce Solutions, with Business Partnerships Providers, that respond to emerging employment opportunities. The Panel commenced in October 2020 and will cease on 30 June 2022.

Industry Workforce Solutions will provide tailored pathways to employment and may include elements of pre-employment training, Youth Jobs PaTH Internships or National Work Experience Programme (NWEPP) placements. For information on managing these specific elements of an Industry Workforce Solution, please also read the [Managing PaTH Internship Guideline](#) and [Managing National Work Experience Programme Activities Guideline](#).

Where an Industry Workforce Solution involves an NWEPP placement or PaTH Internship, jobactive providers and the host business will be eligible to receive relevant payments associated with these placements, just as they would for any other eligible placement or internship.

Participants' AAR

For Participants in the Work for the Dole Phase, participation in an Industry Workforce Solution will fully meet their AAR for the duration of the Placement, regardless of their hours of attendance. Participants will not have to complete other Activities whilst participating in an Industry Workforce Solution. If the Participant stops attending or does not commence employment at the end of the Business Partnerships Industry Workforce Solution, before their Work for the Dole Phase is complete they need to be referred to another AAR Activity in order to complete their AAR for the remaining weeks of their Work for the Dole Phase. Participation in an Industry Workforce Solution is voluntary and participants will not be subject to the Targeted Compliance Framework regarding their participation in an Industry Workforce Solution.

Placing a Participant into a pre-employment project

Pre-screening

The Department will notify jobactive Providers of Industry Workforce Solutions, their locations and Activity codes. jobactive Providers are encouraged to connect with Business Partnerships Providers and screen their caseload for Participants who may be suitable and eligible to participate in an Industry Workforce Solution. Referrals to an Industry Workforce Solution must be made through the Business Partnerships Provider's relevant referral process.

jobactive Providers must ensure that all candidates they refer meet the relevant Industry Workforce Solution requirements outlined by the Business Partnerships Provider. jobactive Providers should ensure candidates are provided with details of the Industry Workforce Solution and requirements from the Business Partnerships Provider, including attendance at information sessions, interviews where required and an understanding of the industry and positions available. The Business Partnerships Provider will use further screening and selection activities to identify preferred Participants, invite them to commence in the Industry Workforce Solution, and advise the jobactive Provider of their selection.

Where a jobactive Provider has determined that a Participant is suitable and interested in participating in an Industry Workforce Solution, the jobactive Provider should record the details of the Business Partnerships Provider's pre-screening process in the Department's IT System using an Informal Activity. The jobactive Provider should add the details into the Participant's Job Plan using a Voluntary Free Text code and then—using the Job seeker calendar—place the participant into the Informal Activity with days of attendance scheduled as appropriate.

Acceptance and referral

After completing the pre-screening process, Business Partnerships Providers will advise jobactive Providers of the Participant's acceptance into the Industry Workforce Solution. Once Participants are accepted into the Industry Workforce Solution, Providers must refer the Participant to the Industry Workforce Solution using the relevant Activity ID. Each Industry Workforce Solution Activity ID is available on the Provider Portal.

If it is a requirement of the Industry Workforce Solution, jobactive Providers must ensure that any employer-required checks (e.g. police check, drug and alcohol screening, working with children checks etc.) are conducted prior to the Participant commencing in the Industry Workforce Solution. Risk assessments must also be finalised prior to any PaTH Internship or National Work Experience Programme placements commencing as part of the Industry Workforce Solution.

Participation in an Industry Workforce Solution must be included as a voluntary Activity in the Participant's Job Plan. jobactive Providers must record this Activity in the Job Plan using the free text code, and include the relevant Activity details, such as information about the Business Partnerships Provider and dates and hours of participation.



System step: To refer to an Industry Workforce Solution go to the PaTH Industry Pilots Activity Type in the Department's IT Systems. Each Industry Workforce Solution has had an Activity ID created which can be found on the Provider Portal. Once the Participant has been accepted into an Industry Workforce Solution, jobactive Providers can refer the Participant into the Activity using the relevant Activity ID. jobactive Providers must also refer Participants to any programs that are included in the Industry Workforce Solution such as PaTH Internships, EST and NWEF.



System step: For Participants undertaking an Industry Workforce Solution, use of the Calendar is not required. However, Providers are encouraged to use the Calendar to ensure conflicting appointments aren't scheduled, by creating a personal event for the Participant using the 'working casual / regular' event type.

Activity management

jobactive Providers should ensure that appointments, interviews, job search or other Activities are not scheduled for Participants whilst they are participating in an Industry Workforce Solution. If it is absolutely necessary for a Participant to attend an appointment, jobactive Providers should discuss this with the Business Partnerships Provider and Participant.

jobactive Providers are expected to support Participants to successfully participate in and complete the Industry Workforce Solution.

Each Business Partnerships Provider will outline any additional requirements to support participation in an Industry Workforce Solution – e.g. transport costs; clothing etc. Referring participants to an Industry Workforce Solution is contingent on accepting the terms and conditions of the Industry Workforce Solution and meeting these requirements must be managed in a timely manner by jobactive Providers, so Participants and employers are not adversely affected.



Documentary Evidence: where an Industry Workforce Solution includes other programs such as a PaTH Internship or NWEF Placement, jobactive Providers **must** complete and retain the relevant pieces of evidence (either hard copy or soft copy) in accordance with all requirements under the Deed and relevant Guidelines’.

Launch into Work Placements

Launch into Work is a program which supports Participants to increase their skills, experience and confidence through participation in pre-employment projects that provide training, work experience and mentoring, tailored to a specific job and business. The Launch into Work Organisation is required to commit to employing all suitable Participants who successfully complete the Placement.

Participants’ AAR

For Participants in the Work for the Dole phase, participation in Launch into Work Placements will fully meet their AAR for the duration of the Placement. Participants will not have to complete other Activities whilst participating in a Launch into Work Placement. If the Participant stops attending the Placement, or does not commence employment with the Launch into Work Organisation at the end of the Placement, they need to be referred to another AAR Activity in order to complete their AAR hours for the remaining weeks of their Work for the Dole Phase.

Placing a Participant into a pre-employment project

The Department will notify Providers when there is a Launch into Work pre-employment project planned in their Employment Region and invite them to a project briefing session with the Launch into Work Organisation.

The briefing session will involve the Launch into Work Organisation providing an overview of the employment opportunities to be filled by the project, the screening and selection process and the pre-employment project. Following the briefing session, Providers will screen their caseload for candidates who may be suitable for the project and working for the employer and refer them to an information session with the Launch into Work Organisation.

Providers should send a list of potentially suitable and interested candidates (in keeping with the Launch into Work Organisation’s requirements) to the contact person by the designated referral cut-off date. Providers must ensure candidates have the details of the information session, know what they need to take with them, and have a basic understanding of the employer and positions available. The Launch into Work Organisation will use further screening and selection activities to identify

their preferred Participants and invite them to commence a Launch into Work Placement.

If it is a requirement of the Launch into Work project, Providers must ensure that any employer-required checks (e.g. police check, drug and alcohol screening, working with children checks etc.) are conducted prior to the pre-employment project commencing. Risk assessments must also be finalised prior to the Placement commencing.

Participation in a Launch into Work Placement should be included as a voluntary Activity in the Participant's Job Plan. Providers should record this Activity in the Job Plan using the free text code. Providers should include the relevant Activity details, such as information about the Launch into Work Organisation and dates and hours of participation.



System step: A Launch into Work Activity Type has been created in the Department's IT Systems. The Department will provide the relevant Activity ID to those Providers with a Participant in a Launch into Work Placement. Providers can then place an eligible Participant into the Launch into Work Placement using current processes for placing a Participant into any other Activity.



System step: For Participants undertaking a Launch into Work Placement, Providers are encouraged to use the Calendar to ensure conflicting appointments aren't scheduled, by creating a personal event for the Participant using the 'working casual / regular' event type (note: even though participation in a project is not employment this is the only available event type).

(Deed references: Clause 109D)

Activity management

Providers are expected to support Participants to successfully participate in and complete their Launch into Work Placement.

Providers should ensure that appointments, interviews, job search or other Activities are not scheduled for Participants whilst they are participating in a project. If it is absolutely necessary for a Participant to attend an appointment, Providers should discuss this with the Launch into Work Organisation and Participant.

Providers are expected to support Participants with transport costs to attend the project and for their first month of employment.

Expectations for other financial contributions will be outlined at the project briefing session. Providers should make themselves aware of any financial contribution required and ensure that this is coordinated in a timely manner. Referral of a Participant to a Launch into Work Placement is contingent on the Provider's agreement to make the financial contributions specified at the briefing session.

Voluntary Work

Voluntary Work must only be undertaken in a not-for-profit community organisation.

Voluntary Work must:

- be of benefit to the Participant and the local community and offer no financial gain to the volunteer organisation (also referred to as an Activity Host Organisation)
- provide the Participant with the opportunity to gain vocational and non-vocational skills that will directly improve their Employment prospects
- provide opportunities that will develop or enhance a Participant's ability to work as part of a team, take directions from a Supervisor, work independently, communicate effectively, and become more motivated and dependable.

Voluntary Work must not exceed 26 weeks' duration, unless the Provider determines this is the best participation option under the circumstances.

If Voluntary Work is undertaken as a means of meeting a Participant's AAR, Services Australia is not required to approve the Activity Host Organisation. If a Participant aged 55 and over is undertaking Voluntary Work, or doing Voluntary Work combined with paid work to fully meet their Mutual Obligation Requirements, Services Australia will need to assess the Activity and organisation before commencement.

Participants 55 years of age and over can meet their full-time Mutual Obligation Requirements by participating in paid work (including self-employment), approved Voluntary Work or a combination of these Activities, depending on their age and circumstances.

- If the Participant is aged 55 to 59 years and in their first 12 months of receiving an Income Support Payment, they can fully meet their Mutual Obligation Requirements by participating in 30 hours per fortnight of:
 - paid work or
 - a combination of approved Voluntary Work and paid work. However, this must include at least 15 hours per fortnight of paid work.
- If the Participant is aged 55 to 59 years and has been receiving an Income Support Payment for more than 12 months, they can fully meet their Mutual Obligation Requirements by participating in 30 hours per fortnight of paid work, approved Voluntary Work or a combination of the two Activities.
- If the Participant is aged 60 years up to (but not including) the Pension Age, they can fully meet their Mutual Obligation Requirements by participating in 30 hours per fortnight of paid work, approved Voluntary Work or a combination of the two activities.

Voluntary Work must not:

- be undertaken in the Participant's own home
- involve working for the Participant's or a family member of the Participant's own organisation
- primarily promote a particular religious or political view
- involve violence towards people or property damage
- undertake tasks which would normally be done by a paid employee, including a casual or part-time paid employee
- reduce hours usually worked by a paid employee or reduce customary overtime of an existing worker.

Voluntary Work can be conducted in an Activity Host Organisation's place of business where all other requirements specified in the Deed have been met.



Documentary Evidence: jobactive Providers **must** retain evidence (either hard copy or soft copy) of timesheets or other records of attendance. Where Activity attendance information has been recorded by the Participant, entered by the Activity Host Organisation into the Supervisor App or directly into the Department's IT Systems, offline records are not required to be kept.



Documentary Evidence: jobactive Providers **must** retain evidence (either hard copy or soft copy) of risk assessment documentation for the National Work Experience Programme, Work Experience (Other) and Voluntary Work which details that all Deed and relevant guideline requirements have been considered for both the Participant and the Activity.



Documentary Evidence: jobactive Providers **must** retain evidence (either hard copy or soft copy) of Activity Host Organisation Agreements for Work for the Dole, and Voluntary Work.

Part-Time Employment

Part-time employment is work that is not on a permanent, full-time basis and can include work on a casual or temporary basis and self-employment.

Where hours undertaken in part-time employment during the Work for the Dole Phase do not fully satisfy the hours required to meet the Participant's AAR the Participant must be placed into additional Activities.

Unlike other Activity types, Providers are not required to create a separate Activity record for part-time employment and can instead use a paid work Activity that has been pre-created by the Department. For more information refer to [Setting up Activities in the Department's IT Systems](#).



Documentary Evidence: For both self-employment and part-time/casual paid work, income reported by the Participant to Services Australia is acceptable Documentary Evidence. If the Participant is in the Work for the Dole Phase, this information will automatically populate into the AAR Details screen and is also available from the Case Summary Screen (Job Seeker Information – View Declared Earnings).



Documentary Evidence: jobactive Providers **must** retain evidence (either hard copy or soft copy) of payslips or Employer payroll summaries (for part-time work), if the Provider is not using the employment hours declared to Services Australia.

Additionally, Documentary Evidence for self-employment can include:

- a Profit and Loss Statement
- a signed and dated written statement from an accountant and/or registered bookkeeper
- copies of records from the Australian Taxation Office and/or a tax return statement
- a Business Activity Statement.

Training and study

Training and study provide Participants with the opportunity to learn skills and gain qualifications that will improve their prospects of finding work.

The Provider will need to determine whether training is in the best interest of the Participant, and identify a suitable course, before referring a Participant to training.

Participants can undertake study or training at any time as long as it meets the requirements of an Approved Short Course. It can also meet a Participant's AAR. The [Managing and Monitoring Mutual Obligation Requirements Guideline](#) outlines the definition of an Approved Short Course and information on how training and study can count towards meeting a Participant's AAR.

Study and training can be funded through the Employment Fund in accordance with the [Using the Employment Fund General Account Guideline](#).



Documentary Evidence: Where study is undertaken online, Providers can request Documentary Evidence from Participants of the online hours that they complete. Where the study hours are not sufficient to meet the Participant's AAR, other activities will need to be undertaken to meet the AAR.



Documentary Evidence: jobactive Providers must retain evidence (either hard copy or soft copy) of timesheets or other records of attendance. Where Participants are recording their own attendance, Documentary Evidence is not required to be kept.



Documentary Evidence: jobactive Providers must retain evidence (either hard copy or soft copy) of statements of attainment or similar (for accredited education).

Accredited language, literacy and numeracy courses

Participants can undertake accredited language, literacy and numeracy courses to help improve their employability. Accredited courses include those delivered through the Skills for Education and Employment (SEE) program and the Adult Migrant English Program (AMEP), where Participants are eligible.

Skills for Education and Employment program (SEE)

The SEE program provides initial, basic and advanced accredited English language training as well as basic and advanced literacy and numeracy training. Participation in the program will help Participants improve their reading, writing, oral communication and numeracy skills, often in the vocational context, so they can acquire confidence and skills to improve their employment prospects.

The SEE program:

- provides for up to 650 hours of free training
- can be undertaken part-time (10 to 19 hours per week) or full-time (20 to 25 hours per week)
- must be completed over no more than a two-year period
- can be delivered in classroom settings or remotely via Online Learning Systems, virtual classrooms or printed resources.

Providers must enter information relating to SEE program placements into the Activity Management component of the Department's IT Systems to ensure that eligible Participants receive the fortnightly \$20.80 Language, Literacy and Numeracy Supplement (where eligible).

For more information on the SEE program, including program eligibility, please visit the [SEE Webpage](#).

Adult Migrant English Program (AMEP)

The AMEP helps Participants to learn foundation English language skills to enable them to settle and confidently participate in Australian society.

The AMEP provides 510 hours of English language tuition to eligible migrants and humanitarian entrants. To access the program, Participants must be permanent residents of Australia or hold an eligible visa. For more information on the AMEP, please visit the [Department of Home Affairs Website](#).

Defence Reserves

Defence Reserves is only available to Participants who can meet the enlistment and ongoing standards required by the Defence Reserves.

Defence Reservists receive a daily allowance to cover their costs while in training. The amount of this allowance varies. All Defence Reserves allowances are tax free and not considered to be income under the *Social Security Act 1991*.

Further information on Defence Reserves is available by calling Defence Reserves Support - General Enquiries on 1800 803 485 or from the [Defence Reserves Support website](#).



Documentary Evidence: jobactive Providers **must** retain evidence (either hard copy or soft copy) of signed training notice or signal notice (for Defence Force Reserves).

Exploring Being My Own Boss Workshop

Participants who participate in an [Exploring Being My Own Boss Workshop](#) with their NEIS Provider may be able to undertake a Complementary Placement to help them determine if self-employment is for them.

A 'complementary placement' is a:

- National Work Experience Programme Placement
- Work Experience (Other) Placement.

A jobactive Provider may be asked by a NEIS Provider to place an eligible Participant into a Complementary Placement.

The Participant must meet the eligibility requirements for the Activity and the jobactive Provider must meet the requirements outlined in relevant Guidelines and the Deed for placing a Participant into the Activity.

Non-vocational assistance and Interventions

Non-vocational assistance and Interventions can be undertaken where a Provider determines it is in the best interests of the Participant.

Examples of non-vocational assistance include:

- parenting courses
- career counselling
- cultural services and
- personal development courses.

Examples of Interventions include:

- drug or alcohol addiction treatments (including rehabilitation)
- counselling services
- disability Intervention
- medical or health-related services.

A Participant may participate in any of the above programs at any time.

For Stream A and B Participants, only participation in drug or alcohol addiction treatments (including rehabilitation) will count towards the Participant's AAR.

For Stream C Participants, participation in any of the above Activities will count towards the Participants AAR. Where the Participant is in drug or alcohol treatment, Providers must update the Participant's Job Plan with the NV07 code as a voluntary activity.

For Indigenous Participants and Participants in Stream C, participation in preventative health treatments will count towards the Participant's AAR. Where the Participant is in drug or alcohol treatment, Providers must update the Participant's Job Plan with the NV14 code as a voluntary activity.



Documentary Evidence: jobactive Providers **must** retain evidence (either hard copy or soft copy) of invoices for services or a letter of acceptance into a program (for non-vocational interventions).

Funding of any of the above Activities through the Employment Fund is subject to the Using the [Employment Fund General Account Guideline](#). Please see the [Managing and Monitoring Mutual Obligation Requirements Guideline](#) for further information.

Other government programs

Participants can undertake other government programs or other Activities, including other Australian Government, state or territory, or local government programs, if the Provider agrees.

Other government programs should not duplicate services Providers are contracted to deliver under jobactive.

For example, Participants may undertake programs such as Exploring Being My Own Boss Workshops, NEIS Assistance, NEIS Training and Defence Reserves.

NEIS Participants in receipt of Parenting Payment (Single) or the Disability Support Pension are able to choose to remain on their current payment or move to NEIS Allowance. NEIS participants exit jobactive to begin NEIS Assistance. For those NEIS participants who choose to remain on their current payment, their participation in NEIS Assistance will fully meet their Mutual Obligation Requirements.

Other government programs Participants can participate in vary between jurisdictions. Providers can contact their relevant state, territory or local government for up-to-date information on their range of programs available.

Some government programs undertaken will count towards a Participant's AAR in the Work for the Dole Phase, see the [Managing and Monitoring Mutual Obligation Requirements Guideline](#).



Work Health and Safety content: Before referring a Participant to an Other Government Program, Providers should be satisfied that there is a safe system of work in place, including that the relevant program is complying with work health and safety requirements relevant to the jurisdiction in which the program occurs. Providers must take all reasonable steps to minimise the likelihood of injury to Participants and any other people at the program location.

Vocational Training and Employment Centres

Vocational Training and Employment Centres (VTEC) support Indigenous Participants into sustainable employment. VTEC is an opt-in program that connects Indigenous Participants with guaranteed jobs and brings together the support services necessary to prepare Participants for long term employment.

VTECs need to ensure that Participants have a genuine interest in working in the field of the job and will be offered employment based around their skillsets and interests. Participants who are actively participating in VTECs will be fully meeting their Mutual Obligation Requirements.

VTEC is open to all Indigenous Participants, and Providers should contact their nearest VTEC and work together to undertake an informal assessment of the Participant's suitability for the available jobs.



System step: To record a VTEC placement, Providers should use the 'Vocational Training and Employment Centres' Activity Sub Type, available under the 'Other Government Programs' Activity in the Activity section of the Department's IT Systems. When the participation schedule in VTEC is not known, Providers are not required to use the Calendar.

The Try, Test and Learn Fund

The Try, Test and Learn (TTL) Fund is administered by the Department of Social Services (DSS) and trials new or innovative approaches to assist vulnerable people into stable, sustainable employment. Each TTL Fund project primarily targets individuals in one or more priority groups, which generally includes people receiving income support. A Participant's participation in an employment-focused TTL Fund project can count towards their AAR as another government program Activity.

Providers are encouraged to familiarise themselves with locally run projects that may assist their Participants to improve their employability. As eligibility requirements for each project may differ, providers should discuss any potential Participants with the relevant delivery organisation prior to referral.

The Department of DSS has published a [factsheet for jobactive providers](#) which lists the projects available across regions and more information is available on the [DSS website](#).

Regional Employment Trials – 10 Selected Trial Regions

The Regional Employment Trials program commenced on 1 October 2018 in ten selected trial regions. Participation in a Regional Employment Trials Activity is voluntary, and providers should record participation in a Regional Employment Trials Activity as a voluntary activity in the Participant's Job Plan. Participation will fully meet the Participant's fortnightly AAR, regardless of their hours of participation.

Providers may combine a Regional Employment Trials Activity with other supporting Activities where the Regional Employment Trials Activity provides the Participant with insufficient hours to fully meet their AAR hours for that month.

Participants who agree to be referred to the Trial are expected to fully participate in the Trial. Where this is not possible, the provider is required to work with the participant to renegotiate the activities in their Job Plan.

Where a Participant's participation in a Trial activity ends prior to the end of the Participant's Work for the Dole Phase, the Participant will need to be referred to another activity in order to fully meet their AAR.

See [the Regional Employment Trials Guideline](#) for further information, including on selected Trial regions.

Local Jobs Program – 25 Selected Employment Regions

The Local Jobs Program commenced from 1 September 2020 in 25 selected Employment Regions. Participation in a Local Jobs Program Activity is voluntary, and providers should record participation in a Local Jobs Program Activity as a voluntary activity in the Participant's Job Plan.

Participation will fully meet the Participant's fortnightly AAR based on their participation in the Activity, regardless of their hours of participation.

The Provider will use the Monthly AAR Hours field in the Department's IT Systems to record the Participant as having met their AAR requirement for the respective period relating to their participation in a Local Jobs Program Activity.

Providers are, however, able to combine participation in a Local Jobs Program Activity with other supporting Activities if this would benefit the Participant.

The Department will be monitoring Local Jobs Program Activity attendance.

Providers should update Local Jobs Program Activity Referrals in the Department's IT Systems when a Participant leaves or completes a Local Jobs Program Activity.

See the Local Jobs Program Guideline for further information, including on the 25 selected Employment Regions, the role of the Local Jobs Program Partnering Provider and management of Participants.

Non-government programs

Participants can undertake non-government programs or other Activities designed to improve their Employment prospects at any time if the Provider agrees.

Some non-government programs have been approved by the Department for AAR purposes, using the following principles:

- the program must have a demonstrated ability to, or high likelihood of, assisting Participants to move into sustainable work during the program or upon completion
- the program must comprise of more than just the delivery of a training course and any training must be vocational (preferably accredited) or directed at increasing Participant employability
- the program must not be undertaken by a Provider or an entity related to a Provider
- the program must not duplicate services Providers are contracted to deliver under jobactive.

A Participant's hours undertaken in approved non-government programs may be counted towards the AAR during the Work for the Dole Phase, as outlined in the Managing and Monitoring Mutual Obligation Requirements Guideline.

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.

Approval of a non-government program does not constitute approval of any costs associated with the operation of the program. Providers are responsible for

determining whether any costs involved with Participants participating in the program meet Employment Fund principles. Refer to the [Using the Employment Fund General Account Guideline](#).



Work Health and Safety content: Before referring a Participant to an approved non-government program, Providers should be satisfied that there is a safe system of work in place, including that the relevant program is complying with work health and safety requirements relevant to the jurisdiction in which the program occurs. Providers must take all reasonable steps to minimise the likelihood of injury to Participants and any other people at the program location.



System step: When claiming approved non-government program costs through the Employment Fund, the Activity ID for which the claim is being made must be recorded in the comments field of the Employment Fund commitment in the Department's IT Systems.

Further information to support this policy and the application form, can be found on the [non government program page](#) of the Department's website, or on the [Participation and Compliance Framework page](#) of the Provider Portal.

7. Summary of required Documentary Evidence

**Documentary Evidence:** Record keeping

- The Provider must keep records of attendance for each Participant who participates in relevant Activities in accordance with the Deed. Participants will either record their own attendance at an Activity or will report to a Supervisor or Provider to record their attendance on their behalf.

**Documentary Evidence:** Managing risks with Activities

- Providers have the discretion to determine how they document their risk assessments for National Work Experience Programme Placements, Work Experience (Other) Placements, PaTH Internships, Launch into Work Placements and Voluntary Work Activities.
- The Provider must retain Records of each risk assessment and any action taken in accordance with each risk assessment. The Provider must provide the relevant Records to the Department on request.

**Documentary Evidence:** Completing incident reports – both Personal Accident, and Public and Products Liability

- Providers must notify the department of any incident via the mechanism outlined in the [Insurance Reader's Guide](#), giving full details of the incident (irrespective of whether a claim is being made at the time).

**Documentary Evidence:** Training and study (other than EST)

- Where study is undertaken online, Providers can request Documentary Evidence from Participants of the online hours that they complete. Where the study hours are not sufficient to meet the Participant's AAR, other Activities will need to be undertaken to meet the AAR.

**Documentary Evidence:** jobactive Providers **must** retain evidence (either hard copy or soft copy) of statements of attainment or similar (for accredited education).

Documentary Evidence: For both self-employment and part-time/casual paid work, income reported by the Participant to Services Australia is acceptable Documentary Evidence. If the Participant is in the Work for the Dole Phase, this information will automatically populate into the AAR Details screen and is also available from the Case Summary Screen (Job Seeker Information – View Declared Earnings).



Documentary Evidence: jobactive Providers **must** retain evidence (either hard copy or soft copy) of payslips or Employer payroll summaries (for part-time work), if the Provider is not using the employment hours declared to Services Australia.

Additionally, Documentary Evidence for self-employment can include:

- a Profit and Loss Statement
- a signed and dated written statement from an accountant and/or registered bookkeeper
- copies of records from the Australian Taxation Office and/or a tax return statement
- a Business Activity Statement.



Documentary Evidence: jobactive Providers **must** retain evidence (either hard copy or soft copy) of signed training notice or signal notice (for Defence Force Reserves).



Documentary Evidence: jobactive Providers **must** retain evidence (either hard copy or soft copy) of invoices for services or a letter of acceptance into a program (for non-vocational interventions).



Documentary Evidence: jobactive Providers **must** retain evidence (either hard copy or soft copy) of Activity Host Organisation Agreements for Work for the Dole, and Voluntary Work.



Documentary Evidence: jobactive Providers **must** retain evidence (either hard copy or soft copy) of Activity Host Organisation Agreements for the National Work Experience Programme and Work Experience (Other) Placements.



Documentary Evidence: jobactive Providers **must** retain evidence (either hard copy or soft copy) of risk assessment documentation for the National Work Experience Programme, Work Experience (Other) and Voluntary Work which details that all Deed and relevant guideline requirements have been considered for both the Participant and the Activity.

Capitalised terms in this Guideline have the same meaning as in the jobactive Deed 2015–2022 (the Deed).

This Guideline is not a stand-alone document and does not contain the entirety of Employment Services Providers' obligations. It must be read in conjunction with the Deed and any relevant Guidelines or reference material issued by Department of Education, Skills and Employment under or in connection with the Deed.

Guideline:

Activity Management

Participating in Activities helps Participants to improve their skills and motivation so they can find and keep a job. Activities can also develop a Participant's ability to take directions from a Supervisor, work independently, communicate effectively, and work as part of a team.

This Guideline outlines the requirements for jobactive Providers when setting up and managing Activities (other than Work for the Dole Activities, PaTH Internships or National Work Experience Programme activities except where stated).

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Changes from the previous version (Version 8.0)

Policy changes:

Nil

Wording changes:

Added emphasis regarding the importance of determining Participant suitability and benefits prior to activity referral.

Document Change History:

A full document history is available at the [Provider Portal](#).

Related documents and references

[Job Seeker Calendar and AAR Details IT Supporting Document](#)

[Using the Employment Fund General Account Guideline](#)

[Exploring Being My Own Boss Additional Services](#)

[Insurance Reader's Guide](#)

[Managing and Monitoring Mutual Obligation Requirements Guideline](#)

[Managing PaTH Internships](#)

[How people access NEIS and participate in NEIS Training Guideline](#)

[Privacy Guideline](#)

[Regional Employment Trials Guideline](#)

[Work for the Dole Guideline](#)

[Local Jobs Program Guideline](#)

Employment Services Reporting:

AM001 - jobactive Activity Management

AM002 - jobactive Activity Placement

AM003 - WfD Phase Caseload Management

AM004 - WfD Phase Forecasting

Effective end: 30 June 2021

Effective from: 12 April 2021

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1. Identifying suitable Activities for Participants

Activities can generally be undertaken at any time where the Provider thinks it will be of benefit to the Participant, help support the Participant to progress towards employment, and appropriate for the Participant's individual circumstances and capacity. A broad range of Activities designed to improve a Participant's employment prospects can be included within a Participant's Job Plan at any time.

The types of Activities which can be undertaken include:

- Work for the Dole - for Participants aged 18 years or over (for information on Work for the Dole Activities, see the [Work for the Dole Guideline](#))
- PaTH Internships - for Participants aged 17 to 24 years (for information on setting up or managing PaTH Internships, see the [Managing PaTH Internships Guideline](#))
- PaTH Industry Pilots – for eligible Participants aged 17-24 years (for information on each individual Pilot, see the Provider Portal)
- Industry Workforce Solutions available through PaTH Business Placement Partnerships, for Youth Jobs PaTH Program eligible participants (for information on each Industry Workforce Solution, see the Provider Portal)
- National Work Experience Programme (NWEPP) - for Participants aged 17 years or over, in receipt of income support with Mutual Obligation Requirements (for information on managing NWEPP Activities, see the [Managing National Work Experience Programme Activities Guideline](#))
- Work Experience (Other) – for Participants aged 15 years or over
- PaTH Employability Skills Training (EST) – for Participants aged 15 to 24 years
- Career Transition Assistance (CTA) – for Participants aged 45 years or over
- Launch into Work program pre-employment projects – for Participants aged 15 years or over
- Voluntary Work
- Part-time employment
- Study or training - subject to approved short course conditions
- Accredited language, literacy and numeracy courses, including the Skills for Education and Employment (SEE) program, and Adult Migrant English Program (AMEP)
- Regional Employment Trials program
- Local Jobs Program
- Defence Reserves
- New Enterprise Incentive Scheme (NEIS) Training
- NEIS Assistance – for Participants who do not transfer to NEIS Allowance when their NEIS Participant Agreement begins
- other government programs – including state government programs and 'Exploring Being My Own Boss' Workshops
- non-government programs and other Activities designed to improve a Participant's employment prospects
- non-vocational interventions or assistance including drug or alcohol treatments
- non-vocational preventative health interventions and assistance – for Indigenous Participants and Participants in Stream C

More information on these Activities is provided in the [Activity-specific information](#) of this Guideline.

When placing Participants into Activities, Providers must give priority over other Participants to Fully Eligible Participants (those with Mutual Obligation Requirements) and to Participants with an Annual Activity Requirement (AAR) in the Work for the Dole Phase.

All eligible Participants in the Work for the Dole Phase must participate in one or more Activities, from a suite of approved Activities to meet their AAR.

For information on the suite of approved Activities to meet the AAR see [section 6 Approved Activity Specific Information](#) and the [Managing and Monitoring Mutual Obligation Requirements Guideline](#).

(Deed references: Clauses 87, 106, 107, 108, 109, 109D, 109F)

2. Sourcing Activities for Participants

Providers can provide the Activities themselves or Broker or Purchase Activities from an Activity Host Organisation.

Brokering occurs when an Activity is sourced through an Activity Host Organisation without any payment.

In the case of PaTH Industry Pilots, Providers may arrange (not provide, Purchase or Broker) placement in an Industry Pilot hosted by a PaTH Industry Pilot Provider.

In the case of PaTH Business Placement Partnerships, Providers may arrange (not provide, Purchase or Broker) placement in an Industry Workforce Solution hosted by a Business Partnerships Provider.

In the case of Launch into Work Placements, Providers may arrange (not provide, Purchase or Broker) Launch into Work Placements hosted by a Launch into Work Organisation.

In the case of the Regional Employment Trials (RET) program, Providers may arrange (not provide, Purchase or Broker) Placements in a RET Activity.

In the case of the Local Jobs Program (LJP), Providers may arrange (not provide, Purchase or Broker) Placements in an LJP Activity.

Providers remain responsible for ensuring that all Activities are delivered in accordance with the Deed regardless of whether the Provider delivers the Activity itself or the Activity is externally hosted by an Activity Host Organisation, a RET Grant Recipient, an LJP Activity Host, a PaTH Industry Pilot Provider, a Business Partnerships Provider or a Launch into Work Organisation.

Activity Host Organisations must not:

- have engaged in illegal operations or promote or condone any form of unlawful conduct
- be associated with the sex industry
- promote or condone gambling that the Department deems inappropriate
- promote or condone any form of violence, self-harm or suicide

- promote or condone any form of discrimination, including on the grounds of race, ethnic group, language, sex, religion or disability
- provide any other service that is likely to bring the Participant, the Provider or the Department into disrepute.

If the Provider Purchases an Activity it must do so under a Subcontract compliant with clause 48 of the Deed, or an Activity Host Organisation Agreement.

Providers must have a formal Activity Host Organisation Agreement or Subcontract (where appropriate) in place for National Work Experience Programme Placements, Work Experience (Other), Voluntary Work, and Work for the Dole Activities. Other Activities do not require an Activity Host Agreement or Subcontract.

Activity Host Organisation agreements

This section applies to Voluntary Work Activities, National Work Experience Programme Placements and Work Experience (Other) Placements. Work for the Dole and PaTH Internship arrangements are specified in the separate Guidelines.

Providers can provide Voluntary Work Activities, National Work Experience Programme Placements or Work Experience (Other) Placements themselves or they can Broker or Purchase Activities from an Activity Host Organisation.

If the Provider Brokers or Purchases the Activity it must do so under an Activity Host Organisation Agreement or Subcontract (where appropriate), even where there is a pre-existing relationship between Provider and Activity Host Organisation, or the Participant has a pre-existing placement outside jobactive.

Activity Host Organisation Agreements between Providers and Activity Host Organisations ensure that both parties understand their rights and obligations. The Activity Host Organisation Agreement must be signed by the Participant, Provider and Activity Host Organisation prior to the Participant commencing in the Activity.

Providers and Activity Host Organisations must discuss and document the Activity Host Organisation obligations, including:

- details of the proposed Activity and its associated tasks
- the Participant's needs and capabilities
- details of the Supervision being provided
- details of the contact person for daily evidence to be sent to, for example QR codes and passcodes will be sent to the activity supervisor so Participants can self-report their attendance
- how attendance will be reported for Participants who have been assessed as not being capable of recording their own attendance, and what support should be provided if a Participant requests their supervisor to record attendance on their behalf
- stakeholders and their roles—in particular those who are best placed to manage associated risk
- work health and safety and incident reporting.

The Work Experience Activity Agreement template for National Work Experience Programme Placements and Work Experience (Other) Placements can be found on

the Provider Portal. This template must be used for any National Work Experience Programme Placement or Work Experience (Other) Placement.

The Activity Host Organisation Agreement templates for Voluntary Work and Work for the Dole can be found on the Provider Portal. While Providers may use their own agreement for Voluntary Work or Work for the Dole Activities, they must ensure that the topics in the Department's template agreement are covered in their agreement and must include, word for word, any clauses specified by the Department, for example on displacement and work health and safety.

(Deed references: Clauses 48, 107, 108, 110, 111, and 112).

3. Commencing and managing a Participant in an Activity

When identifying appropriate Activities for Participants, Providers must ensure the Activity benefits the Participant, assists in helping the Participant progress towards employment, and takes into account the Participant's individual circumstances and capacity. Before commencing a Participant into an Activity Providers should:

- identify and appropriately take into account the Participant's Stream, Phase, and any Mutual Obligation Requirements (including AAR).
- identify and appropriately take into account the individual needs of the Participant, including:
 - education, experience, skills, and age
 - capacity to undertake an Activity
 - strengths as well as any barriers they have to participating
 - the impact of any disability, illness, physical or mental health condition or other non-vocational issue, including drug and alcohol dependency, affecting ability to participate in Activities
 - preferences and employment goals, where possible
 - any other matters that the Provider considers relevant to the Participant's circumstances.
- ensure activities do not place unreasonable demands on the Participant
- consider and seek out Activities that will help Participants overcome or manage any vocational and non-vocational barriers.
- identify if the Participant is eligible to participate in the Activity, where relevant
- explain to the Participant when to commence an Activity and the consequences of not commencing an Activity on time
- identify the frequency of Contact with the Participant while they are participating in the Activity. The frequency, timing and duration of this Contact will be negotiated between the Provider and the Participant and should match the Participant's needs.

A Provider must, in consultation with the Participant, update a Participants' Job Plan with information about the selected Activity.

Where required, the Job Plan must also include the number of hours each fortnight a Participant is required to undertake in an Activity. This applies to any compulsory Activity, both during and outside of the Work for the Dole Phase. See the [Managing and Monitoring Mutual Obligation Requirements Guideline](#) and [Job Plan and Scheduling Mutual Obligation Requirements Guideline](#).

Once a Participant has commenced an Activity, the Provider must support them to meet the terms of their Job Plan by:

- meeting with or contacting Participants to obtain feedback on their progress and resolving issues that may arise
- providing or ensuring adequate supervision of the Activity to maintain the general health and welfare of all Participants
- ensuring that work health and safety standards are upheld, where relevant
- ensuring that Participants have adequate safety equipment and clothing for the Activity, where relevant
- ensuring that Participants are provided with all things necessary for participation in Activities, including materials, equipment, on-site services and facilities (such as toilets) and training
- ensuring that Participants are benefiting from the Activity, enhancing their Employment prospects and are not being exploited
- minimising disruptions where a Participant is attending an Activity (e.g. arranging Provider appointments outside Activity times where possible)
- monitoring the Participants' progress, attendance, behaviour and satisfaction with the Activity
- ensuring that Participants understand their requirement to record or report their own attendance at Activities (or if they are unable to report their own attendance—such as in the case of participation in the SEE or AMEP programs—that there are arrangements in place for the training provider to report on the Participants' behalf)
- keeping an accurate record of attendance for approved Activities being undertaken for the purposes of meeting the AAR.

Participants will generally be required to source their own transport to and from an Activity. In some instances, Providers will be required to, or may choose to, arrange transport for Participants to and from an Activity in cases where:

- a Participant does not have access to a vehicle or does not have a drivers' licence, or 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
- the Activity has a residential or overnight accommodation component.

If Providers are transporting Participants to and/or from an Activity, this must be included in the risk assessment of the Activity.

Setting up Activities in the Department's IT Systems



Documentary Evidence: Providers must identify and create all of their Activities in the Activity Management component of the Department's IT Systems, with the exception of the creation of RET, Non-Government Program, PaTH Industry Pilots, PaTH Business Placement Partnerships run Industry Workforce Solutions and Launch into Work Activities, which are created by the Department, and the creation of EST, CTA and LJP Activities, which are created by CTA and EST Providers, and LJP Partner Providers

When creating Activities, Providers must identify if there is any evidence required from the Participant to verify attendance at the Activity. Where evidence is required, this will be a QR code or passcode the Participant must scan using the Job Seeker App or record in the jobactive website (Please note, a number of Activities are not scheduled in the Calendar in the Department's IT Systems. For example, attendance of Participants placed in the SEE program will be verified by attendance reports supplied by the SEE training provider). This is mandatory for Work for the Dole Activities.

Providers will need to enter recipient details when creating the Activity so the evidence is automatically sent to the Self-Reporting Evidence Recipient to be made available for the Participant. The Department's IT Systems will create unique passcodes or QR codes for each Activity each day. The Activity Supervisor or Provider will need to make these details available to Participants who participate in the Activity as they will need to input the code to have their attendance marked off.

Providers must create schedules of daily Activity participation when creating Activities to identify the start and end dates, and days and times, an Activity will run for groups of Participants. Schedules can exist for different locations for the same Activity and multiple schedules at different times for different groups. Providers place a Participant's details against an Activity when the Participant is referred to the Activity. Providers must also include Activity Host Organisation details when setting up Activities and course identifiers (for study or training placements). Providers can link a Participant to a schedule which will populate their Calendar with the daily Activity requirements they must meet.

This will give each Activity a unique Activity ID and assist Providers in identifying and managing a Participant's placement.

Where there are multiple Participants undertaking Activities for the same organisation, Providers should create a single Activity record and place the Participants with the same organisation into that single Activity.

A separate Activity should be created for each unique Activity that is being undertaken by a Provider's Participants. An Activity is considered unique where the tasks being undertaken are not the same as an existing Activity, or are undertaken under different circumstances.

For example, Participants doing similar Voluntary Work with different organisations would be considered to be doing different Activities and each should have a separate activity created in the Department's IT Systems. Correspondingly, a single Work for the Dole project being completed across multiple host organisations would be considered to be a single Activity and separate records would not need to be created.

For Participants doing part-time work Activities, the Department's IT Systems automatically creates a part-time work Activity and places the Participant into that Activity when the Participant declares hours of employment to Services Australia. However, if the Provider has already manually placed the Participant into a part-time work Activity, the Department's IT Systems will not create the Activity automatically. When a Provider manually places a Participant into a part-time work

Activity, this will be the activity recorded in the Activity Management component of the Department's IT Systems.

Because paid employment is not scheduled in the Calendar, the Participant or the Provider should enter paid employment as a Personal Event so that any conflict is avoided.

For more information see the [Job Seeker Calendar and AAR IT Supporting Document](#).

Scheduling Activity Participation in the Calendar

Providers must schedule Participant Activity requirements in the Provider Calendar in the Department's IT Systems. This includes all:

- Activities, except
 - Education and Training where the course is delivered online, or that portion of the course delivered online.
 - where it is a requirement that the Participant resides with the host organisation, either as part of a residential program or Drug and Alcohol Treatment or as part of Defence Reserves.
 - Employment and work experience activities where the hours are irregular and are organised directly between the Participant and the employer or host.
 - Where the Department's IT Systems does not support scheduling of the activity (for example, SEE program). For more information see the [Job Seeker Calendar and Annual Activity Requirement IT Supporting Document](#).
- Workshops, training and other activities delivered by the Provider to Participants

Providers must schedule the individual dates, days, start and end times and breaks of Activities. For paid Employment, Providers must use Participant Personal Events to schedule the days and times of paid Employment, unless the Participant has created Personal Events for paid employment.

Requirements cannot be scheduled unless the corresponding Job Plan code is in the Participant's Job Plan and within the recorded date range.

Where requirements are scheduled, these will be visible to Participants in their Calendar to allow them to record their own attendance.

See the [Job Plan and Scheduling Mutual Obligation Requirements Guideline](#) for more information.

Recording and Monitoring Attendance at Activities

Participants have responsibility for recording and/or reporting their own attendance at Activities if they are found capable of doing so. Providers will assess a Participant's capability to record their own attendance at Activities; where the Participant is capable, they will have the 'Personal Responsibility to Report and Record Attendance' Job Plan code in their Job Plan.

Participants will scan a QR code via the Job Seeker App or record a passcode through the jobactive website to record their attendance at an Activity. If an Activity runs for more than four hours, two codes will be generated: one for each four-hour block.

The Participant will need to record both codes to record their attendance for the whole requirement.

Where evidence is not required, such as at individually based Activities, Participants are still required to record and verify their attendance using the Job Seeker App or jobactive website by confirming they have attended and participated for the duration.

Where hours are not required to be scheduled (see [Scheduling Activity Participation in the Calendar](#)), providers must manually record the hours completed each month.

Where Participants are not capable of recording their own attendance using technologies, they are still responsible for reporting their attendance. This may involve a Participant calling their Provider to request they record their attendance, or asking the Activity Supervisor at their requirement to ensure their attendance is recorded on their behalf.

If attendance is not recorded by the end of the day, the Participant's Income Support Payment will be automatically suspended.

Note that under the SEE contract, SEE training providers are only required to report hours of attendance fortnightly to the program. They will discuss with referring Providers how regularly they must supply the attendance records.

There will be some Activities where there is no Documentary Evidence for recording attendance required to be kept by Providers.



System step: For Participants unable to record attendance at Activities, Providers **must** use the Calendar to record the Participant's attendance in the Department's IT Systems by the end of the day. This **must** be done for every day that the Participant is required to participate.

Providers **must** record the hours completed by Participants within 20 Business Days of a Participant exiting the Work for the Dole Phase or when they exit the Provider's caseload (e.g. exiting from jobactive or transferring to another Provider) to enter hours of participation in the Phase or set the AAR Flag to 'met', if appropriate. If nothing has been entered into the system after the 20 Business Day timeframe, the Participant's required hours will be recorded as not met.

Non-Work for the Dole Activity Costs

Some costs associated with Activities may be reimbursed through the Employment Fund. See the [Using the Employment Fund General Account Guideline](#).

For non-Work for the Dole Activity costs claimed through the Employment Fund, the Activity identifier for which the claim is being made must be recorded in the Department's IT Systems.

(Deed reference: Clause 88)

Record keeping



Documentary Evidence: The Provider must keep records of attendance for each Participant who participates in relevant Activities in accordance with the Deed.

Where Participants record their own attendance at Activities via the Job Seeker App or the jobactive website, this will count as Documentary Evidence for Participant attendance.

Where Activity attendance information has been entered by the Activity Host Organisation into the Supervisor App or directly into the Department's IT Systems, Documentary Evidence is not required to be kept.

The Provider must make sure that Supervisors are aware that they are required to notify the Provider of any misconduct that has occurred at Activities on the day of the event.

Providers need to record Participants' attendance at Activities where the Participant has reported their attendance to them, there are issues with on-line dashboard or app for the Participant to record their attendance directly or the Provider has taken responsibility for monitoring and recording attendance on the day of the Activity.



Documentary Evidence: jobactive Providers **must** retain evidence (either hard copy or soft copy) of statements of attainment or similar (for accredited education).



Documentary Evidence: For both self-employment and part-time/casual paid work, income reported by the Participant to Services Australia is acceptable Documentary Evidence. If the Participant is in the Work for the Dole Phase, this information will automatically populate into the AAR Details screen, and is also available from the Case Summary Screen (Job Seeker Information – View Declared Earnings).



Documentary Evidence: jobactive Providers **must** retain evidence (either hard copy or soft copy) of payslips or Employer payroll summaries (for part-time work), if the Provider is not using the employment hours declared to Services Australia.

Additionally, Documentary Evidence for self-employment can include:

- a Profit and Loss Statement
- a signed and dated written statement from an accountant and/or registered bookkeeper
- copies of records from the Australian Taxation Office and/or a tax return statement
- a Business Activity Statement.



Documentary Evidence: jobactive Providers **must** retain evidence (either hard copy or soft copy) of signed training notice or signal notice (for Defence Force Reserves).



Documentary Evidence: jobactive Providers **must** retain evidence (either hard copy or soft copy) of invoices for services or a letter of acceptance into a program (for non-vocational interventions).



Documentary Evidence: jobactive Providers **must** retain evidence (either hard copy or soft copy) of Activity Host Organisation Agreements for Work for the Dole, and Voluntary Work.



Documentary Evidence: jobactive Providers **must** retain evidence (either hard copy or soft copy) of Activity Host Organisation Agreements for the National Work Experience Programme and Work Experience (Other) Placements.



Documentary Evidence: jobactive Providers **must** retain evidence (either hard copy or soft copy) of risk assessment documentation for the National Work Experience Programme, Work Experience (Other) and Voluntary Work which details that all Deed and relevant guideline requirements have been considered for both the Participant and the Activity.

Completing Activities

Once an Activity has ended Providers must complete the Activity in the Department's IT Systems.



System step: Providers must input the relevant details into the Activity Management screen, including:

- an Activity placement end reason and end date for Participant placement records
- final attendance information (including hours completed on Activities) for Participants where relevant
- for EST only, an assessment of the impact the EST Course had on the Participant's employability skills.



System step: For study or training activities, Providers need to record the outcomes of the training course upon completion (for example, whether a certificate or statement of attainment was achieved).

For Participants who have completed an EST Course, Providers will receive an assessment of learning outcomes. If the Participant's participation in the EST Course has resulted in the achievement of a certificate or statement of attainment, the EST Provider will include this achievement in the assessment of learning outcomes from the EST Course.

For information on additional Documentary Evidence that needs to be retained for a Participant's AAR, refer to the [Managing and Monitoring Mutual Obligation Requirements Guideline](#).



Documentary Evidence: jobactive Providers **must** retain evidence (either hard copy or soft copy) of statements of attainment or similar (for accredited education).

For Participants who have participated in and completed a CTA Course, jobactive Providers will receive an individually tailored Career Pathway Plan and an up to date résumé at the Warm Handover Meeting with a CTA Provider. The CTA Provider will upload the Career Pathway Plan and Résumé against the relevant Activity Placement in the Department's IT Systems.

4. Managing risks with Activities

Insurance coverage for Participants

The Department purchases personal accident insurance and combined public and/or product liability insurance to cover Participants undertaking Activities, including:

- Voluntary Work
- National Work Experience Programme

- Work Experience (Other)
- PaTH Internships
- PaTH Industry Pilots
- PaTH Business Placement Partnerships run Industry Workforce Solutions
- Launch into Work Placements
- RET Activities
- LJP Activities
- Non-government programs approved for AAR purposes
- Hosted Industry Awareness Experiences that form part of EST and are hosted on a third party's premises, for example a tour of an employer's premises
- Hosted Outbound Employer Visits that form part of CTA and are hosted on a third party's premises, for example a tour of an employer's premises
- other approved work experience Activities
- any other Activities the Department advises.

However, these policies have exclusions. See the [Insurance Reader's Guide](#) and insurance policies on the Provider Portal.

(Deed references: Clauses 42, 107, 109, 109A, 109D, 109F).

Sourcing additional insurance coverage

If alternative insurance is in place, Providers can still deliver Activities where tasks are excluded under the Department's policies.

Providers can confirm the Activity Host Organisation, CTA Provider, RET Grant Recipient, PaTH Industry Pilot Provider, Business Partnerships Provider, LJP Activity Host or Launch into Work Organisation has appropriate insurance coverage, or where coverage is insufficient, the Provider can decide to purchase additional insurance.

For information on using the Employment Fund to purchase additional insurance, please refer to the [Using the Employment Fund General Account Guideline](#).

As an alternative to purchasing insurance, the Provider could 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 references: Clause 42, 107, 109, 109F)

Ensuring Work Health and Safety measures are in place

This section applies to Voluntary Work Activities, National Work Experience Programme Placements, Work Experience (Other) Placements, PaTH Internships, PaTH Industry Pilots, PaTH Business Placement Partnerships run Industry Workforce Solutions, RET Activities, LJP Activities and Launch into Work Placements.



Work Health and Safety content: The Provider must ensure that there is a safe system of work in place and ensure that the Activity Host Organisation, PaTH Industry Pilot Provider, Business Partnerships Provider, RET Grant Recipient, LJP Activity Host or Launch into Work Organisation is aware of and understands the need to comply with relevant work health and safety requirements..

Providers must take all reasonable steps to minimise the likelihood of injury to Participants and any other people at the Activity location. Participants are to be provided with all things necessary to undertake their Activity safely, including but not limited to, appropriate and adequate:

- training and supervision
- personal protection equipment and clothing
- on-site facilities (for example, access to drinking water and toilets)
- processes for reporting any work health and safety issues and any other concerns.

Providers must consult, coordinate and cooperate as appropriate with Activity Host Organisations, PaTH Industry Pilot Providers, Business Partnerships Providers, Launch into Work Organisations, RET Grant Recipients, LJP Activity Host and the Department, to ensure that any work health and safety issues in relation to an Activity are appropriately managed.

(Deed references: Clause 8, 42, 69, 107, 109, 109A, 109D, 109F, 110, 111, 112, 113)

Conducting risk assessments

This section applies to Voluntary Work Activities, National Work Experience Programme Placements, Work Experience (Other) Placements, PaTH Internships, LJP Activities and Launch into Work Placements.

The Provider must ensure a Competent Person conducts and documents a risk assessment before an Activity commences. If the Provider does not itself have a Competent Person, it must engage a Competent Person for this purpose.

The risk assessment is to:

- identify potential risks and hazards associated with the tasks that will be undertaken during the Activity
- identify if the Activity is suitable for the relevant Participant/s, including identifying any risks that may arise from a Participant's personal circumstances.

The risk assessment should take into account the role of the Activity Host Organisation, LJP Activity Host or Launch into Work Organisation and the tasks the Participants will be undertaking, with regard to the following factors:

- the nature of the tasks to be undertaken
- the Participant's personal circumstances (that is, working capabilities, any health or other personal issues and level of experience)
- the level of supervision
- the nature of the risk
- the cause of the risk
- consequences of an incident.

In undertaking the risk assessment, the Provider must consider the working environment, including whether the placement is:

- in a non-public area (such as a private residence worksite with a trades person)
- with a sole trader (such as a butcher or hairdresser who operates from a small shop or private residence)

- working alone with another person
- with alternative hours of work (for example, early starts, night work)
- working in a labour hire environment in one or more different workplaces.

For example, the Provider will need to consider the risks of placing a Participant with medical needs in a remote location Activity and ensure this is a suitable placement for the Participant.

Providers must review risks regularly and take appropriate action on those risks where required. The Provider and Activity Host Organisation or Launch into Work Organisation must determine and implement appropriate methods to mitigate the identified risks after conducting the risk assessment.

Where a 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 Activity Host Organisation, LJP Activity Host or Launch into Work Organisation, the Activity must not proceed.

[Further information on conducting Risk Assessments is available on the Provider Portal.](#)



Documentary Evidence: Providers have the discretion to determine how they document their risk assessments.



Documentary Evidence: 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 on request.

(Deed references: Clauses 42, 88, 110, and 111)

Supervision requirements

This section applies to Voluntary Work Activities, National Work Experience Programme Placements and Work Experience (Other) Placements.



Work Health and Safety content: Providers must make sure the Activity is well supervised to protect the health, welfare and safety of Participants and others.

There must be a higher level of Supervision where contact with Children, the elderly, or other people from vulnerable groups are involved. This may mean there needs to be a higher ratio of Supervisors to Participants.

The Provider must ensure that all relevant Personnel and Supervisors:

- are fit and proper persons to be involved in the Activities
- have a high level of skill or knowledge and training or experience for the Activity in which they are engaged
- have a high level of skill or knowledge and training or experience working with, training and supervising people in such Activities
- have relevant work health and safety training
- have had checks as specified in clause 8 of the Deed and have met any additional statutory requirements before being given responsibility for the Supervision of Participants

Supervisors (whether engaged by the Provider or an Activity Host Organisation) must notify the Provider of Participants' non-compliance at Activities no later than at the end of the relevant day.

The Employment Fund can be used to pay for Supervisor costs, if the costs are associated with the literal supervision of Participants on the Activity and not for any other tasks or services already paid for under the Deed. See the [Using the Employment Fund General Account Guideline](#) for further information on what can be claimed through the Employment Fund.

(Deed references: Clauses 42, 88, 110, and 111).

Conducting background checks

This section applies to Voluntary Work Activities, National Work Experience Programme Placements, Work Experience (Other) Placements, PaTH Internships, PaTH Employability Skills Training, PaTH Industry Pilot Placements, PaTH Business Placement Partnerships run Industry Workforce Solutions, Launch into Work Placements, RET Activities, LJP Activities and the New Enterprise Incentive Scheme.

For the purpose of this Guideline, 'checks' refers to criminal records checks, Working with Children checks and/or Working with Vulnerable People checks.

Providers must establish whether the nature of an Activity requires Participants and/or Supervisors to have checks. Activities that require checks include those where:

- legislation requires checks to be conducted
- the Activity is subject to industry standards or legal requirements that an Activity can only be carried out by people who have not been convicted of particular crimes
- the Activity is specified by the Department or the Activity description in the Department's IT Systems as requiring checks
- the Participant or Supervisor will have regular or unsupervised contact with Children, the elderly or other classes of vulnerable people.

Unless notified otherwise by the Department, the Provider must arrange for any checks to be completed before allowing the Participant to participate in the Activity. With the exception of PaTH Industry Pilots, PaTH Business Placement Partnerships run Industry Workforce Solutions, Launch into Work Placements, RET Activities and LJP Activities the Provider must also arrange for any necessary checks before allowing a Supervisor to participate in the Activity. PaTH Industry Pilot Providers, Business Partnerships Providers, Launch into Work Organisations, RET Grant Recipients and LJP Activity Hosts are responsible for arranging checks for Supervisors on these programs.

Providers should contact the relevant organisation 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 Activities for Participants awaiting the outcomes of the checks.

Providers should take appropriate action once the checks are completed. Where checks show that Participants or Supervisors must not do particular Activities, alternative Activities should be undertaken.

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. Check results must be handled in accordance with the requirements outlined in clauses 35 and 38 of the Deed. Additional information regarding disclosure of information and privacy considerations can be found in the [Privacy Guideline](#).

If checks are required for Activities 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.

Providers can seek Reimbursement through the Employment Fund for costs associated with Participant checks for Activities. Costs associated with checks for Supervisors cannot be claimed through the Employment Fund.

(Deed references: Clauses 8, 35, 38, 88, 112, and 124)

5. Managing incidents that occur on Activities



Work Health and Safety content: If a Participant or member of the public is injured during an Activity, the Provider should, first and foremost, encourage the injured person to seek appropriate medical attention or call emergency services depending on the nature of the incident. The Supervisor must try and protect other Participants from unnecessary trauma where possible.

When must an Incident be reported?



Work Health and Safety content: As outlined in the [Insurance Reader's Guide](#), if an incident results in the death or serious injury of a Participant, the Supervisor must immediately notify the work health and safety regulator of the incident in accordance with laws of the relevant state or territory.

The Provider must notify the Department, as outlined in the [Insurance Reader's Guide](#), within 24 hours, and as soon as possible, of any incident and/or near miss that occurs during an Activity, including those that result in accident, injury or death of:

- any Participant (including where the incident occurred while the Participant was travelling to or from an Activity)
- any Personnel involved in the delivery or supervision of the Activity
- members of the general public.

All Incidents – both Personal Accident and Public and Products Liability



Documentary Evidence: Providers must advise the department of any incident that occurs in the method outlined in the [Insurance Reader's Guide](#), giving full details of the incident (irrespective of whether a claim is being made at the time). Forms for host organisations to notify providers of WHS Incidents are available on the Insurance page of the Provider Portal. Forms for providers to complete to notify the

department of any public and products liability incidents are also available on the Insurance page of the Provider Portal.

- A WHS Employment Assistance Program Incident Report must be completed by the Host when an incident involves a Participant's accident, injury or death and submitted as outlined in the Insurance Reader's Guide. A public and products liability claim form/incident report is used when a third party alleges a Participant has been negligent and caused accident, injury or death, or property damage.

The incident report must identify if the incident was caused by an instance of misconduct by a Participant. Misconduct is defined as being something that would, if the Participant was a paid employee, normally result in the paid employee being terminated from paid employment. Any misconduct by Participants may require the Provider to lodge a non-compliance report.

It is important that Participants have access to reporting mechanisms in the event they wish to report an incident, lodge a complaint or provide positive/constructive feedback confidentially. The Provider needs to 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.

For further information in relation to the process for reporting incidents and completing incident forms refer to the [Insurance Reader's Guide](#).

(Deed references: Clause 110)

Incident Recording Requirements in ESS



System step: The provider must complete the 'Job Seeker - WHS Incident' screen in ESS Web, giving full details of the incident (irrespective of whether a claim is being made at the time).

Following submission, the provider will receive confirmation of successful submission of the incident and a copy of the information will be sent to:

- The Work for the Dole branch, and
- The relevant Account Manager.

The Provider is able to report any instances of misconduct or threatening behaviour on the 'Job Seeker Incident Report' screen of ESS Web, whether or not the incident is associated with a police report.

For further information on the incident reporting process, see the [Insurance Reader's Guide](#) and [Servicing Participants with Challenging Behaviour Guideline](#).

6. Approved Activity-specific information

When determining whether an Activity is appropriate for a Participant, Providers need to consider whether the Activity:

- benefits the Participant
- will assist in progressing the Participant towards employment
- takes into account the Participants individual circumstances and capacity.

For information relating to Work for the Dole Activities, see the [Work for the Dole Guideline](#). For information relating to PaTH Internships, see the [Managing PaTH Internships Guideline](#). For information relating to the National Work Experience Programme, see the [Managing National Work Experience Programme Activities Guideline](#). For information relating to RET Activities see the [Regional Employment Trials Guideline](#). For information relating to LJP Activities see the [Local Jobs Program Guideline](#).

Work Experience (Other) Placements

Work Experience (Other) Placements allow Participants who may not be job-ready to undertake short term, unpaid, observational work experience placements to build soft skills and gain a better understanding of how workplaces operate.

Under Work Experience (Other) Placements, the Provider may provide or Broker up to a maximum of 4 weeks of unpaid work experience.

Work Experience (Other) Placements can occur in for-profit and not-for-profit organisations (referred to as Activity Host Organisations) and do not need to have a likelihood of an outcome of paid Employment.

A Work Experience (Other) Placement is not Employment, training, an apprenticeship, or other similar scheme.

Work Experience (Other) Placements:

- are voluntary
- are for Participants aged 15 years and over regardless of whether or not they are in receipt of an Income Support Payment
- do not attract the Approved Program of Work Supplement
- must only be up to a maximum of 50 hours a fortnight and involve a maximum duration of 4 weeks total participation time
- must not exceed 8 hours per day
- must not include participation on a public holiday, are observational only and cannot involve productive work
- are not Employment, and do not, in themselves, entail creating an Employment arrangement
- may be arranged even where there is no prospect of future employment with the Activity Host Organisation
- must not be used as a stop-gap measure while an organisation is undertaking recruitment exercises, or as a way of meeting ad-hoc needs in lieu of creating paid Employment opportunities
- must not, in whole or in part, involve work which would have been undertaken by a paid worker if the Work Experience (Other) Placement had not taken place
- must be ended where the Activity Host Organisation offers a paid employment position to the Participant
- must be ended if an organisation downsizes its workforce at the time of hosting a placement
- cannot be approved for AAR purposes except for Stream C jobactive Participants.

Providers must ensure that each Work Experience (Other) Placement:

- is not an Employment relationship under the relevant Commonwealth, state or territory legislation
- meets Commonwealth, state or territory legislation including work, health and safety laws and anti-discrimination laws
- has a Work Experience Activity Agreement (Activity Host Organisation Agreement) completed before the placement commences (available from the Provider Portal).

Participants undertaking a Work Experience (Other) Placement must have, or must be provided with, the appropriate knowledge and skills to safely observe work tasks in the workplace, including being supervised, prior to commencing in the placement.



Documentary Evidence: jobactive Providers **must** retain evidence (either hard copy or soft copy) of timesheets or other records of attendance. Where Activity attendance information has been recorded by the Participant, entered by the Activity Host Organisation into the Supervisor App or directly into the Department's IT Systems, offline records are not required to be kept.



Documentary Evidence: jobactive Providers **must** retain evidence (either hard copy or soft copy) of Activity Host Organisation Agreements for the National Work Experience Programme and Work Experience (Other) Placements.



Documentary Evidence: jobactive Providers **must** retain evidence (either hard copy or soft copy) of risk assessment documentation for the National Work Experience Programme, Work Experience (Other) and Voluntary Work which details that all Deed and relevant guideline requirements have been considered for both the Participant and the Activity.

PaTH Employability Skills Training (EST)

Overview of EST

EST gives young Participants the opportunity to enhance their employability through targeted training. EST consists of two training blocks with different content focuses:

- Training Block 1 EST Courses are designed to equip young Participants with pre-employment skills and prepare them to meet Employers' expectations in the workplace. This EST Course covers the 10 Core Skills for Work listed in the Core Skills for Work Developmental Framework (2013).
- Training Block 2 EST Courses focus on job preparation and are designed to equip young Participants with advanced job-hunting, career development and interview skills. Industry awareness experiences provide Participants with insight into the tasks and duties of different industries.

Each EST Course consist of 75 hours of training.

Collaborating with EST Providers

Availability of EST Courses to meet job seekers' needs relies on jobactive providers communicating any lack of suitable EST Courses (for example EST Courses in a particular location, part-time EST Courses or EST Courses with industry specialisation) to EST Providers.

The success of EST relies on jobactive and EST Providers working together to ensure the right EST Courses are available, and that sufficient job seekers are referred for the EST Course to proceed.

Referring Participants to EST Activities

A Participant is EST Eligible if they are aged between 15 and 24 years, receiving an Income Support Payment and have Mutual Obligation Requirements. EST Eligible Participants can be referred to an EST Course from day one in jobactive.

An EST Eligible Participant has a mandatory requirement to participate in EST once they have received services through jobactive for five months.

An EST mandatory Participant must be immediately considered for both EST Courses.

Prior to making a referral to EST, Providers must discuss the training with Participants, and determine if the Participant should be referred to:

- a Training Block 1 EST Course, a Training Block 2 EST Course, or both types of EST Courses (noting EST Courses may be undertaken in any order, and that a Participant remains EST mandatory if they do not complete both EST Courses)
- a generalist EST Course or, if it aligns with their aspirations, a EST Course with an industry specialisation
- a face-to-face or non-face-to-face EST Course, noting that for non-face-to-face EST Courses Providers must ensure Participants have access to the required technology to participate.

Participants with full-time Mutual Obligation Requirements should be referred to EST Courses run for 25 hours per week over three weeks. Participants with part-time Mutual Obligation Requirements should be referred to EST Courses run for 15 hours per week over five weeks, however they may volunteer to undertake a 25 hours per week EST Course.

When discussing EST referrals with Participants, Providers must communicate information about the EST Course content and benefits of attending. An EST [Participant fact sheet](#) is available on the Provider Portal and short promotional videos can be found on the Australian Government's [Jobsearch](#) website.

Providers should ensure they refer Participants to EST Courses with sufficient lead time for the EST Course to meet the minimum referral numbers for the EST Course to proceed. Providers should also refer Participants to EST Courses with sufficient lead time to allow the Participant to commence on day one. Participants cannot commence after day three.

Providers must ensure contact details are current in the Participant's ESS Web record at the time of referral. This enables EST Providers to make contact with Participants prior to the training.

Providers should generally refer Participants to EST Courses within their residing Employment Region, unless the Participant requests to attend an EST Course in an adjoining Employment Region (for example to facilitate better transport connections).

Participants should only undertake each type of EST Course once. If a Participant has participated but did not achieve the required learning outcomes the Provider can re-enrol the Participant once more, with a different EST Provider.

Providers must not refer Participants to an EST Course delivered by an EST Provider that is either the Provider's Own Organisation or a Related Entity.

Participants in EST are subject to the Targeted Compliance Framework (TCF). To assist EST Providers to manage attendance, a direct contact number for the referring jobactive site should be available in the Department's IT Systems.

Following Participants' participation in EST

Providers will receive a written assessment of each Participant's employability skills, as assessed by the EST Provider against the learning outcomes for the EST Course. The Participant also receives a copy of this assessment, and any certificates or statement of attainments for achieved units of competency, which they can use to promote themselves to Employers.

At the next meeting with the Participant following their completion of EST, EST Providers should make their own assessment of the impact the EST Course had on the Participant's employability skills. If the exit reason 'successfully completed' is selected in the Department's IT Systems, the Provider must enter their rating of the young person's improvement in employability skills. Providers can update the assessment rating if required to account for observed changes in a Participant's skills.



System step: The Department's IT Systems identify if a Participant is EST Eligible or mandatory, and sends a notification to advise when an EST Eligible Participant becomes EST mandatory. In addition to the EST eligible widget, EST caseload reports are available in Employment Services Reporting and Qlik to identify EST mandatory and Eligible Participants, including those not in any Activity.



System step: Refer to ESS Web System Help > jobactive > Activities for detailed systems information about creating and ending EST referrals.

Exempting EST Mandatory Participants from EST participation

If the EST Provider does not think the Participant would benefit from either type of EST Course, or there are no suitable EST Courses commencing within the next eight weeks, the EST Provider must record one of the following EST exemption reasons in the Department's IT Systems:

- The Participant already has the relevant skills or experience (such as through having relevant recent workforce experience or already having a part-time job) or has already completed similar training.
- The Participant has Non-Vocational Barriers, which should be addressed before they can benefit from the training. For example, a Participant may have unstable accommodation and needs to address their accommodation issues first.
- There are no suitable EST Courses available for the Participant. For example, where the Participant requires a Training Block 1 EST Course and there are no Training Block 1 EST Courses commencing in their Employment Region in the next eight weeks.

- The Participant is referred to another suitable Activity. This reason should only be used when there is an active referral or commencement to another Activity in the Job Plan.
- The only available EST Courses are delivered online, and the Participant lacks suitable IT for online delivery. For example, where the Participant lives in a location with poor internet connectivity.

Using one of these exemption reasons removes the Participant from the EST mandatory caseload. After eight weeks, the Department's IT Systems removes the exemption reason, making the Participant EST mandatory again. Providers must then reassess the suitability of EST for the Participant.

Career Transition Assistance (CTA)

Overview of CTA

CTA is an Activity for mature-age people, 45 years and over, to help them identify and articulate transferable skills, increase job readiness and target job search to local industries and available jobs. CTA will also help to address Participants' functional IT skills, so that they can confidently apply for jobs online, and develop the basic IT skills required in many workplaces.

CTA runs for eight weeks, and referrals to CTA can be made by a jobactive Provider.

Participation in CTA and the AAR

For Participants in the Work for the Dole Phase, participation in CTA will fully meet their AAR for the duration of the placement. Participants will not need to complete other Activities while participating in CTA. If the Participant stops attending CTA they must be referred to another Activity in order to complete their AAR hours for the remaining weeks of their Work for the Dole Phase.

Participation in CTA will be for 75 hours over an eight-week period.

Referring Participants to CTA

All Participants aged 45 years and over, and registered with a jobactive Provider, are eligible to participate in CTA. Participation in CTA is voluntary, and where an eligible Participant elects to participate in CTA they are to be considered suitable for referral unless one or more of the below factors is present:

- a significant non-vocational issue that needs to be addressed as a priority before they can benefit from CTA, or
- the Participant has already commenced a CTA Course during their current Period of Service and the Participant is being serviced by the same Provider.



System step: The Department's IT Systems will identify if a Participant is CTA Eligible. jobactive Providers will be able to view a list of CTA Eligible Participants via the CTA Eligibility Widget in the Department's IT System.

jobactive Providers should determine if the CTA Eligible Participant would benefit from referral to CTA. Where it is identified that a Participant would benefit from CTA, jobactive Providers should make every effort to refer the Participant to an available CTA Course as quickly as possible.

jobactive Providers should consider discussing a Referral to CTA with those Participants who feel they would benefit from it. Participants electing to participate in CTA will be able to choose their CTA Provider from those delivering services in their Employment Region. jobactive Providers are required to refer Participants to the CTA Provider chosen by the Participant.

To make a referral to CTA, jobactive Providers must search for CTA Activities and refer the CTA Eligible Participant/s into these activities through Activity Management.

Upon receipt of a Referral, the CTA Provider must, by no later than the end of the next Business Day, arrange an Initial Meeting between the relevant CTA Provider and the CTA Eligible Participant.



System step: To place a Participant into a CTA Course, jobactive Providers must search for and view CTA Courses, and must refer CTA Eligible Participants into the CTA Course through Activity Management.



System step: When placing a Participant into a CTA Course, the jobactive Provider must include a schedule for the Participant's attendance in the activity. The CTA Provider will have included a schedule(s) against the CTA Course. The jobactive Provider should select and modify the schedule in the Participant's calendar as necessary to meet the Participant's needs.



System step: For Participants participating in CTA, any hours scheduled for CTA that are marked as attended in the Participant's calendar will automatically accrue towards the Participant's AAR. For Participants who are in the Work for the Dole Phase and who have an AAR, jobactive Providers must manually record additional monthly hours so that the Participant fully meets their AAR requirement for the period of participation in CTA.

Working with the CTA Provider

jobactive Providers will need to work with CTA Providers to facilitate referrals and receive information about the Participant throughout their time in the program.

jobactive Providers will need to be available for a Warm Handover Meeting with the Participant and CTA Provider within five Business Days of the Participant's completion of CTA.

The purpose of the Warm Handover Meeting is to discuss the Participant's next steps following completion of CTA, including pursuing employment and work experience opportunities. As part of this meeting, the CTA Provider must have uploaded on the Department's IT Systems a copy of the Participant's updated résumé and Career Pathway Plan. The CTA Provider will also offer the Participant two future Contacts to occur within three months of the completion of CTA.



System step: At the Warm Handover Meeting, the CTA Provider will be required to specify the details of the two future Contacts with the Participant. jobactive Providers should use these details to book Third Party Appointments for the Participant and issue formal notification of the appointment/s.

CTA Fees

CTA Providers will be paid by the Department on commencement of a Participant into CTA. Payments will be automated using the Department's IT Systems.

A Participant is deemed to have commenced CTA once the **CTA Provider** has:

- completed the Initial Meeting with the Participant
- assessed the Participant as suitable for participation in CTA
- completed the Career Pathway Assessment
- updated the placement status in the Department's IT Systems.

PaTH Industry Pilots

The Youth Jobs PaTH Industry Pilots (Industry Pilots) aim to increase the take up and more effective use of employment services by employers through industry-led pre-employment pathways.

Industry Pilots will use a combination of existing government programs, particularly elements of Youth Jobs PaTH, combined with other supports to connect employers, jobactive Providers and Participants through tailored pathways to employment. Industry Pilots may include elements of pre-employment training, Youth Jobs PaTH Internships or National Work Experience Programme (NWEPP) placements. For information on managing these specific elements of an Industry Pilot, please also read the [Managing PaTH Internship Guideline](#) and [Managing National Work Experience Programme Activities Guideline](#).

Where an Industry Pilot involves an NWEPP placement or PaTH Internship, jobactive providers and the host business will be eligible to receive relevant payments associated with these placements, just as they would for any other eligible placement or internship.

Participants' AAR

For Participants in the Work for the Dole Phase, participation in an Industry Pilot will fully meet their AAR for the duration of the Placement, regardless of their hours of attendance. Participants will not have to complete other Activities whilst participating in an Industry Pilot. If the Participant stops attending or does not commence employment at the end of the Industry Pilot, before their Work for the Dole Phase is complete they need to be referred to another AAR Activity in order to complete their AAR for the remaining weeks of their Work for the Dole Phase. Participation in an Industry Pilot is voluntary and participants will not be subject to the Targeted Compliance Framework regarding their participation in an Industry Pilot.

Placing a Participant into a pre-employment project

Pre-screening

The Department will notify jobactive Providers of the Industry Pilots, their locations and Activity codes. jobactive Providers are encouraged to connect with Pilot Providers and screen their caseload for Participants who may be suitable and eligible

to participate in an Industry Pilot. Referrals to an Industry Pilot must be made through the Pilot Provider's relevant referral process.

jobactive Providers must ensure that all Participants they refer meet the relevant Industry Pilot requirements outlined by the Pilot Provider. jobactive Providers should ensure Participants are provided with details of the Industry Pilot and requirements from the Pilot Provider, including attendance at information sessions, interviews where required and an understanding of the industry and positions available. The Pilot Provider will use further screening and selection activities to identify preferred Participants, invite them to commence in the Industry Pilot, and advise the jobactive Provider of their selection.

Where a jobactive Provider has determined that a Participant is suitable and interested in participating in an Industry Pilot, the jobactive provider should record the details of the Pilot Provider's pre-screening process in the Departments IT Systems using an Informal Activity. The jobactive provider should add the details into the Participants Job Plan using a voluntary free text code and then—using the job seeker calendar—place the participant into the Informal Activity with days of attendance scheduled as appropriate.

Acceptance and referral

After completing the pre-screening process Pilot Providers will advise jobactive Providers of the Participant's acceptance into the Industry Pilot. Once participants are accepted into the Industry Pilot, Providers must refer the Participant to the Industry Pilot using the relevant Activity ID. Each Industry Pilot Activity ID is available on the Provider Portal.

If it is a requirement of the Industry Pilot, jobactive Providers must ensure that any employer-required checks (e.g. police check, drug and alcohol screening, working with children checks etc.) are conducted prior to the Participant commencing in the Industry Pilot. Risk assessments must also be finalised prior to any PaTH Internship or National Work Experience Programme placements commencing as part of the Industry Pilot.

Participation in an Industry Pilot must be included as a voluntary Activity in the Participant's Job Plan. jobactive Providers must record this Activity in the Job Plan using the free text code, and include the relevant Activity details, such as information about the Pilot Provider and dates and hours of participation.



System step: A PaTH Industry Pilot Activity Type has been created in the Department's IT Systems. The Department will provide the relevant Activity ID to jobactive Providers. Once the Participant has been accepted into an Industry Pilot, jobactive Providers can refer the Participant into the Activity using the relevant Activity ID. jobactive Providers must also refer Participants to elements within the Industry Pilot pathway using current processes for placing a Participant into the Activity, e.g. PaTH Internships, EST and NWEF.



System step: For Participants undertaking an Industry Pilot, use of the Calendar is not required. However, Providers are encouraged to use the Calendar to ensure conflicting appointments aren't scheduled, by creating a personal event for the Participant using the 'working casual / regular' event type.

Activity management

jobactive Providers should ensure that appointments, interviews, job search or other Activities are not scheduled for Participants whilst they are participating in an Industry Pilot. If it is absolutely necessary for a Participant to attend an appointment, jobactive Providers should discuss this with the Pilot Provider and Participant.

jobactive Providers are expected to support Participants to successfully participate in and complete the Industry Pilot.

Each Industry Pilot Provider will outline any additional requirements to support participation in an Industry Pilot – e.g. transport costs; clothing etc. Referring participants to an Industry Pilot is contingent on accepting the terms and conditions of the Industry Pilot and meeting these requirements must be managed in a timely manner by jobactive Providers, so Participants and employers are not adversely affected.



Documentary Evidence: jobactive Providers **must** retain evidence (either hard copy or soft copy) in relation to participation in elements of an Industry Pilot (such as a PaTH Internship or NWEPP Placement) in accordance with all DEED and relevant guideline requirements.

PaTH Business Placement Partnerships

PaTH Business Placement Partnerships (Business Partnerships) trial co-designed industry specific pre-employment pathways to prepare young Participants for identified jobs.

The Department has established a panel of industry associations with a national footprint that are Business Partnership Providers. The Department may co-design Industry Workforce Solutions, with Business Partnerships Providers, that respond to emerging employment opportunities. The Panel commenced in October 2020 and will cease on 30 June 2022.

Industry Workforce Solutions will provide tailored pathways to employment and may include elements of pre-employment training, Youth Jobs PaTH Internships or National Work Experience Programme (NWEPP) placements. For information on managing these specific elements of an Industry Workforce Solution, please also read the [Managing PaTH Internship Guideline](#) and [Managing National Work Experience Programme Activities Guideline](#).

Where an Industry Workforce Solution involves an NWEPP placement or PaTH Internship, jobactive providers and the host business will be eligible to receive relevant payments associated with these placements, just as they would for any other eligible placement or internship.

Participants' AAR

For Participants in the Work for the Dole Phase, participation in an Industry Workforce Solution will fully meet their AAR for the duration of the Placement, regardless of their hours of attendance. Participants will not have to complete other Activities whilst participating in an Industry Workforce Solution. If the Participant

stops attending or does not commence employment at the end of the Business Partnerships Industry Workforce Solution, before their Work for the Dole Phase is complete they need to be referred to another AAR Activity in order to complete their AAR for the remaining weeks of their Work for the Dole Phase. Participation in an Industry Workforce Solution is voluntary and participants will not be subject to the Targeted Compliance Framework regarding their participation in an Industry Workforce Solution.

Placing a Participant into a pre-employment project

Pre-screening

The Department will notify jobactive Providers of Industry Workforce Solutions, their locations and Activity codes. jobactive Providers are encouraged to connect with Business Partnerships Providers and screen their caseload for Participants who may be suitable and eligible to participate in an Industry Workforce Solution. Referrals to an Industry Workforce Solution must be made through the Business Partnerships Provider's relevant referral process.

jobactive Providers must ensure that all candidates they refer meet the relevant Industry Workforce Solution requirements outlined by the Business Partnerships Provider. jobactive Providers should ensure candidates are provided with details of the Industry Workforce Solution and requirements from the Business Partnerships Provider, including attendance at information sessions, interviews where required and an understanding of the industry and positions available. The Business Partnerships Provider will use further screening and selection activities to identify preferred Participants, invite them to commence in the Industry Workforce Solution, and advise the jobactive Provider of their selection.

Where a jobactive Provider has determined that a Participant is suitable and interested in participating in an Industry Workforce Solution, the jobactive Provider should record the details of the Business Partnerships Provider's pre-screening process in the Department's IT System using an Informal Activity. The jobactive Provider should add the details into the Participant's Job Plan using a Voluntary Free Text code and then—using the Job seeker calendar—place the participant into the Informal Activity with days of attendance scheduled as appropriate.

Acceptance and referral

After completing the pre-screening process, Business Partnerships Providers will advise jobactive Providers of the Participant's acceptance into the Industry Workforce Solution. Once Participants are accepted into the Industry Workforce Solution, Providers must refer the Participant to the Industry Workforce Solution using the relevant Activity ID. Each Industry Workforce Solution Activity ID is available on the Provider Portal.

If it is a requirement of the Industry Workforce Solution, jobactive Providers must ensure that any employer-required checks (e.g. police check, drug and alcohol screening, working with children checks etc.) are conducted prior to the Participant commencing in the Industry Workforce Solution. Risk assessments must also be finalised prior to any PaTH Internship or National Work Experience Programme placements commencing as part of the Industry Workforce Solution.

Participation in an Industry Workforce Solution must be included as a voluntary Activity in the Participant's Job Plan. jobactive Providers must record this Activity in the Job Plan using the free text code, and include the relevant Activity details, such as information about the Business Partnerships Provider and dates and hours of participation.



System step: To refer to an Industry Workforce Solution go to the PaTH Industry Pilots Activity Type in the Department's IT Systems. Each Industry Workforce Solution has had an Activity ID created which can be found on the Provider Portal. Once the Participant has been accepted into an Industry Workforce Solution, jobactive Providers can refer the Participant into the Activity using the relevant Activity ID. jobactive Providers must also refer Participants to any programs that are included in the Industry Workforce Solution such as PaTH Internships, EST and NWEF.



System step: For Participants undertaking an Industry Workforce Solution, use of the Calendar is not required. However, Providers are encouraged to use the Calendar to ensure conflicting appointments aren't scheduled, by creating a personal event for the Participant using the 'working casual / regular' event type.

Activity management

jobactive Providers should ensure that appointments, interviews, job search or other Activities are not scheduled for Participants whilst they are participating in an Industry Workforce Solution. If it is absolutely necessary for a Participant to attend an appointment, jobactive Providers should discuss this with the Business Partnerships Provider and Participant.

jobactive Providers are expected to support Participants to successfully participate in and complete the Industry Workforce Solution.

Each Business Partnerships Provider will outline any additional requirements to support participation in an Industry Workforce Solution – e.g. transport costs; clothing etc. Referring participants to an Industry Workforce Solution is contingent on accepting the terms and conditions of the Industry Workforce Solution and meeting these requirements must be managed in a timely manner by jobactive Providers, so Participants and employers are not adversely affected.



Documentary Evidence: where an Industry Workforce Solution includes other programs such as a PaTH Internship or NWEF Placement, jobactive Providers **must** complete and retain the relevant pieces of evidence (either hard copy or soft copy) in accordance with all requirements under the Deed and relevant Guidelines'.

Launch into Work Placements

Launch into Work is a program which supports Participants to increase their skills, experience and confidence through participation in pre-employment projects that provide training, work experience and mentoring, tailored to a specific job and business. The Launch into Work Organisation is required to commit to employing all suitable Participants who successfully complete the Placement.

Participants' AAR

For Participants in the Work for the Dole phase, participation in Launch into Work Placements will fully meet their AAR for the duration of the Placement. Participants will not have to complete other Activities whilst participating in a Launch into Work Placement. If the Participant stops attending the Placement, or does not commence employment with the Launch into Work Organisation at the end of the Placement, they need to be referred to another AAR Activity in order to complete their AAR hours for the remaining weeks of their Work for the Dole Phase.

Placing a Participant into a pre-employment project

The Department will notify Providers when there is a Launch into Work pre-employment project planned in their Employment Region and invite them to a project briefing session with the Launch into Work Organisation.

The briefing session will involve the Launch into Work Organisation providing an overview of the employment opportunities to be filled by the project, the screening and selection process and the pre-employment project. Following the briefing session, Providers will screen their caseload for candidates who may be suitable for the project and working for the employer and refer them to an information session with the Launch into Work Organisation.

Providers should send a list of potentially suitable and interested candidates (in keeping with the Launch into Work Organisation's requirements) to the contact person by the designated referral cut-off date. Providers must ensure candidates have the details of the information session, know what they need to take with them, and have a basic understanding of the employer and positions available. The Launch into Work Organisation will use further screening and selection activities to identify their preferred Participants and invite them to commence a Launch into Work Placement.

If it is a requirement of the Launch into Work project, Providers must ensure that any employer-required checks (e.g. police check, drug and alcohol screening, working with children checks etc.) are conducted prior to the pre-employment project commencing. Risk assessments must also be finalised prior to the Placement commencing.

Participation in a Launch into Work Placement should be included as a voluntary Activity in the Participant's Job Plan. Providers should record this Activity in the Job Plan using the free text code. Providers should include the relevant Activity details, such as information about the Launch into Work Organisation and dates and hours of participation.



System step: A Launch into Work Activity Type has been created in the Department's IT Systems. The Department will provide the relevant Activity ID to those Providers with a Participant in a Launch into Work Placement. Providers can then place an eligible Participant into the Launch into Work Placement using current processes for placing a Participant into any other Activity.



System step: For Participants undertaking a Launch into Work Placement, Providers are encouraged to use the Calendar to ensure conflicting appointments aren't scheduled, by creating a personal event for the Participant using the 'working

casual / regular' event type (note: even though participation in a project is not employment this is the only available event type).

(Deed references: Clause 109D)

Activity management

Providers are expected to support Participants to successfully participate in and complete their Launch into Work Placement.

Providers should ensure that appointments, interviews, job search or other Activities are not scheduled for Participants whilst they are participating in a project. If it is absolutely necessary for a Participant to attend an appointment, Providers should discuss this with the Launch into Work Organisation and Participant.

Providers are expected to support Participants with transport costs to attend the project and for their first month of employment.

Expectations for other financial contributions will be outlined at the project briefing session. Providers should make themselves aware of any financial contribution required and ensure that this is coordinated in a timely manner. Referral of a Participant to a Launch into Work Placement is contingent on the Provider's agreement to make the financial contributions specified at the briefing session.

Voluntary Work

Voluntary Work must only be undertaken in a not-for-profit community organisation.

Voluntary Work must:

- be of benefit to the Participant and the local community and offer no financial gain to the volunteer organisation (also referred to as an Activity Host Organisation)
- provide the Participant with the opportunity to gain vocational and non-vocational skills that will directly improve their Employment prospects
- provide opportunities that will develop or enhance a Participant's ability to work as part of a team, take directions from a Supervisor, work independently, communicate effectively, and become more motivated and dependable.

Voluntary Work must not exceed 26 weeks' duration, unless the Provider determines this is the best participation option under the circumstances.

If Voluntary Work is undertaken as a means of meeting a Participant's AAR, Services Australia is not required to approve the Activity Host Organisation. If a Participant aged 55 and over is undertaking Voluntary Work, or doing Voluntary Work combined with paid work to fully meet their Mutual Obligation Requirements, Services Australia will need to assess the Activity and organisation before commencement.

Participants 55 years of age and over can meet their full-time Mutual Obligation Requirements by participating in paid work (including self-employment), approved Voluntary Work or a combination of these Activities, depending on their age and circumstances.

- If the Participant is aged 55 to 59 years and in their first 12 months of receiving an Income Support Payment, they can fully meet their Mutual Obligation Requirements by participating in 30 hours per fortnight of:
 - paid work or
 - a combination of approved Voluntary Work and paid work. However, this must include at least 15 hours per fortnight of paid work.
- If the Participant is aged 55 to 59 years and has been receiving an Income Support Payment for more than 12 months, they can fully meet their Mutual Obligation Requirements by participating in 30 hours per fortnight of paid work, approved Voluntary Work or a combination of the two Activities.
- If the Participant is aged 60 years up to (but not including) the Pension Age, they can fully meet their Mutual Obligation Requirements by participating in 30 hours per fortnight of paid work, approved Voluntary Work or a combination of the two activities.

Voluntary Work must not:

- be undertaken in the Participant's own home
- involve working for the Participant's or a family member of the Participant's own organisation
- primarily promote a particular religious or political view
- involve violence towards people or property damage
- undertake tasks which would normally be done by a paid employee, including a casual or part-time paid employee
- reduce hours usually worked by a paid employee or reduce customary overtime of an existing worker.

Voluntary Work can be conducted in an Activity Host Organisation's place of business where all other requirements specified in the Deed have been met.



Documentary Evidence: jobactive Providers **must** retain evidence (either hard copy or soft copy) of timesheets or other records of attendance. Where Activity attendance information has been recorded by the Participant, entered by the Activity Host Organisation into the Supervisor App or directly into the Department's IT Systems, offline records are not required to be kept.



Documentary Evidence: jobactive Providers **must** retain evidence (either hard copy or soft copy) of risk assessment documentation for the National Work Experience Programme, Work Experience (Other) and Voluntary Work which details that all Deed and relevant guideline requirements have been considered for both the Participant and the Activity.



Documentary Evidence: jobactive Providers **must** retain evidence (either hard copy or soft copy) of Activity Host Organisation Agreements for Work for the Dole, and Voluntary Work.

Part-Time Employment

Part-time employment is work that is not on a permanent, full-time basis and can include work on a casual or temporary basis and self-employment.

Where hours undertaken in part-time employment during the Work for the Dole Phase do not fully satisfy the hours required to meet the Participant's AAR the Participant must be placed into additional Activities.

Unlike other Activity types, Providers are not required to create a separate Activity record for part-time employment and can instead use a paid work Activity that has been pre-created by the Department. For more information refer to [Setting up Activities in the Department's IT Systems](#).



Documentary Evidence: For both self-employment and part-time/casual paid work, income reported by the Participant to Services Australia is acceptable Documentary Evidence. If the Participant is in the Work for the Dole Phase, this information will automatically populate into the AAR Details screen and is also available from the Case Summary Screen (Job Seeker Information – View Declared Earnings).



Documentary Evidence: jobactive Providers **must** retain evidence (either hard copy or soft copy) of payslips or Employer payroll summaries (for part-time work), if the Provider is not using the employment hours declared to Services Australia.

Additionally, Documentary Evidence for self-employment can include:

- a Profit and Loss Statement
- a signed and dated written statement from an accountant and/or registered bookkeeper
- copies of records from the Australian Taxation Office and/or a tax return statement
- a Business Activity Statement.

Training and study

Training and study provide Participants with the opportunity to learn skills and gain qualifications that will improve their prospects of finding work.

The Provider will need to determine whether training is in the best interest of the Participant, and identify a suitable course, before referring a Participant to training.

Participants can undertake study or training at any time as long as it meets the requirements of an Approved Short Course. It can also meet a Participant's AAR. The [Managing and Monitoring Mutual Obligation Requirements Guideline](#) outlines the definition of an Approved Short Course and information on how training and study can count towards meeting a Participant's AAR.

Study and training can be funded through the Employment Fund in accordance with the [Using the Employment Fund General Account Guideline](#).



Documentary Evidence: Where study is undertaken online, Providers can request Documentary Evidence from Participants of the online hours that they complete. Where the study hours are not sufficient to meet the Participant's AAR, other activities will need to be undertaken to meet the AAR.



Documentary Evidence: jobactive Providers must retain evidence (either hard copy or soft copy) of timesheets or other records of attendance. Where Participants are recording their own attendance, Documentary Evidence is not required to be kept.



Documentary Evidence: jobactive Providers must retain evidence (either hard copy or soft copy) of statements of attainment or similar (for accredited education).

Accredited language, literacy and numeracy courses

Participants can undertake accredited language, literacy and numeracy courses to help improve their employability. Accredited courses include those delivered through the Skills for Education and Employment (SEE) program and the Adult Migrant English Program (AMEP), where Participants are eligible.

Skills for Education and Employment program (SEE)

The SEE program provides initial, basic and advanced accredited English language training as well as basic and advanced literacy and numeracy training. Participation in the program will help Participants improve their reading, writing, oral communication and numeracy skills, often in the vocational context, so they can acquire confidence and skills to improve their employment prospects.

The SEE program:

- provides for up to 650 hours of free training
- can be undertaken part-time (10 to 19 hours per week) or full-time (20 to 25 hours per week)
- must be completed over no more than a two-year period
- can be delivered in classroom settings or remotely via Online Learning Systems, virtual classrooms or printed resources.

Providers must enter information relating to SEE program placements into the Activity Management component of the Department's IT Systems to ensure that eligible Participants receive the fortnightly \$20.80 Language, Literacy and Numeracy Supplement (where eligible).

For more information on the SEE program, including program eligibility, please visit the [SEE Webpage](#).

Adult Migrant English Program (AMEP)

The AMEP helps Participants to learn foundation English language skills to enable them to settle and confidently participate in Australian society.

The AMEP provides 510 hours of English language tuition to eligible migrants and humanitarian entrants. To access the program, Participants must be permanent residents of Australia or hold an eligible visa. For more information on the AMEP, please visit the [Department of Home Affairs Website](#).

Defence Reserves

Defence Reserves is only available to Participants who can meet the enlistment and ongoing standards required by the Defence Reserves.

Defence Reservists receive a daily allowance to cover their costs while in training. The amount of this allowance varies. All Defence Reserves allowances are tax free and not considered to be income under the *Social Security Act 1991*.

Further information on Defence Reserves is available by calling Defence Reserves Support - General Enquiries on 1800 803 485 or from the [Defence Reserves Support website](#).



Documentary Evidence: jobactive Providers **must** retain evidence (either hard copy or soft copy) of signed training notice or signal notice (for Defence Force Reserves).

Exploring Being My Own Boss Workshop

Participants who participate in an [Exploring Being My Own Boss Workshop](#) with their NEIS Provider may be able to undertake a Complementary Placement to help them determine if self-employment is for them.

A 'complementary placement' is a:

- National Work Experience Programme Placement
- Work Experience (Other) Placement.

A jobactive Provider may be asked by a NEIS Provider to place an eligible Participant into a Complementary Placement.

The Participant must meet the eligibility requirements for the Activity and the jobactive Provider must meet the requirements outlined in relevant Guidelines and the Deed for placing a Participant into the Activity.

Non-vocational assistance and Interventions

Non-vocational assistance and Interventions can be undertaken where a Provider determines it is in the best interests of the Participant.

Examples of non-vocational assistance include:

- parenting courses
- career counselling
- cultural services and
- personal development courses.

Examples of Interventions include:

- drug or alcohol addiction treatments (including rehabilitation)
- counselling services
- disability Intervention
- medical or health-related services.

A Participant may participate in any of the above programs at any time.

For Stream A and B Participants, only participation in drug or alcohol addiction treatments (including rehabilitation) will count towards the Participant's AAR.

For Stream C Participants, participation in any of the above Activities will count towards the Participants AAR. Where the Participant is in drug or alcohol treatment, Providers must update the Participant's Job Plan with the NV07 code as a voluntary activity.

For Indigenous Participants and Participants in Stream C, participation in preventative health treatments will count towards the Participant's AAR. Where the Participant is in drug or alcohol treatment, Providers must update the Participant's Job Plan with the NV14 code as a voluntary activity.



Documentary Evidence: jobactive Providers **must** retain evidence (either hard copy or soft copy) of invoices for services or a letter of acceptance into a program (for non-vocational interventions).

Funding of any of the above Activities through the Employment Fund is subject to the Using the [Employment Fund General Account Guideline](#). Please see the [Managing and Monitoring Mutual Obligation Requirements Guideline](#) for further information.

Other government programs

Participants can undertake other government programs or other Activities, including other Australian Government, state or territory, or local government programs, if the Provider agrees.

Other government programs should not duplicate services Providers are contracted to deliver under jobactive.

For example, Participants may undertake programs such as Exploring Being My Own Boss Workshops, NEIS Assistance, NEIS Training and Defence Reserves.

NEIS Participants in receipt of Parenting Payment (Single) or the Disability Support Pension are able to choose to remain on their current payment or move to NEIS Allowance. NEIS participants exit jobactive to begin NEIS Assistance. For those NEIS participants who choose to remain on their current payment, their participation in NEIS Assistance will fully meet their Mutual Obligation Requirements.

Other government programs Participants can participate in vary between jurisdictions. Providers can contact their relevant state, territory or local government for up-to-date information on their range of programs available.

Some government programs undertaken will count towards a Participant's AAR in the Work for the Dole Phase, see the [Managing and Monitoring Mutual Obligation Requirements Guideline](#).



Work Health and Safety content: Before referring a Participant to an Other Government Program, Providers should be satisfied that there is a safe system of work in place, including that the relevant program is complying with work health and safety requirements relevant to the jurisdiction in which the program occurs. Providers must take all reasonable steps to minimise the likelihood of injury to Participants and any other people at the program location.

Vocational Training and Employment Centres

Vocational Training and Employment Centres (VTEC) support Indigenous Participants into sustainable employment. VTEC is an opt-in program that connects Indigenous Participants with guaranteed jobs and brings together the support services necessary to prepare Participants for long term employment.

VTECs need to ensure that Participants have a genuine interest in working in the field of the job and will be offered employment based around their skillsets and interests. Participants who are actively participating in VTECs will be fully meeting their Mutual Obligation Requirements.

VTEC is open to all Indigenous Participants, and Providers should contact their nearest VTEC and work together to undertake an informal assessment of the Participant's suitability for the available jobs.



System step: To record a VTEC placement, Providers should use the 'Vocational Training and Employment Centres' Activity Sub Type, available under the 'Other Government Programs' Activity in the Activity section of the Department's IT Systems. When the participation schedule in VTEC is not known, Providers are not required to use the Calendar.

The Try, Test and Learn Fund

The Try, Test and Learn (TTL) Fund is administered by the Department of Social Services (DSS) and trials new or innovative approaches to assist vulnerable people into stable, sustainable employment. Each TTL Fund project primarily targets individuals in one or more priority groups, which generally includes people receiving income support. A Participant's participation in an employment-focused TTL Fund project can count towards their AAR as another government program Activity.

Providers are encouraged to familiarise themselves with locally run projects that may assist their Participants to improve their employability. As eligibility requirements for each project may differ, providers should discuss any potential Participants with the relevant delivery organisation prior to referral.

The Department of DSS has published a [factsheet for jobactive providers](#) which lists the projects available across regions and more information is available on the [DSS website](#).

Regional Employment Trials – 10 Selected Trial Regions

The Regional Employment Trials program commenced on 1 October 2018 in ten selected trial regions. Participation in a Regional Employment Trials Activity is voluntary, and providers should record participation in a Regional Employment Trials Activity as a voluntary activity in the Participant's Job Plan. Participation will fully meet the Participant's fortnightly AAR, regardless of their hours of participation.

Providers may combine a Regional Employment Trials Activity with other supporting Activities where the Regional Employment Trials Activity provides the Participant with insufficient hours to fully meet their AAR hours for that month.

Participants who agree to be referred to the Trial are expected to fully participate in the Trial. Where this is not possible, the provider is required to work with the participant to renegotiate the activities in their Job Plan.

Where a Participant's participation in a Trial activity ends prior to the end of the Participant's Work for the Dole Phase, the Participant will need to be referred to another activity in order to fully meet their AAR.

See [the Regional Employment Trials Guideline](#) for further information, including on selected Trial regions.

Local Jobs Program – 25 Selected Employment Regions

The Local Jobs Program commenced from 1 September 2020 in 25 selected Employment Regions. Participation in a Local Jobs Program Activity is voluntary, and providers should record participation in a Local Jobs Program Activity as a voluntary activity in the Participant's Job Plan.

Participation will fully meet the Participant's fortnightly AAR based on their participation in the Activity, regardless of their hours of participation.

The Provider will use the Monthly AAR Hours field in the Department's IT Systems to record the Participant as having met their AAR requirement for the respective period relating to their participation in a Local Jobs Program Activity.

Providers are, however, able to combine participation in a Local Jobs Program Activity with other supporting Activities if this would benefit the Participant.

The Department will be monitoring Local Jobs Program Activity attendance.

Providers should update Local Jobs Program Activity Referrals in the Department's IT Systems when a Participant leaves or completes a Local Jobs Program Activity.

See the Local Jobs Program Guideline for further information, including on the 25 selected Employment Regions, the role of the Local Jobs Program Partnering Provider and management of Participants.

Non-government programs

Participants can undertake non-government programs or other Activities designed to improve their Employment prospects at any time if the Provider agrees.

Some non-government programs have been approved by the Department for AAR purposes, using the following principles:

- the program must have a demonstrated ability to, or high likelihood of, assisting Participants to move into sustainable work during the program or upon completion
- the program must comprise of more than just the delivery of a training course and any training must be vocational (preferably accredited) or directed at increasing Participant employability
- the program must not be undertaken by a Provider or an entity related to a Provider
- the program must not duplicate services Providers are contracted to deliver under jobactive.

A Participant's hours undertaken in approved non-government programs may be counted towards the AAR during the Work for the Dole Phase, as outlined in the Managing and Monitoring Mutual Obligation Requirements Guideline.

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.

Approval of a non-government program does not constitute approval of any costs associated with the operation of the program. Providers are responsible for

determining whether any costs involved with Participants participating in the program meet Employment Fund principles. Refer to the [Using the Employment Fund General Account Guideline](#).



Work Health and Safety content: Before referring a Participant to an approved non-government program, Providers should be satisfied that there is a safe system of work in place, including that the relevant program is complying with work health and safety requirements relevant to the jurisdiction in which the program occurs. Providers must take all reasonable steps to minimise the likelihood of injury to Participants and any other people at the program location.



System step: When claiming approved non-government program costs through the Employment Fund, the Activity ID for which the claim is being made must be recorded in the comments field of the Employment Fund commitment in the Department's IT Systems.

Further information to support this policy and the application form, can be found on the [non government program page](#) of the Department's website, or on the [Participation and Compliance Framework page](#) of the Provider Portal.

7. Summary of required Documentary Evidence

**Documentary Evidence:** Record keeping

- The Provider must keep records of attendance for each Participant who participates in relevant Activities in accordance with the Deed. Participants will either record their own attendance at an Activity or will report to a Supervisor or Provider to record their attendance on their behalf.

**Documentary Evidence:** Managing risks with Activities

- Providers have the discretion to determine how they document their risk assessments for National Work Experience Programme Placements, Work Experience (Other) Placements, PaTH Internships, Launch into Work Placements and Voluntary Work Activities.
- The Provider must retain Records of each risk assessment and any action taken in accordance with each risk assessment. The Provider must provide the relevant Records to the Department on request.

**Documentary Evidence:** Completing incident reports – both Personal Accident, and Public and Products Liability

- Providers must notify the department of any incident via the mechanism outlined in the [Insurance Reader's Guide](#), giving full details of the incident (irrespective of whether a claim is being made at the time).

**Documentary Evidence:** Training and study (other than EST)

- Where study is undertaken online, Providers can request Documentary Evidence from Participants of the online hours that they complete. Where the study hours are not sufficient to meet the Participant's AAR, other Activities will need to be undertaken to meet the AAR.

**Documentary Evidence:** jobactive Providers **must** retain evidence (either hard copy or soft copy) of statements of attainment or similar (for accredited education).

Documentary Evidence: For both self-employment and part-time/casual paid work, income reported by the Participant to Services Australia is acceptable Documentary Evidence. If the Participant is in the Work for the Dole Phase, this information will automatically populate into the AAR Details screen and is also available from the Case Summary Screen (Job Seeker Information – View Declared Earnings).



Documentary Evidence: jobactive Providers **must** retain evidence (either hard copy or soft copy) of payslips or Employer payroll summaries (for part-time work), if the Provider is not using the employment hours declared to Services Australia.

Additionally, Documentary Evidence for self-employment can include:

- a Profit and Loss Statement
- a signed and dated written statement from an accountant and/or registered bookkeeper
- copies of records from the Australian Taxation Office and/or a tax return statement
- a Business Activity Statement.



Documentary Evidence: jobactive Providers **must** retain evidence (either hard copy or soft copy) of signed training notice or signal notice (for Defence Force Reserves).



Documentary Evidence: jobactive Providers **must** retain evidence (either hard copy or soft copy) of invoices for services or a letter of acceptance into a program (for non-vocational interventions).



Documentary Evidence: jobactive Providers **must** retain evidence (either hard copy or soft copy) of Activity Host Organisation Agreements for Work for the Dole, and Voluntary Work.



Documentary Evidence: jobactive Providers **must** retain evidence (either hard copy or soft copy) of Activity Host Organisation Agreements for the National Work Experience Programme and Work Experience (Other) Placements.



Documentary Evidence: jobactive Providers **must** retain evidence (either hard copy or soft copy) of risk assessment documentation for the National Work Experience Programme, Work Experience (Other) and Voluntary Work which details that all Deed and relevant guideline requirements have been considered for both the Participant and the Activity.

Capitalised terms in this Guideline have the same meaning as in the jobactive Deed 2015–2022 (the Deed).

This Guideline is not a stand-alone document and does not contain the entirety of Employment Services Providers' obligations. It must be read in conjunction with the Deed and any relevant Guidelines or reference material issued by Department of Education, Skills and Employment under or in connection with the Deed.

Guideline:

Eligibility, Referral and Commencement

This Guideline outlines who is Eligible for jobactive Services and arrangements for Participants to be Referred and Commenced in an appropriate Stream. Providers must provide Participants with appropriate Services, taking into account their individual circumstances, to assist them to find employment and move off Income Support Payments.

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Changes from the previous version (Version 9.2)

Policy changes:

Nil

Wording changes:

Clarification of eligibility for Referral to Stream B and C (page 3)

New heading added – Other Referral Types for Eligible Participants (page 4)

Further information in relation to timeliness of Commencement (page 7)

Deletion of Clause reference as clause is 'reserved' (page 9)

Addition of Stream eligibility for Early School Leavers (page 13)

Clarification of Eligibility for Recipients of Special Benefits (pages 12 and 13)

Clarification of Eligibility for Mature Age Participants (page 12)

A full document history is available on the [Provider Portal](#)

Related documents and references

[Assessments Guideline – Job Seeker Classification](#)

[Instrument \(JSCI\) and Employment Services](#)

[Assessments \(ESAt\)](#)

[Direct Registration Guideline](#)

[Job Plan and Scheduling Mutual Obligation](#)

[Requirements Guideline](#)

[Managing and Monitoring Mutual Obligation](#)

[Requirements Guideline](#)

[Period of Service, Suspensions and Exits Guideline](#)

[Privacy Guideline](#)

[Transfer Guideline](#)

[Stronger Transitions Guideline](#)

[Volunteers Guideline](#)

[Time to Work Employment Services](#)

[TTW Eligibility, Referral, Commencement and
Caseload Guideline](#)

[Structural Adjustment Programmes Guideline](#)

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1. Eligibility for jobactive Services

Eligibility for jobactive Services generally depends on the type of Income Support Payment a Participant is receiving. The [Eligibility Tables](#) identify the main categories of Participants based on their individual circumstances and their eligibility for jobactive Services.

The Department of Education, Skills and Employment (the Department) may amend the eligibility for jobactive Services at any time.

For Participants on income support, Eligibility is shown in the Department's IT Systems, based on information entered by Services Australia.

2. Eligible Participants Referred automatically through the Department's IT Systems

The majority of Participants will be automatically Referred through the Department's IT Systems, not via Services Australia. A Participant may be initially Referred to Online Employment Services (OES) or a Provider following an intent to claim or the grant of income support and:

- the application of the Job Seeker Classification Instrument (JSCI) or
- an Employment Services Assessment (ESAt), where applicable.

Participants Referred to a jobactive Provider will generally be Referred to Stream A, Stream B or Stream C, based on the outcome of their JSCI or, where applicable, an ESAt. The exceptions are Time to Work Employment Service Participants, Early School Leavers and Structural Adjustment Program Participants who will be Referred to Stream B as a minimum or Stream C, dependent on the outcome of an ESAt. If a Vulnerable Youth Directly Registers with a jobactive provider, they will commence in Stream C - Refer to the [Direct Registration Guideline](#).

Participants automatically Referred will be randomly allocated to a Provider's caseload after taking into consideration provider site to postcode mapping and provider Referral tolerance. Participants who are randomly allocated to a provider will still have the opportunity to transfer to a provider of their choice – Refer to the [Transfer Guideline](#).

Participants in Online Employment Services (OES) who complete their period in Online Employment Services

Participants who are serviced in OES and who complete their period of assistance in OES, or who leave OES for other reasons (including Opting Out) but who remain Fully Eligible for jobactive, will be transferred to a jobactive Provider. These Participants will be provided the opportunity to choose their jobactive Provider before leaving OES, but will be automatically transferred to a departmentally nominated Provider should they not do so.

(Deed reference: Clause 82 – Transfer of Stream Participants to the Provider)

Providers must have [Electronic Diary timeslots](#) available.

Providers are responsible for booking an Initial Interview for Participants who have been Referred to them automatically through the Department's IT Systems.

Providers must also ensure that the Electronic Calendar has, at all times, capacity to receive Appointments within the next two Business Days for all other Referrals. Refer to the [Managing and Monitoring Mutual Obligation Requirements Guideline](#).

(Deed references: Clauses 77.2 and 83.1)

For Time to Work Employment Service (TWES) Participants Referred to jobactive, Providers will need to schedule/block out time in their Electronic Calendar for a facilitated transfer meeting with the Participant and TWES Provider, using the 'Provider Event' functionality.

(Deed reference: Clauses 82.4)

3. Eligible Participants Referred by Services Australia

Services Australia will Refer some eligible individuals to a jobactive Provider. This may include but is not limited to:

- DSP Recipients with participation Requirements
- Vulnerable Participants
- those who cannot complete the registration and assessment process online.

4. Other Referral Types for Eligible Participants

Some eligible individuals may elect to participate in jobactive Services and can Directly Register with a jobactive Provider. The jobactive Provider is responsible for determining a person's eligibility for Direct Registration and registering that person for Services. Refer to the [Direct Registration Guideline](#).

[Retrenched workers and their partners](#)

Retrenched Workers and their partners are eligible for immediate access to jobactive Services. These Participants receive services as a Fully Eligible Participant in the stream appropriate to their level of labour market disadvantage as determined by the Job Seeker Classification Instrument. Refer to the [Assessments Guideline – Job Seeker Classification Instrument \(JSCI\) and Employment Services Assessments \(ESAt\)](#).

Some retrenched workers and their partners may be eligible for additional assistance through Structural Adjustment Programmes, which enable recently retrenched workers from eligible companies or industries to access jobactive Services. Structural Adjustment Programme Participants are eligible for immediate access to jobactive Services as a Stream B Participant to assist them to find new employment. For information relating to Structural Adjustment Programmes including eligibility and registration, refer to the [Structural Adjustment Programme Guideline](#).

Providers must use the hierarchy of eligibility below to Directly Register any retrenched workers and/or their partners.

Retrenched workers and their partners - hierarchy of eligibility

Retrenched workers and their partners do not need to participate in the same program. Where a retrenched worker and their partner are eligible for a Structural Adjustment Programme this will take priority.

While a retrenched person and their partner may be eligible to register for jobactive under multiple retrenched worker programs, they can only be registered under **one** retrenched worker program each. (e.g. Structural Adjustment Programme Participant or a general retrenched worker/partner). This might mean that in some cases, the retrenched worker and their partner are registered in different retrenched worker programs.

Where the Structural Adjustment Programme provides Services for a retrenched worker but not their partner, then the worker should commence with the appropriate program and the partner can receive Services appropriate to their level of labour market disadvantage as determined by the Job Seeker Classification Instrument.

The programs are to be applied to retrenched workers and their partners with the following priority:

1. Structural Adjustment Programme
2. As a Fully Eligible Participant in the stream appropriate to their level of labour market disadvantage as determined by the Job Seeker Classification Instrument.

Transition to Work Participants nearing the end of TtW

Transition to Work (TtW) Providers will Refer Participants with Mutual Obligation Requirements to jobactive Services if they are nearing the end of their 18 months in TtW and are not tracking towards an outcome. A TtW Provider may also Refer a Participant if they are not fully engaging in TtW. The TtW Provider will identify jobactive Providers in the Employment Region and offer the Participant a choice of Provider, if applicable.

The TtW Provider must organise and attend an initial planning meeting with the jobactive Provider and the Participant, to be held in the first week of the Participant's eighteenth month in TtW. The purpose of this meeting is for the jobactive Provider to set out participation expectations and organise an assessment for the participant.

At this point, the TtW Participant has not been Referred to the jobactive Provider. Therefore, a Participant appointment cannot be made in the jobactive Provider's calendar. The jobactive Provider will need to manually schedule/block out time for this meeting in their calendar.

The TtW Provider will organise the Participant's Initial Interview with a jobactive Provider to be held in the final week of the eighteenth month. This is where the Participant is Referred to the jobactive Provider by the Transition to Work Provider and exited from Transition to Work.

If the Transition to Work Participant is transferring to a jobactive Provider before 18 months of service then the Transition to Work Provider must organise and attend one meeting with the Participant and the jobactive Provider. This should occur within one month of the decision to move to the jobactive Provider. The exception is if the Participant Exited shortly after Commencement in Transition to Work.

5. Preparing for all Appointments

When preparing for all Appointments, including the Initial Interview, Providers must take into consideration whether the Participant has any special requirements.

For example, when a Participant requests or where the Provider considers it appropriate, Providers must use an interpreter to ensure that the Participant understands their requirements.

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 it is not the Case Manager's role to act as an interpreter).

Providers should also deliver services to Participants in a culturally sensitive way, based on details in the Participant's record in the Department's IT Systems. Cultural sensitivities may be particularly applicable where participants identify as Indigenous Australians or as being from Culturally and Linguistically Diverse backgrounds. Sensitivities to consider may include, but are not limited to, language barriers, gender roles, potential misinterpretation of body language and suspicion of authorities.

Authorised Nominees

The Department's correspondence and notifications to a Participant are also provided to that Participant's authorised correspondence nominee/s. This includes information about their Mutual Obligation Requirements and the need to attend appointments and agreed activities. The nominee can, therefore, contact the Participant's Provider if and when required to reschedule their appointment.

When the nominee rebooks appointments for the Participant, the Provider should work with the nominee to ensure the Participant is aware of their Mutual Obligation Requirements and what may happen if he/she does not comply with them.

Best practice for the Provider is to record details of the conversation with the nominee in the comments screen in the Department's IT systems. Providers should also regularly check with the Participant that nominee details are up to date and correct.

6. Initial Interviews and other meetings with Participants

All new Participants must have an Initial Interview

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

- were Referred automatically through the Department's IT Systems
- were Referred by Services Australia
- were Referred by a TtW Provider
- have Directly Registered for assistance (see [Direct Registration Guideline](#))
- have transferred to the Provider (see [Transfers Guideline](#)).

This includes:

- developing and approving a Job Plan (see [Job Plan and Scheduling Mutual Obligation Requirements Guideline](#)) and
- providing the Participant with the relevant Privacy Notification and Consent Form in the [Privacy Guideline](#) and seek the individual's express written consent to collect their sensitive information by asking the individual to sign and date the relevant form. The Provider **must** advise the individual that they are not required to give consent for the collection of their sensitive information and can withdraw their consent at any time (see the [Privacy Guideline](#)).

Initial Interview when a Participant changes Streams

Where a Participant becomes eligible for a new Stream as a result of a JSCI Change of Circumstances Reassessment, the Provider must conduct an Initial Interview.

Note: To ensure the currency of notification and consent, best practice is for Providers to provide and ask the Participant to sign and date the Privacy Notification and Consent form every time the JSCI Change of Circumstances is conducted. A Participant is not required to sign the Privacy Notification and Consent Form for an Initial Interview for a New Stream if they remain with the same Provider.

Facilitated Transfer meeting for Participants exiting from Time to Work Employment Services (TWES) to jobactive

A TWES Participant may be Referred to jobactive before the TWES Participant's release from prison, where they meet jobactive eligibility.

To assist the TWES Participant's move to jobactive, the TWES Provider must organise a facilitated transfer meeting with the post-release Provider and TWES Participant before the TWES Participant's release from prison. However, in some cases the Facilitated Transfer Meeting may need to happen after the Participant's release from Prison.

The purpose of the facilitated transfer meeting is to introduce the TWES Participant to their post-release employment services provider and to discuss the TWES Participant's Transition Plan and their transition to jobactive following their release from prison. The post-release Provider must attend the facilitated transfer meeting, in person or by telephone, and explain the

Services that will be available to the TWES Participant when they Commence in jobactive.

The Transition Plan will be developed by the TWES Provider in consultation with the TWES Participant and will outline actions to help address any barriers that the Participant will face following their release from prison and detail their plan for employment. The post-release Provider should use the Transition Plan to identify any support or services that the Participant may require to address these barriers and assist the Participant to move into employment. The post-release Provider must consider any comments or recommendations that are contained in the Transition Plan when setting the terms of a Job Plan.

Where possible, the staff member who will be providing Services to the Participant upon their release from prison should attend the meeting.

Where a TWES Participant Commences in jobactive and the TWES Provider has not attended a facilitated transfer meeting, the Provider should contact the TWES Provider to discuss the TWES Participant's participation in the TWES program and their Transition Plan.

Where a Participant is Referred to a post-release Provider which is the same organisation that delivered Time to Work Employment Services to the Participant, the TWES Provider must still arrange a Facilitated Transfer Meeting. This will ensure that the Participant has the opportunity to meet the jobactive staff who will service them post-release and understand the post-release services they will receive.

(Deed references: Clauses 82.4)

Participants exiting from Transition to Work to jobactive

In the first week of the Participant's eighteenth month in TtW, the TtW Provider will organise and attend an initial planning meeting with the jobactive Provider and the Participant. The purpose of this meeting is for the jobactive Provider to set out the expectations of participation in jobactive Services and identify what type of activities are most appropriate for the Participant in the Work for the Dole (WfD) phase. Noting, the TtW Provider will not be able to make this appointment directly to the jobactive Provider's calendar and timing should be negotiated between all parties.

In the final week of the eighteenth month in TtW, the TtW Provider will Refer the Participant to jobactive and organise the Participant's Initial Interview with the jobactive Provider.

If the TtW Participant is transferring to a jobactive Provider **before** 18 months of service then the TtW Provider must organise and attend one meeting with the Participant and the jobactive Provider. This should occur within one month of the decision to move to the jobactive Provider. The exception is if the Participant Exited shortly after Commencement in TtW.

Please note: TtW Participants exiting from TtW after six months and transitioning to jobactive will Commence in the WfD Phase of jobactive.

(Deed references: Clauses 82.3)

Vulnerable Youth or Vulnerable Youth (Student)s

Following the immediate Direct Registration of a Vulnerable Youth or Vulnerable Youth (Student) who presents in crisis, Providers must immediately provide or Refer the young person to relevant crisis assistance. The support provided will depend on the nature of the crisis but could include assistance with emergency accommodation, counselling or other non-vocational support. Refer to the [Direct Registration Guideline](#).

(Deed references: Clauses 78.3)

7. Participants must be commenced in a timely manner

Providers must ensure that Participants are Commenced in a timely manner, by ensuring they conduct the Initial Interview, enter into or update (as relevant) and approve the Job Plan, in accordance with any timeframes in the Deed, guidelines and any direction issued by the Department.

Participants who are referred to the provider on or after 12 April 2021 must be Commenced within 10 business days of the Referral. This provides sufficient time for Providers to review their caseloads, schedule and conduct an Initial Interview (including re-scheduling if required), and think-time for Participants to agree to their Job Plan.

(Deed references: Clauses 83.1 and 84.1(a))

8. Participants are automatically Commenced in the Department's IT systems

A Participant is automatically Commenced in the Department's IT systems when the Provider records attendance at the Initial Interview and the Participant has an approved Job Plan.

A Participant who changes Stream due to a Change of Circumstances Reassessment remains commenced in their previous Stream until the Provider has undertaken an Initial Interview for the new Stream.

The Provider must deliver Services in accordance with the Deed, Guidelines, Service Delivery Plan, Job Plan and Participant's circumstances once the Participant is Commenced.

9. Administration Fees are calculated and paid automatically by the Department's IT systems

Administration Fees are calculated and paid automatically by the Department's IT Systems once the Participant is Commenced and at the start of each Administration Fee Period thereafter. This system calculation includes all pro-rata adjustments and 25 per cent regional loading for administration of Services to Participants in Regional Locations.

Providers are not required to submit a claim for payment. Administration Fee Tax Invoices will be automatically generated in the Department's IT Systems and do not require acceptance before payment is made.

(Deed references: Clause 123, Annexure B2)

10. Referral to another program as a result of Change of Circumstances Reassessment

In some instances, a Participant may be Referred to an ESAt after a JSCI Change of Circumstances Reassessment. If, as a result of the ESAt, the Participant is Referred to DES or TtW, the Provider must continue to deliver Services to the Participant until they have commenced in that program. Once the Participant has commenced in the new program, they will be Exited from jobactive Services. Refer to [Assessments Guideline – Job Seeker Classification Instrument \(JSCI\) and Employment Services Assessments \(ESAt\)](#).

(Deed references: Clauses 79, 82, 85, 87)

Referral of a Participant to Transition to Work

A Provider may Refer Stream C Participants to Transition to Work if they meet eligibility requirements and would benefit from the service.

The eligibility requirements are:

- aged 15-24 years on Commencement in the Transition to Work Service, and
- a Stream C Participant, and
- identified by their jobactive Provider as having a capacity to benefit from Transition to Work Services: for example, a young Participant who has addressed their unstable housing or mental health issues, and
- an Australian citizen, or
- the holder of a permanent visa, or
- New Zealand Special Category Visa holders (a protected Special Category Visa holder; or non-protected Special Category Visa holder), or
- nominated Visa Holders (including Temporary Protection Visa Holders and Safe Haven Visa Holders).

11. Services must be delivered to Participants who return after Exiting

Where a Participant Exits and returns to Services within 13 consecutive weeks of Exit, the Provider must resume providing Services to a Participant in accordance with the Deed. When a Participant returns to Services at 13 consecutive weeks or more from their date of Exit, their Period of Service will re-set and they will need to be Commenced into Service as a new Referral.

A new JSCI will need to be conducted prior to the Provider delivering Services to the Participant, as their previous JSCI will be inactive as a result of the Exit.

(Deed references: Clauses 95.3 and 95.4)

12. Summary of required Documentary Evidence

Retrenched Workers



Documentary Evidence: Please refer to the [Direct Registration Guideline](#).

[Job Plan](#)

Documentary Evidence: Where the Participant has agreed to a Job Plan by signing a hard copy version, a copy must be retained by the Provider.

Eligibility in jobactive

The sections below are not mutually exclusive and sections of this table should be considered in combination according to Participant individual circumstances.

For example, Participants may be in receipt of JobSeeker Payment, be Mature Age (55+) and have a Partial Capacity to Work; or be in receipt of Disability Support Pension, be a Vulnerable Youth and a Parent.

Please Note:

- People with a Partial Capacity to Work who are fully meeting their requirements through part-time paid employment or study and who do not have a requirement to remain connected to their Employment Provider may elect to participate in Employment Provider Services.
- Volunteer Participants on Norfolk Island and in the Yarrabah community will continue to be eligible for Stream A Volunteer services and will not be Referred to the Volunteer Online Employment Services Trial (VOEST).

	Fully Eligible	Eligible for Volunteer Online Employment Services (VOEST) for 12 months	Not Eligible
JobSeeker Payment	JobSeeker Payment recipient		
Parents	<p>Parenting Payment recipient with participation requirements.</p> <p>Principal Carer parents who are fully meeting their requirements through part-time paid employment or study and who do not have a requirement to remain connected to their Employment Provider but may elect to participate in Employment Provider Services.</p> <p>Note: Fully Eligible Participants who are fully meeting their part-time Mutual Obligation Requirements or are currently subject to a Services Australia -granted Exemption may voluntarily elect to participate in Employment Provider Services. If they choose to do so, they continue to be serviced as a Fully Eligible Participant.</p>	<p>Parenting Payment recipients without participation requirements</p> <p>Parents (with a youngest child under six years old) in receipt of Parenting Payment (Partnered)/Parenting Payment (Single).</p> <p>ParentsNext Intensive Stream volunteers and ParentsNext compulsory participants.</p>	
Disability Support Pension	<p>Disability Support Pension recipient with compulsory requirements</p> <p>Disability Support Pension recipients aged under 35 years with a work capacity of eight or more hours per week (without a youngest child under six years) will have compulsory activity requirements.</p> <p>Disability Support Pension applicants and recipients subject to review (without compulsory requirements) undertaking a Program of Support (not eligible for Disability Employment Services or Community Development Programme)</p> <p>Fully eligible for assistance while they undertake their Program of Support requirement provided they remain connected or do not Exit for more than 13 weeks.</p> <p>Note: Fully Eligible Participants who do not remain connected or who complete their Program of Support may be eligible for the VOEST in the future.</p>	<p>Disability Support Pension applicants and recipients subject to review (without compulsory requirements) undertaking a Program of Support (not eligible for Disability Employment Services or Community Development Programme) who do not remain connected or Exit for more than 13 weeks.</p> <p>Disability Support Pension recipients without compulsory requirements</p> <p>Australian Disability Enterprises Participant</p> <p>Disability Pensioner (DVA)</p>	
Youth and students	<p>Youth Allowance (other) recipient</p> <p>Vulnerable Youth and Vulnerable Youth (Student)</p> <p>Young people who are not in receipt of Income Support Payments aged 15 to 21 who are not working 15 hours or more per week, who are not in Full-time Study and who have at least one serious Non-vocational Barrier are eligible for immediate Stream C Services as a Vulnerable Youth. Ongoing assistance is subject to confirmation through an ESAt. If they are not eligible for Stream C and are not otherwise determined to be Fully Eligible, they must be Exited by the Provider and may be Referred to the VOEST by Services Australia should they require assistance as a Volunteer.</p> <p>Full-Time students aged 15 to 21 years who present in crisis and have at least one Non-vocational Barrier are eligible for immediate Stream C services as Vulnerable Youth</p>	<p>Full-time students seeking an apprenticeship or traineeship</p> <p>Young people who are not in receipt of Income Support Payments who are under school-leaving age, including those under 17 years, are Eligible only if they have permission to leave school.</p>	<p>Youth Allowance (full-time Student) recipient</p> <p>ABSTUDY recipient</p> <p>Austudy recipient</p>

	Fully Eligible	Eligible for Volunteer Online Employment Services (VOEST) for 12 months	Not Eligible
	(Student) if no appropriate youth services are available in the local area. Ongoing assistance is subject to having their eligibility for Stream C confirmed by an ESAt.		
Visa holders and migrants	<p>Visa holders with working rights attached, on income support To be a Fully Eligible Participant, Visa holders with working rights attached, must be in receipt of an Income Support Payment type that would otherwise enable an individual to access services as a Fully Eligible Participant. Other rows in this table specify Income Support Payment types that enable people to access services as a Fully Eligible Participant.</p> <p>New Zealand non-protected Special Category Visa holders in receipt of JobSeeker Payment or Youth Allowance (Other)</p>	<p>Visa holders with working rights attached, not on income support, including temporary residents With the exception of working holiday visas.</p> <p>Visa holders with working rights attached, who are on an Income Support Payment listed in the section of this table titled Other income support without Participation requirements</p> <p>Migrants serving a Newly Arrived Residents Waiting Period</p> <p>Status Resolution Support Services (SRSS) program recipients - people who are actively engaged with the Department of Home Affairs in resolving their immigration status.</p>	<p>Visa holders without working rights (including temporary residents)</p> <p>Overseas visitors on working holiday visas are Eligible for Harvest Trail Services only</p>
Newly Arrived Refugees	Newly arrived refugees are able to voluntarily participate in the appropriate level of service based on their assessment (i.e. Stream A, Stream B or Stream C) for 12 months after they have started on income support following arrival. During this time they are not required to participate in jobactive. Standard eligibility and Mutual Obligation rules would apply after the end of this period.		
Special Benefit	<p>Special Benefit recipients Special Benefit recipients who are Nominated Visa Holders have the same mutual obligation requirements, and consequences for non-compliance as Job Seeker Payment and Youth Allowance (Other) recipients.</p> <p>Special Benefit recipients, who are not Nominated Visa Holders, but are capable of looking for and undertaking work must be connected to employment services and have voluntary requirements with their employment services Provider.</p>		
Mature Age	<p>Mature age (aged 55 years and over) Participants in receipt of income support with participation requirements who are meeting their Mutual Obligation Requirements may elect to participate in Employment Provider Services.</p> <p>Note: Fully Eligible Participants who are fully meeting their part-time Mutual Obligation Requirements or are currently subject to a Services Australia -granted Exemption may voluntarily elect to participate in Employment Provider Services. If they choose to do so, they continue to be serviced as a Fully Eligible Participant.</p>		
Pre-release Prisoners	<p>Pre-release Prisoners Prisoners or detainees must be in the final 12 months of their sentence and be approved by corrective services or youth justice case managers. They must be prisoners or detainees aged 15 years and over (including those not in receipt of income support) who have been Referred to an Employment Provider by state or territory corrective or youth justice services and Directly Registered by the Employment Provider.</p>		

	Fully Eligible	Eligible for Volunteer Online Employment Services (VOEST) for 12 months	Not Eligible
Retrenched worker or partner of a retrenched worker	<p>Retrenched workers and their partners People who have been retrenched in the last six months or who have received notification from their employer in the three months prior to their retrenchment date and their partners are eligible for immediate access to jobactive Services.</p> <p>Retrenched workers and their partners may be eligible for assistance through the programs in the following hierarchy. Providers must use this hierarchy to Directly Register any retrenched workers and/or their partners.</p> <ol style="list-style-type: none"> 1. Structural Adjustment Programme. 2. As a Fully Eligible Participant in the stream appropriate to their level of labour market disadvantage as determined by the Job Seeker Classification Instrument. <p>Where a Structural Adjustment Programme provides Services for a retrenched worker but not their partner, then the worker should commence with the appropriate program and the partner can receive Services appropriate to their level of labour market disadvantage as determined by the Job Seeker Classification Instrument.</p> <p>A retrenched worker and their partner must only be registered in one of the above retrenched worker programs each.</p> <p>A special placement flag will identify whether a Participant is registered as a Fully Eligible Retrenched Worker/Partner or as a Structural Adjustment Programme Participant. Eligibility requirements are outlined in the relevant Structural Adjustment Programme Guidelines.</p>		
Other income support without Participation requirements		<p>Participants in receipt of Income Support Payments without participation requirements</p> <p>Carer Payment recipient, Carer Allowance recipient, Aged Pension recipient, Low Income Card holder, Widow Allowance recipient, Farm Household Allowance recipient, Service Pensioner (DVA), Partner Service Pensioners (DVA), War Widow(er)s Pensioner (DVA), Rehabilitation Allowance recipient, Widows B Pensioner, Partner Allowance recipient, Assistance for Isolated Children recipient, Child Care Assistance recipient, Double Orphan Pension recipient, Family Payment recipient, Mobility Allowance recipient, Special Benefit (without participation requirements)</p>	
Early School Leavers	<p>Early School Leavers</p> <p>Early School Leavers unable to access Transition to Work will be Referred by Services Australia to jobactive. At a minimum, will commence in Stream B, unless identified eligible for Stream C via an ESAt.</p>		

Not in receipt of income support	<p>Retrenched workers and their partners and Structural Adjustment Programme</p> <p>Participants may be eligible for jobactive services without being in receipt of income support.</p> <p>Eligibility requirements are outlined in the Structural Adjustment Programme Guidelines.</p>	<p>Participants not in receipt of Income Support Payments</p> <p>Subject to them not being:</p> <ul style="list-style-type: none"> • full-time students • working in paid employment for 15 hours or more per week and not on an Income Support Payment • overseas visitors on working holiday visas or overseas students studying in Australia, or • prohibited by law from working in Australia. 	
Australian Government Disaster Recovery payment			<p>Australian Government Disaster Recovery Payment recipient: except if they fall into any of the Fully Eligible or Volunteer categories</p>
Workers Compensation			<p>People receiving workers compensation</p>

All capitalised terms in this guideline have the same meaning as in the jobactive Deed 2015–2022 (the Deed).

In this guideline, references to Provider mean an Employment Provider, as defined in the Deed.

This Guideline is not a stand-alone document and does not contain the entirety of Employment Services Providers' obligations. It must be read in conjunction with the Deed and any relevant Guidelines or reference material issued by Department of Education, Skills and Employment under or in connection with the Deed.

Guideline:

Job Plan and Scheduling Mutual Obligation Requirements Guideline

A Participant's Mutual Obligation Requirements and any other items agreed to with their Employment Services Provider (Provider) are outlined in their Job Plan. It is necessary for Providers to ensure that each Participant, including Participants without compulsory Mutual Obligation Requirements, have a Job Plan in place at all times and that the requirements in the Job Plan are tailored to the Participant's individual circumstances and are appropriate to the level of their capability.

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Changes from the previous version (Version 1.6)

Policy changes:

- Flexible Study - Expanded options for Participants to undertake study or training to contribute to or meet Mutual Obligation Requirements, at any stage in any Phase. This includes courses subsidised by state or territory governments, or under the JobTrainer Fund, including Certificate I and II courses.

Wording changes:

- Pg 5. Clarification of the 2 Business Day think time for agreeing to a Job Plan,
- Pg 6, 13. Changes to include flexible learning options for Mutual Obligations Requirements.
- Pg 6, 11. Changes to processes regarding servicing Participants with personal responsibility.
- Pg 16. Changes to processes regarding the review and update of a Participant's Job Plan.
- Pg 24, 25, 26. Changes to Job Plan codes to include new codes for Digitally Services Participants and revisions to Activity Codes and Assistance Codes.
- Pg 4 & 12. Section updates to include reference to key performance measures in assessing job search quality and Job Plan appropriateness.
- Pg 19. Section updates to include reference to scheduling job interviews where a Provider becomes aware of an upcoming interview.

A full document history is available at Provider Portal. Related documents and references

[Activity Management Guideline](#)

[Capability Interview Guideline](#)

[Capability Assessment Guideline](#)

[Managing and Monitoring Mutual Obligation Requirements Guideline](#)

[Privacy Guideline](#)

[Targeted Compliance Framework: Mutual Obligation Failures Guideline](#)

[Work Refusal and Unemployment Failures Guideline](#)

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1. What is a Job Plan?

For the purposes of Social Security Law, a 'Job Plan' is an 'Employment Pathway Plan' for job seekers receiving income support and a 'Participation Plan' for Disability Support Pension recipients, less than 35 years of age, with compulsory requirements.

Providers are required to work with Participants to keep Job Plans up to date and appropriate to Participants' individual needs.

Job Plan contents are discussed and agreed to based on each Participant's individual circumstances and the support they need to move from welfare to work. Usually a Job Plan includes Provider Appointments, Job Search, education and skills training and other Activities to improve the Participant's employability.

To support Participants to successfully meet their Mutual Obligation Requirements and receive the most from the services offered, Job Plans should be:

Meaningful—Every time the Job Plan is negotiated and updated. Providers need to take the time to discuss the requirements with the Participant. It is important that Participants understand any changes that have been made, the benefits of participation, and know and understand why they are required to participate in these activities.

Tailored and appropriate—Consideration needs to be given to the individual circumstances of the Participant. This includes their program or Stream, level of requirements, physical capacity, the location of any activities or other personal circumstances like caring and family responsibilities.

Clear and understood—Participants should know exactly what is required of them on each day; there should be no doubt or confusion of what is expected. This includes the potential consequences of not meeting any of their requirements. Participants having a clear understanding of their requirements means that:

- they understand the benefits of participation
- they understand their requirements support successful participation
- they feel empowered to make the right decision to meet their requirements the compliance framework can be utilised effectively and appropriately

The Department monitors the appropriateness and tailoring of Job Plans in line with key performance measures in the Performance Framework Guideline.

(Deed references: Clauses 87.1, 87.4, 117.1)

2. Creating and Approving a Participant's 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 a Participant's Job Plan.

Creating a Job Plan at the Initial Interview

A Job Plan is created at the Initial Interview with a Participant. Once the Participant attends the Initial Interview and the Job Plan is approved the Participant is automatically commenced in Services.

During the Initial Interview, a Provider negotiates a Job Plan with new Participants or Participants transferred from other Providers. Providers need to ensure that each requirement is tailored to meet the circumstances of the individual Participant and supports them in achieving their employment goals.

The Provider's role is to support the Participant and:

- ensure that each Job Plan contains all of the compulsory and voluntary Activities the Participant needs to undertake in order to meet their Mutual Obligation Requirements
- include the details of all Activities tailored to address the Participant's individual needs, reduced work capacity and barriers to employment
- ensure that the Activities do not place unreasonable demands on the Participant
- Note: Although Providers must create a Job Plan, Participants are not required to agree to the Job Plan at the Initial Interview and may have 2 Business Days 'think time'. For more information refer to the section, Participants requiring 'think time' to consider the terms of their Job Plan.

(Deed references: Clause 84.1, 85.1, 87.1, 87.2, 87.3, 87.4, 87.5, 117.1, Annexure A1)

Activities in the Job Plan must not place unreasonable demands on the Participant. The Participant must be capable of doing any Activity and meeting all requirements included in their Job Plan.

Providers are required to record the Activities and relevant details in the Participant's Job Plan, including: the names of education and training organisations and the type of training being undertaken; the names of employers and the type of work being undertaken; hours of participation the Participant needs to complete each fortnight and the hours of participation required for each Activity. If drug or alcohol dependency impacts on the Participant's ability to meet their requirements, providers should consider what non-vocational assistance may be appropriate to include in the Job Plan, where the Participant refuses treatment, or where there is a lack of treatment available in the local area, the Provider needs to record this in the Capability Management Tool, in the Department's IT Systems.

Providers are required to include approved Activities in the Participant's Job Plan that will enable the Participant to meet their Mutual Obligation Requirements. In the Work for the Dole Phase, the Job Plan must include appropriate hours of participation in approved Activities each fortnight during that phase.

At all times during a Participant's period of servicing the number of Job Searches a Participant is required to undertake each month must be specified in the Participant's Job Plan. The number of Job Searches required cannot exceed 20 per month.

Approved Activities include study and training. Please refer to the Managing and Monitoring Mutual Obligation Guideline for more information.

Including sufficient fortnightly hours in the Job Plan

Ensure that each Job Plan contains sufficient hours of Activities per fortnight for the Participant to meet their Mutual Obligation Requirements.

The Department's IT Systems will automatically calculate the fortnightly hours under each code that is included in the Job Plan. Depending on the hours scheduled for the Participant to meet their Mutual Obligation Requirements, the Department's IT Systems will display messages to guide Providers to ensure the number of hours are appropriate.

The Provider is unable to set more than reasonable hours of activities per fortnight in the Job Plan in any event, and the Department's IT Systems will restrict the Provider from doing so by displaying an error message.



System step: If a Participant is Employment Skills Training (EST) mandatory, ESS Web prevents the finalisation of their Job Plan when making a referral to other activities. When referring an EST mandatory Participant to another activity, the EST opt-out reason of 'referred to other activity' must be applied before updating the Job Plan with the other activity.

See the ['Setting Daily Requirements'](#) in this document for information on scheduling Daily Requirements (including activities, study or training and paid work).

Explaining a Job Plan to the Participant

Providers need to ensure that Participants understand their Mutual Obligation Requirements such as: attending Appointments; undertaking compulsory and voluntary Activities; fulfilling their Annual Activity Requirement (AAR); and undertaking and completing Job Searches.

At the Participant's Initial Interview Providers need to explain:

- the purpose of the Job Plan
- the Mutual Obligation Requirements the Participant needs to undertake in return for income support payments, including the requirement to record their own attendance (where relevant)
- the Participant's rights and responsibilities under the Job Plan (including 'think time' to consider the Job Plan before agreeing to 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
- how to contact the Provider to give prior notice if unable to meet requirements and the consequences of not giving prior notice if the Participant is able to do so
- the consequences of failing to meet the requirements without a Reasonable Excuse, and any impact this may have on the Participant's income support payment

- the consequences of failing to give prior notice (with a Valid Reason) if they cannot attend compulsory Appointments or participate in compulsory Activities
- the Participant's right to appeal decisions and where they can find assistance to do this
- how the Provider intends to support the Participant
- the Provider's Service Guarantee and Service Delivery Plan
- the section entitled 'Information You Need to Know' in the Job Plan
- how information is protected under privacy legislation and Social Security law; and
- that all relevant contact details will need to be accurately recorded and updated in the Department's IT Systems including phone numbers, email address and postal address.

(Deed references: Clause 87.2, 87.5, 106.1, Annexure A1)

Interpreters, Support Persons and Nominees

When a Participant requests, or if the Provider considers it appropriate, the Participant can bring a support person with them to an Appointment to review their Job Plan. Similarly, when a Participant requests or if the Provider considers it appropriate, Providers are required to use an interpreter to ensure that the Participant understands their requirements before they agree to the Job Plan.

You may also need to work 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 that a Case Manager is not an interpreter).

Additionally, Participants in residential programs for drug and alcohol rehabilitation will not always inform their Provider of their change of circumstances. When in a residential program Participants should have an authorised correspondence nominee. The nominee will receive all of the correspondence and notifications sent from the Provider to the Participant. The nominee can advise the Provider that the Participant is in a residential program and may not have access to a phone or computer.

Staff of residential programs are able to act as nominees for Participants.

Please record details of any conversations with a nominee in the comments screen in the Department's IT Systems.

Participants requiring 'think time' to consider the terms of their Job Plan

Before signing or agreeing to the terms of a Job Plan, all Participants can have up to two Business Days 'think time' to consider the requirements set in their Job Plan. The Participant can use this time to discuss the terms of their Job Plan with a third party if they wish. The 'think time' is available to a Participant each time their Job Plan is created or updated.

If a Participant is offered and accepts 'think time', Providers need to arrange and book a Provider Appointment for the Participant to occur in two Business Days so that the Participant can agree to and sign the Job Plan.

Participants with a Compulsory Job Plan

For Participants with Mutual Obligation Requirements, including Disability Support Pension recipients under 35 years of age and Special Benefit recipients (who are not Nominated Visa Holders), there needs to be at least one compulsory requirement in the Job Plan and a record of the details in the Participant's Calendar.

Participants who are fully meeting their Mutual Obligation Requirements, but have chosen to access jobactive on a voluntary basis are Fully Eligible Participants (Voluntary). These Participants still need to have a compulsory Job Plan, which includes the Activities they are undertaking to fully meet their requirements. Any additional Activities they agree to undertake need to be included in their Job Plan as a voluntary requirement.

(Deed references: Clause 70.1, 87.2, 87.5)

Participants with a Suspension

Participants with Mutual Obligation Requirements who are Suspended from their Provider's caseload can choose to volunteer to participate in Activities. Providers must agree to the voluntary Activities the Participant will participate in and update the Participant's Job Plan to include the voluntary Activities. If the Provider becomes aware that a Participant is no longer suspended or not participating in voluntary Activities listed in the Job Plan, the Provider must update the Job Plan as appropriate.

A suspension from a Provider's caseload can occur when:

- a Participant is granted an Activity Test exemption by Services Australia
- a PCP or PCW (15-29 hours) Participant is fully meeting their requirements through part time work or other approved activities
- the Provider applies a 'Provisional Exit' from servicing on the expectation that the Participant's employment will lead to a full outcome; or
- the Participant has a partial or temporary reduced work capacity of less than 15 hours per week.

(Deed references: Clause 70.1, 87.2, 87.5)

Participants with a Voluntary Job Plan

Participants who are participating in jobactive without Mutual Obligation Requirements must have a Voluntary Job Plan. These Participants can be Volunteers receiving six months of service in Stream A or be Fully Eligible Participants who do not have Mutual Obligation Requirements and are participating voluntarily in jobactive such as:

- Structural Adjustment Program Participants not on income support
- Pre-Release Prisoners
- Participants with an Exemption from their Mutual Obligation Requirements

- Participants with an assessed Partial Capacity to Work or a temporary reduced work capacity of less than 15 hours per week
- Vulnerable Youth or Vulnerable Youth (Student)
- a person granted Newstart Allowance after 1 January 2018, or JobSeeker Payment, who would have otherwise been eligible for Widow Allowance prior to this date, and exempt from Mutual Obligation Requirements
- Special Benefit recipients who are not Nominated Visa Holders.

Voluntary Job Plans can only include voluntary Activities as these Participants do not have compulsory requirements and are not subject to compliance if they do not participate in these activities. Participants will not be at risk of incurring a penalty if they do not participate in voluntary items.

Participants in Time to Work Employment Service

If a Participant has participated in the Time to Work Employment Service the Provider needs to take into account any current Transition Plans identified in the Department's IT Systems.

Participants in ParentsNext

ParentsNext Volunteers can choose to volunteer into jobactive and they will already have a Participation Plan created by their ParentsNext Provider. A jobactive Provider must not create, update or otherwise edit a Job Plan for a ParentsNext Volunteer. If a Job Plan for a ParentsNext Volunteer needs changes, the Job Plan can only be updated by the ParentsNext Volunteer's ParentsNext Provider.

(Deed references: Clause 87.5, Annexure A1)

Participants in Career Transition Assistance (CTA)

Eligible Participants can volunteer to participate in CTA. Participation in CTA can only be included as a voluntary Activity in a Participant's Job Plan.

For Participants in the Work for the Dole phase, participation in CTA will fully meet their AAR. At the conclusion of CTA, the CTA Provider will arrange a Warm Handover Meeting with the Participant's jobactive Provider. As part of this meeting, Participants will be offered two future contacts with the CTA Provider, to occur within three months of the completion of CTA. The CTA Provider will be required to specify the details of these contacts. jobactive Providers should again use these details to book Third Party appointments for the Participant and issue formal notification of the appointment/s.

Approving a Job Plan

Provider staff are delegates of the Secretary of the Department of Education, Skills and Employment and have the power to:

- require a Participant with Mutual Obligation Requirements to enter into a Job Plan
- approve a Job Plan, and
- vary the terms of a Job Plan.



Documentary Evidence: Once the terms of the Job Plan have been agreed to and the Job Plan is created in the Department's IT Systems, give the Job Plan to the Participant for their agreement. Job Plans can be agreed to online or by signing a hard copy.

(Deed references: Clause 87.4, 117.1, Annexure A1)

Participant agreeing to the Job Plan – online



Documentary Evidence: Providers may send a Job Plan to the Job Seeker Dashboard through the jobactive website or Job Seeker App for the Participant to review and agree to online. Before using this option check that the Participant has access to the Job Plan on their Dashboard and they know how to agree to it.



Documentary Evidence: Providers are required to formally notify the Participant (including those with voluntary requirements) that they must agree to their Job Plan and advise them of the consequences of failing to do so. The Provider should inform the Participant either face to face or over the phone that the Job Plan has been sent to their Job Seeker Dashboard for agreement. The Participant will have two Business Days to agree to their Job Plan. A verbal formal Notification script is available on the Department's IT Systems for the Provider to read to the Participant. The script includes a compliance warning that is required to be given to Participants (with Mutual Obligation Requirements) if they do not agree to the Job Plan within two Business Days.

When the Participant agrees to the Job Plan, the Job Plan status will automatically be set to 'approved' in the Department's IT Systems.

See the [Targeted Compliance Framework: Mutual Obligation Failures Guideline](#) and the [Managing and Monitoring Mutual Obligation Requirements Guideline](#) for further information on how to issue formal Notification.

Participant agreeing to the Job Plan – hard copy

The Participant and the Provider may sign a hard copy of the Job Plan. The Provider needs to give the Participant the signed copy and then approve the Job Plan in the Department's IT Systems.

When the Job Plan has been approved and entered in to the Department's IT Systems, the Participant will be able to access it from their Job Seeker Dashboard.

Participant not agreeing to the Job Plan

Participants who do not enter into a Job Plan without good reason after the two days 'think time' will have their payment suspended until a Job Plan is agreed to and signed by the Participant.

If the Participant refuses to enter into and sign a Job Plan (and does not wish to use their 'think time') contact the Participant and assess if the Participant has a Valid Reason for refusing.

For further information, see the [Targeted Compliance Framework: Mutual Obligation Failures Guideline](#).

(Deed references: Clause 114.1, 114.2, 114.5, 114.6, Annexure A1)

Recording a Job Plan



Documentary Evidence: The Job Plan is to be recorded in the Department's IT Systems as soon as possible, after it has been created. The contents of the Job Plan recorded in the Department's IT Systems must be exactly the same as the hard copy. If the Department's IT Systems are temporarily unavailable or there is no computer access, use the manual compulsory or voluntary Job Plan template available on the Provider Portal.

Using Job Plan codes

Providers are required to use the comprehensive list of Job Plan codes, at [Attachment A](#), so that Job Plan data can be pre-populated and linked through the Department's IT Systems to the Dashboard on the Job Seeker App, the jobactive website and the Services Australia IT system.

The following codes are pre-populated in Job Plans. Most can be removed if not appropriate to the Participant.

AI09 – Attend DES Appointments

AI12 – Attend Provider Appointments

AI13 – Attend DES Ongoing Support Appointments

AI15 – Attend Third Party Appointments

JS09 – Job Search Contacts – Monthly

JS10 – Job Interviews

PA03 – Personal Responsibility to Report and Record Attendance

PA04 – Actioning Job Referrals and Job Opportunities

AS02 – Health and Allied Services Assistance

AS20 – Ongoing Support Assistance

NV14 – Health Maintenance Program

AI15 – Attend Third Party Appointments and PA04 – Actioning Job Referrals and Job Opportunities cannot be removed. If either of these codes are not appropriate for a Participant, do not schedule any Activities against them.

Note: If the Participant is referred from Digital Services to a Provider, the Provider must remove any Digital Only Job Plan codes when negotiating the new Job Plan with the Participant. Please refer to the List of Job Plan Codes at Attachment A.

(Deed references: Clause 83A.3, 106A.1, 106A.2, 113.1)

Job Search Requirement

Job Search Requirements are determined by Providers based on what is appropriate for the Participant's circumstances. This may generally be set at a maximum of 20 efforts per month, but it may be reduced based on a Participant's capacity, the local

labour market, and the Participant's individual circumstances. If applicable, Providers can use the JS05 or JS06 (Job Search with Disability) codes. These codes will trigger a higher rate of Mobility Allowance for eligible Participants.

The number and quality of Job Searches undertaken need to be monitored.

Providers need to review and confirm the quality of efforts submitted online or directly by no later than 5 Business Days after the end of each Job Search Period.

Providers should review the quality of job search efforts in line with the requirements detailed in the Managing and Monitoring Mutual Obligation Requirements Guideline.

Participants can report their Job Search activities on the Job Seeker App or jobactive website.

Participants should be given instructions on how to upload and record their Job Search efforts and related details, even if they indicate they will report their Job Search efforts directly to their Provider.

If the Participant reports efforts directly to their Provider by email or filling out a Job Search record and giving it directly, the Provider will need to record the number of efforts submitted to them by no later than close of business on that day.

Providers need to:

- ensure that the Participant is aware at all times of:
 - their current Job Search Requirement
 - when their Job Searches must be reported by
 - how to report their Job Search efforts using the jobactive website, or directly to the Provider.
 - ensure that the number of Job Search efforts undertaken, and the number yet to be undertaken by the Participant in each Job Search Period, are visible on the Job Seeker App or jobactive website

Please refer to [Job Aids at the Learning Centre](#) for information on recording results for Job Search.

(Deed references: Clauses 113.1, 113.2, 113.3)

In addition to Job Search requirements Providers can include job referrals in a Participants Job Plan. These include:

Single referrals
Apply for a specific job
Accept a Job Interview
Contact an employer to arrange and accept a Job Interview
Update a resume appropriately
Provide personal details to support a job opportunity
Combination referrals

Single referrals
Update a resume appropriately AND provide personal details to support a job opportunity
Update a resume appropriately AND apply for a specific job
Provide personal details to support a job opportunity AND contact an employer to arrange and accept a Job Interview
Provide personal details to support a job opportunity AND accept a Job Interview

(Deed references: Clauses 83A.2, 83A.3 & 87.5)

Participants who do not have Job Search Requirements

The following Participants are not required to undertake Job Search while they are fully meeting their Mutual Obligation Requirement:

- Principal Carer Parents undertaking 30 hours of paid work, approved study or voluntary work or a combination of these
- Participants with a Partial Capacity to Work of 15 to 29 hours per week undertaking 30 hours of paid work, approved study or voluntary work or a combination of these
- Participants 55 years of age and over undertaking 30 hours of paid work, approved study or voluntary work or a combination of these
- Participants who combine declared paid work (including self-employment) and approved study/training for at least 70 hours per fortnight are not required to look for additional work or participate in other activities.
- Participants undertaking drug and alcohol rehabilitation in a residential program
- Pregnant Participants from three months before their due date.
- NEIS Participants and Prospective Participants while participating in NEIS Training
- NEIS Participants in receipt of Parenting Payment (Single) or the Disability Support Pension who remain on their current payment while participating in NEIS Assistance and actively working on their small business
- Early School Leavers who are meeting their Mutual Obligation Requirements through full-time education or a combination of part-time study and part-time work of 25 hours per week (15 hours for those with part-time Mutual Obligation Requirements)
- refugee Participants when undertaking activities to help adjust to life in Australia and increasing their chances of finding work.

Linking Job Plan Codes to Activity Placements and the Calendar

Activity placements can be linked to Job Plan codes in Activity Management in the Department's IT Systems. It is best practice that Providers link Activity placements to the appropriate code in the Job Plan. Job Plan codes need to be linked to the daily requirements scheduled in the Calendar, this will enable the details to be auto-

populated into any formal Notification created from the Calendar. Providers will also be able to record attendance results in the Calendar.

(Deed references: Clause 83A.1, 83.A.2)

Personal Responsibility to record attendance code PA03

If a Provider determines that a Participant is capable of taking personal responsibility for recording their own attendance at Activities, the Participant will be required to record their attendance at:

- Activities
- Third Party Appointments, and
- Job Interviews.

The Personal Responsibility Code PA03 is included in every Participant's Job Plan by default. Providers are required to inform Participants if they are assessed as being capable of and that they are required to record their own attendance at Activities. If the Provider assesses the Participant as not capable of recording their own attendance, the Provider will need to remove the PA03 code from the Participant's Job Plan. Ensure that capable Participants understand the requirement to record their attendance by close of business on the day of the requirement and that their payment will be suspended if they do not do so. The Participant will be notified to contact their Provider if their payment is suspended. Providers will need to assess whether the Participant had a valid reason for not reporting and enter the result on behalf of the Participant and consider whether the Participant is still capable of recording and reporting their own attendance.

(Deed references: Clause 87.5, 106.1, 106A.1, 106A.2)

Providing evidence of attendance for an Activity

For some Activities, the Participant will need to provide evidence when they are recording their own attendance.

Evidence for attendance will be a QR code or passcode (code) generated by the Department's IT Systems. The Participant will scan the code through their device while at the Activity to record their attendance via the Job Seeker App or by recording a passcode via the jobactive website.

If the duration of the Activity is four hours or more, two codes will be generated: one for the Participant's arrival at the Activity and one for the end of Activity. The code for the end of Activity should not be made available to the Participant until close to the finish time.

When creating an Activity that requires evidence of attendance, the Provider must ensure that they record the contact details of the relevant person/s who will provide the code to Participants, such as an Activity Supervisor. The person providing the code to Participants needs to be given the code before the Activity session commences. Providers should also ensure that the person providing the code for an afternoon session knows not to make the code available to the Participant until the afternoon session commences.

However, there will be instances where there isn't a supervisor or contact for activities, such as education and training. This is because it would be unreasonable, or not expected due to the relationship and past experience, for evidenced-based recording or to report non-attendance directly to the Provider. In these situations, Participants will record attendance directly on the day. By recording their own attendance, Participants will be acknowledging via a statement on the App or website that they have attended and the information they are providing is true and correct. No further evidence is required, therefore satisfying documentary evidence requirements. Providers will still be able to record non-attendance if they become aware that Participants have failed to attend or left early at education/training activities.

(Deed references: Clauses 87.5)

Assessing a Participant's capability to record attendance

To assess the Participant's capability to record their own attendance, Providers need to consider if the Participant has:

- daily, reliable access to technology that would allow them to record their attendance, such as a computer or smartphone, or the means to contact their Provider to report their attendance; and
- the ability, literacy and English skills required to record or report their own attendance, understanding:
 - what requirements they need to record attendance for
 - how to record their own attendance
 - that they must record or report attendance by close of business on the day of the requirement
 - what to do and who to contact if they cannot record their own attendance on a given day
 - the consequences of not recording or reporting their own attendance if they are required to do so.

(Deed references: Clause 106A.1, 106A.2)

Participant is capable of recording their own attendance

If the Participant has both the means and the ability to record and report their own attendance keep the personal responsibility code (PA03) in the Job Plan.

Monitor the Participant's capability to record their own attendance to ensure that the Participant is reporting their attendance accurately. If a Provider knows that a Participant has not accurately recorded their attendance, they can override the result entered by the Participant.

If the Participant contacts the Provider and asks them to record attendance on their behalf, the Provider will assess whether the Participant did attend and, if so, record the Participant's attendance.

(Deed references: Clause 106A.1, 106A.2)

Participant is not capable of recording their attendance

If the Participant is not capable of recording their own attendance, the Provider will need to remove the PA03 code when finalising the Participant's Job Plan.

Providers are encouraged to keep working with Participants to build capacity for reporting their attendance at requirements.

If a Participant can't record their attendance because they live in an area with unreliable connectivity or other similar reasons, the Provider needs to tell the Participant to report their attendance by contacting their Provider, who will record attendance on the Participant's behalf.

(Deed references: Clause 106A.1, 106A.2, 87.5)

3. Reviewing, Updating and Monitoring a Job Plan

Providers are required to review, update and monitor a Participant's Mutual Obligation Requirements in accordance with the Deed, this Guideline and Social Security Law.

Providers need to review the Job Plan and update it when the Participant:

- has a change in their circumstances
- enters into a new phase of their Stream
- enters in to a new Stream
- commences a new Activity
- completes an Activity that was in their Job Plan and/or
- has a Capability Interview or Capability Assessment where it is identified that the Job Plan contains errors, and/or
- is Commenced and has not had their Job Plan updated in the previous 6 months (thereby their Job Plan is reviewed and updated every 6 months).

For Services Australia managed Participants, Services Australia will update the Job Plan when required. If the Participant is managed by a Provider, Services Australia will consult with the relevant Provider before updating the Job Plan or may request that the Provider updates the Job Plan at the Participant's next Appointment. Providers should not remove any updates made to a Job Plan by Services Australia without consultation.

If a Participation Plan for ParentsNext Volunteers requires review or an update, then Providers must contact the participant's ParentsNext Provider and request they make the update to the Participation Plan.

(Deed references: Clauses 87.4, 87.5, 87.7, 113.1, 113.2, 114.1, Annexure A1)

Updating the Job Plan

Providers must review the Job Plan at each Provider Appointment to ensure that the Participant is still capable of meeting their Mutual Obligation Requirements. If the outcome of a Capability Interview or Capability Assessment is that the Job Plan requires updating, Providers are required to review and update the contents of the Job Plan within 10 Business Days. Ensure that the contents of the Job Plan is

updated including details of any additional voluntary activities or if the Participant is subject to an Exemption.

In consultation with the Participant, the Job Plan can be updated and tailored to individual needs at any time—unless there is compliance outstanding. If compliance action is outstanding, the Department's IT Systems will not permit the Job Plan to be updated and the Provider will be redirected to the 'Compliance Screen' in the Department's IT Systems.

See the [Targeted Compliance Framework: Mutual Obligation Failures Guideline](#) for information on using the Targeted Compliance Framework.

(Deed references: Clauses 87.1, 87.2, 87.3, 87.5)

Updating Job Plan to include Voluntary activities

If a Participant is granted an exemption or is fully meeting their Mutual Obligation Requirements, they may wish to participate voluntarily and they can discuss this with the Provider. Voluntary activities should be included in the Job Plan and scheduled in the Calendar, and the Participant should be notified of where and when to attend each Activity.

(Deed references: Clauses 87.54

Updating Job Plan following Participant advising change in circumstances

The Job Plan needs to be reviewed as soon as practicable after the Provider becomes aware or is informed of a change in the Participant's circumstances.

Newly disclosed or discovered information may be found on, and should be immediately recorded in, the Capability Management Tool (CMT) in the Department's IT Systems.

If the Job Plan is to be renegotiated in light of the new information, the Provider will refer to the CMT to ensure that the Job Plan requirements are appropriate for the Participant's capability, and that the Participant will receive enough assistance and support to address the circumstances recorded in the CMT.

See the [Capability Interview Guideline](#) and [Capability Assessment Guideline](#) for information on using the Capability Management Tool.

(Deed references: Clauses 84.2, 87.5)

Updating the Job Plan to include (previously removed) requirement to record own attendance

If the Provider is renegotiating a Job Plan and assesses that the Participant is now capable to record their own attendance (where the requirement was previously removed from the Job Plan), the Provider needs to re-enter Job Plan code PA03 in to the Participant's Job Plan. Ensure that the Participant understands that they are now recording their own attendance at requirements as well as the importance of entering results via the App or jobactive website by close of business on the day of the requirement as their payment will be automatically suspended the next day if no result has been entered.

(Deed references: Clauses 106.1, 106A.1, 106A.2)

Updating the Job Plan following a Capability Interview or Capability Assessment

See the [Capability Interview Guideline](#) and the [Capability Assessment Guideline](#) for information on updating the Job Plan following a Capability Interview or a Capability Assessment.

4. Scheduling Mutual Obligation Requirements in the Calendar

The Provider is required to record details of, and schedule each requirement in the Calendar, including:

- Provider Appointments
- Activities
- Job Interviews
- Education and Training
- Drug and alcohol rehabilitation
- Third Party Appointments
- Workshops, training and other activities delivered by the Provider and
- Employment, if the hours are regular and can reasonably be scheduled by the Provider or Participant.

To schedule a requirement in the Calendar, the Job Plan code that corresponds to that requirement must have been included in the Participant's current, signed Job Plan.

For example: if the Participant's Job Plan does not include the code for Compulsory participation in Work for the Dole (Code WE12), the Department's IT Systems will not allow a Provider to schedule Compulsory Work for the Dole in the Participant's Calendar.

(Deed references: Clauses 83A.1, 83A.2)

Scheduling Requirements

The Provider must ensure that each day of each Participant requirement is scheduled in the Calendar. Each day of each requirement scheduled in the Calendar must be populated with:

- the name or description of the requirement
- the start time
- break times, where relevant
- the end time
- the location of the requirement, including any special instructions to locate a venue (e.g. located on battle-axe block) and
- the name of any third party provider or training organisation

When the Provider schedules the requirement in the Calendar and formally notifies the Participant, the requirement will then appear in the Participant's Calendar.

(Deed references: Clauses 83A, 83A.1, 83A.2, 83A.3)

Scheduling a Provider Appointment

Providers need to ensure that the Provider's Electronic Calendar has the capacity to receive an Appointment within the next two business days. When booking a Provider Appointment for a Participant, Providers need to select the correct appointment type, schedule the appointment in the Calendar and formally notify the Participant. If a Participant has an Appointment with their Provider, the Provider must deliver a Contact on the date and time of the Appointment as recorded in the Participant's Calendar.

There are four types of appointments; Initial; Contact; Re-engagement and Capability Interview appointment

Please refer to the [Job Aids at the Learning Centre](https://learningcentre.employment.gov.au/) at <https://learningcentre.employment.gov.au/> for information on recording results at Provider Appointments.

(Deed references: Clauses 83.1, 83.3)

Scheduling Activities and Third Party Appointments

Detailed information on scheduling Activities and Appointments is available in the Job Seeker [Calendar and AAR Requirements IT Supporting Document](#).

(Deed references: Clauses 83A.2)

Scheduling Job Interviews

All Job Interviews need to be scheduled in the Calendar and the Participant must be formally notified of the requirement to attend. Participants taking personal responsibility to record their own attendance must do so for Job Interviews.

When the Provider becomes aware that a Participant has an upcoming interview, the Provider must schedule it in the Participant's calendar. This is required where the Provider has the relevant information and details to schedule the interview and appropriate time to notify the job seeker prior to the interview.

(Deed references: Clauses 83A.2, 83A.3)

Scheduling drug or alcohol rehabilitation

If the Provider identifies or becomes aware that the Participant's ongoing capability to meet their requirements or search for work is compromised by drug or alcohol dependency, the Provider needs to discuss this with the Participant to identify rehabilitation options that would assist the Participant to overcome their dependence.

If the Participant chooses to undertake drug and alcohol rehabilitation or is already when they enter employment services or transfer Providers, schedule it in the Calendar and formally notify the Participant. Undertaking drug and alcohol rehabilitation counts towards the Participant's AAR.

(Deed references: Clauses 83A.2, 83A.3)

Scheduling Study or Training

Providers are responsible for identifying any appropriate study and training opportunities that will assist the Participant to gain skills or qualifications that will assist them to find work. Where practical, the Provider must ensure all study and training is scheduled in the Calendar.

(Deed references: Clauses 83A.2, 83A.3)

Scheduling hours of employment where reasonable to do so

If the Participant is employed for regular hours, the Provider should schedule the hours of employment in the Calendar when they can reasonably do so.

The Provider should encourage the Participant to take personal responsibility by scheduling their own hours of employment, and they should either provide assistance to the Participant to do so or tell them where they can find assistance to help them with this. If the Participant does not schedule their own regular hours of employment by creating Personal Events, the Provider must do so.

The Provider will create a Personal Event in the Participant's Calendar for each day of employment the Participant is undertaking. The Participant does not need to be formally notified of scheduled Personal Events, including paid work, and the TCF cannot be used to report non-compliance for failing to attend work.

(Deed references: Clauses 83A.2, 83A.3)

Participant may create Personal Events

Participants may create their own Personal Events in their Calendar between 6am and 9pm. Participants may only create Personal Events where a Mutual Obligation Requirement is not already scheduled at that time.

The Provider is able to create Personal Events on behalf of the Participant to assist the Participant in having full visibility of their schedule and their requirements. Providers must create Personal Events on behalf of the Participant to schedule regular hours of paid work if the Participant does not do so. Providers must advise the Participant that even though they have created a Personal Event, Mutual Obligation Requirements may still be scheduled.

(Deed references: Clauses 83A.2)

Confirmed Participant Personal Events

Providers are responsible for confirming Participant Personal Events and are encouraged to review and consider Personal Events created by the Participant. Providers should use their judgement and knowledge of the individual Participant to decide whether the Participant's Personal Event is appropriate prior to confirming it. When deciding to confirm a Personal Event, the Provider should also consider the nature of the Personal Event and the Participant's personal situation. A Personal Event is considered to be Prior Notice of a Participant being unable to attend a requirement at that time. By confirming the event, the system will not allow a conflicting requirement to then be set.

If the Provider confirms a Personal Event that should not have been confirmed, they cannot 'un-confirm' the event. The Provider must cancel the Personal Event, after discussing the reasons why the Personal Event was cancelled in the Calendar, which will notify the Participant via an inbox message.

Unconfirmed Participant Personal Events

If a Provider considers that a Personal Event entered by a Participant is not appropriate, the Provider can choose to leave it unconfirmed. If a Personal Event is not confirmed, the Provider can override the unconfirmed Personal Event and schedule a requirement at that time. The Provider must record the reason in the Department's IT Systems and must formally notify the Participant of the requirement and ensuring they can make other arrangements for the Personal Event that they had created.

(Deed references: Clauses 83A.2, 83A.3)

Scheduling a requirement over a confirmed Participant Personal Event

If the Provider needs to schedule a requirement for the same time as a Participant's confirmed Personal Event, the Provider will need to discuss this with the Participant. After confirming with the Participant that they are available to attend the requirement at the scheduled time, the Provider is required to record the reason in the Department's IT Systems and formally notify the Participant of their requirement. Providers need to manage the conflicting requirement in the Calendar and record the reason you are scheduling the requirement at this day/time in the Department's IT Systems.

(Deed references: Clauses 83A.2, 83A.3)

5. Issuing Formal Notification to the Participant

Except for any paid work the Participant is undertaking, the Provider is required to formally notify the Participant of every compulsory requirement in their Job Plan. The Provider must explain how to meet each requirement, as well as the consequences of not doing so, including possible financial penalties.

When the Provider schedules requirements in the Calendar, the Department's IT Systems will automatically create and record the selected Notification type to be issued. If a Participant's requirements are re-scheduled Providers must formally notify the Participant of the new requirement.

Formal Notification always includes:

- the reason for the appointment, if the requirement is an appointment
- whether the requirement is for the purpose of Re-engagement
- the date and start time of the requirement
- the location or address of the requirement
- if the Participant is required to record their own attendance, and if so, the consequences of not doing so

- whether the Participant will require evidence to record their own attendance
- whether the requirement is compulsory or voluntary
- that the Participant must contact their Provider beforehand if they become aware of an Acceptable Reason preventing them from being able to attend or complete the requirement
- the possible consequences for the Participant if they do not meet their requirement
- a statement that the Notification is a notice under Social Security Law
- that the Participant must complete their requirement in return for their Income Support Payment.

(Deed references: Clauses 83A.3)

Legal authority to formally notify a Participant of their Mutual Obligation Requirements

Employment services provider employees are delegated powers by the Secretary of the Department of Education, Skills and Employment under Social Security Law to notify Participants of their Mutual Obligation Requirements.

(Social Security (Administration) Act 1999 (ss: 63); Social Security Act 1991 (ss 501,544,605,731L) Deed Clause 117).

Note: The requirement to formally notify a Participant receiving Income Support Payments also applies to Disability Support Recipients (Compulsory Requirements) and Stronger Participation Incentive Participants.

Notifying Participants within the appropriate timeframe

Providers must issue Participants Formal Notification within the appropriate timeframe before the requirement is scheduled to occur.

If reasonable notice timeframes are not met, the Calendar will not allow a requirement to be booked unless the Provider is in direct contact with the Participant and they have agreed to attend this requirement and the Provider records this.

Refer to the Learning Centre for more supporting materials relating to reasonable notice timeframes and Notification methods at <https://learningcentre.employment.gov.au/>.

(Deed references: Clauses 83A.3)

6. Privacy and information sharing

Providers must comply with Social Security Law and Australian privacy legislation. A Participant's Personal Information must only be used or disclosed for the purpose it was collected, except in limited circumstances such as where the Participant gives permission, where Commonwealth laws allow or other special circumstances.

Providers should seek independent legal advice if they have any concerns regarding their obligations under any privacy or other legislation. For further information, refer to the [Privacy Guideline](#).

(Deed references: Clauses 53, 87, 106)

Sharing Job Plans with SEE or AMEP Providers

Providers should encourage Participants who are participating in the SEE program or AMEP to share their Job Plans with their SEE or AMEP Provider in order to make them aware of their full Mutual Obligation Requirements. This will assist SEE and AMEP Providers in ensuring that they place Participants in courses that will fully meet their AAR.

7. Summary of required Documentary Evidence

- Once the terms of the Job Plan have been agreed to and the Job Plan has been created in the Department's IT Systems, the Job Plan must be provided to the Participant for their agreement. Job Plans can be agreed to online or by signing a hard copy.
- Providers may send a Job Plan to the Job Seeker Dashboard through the jobactive website or Job Seeker App for the Participant to review and agree to online.
- Providers must formally notify the Participant (including those with voluntary requirements) that the Job Plan has been sent to their Job Seeker Dashboard for their agreement. This must be done either face to face or over the phone and within two Business Days of sending the Job Plan.
- The Job Plan must be recorded in the Department's IT Systems as soon as possible, after the Job Plan has been created. The contents of the Job Plan recorded in the Department's IT Systems must be exactly the same as the hard copy.
- If the Department's IT Systems is temporarily unavailable or there is no computer access, Providers must use the manual compulsory or voluntary Job Plan template available on the Provider Portal.

Attachment A – List of Job Plan codes

Also see [ESS Web Activity Search](#): for Job Plan code search function

Job Plan Codes	
Appointment Codes	
AI12—Provider Appointment	C,V
AI15—Third Party Appointment	C,V
Services Australia Only Codes	
A102—Attend Quarterly Appointment	C,V
A108—Reduced Capacity Requirements	C,V
ET63—Youth Activities	C
ET69—Refugee Activities	C
WE16—Community Services Order	C,V
EM51—Disability Supported Employment	C,V
Digital Only Codes	
JS11—Job Search monthly (Digital)	C,V
JS12—Job Interviews (Digital)	C,V
PA06—Personal Responsibility to Report and Record Attendance (Digital)	C
PA08—Digital Service Foundation Training	
Personal Responsibility Codes	
PA03 – Personal Responsibility to Report and Record Attendance	C
PA04 – Actioning Job Referrals and Opportunities	C,V
PA05 – Career Transition Assistance	V
Non-Vocational Codes	
NV02—Counselling	V
NV04—Non-Vocational Training	C,V
NV05—Parenting Skills Program	V
NV07—Drug and Alcohol Rehabilitation	V
NV09—Self-help Group or Support Group	C,V
NV10—Undertake an Assessment	C,V
NV12—Child Care	C,V
NV13—Intervention – Non Specific	C,V
NV14—Health Maintenance Program	V
Job Search Codes	
JS04—Job Search Contacts Voluntary	V
JS05—Job Search with Disability - Activity Tested	C
JS06—Job Search with Disability - Non Activity tested	V
JS07—Research and Prepare Applications	C,V
JS09—Job Search monthly	C,V
JS10—Job Interviews	C,V
Employment Codes	

EM52—NEIS	C,V
EM54—Self Employment	C,V
EM56—Paid Work	C,V
Participation Activity Codes	
ET52—Adult Migrant English	C,V
ET53—Apprenticeship/Traineeship	C,V
ET56—SEE or ESL course	C,V
ET57—SEE and/or ESL assessment	C,V
ET58—NEIS Training	C,V
ET59—Study - Part-Time or Full-Time <i>This code now has an extra question when adding to a Job Plan: "is this an in-demand skills course"</i>	C,V
ET60—Updating work related licences/quals/m-ships	C,V
ET64—Work preparation	C,V
ET67—PaTH Internship	V
ET68—PaTH Employability Skills Training	C,V
ET69—Refugee Activities	C
WE08—Relocation to an Area of Higher Labour Demand	V
WE09—Temporary Relocation to Undertake an Activity	V
WE10—Unpaid Work Experience (for Work Experience (Other)	V
WE11—Voluntary Work	C,V
WE12 Work for the Dole	C,V
PA07—Employment Preparation Activity	C,V
PA10- Try a different approach to finding employment	
Points Based Activation System	
PA09—Points Requirement	C
Assistance Codes	
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	
FTXT – Free Text	

All capitalised terms in this Guideline have the same meaning as in the jobactive Deed 2015–2022 (the Deed).

This Guideline is not a stand-alone document and does not contain the entirety of Employment Services Providers' obligations. It must be read in conjunction with the Deed and any relevant Guidelines or reference material issued by Department of Education, Skills and Employment under or in connection with the Deed.

Guideline:

Managing and Monitoring Mutual Obligation Requirements Guideline

Participants generally have Mutual Obligation Requirements, such as looking for work and participating in Activities that will improve their employment prospects, in return for receiving taxpayer-funded income support paid by Services Australia.

The main aim of Mutual Obligation Requirements is to help a Participant into paid work and reduce reliance on income support as quickly as possible. It also allows for Participants to contribute to the community that supports them while they are unemployed.

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Changes from the previous version (Version 4.2)

Policy changes:

- Expanded options for Participants to undertake study or training to contribute to or meet Mutual Obligation Requirements, at any stage in any Phase. This includes courses subsidised by state or territory governments, or under the JobTrainer Fund, including Certificate I and II courses.
- Updates to include the Local Jobs Program which supports tailored approaches to accelerate reskilling, upskilling and employment in 25 regions across Australia.

Wording changes:

- Pg 9, 28, 29, 30 - 36, 45. Wording changes to reflect new requirements under flexible learning.
- Pg. 21, 33, 35, 39, 40. Wording changes to reflect new requirements for the Local Jobs Program.
- Pg. 21. Change to the Activity Code for the Launch into Work program.
- Pg 26. Section updates to include reference to key performance measures in assessing job search quality and job plan appropriateness.
- Pg. 37. Section updates to include reference to scheduling events in the job seeker calendar to avoid conflicting appointments.

A full document history is available on the [Provider Portal](#).

Related documents and references

[Activity Management Guideline](#)

[Disability Support Pension Recipients Compulsory Requirements Guideline](#)

[Using the Employment Fund General Account Guideline](#)

[Participation in a Program of Support for DSP Claimants – Fact Sheet](#)

[Learning Centre: Log in to the site](#)

[Targeted Compliance Framework: Mutual Obligation Failures Guideline](#)

[Exploring Being My Own Boss Additional Services Guideline](#)

[Support NEIS participants to start and run their small business](#)

[Managing PaTH Internships Guideline](#)

[Norfolk Island Guideline](#)

[Performance Framework Guideline](#)

[Work for the Dole Guideline](#)

[Period of Service, Suspensions and Exits Guideline](#)

[Job Plan and Scheduling Mutual Obligation](#)

[Privacy Guideline](#)

[Requirements Guideline](#)

[Regional Employment Trials Guideline](#)

[Transition to Work Guidelines](#)

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1. Defining Mutual Obligation Requirements

Participants on the following Income Support Payments must meet their Mutual Obligation Requirements to receive their payment:

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

Participants' Income Support Payments are generally paid in fortnightly instalments, therefore, job seekers need to have and satisfy sufficient Mutual Obligation Requirements for each fortnight they are receiving Income Support Payments.

A Participant's Mutual Obligation Requirements are generally determined by considering their:

- age
- assessed work capacity, and
- whether they have primary responsibility for the care of a child.

Participants with full-time requirements should be looking for work full-time and actively addressing the individual circumstances that affect their capacity to undertake paid work.

Participants with part-time Mutual Obligation Requirements are:

- Principal Carer Parents whose youngest child is between 6 to 15 years of age
- Participants with a Partial Capacity to Work or a temporary reduced work capacity of 15 to 29 hours per week.

Participants' Mutual Obligation Requirements include:

- entering into a Job Plan and fully complying with the plan's requirements
- attending all appointments with Services Australia and/or a Provider
- acting on Job Referrals and attending Job Interviews offered by employers
- undertaking Job Searches (up to 20 Job Searches per month)
- meeting their Annual Activity Requirement (AAR) (refer to the [Annual Activity Requirement \(AAR\) section](#) of this guideline)
- participating in any Activity that is relevant to their personal circumstances and will help the Participant to improve their employment prospects.

[Attachment A](#) provides a table summarising Mutual Obligation Requirements for different cohorts of Participants.

A broad range of Activities can be used to meet a Participant's Mutual Obligation Requirements. A list of Suitable Activities that can be used to meet a Participant's Mutual Obligation Requirements are available [here](#).

Also refer to [Job Plan and Scheduling Mutual Obligation Requirements Guideline](#) for information about Job Plan codes.

The Activities Participants are undertaking must be included in their Job Plan as either a compulsory or voluntary Activity. There must be at least one compulsory Activity included in a Job Plan for job seekers with Mutual Obligation Requirements.

Voluntary Activities are not subject to the Targeted Compliance Framework.

(Deed References: Clauses 82, 83, 85, 106, 114)

Determining Mutual Obligation Requirements

When determining Mutual Obligation Requirements it is important to identify both a Participant's strengths as well as any barriers they have to finding employment. Any vocational and non-vocational Activities are to be tailored to address the Participant's individual needs and work capacity.

Consider and seek out Activities that will help Participants overcome or manage any vocational and non-vocational barriers.

Activities or other requirements in the Job Plan must not place unreasonable demands on the Participant. The Participant must be capable of doing any Activity and meeting all requirements included in their Job Plan.

After consulting with the Participant, determine the Activities to meet the Participant's Mutual Obligation Requirements in accordance with the Deed, this Guideline and Social Security Law. Providers should take into account the Participant's preferences wherever possible. However, as the delegate of the Secretary of the Department of Education, Skills and Employment, Provider staff will ultimately determine what Activities the Participant must do to meet their Mutual Obligation Requirements under Social Security Law.

Record the Activities and other relevant items in the Participant's Job Plan, and schedule Activities in the Calendar. If drug or alcohol dependency is impacting on participation and appropriate treatment services are not available the Provider must record this information on the Job Seeker's Personal Summary Page ('What you need to know').

Under Social Security Law, Participants must be formally notified of the dates, times and locations for attending appointments and participating in Activities, along with any special requirements such as wearing work boots and other safety gear.

Considering a Participant's circumstances

When determining a Participant's Mutual Obligation Requirements and setting the terms of a Job Plan, consult with the Participant and consider:

- individual circumstances – in particular, their assessed work capacity (where relevant), their capacity to comply with requirements and their personal needs
- education, experience, skills and age
- the impact of any disability, illness, physical or mental health condition or other non-vocational issue, including drug and alcohol dependency, affecting a Participant's ability to work, look for work or participate in Activities
- the state of the local labour market and the transport options available to the Participant in accessing that market
- the participation opportunities and Activities available to the Participant

- their family and care responsibilities (including availability of child care)
- the length of travel time required to comply with the requirements (reasonable travel time is 90 minutes each way or, if the Participant is a Principal Carer Parent or has a Partial Capacity to Work, 60 minutes each way)
- the financial costs (such as travel costs) of complying with the requirements and the Participant's capacity to pay for such costs
- whether the Participant has any vulnerability indicators (as identified by Services Australia) such as homelessness, psychiatric problems or mental health conditions, severe drug or alcohol dependency, or traumatic relationship breakdown
- any history of the job seeker not complying with their Mutual Obligation Requirements (to ensure that they undertake appropriate requirements in return for tax-payer funded income support)
- cultural factors
- if they are an Early School Leaver
- the number of hours a fortnight the Participant is required to undertake approved Activities in the Work for the Dole Phase
- if the Participant participated in Time to Work Employment Service, any comments and recommendations in the Time to Work Employment Service Transition Plan (Providers can find the Transition Plan in the Department's IT Systems)
- any other matters that the Provider considers relevant to the Participant's circumstances (including if the Participant discloses they are a victim of family violence).

When setting the Participant's Mutual Obligation Requirements, review any barriers identified through an Employment Services Assessment (ESAt) or Job Capacity Assessment (JCA) or other issues disclosed to the Provider. The Job Seeker Classification Instrument (JSCI) and Capability Management Tool may also help identify personal issues affecting a Participant's employability. These will help the Provider decide on the Activities required of a Participant to meet their fortnightly Mutual Obligation Requirements, including their AAR in the Work for the Dole Phase.

Information about a Participant's circumstances can be found on the Participation Profile screen of the Department's IT Systems.

Using the Capability Management Tool

The Capability Management Tool in Department's IT Systems needs to be updated when conducting a Capability Interview, or at any the Participant discloses new barriers. It should be used to review and manage a Participant's personal circumstances which may affect their capacity to participate in Activities or other requirements and can assist in identifying specific vocational or non-vocational barriers, including those disclosed by the Participant.

The Capability Management Tool can help to:

- ensure the Participant has requirements in their Job Plan appropriate to their circumstances
- include ESAt recommended Interventions in the Job Plan

- record additional vocational or non-vocational issues.

Providers should familiarise themselves with relevant Deed provisions in case Participants request access to their records in the Capability Management Tool.

See the [Capability Interview Guideline](#) for information on updating the Job Plan following a Capability Interview.

(Deed references: Clause 38, 87, Annexure A1)

Mutual Obligation Requirements for Principal Carer Parents

Consider a Principal Carer Parent's family and caring responsibilities, including the availability of suitable childcare, when setting Mutual Obligation Requirements. During school terms, face-to-face Provider Appointments and participation Activities should be scheduled during school hours (generally between 9.00 am to 3.00 pm) unless otherwise agreed to by the Principal Carer Parent.

The Department's IT Systems will automatically identify time outside of school hours in the Principal Carer Parent's Calendar. Providers will be able to set requirements at times outside school hours, including weekends. However, Providers will need to discuss this with the Principal Carer Parent to ensure they are available at that time and record the Principal Carer Parent's availability in the Department's IT Systems. This information will be attached to the requirement.

Principal Carer Parents have part-time Mutual Obligation Requirements and can fully meet their requirements through 30 hours per fortnight of:

- paid work (including self-employment)
- approved study (see the section on [Approval of Study and Training](#) in this Guideline)
- Voluntary Work (as described below), or
- a combination of the above.

Providers can approve Voluntary Work for the purposes of a Principal Carer Parent fully meeting their Mutual Obligation requirements if:

- the Provider determines that the Principal Carer Parent lives in a weak labour market
- limited training opportunities are locally available (online courses may be considered 'locally available' if they have access to a computer)
- there is a significant vocational aspect to the Voluntary Work.

The Voluntary Work must be in an organisation approved by Services Australia.

If the Principal Carer Parent fully meets their Mutual Obligation Requirements, through sufficient participation in the above Activities they cannot be required to complete Job Search or meet any other additional requirements.

A Principal Carer Parent who is fully meeting their Mutual Obligation Requirements through sufficient participation in paid work and/or study, may be eligible for a Provider Exit (which is processed manually by the Provider) if participation in the approved Activity is likely to be ongoing or last more than 13 weeks.

See the [Period of Service, Suspensions and Exits Guideline](#).

If a Principal Carer Parent is either 55 years of age or over or has a Partial Capacity to Work, the category of Mutual Obligation Requirement which gives the Participant a lesser work requirement should be applied.

Meeting Mutual Obligation Requirements for Principal Carer Parents during school holiday periods

If a Principal Carer Parent is unable to obtain suitable childcare during the school holiday period, the Provider will need to make alternative arrangements to support Participants to meet their Mutual Obligation Requirements. A Principal Carer Parent will not be required to attend Work for the Dole or another Activity during the school holidays if appropriate care and supervision of their children is not available or affordable.

For example, while Principal Carers Parents are not required to attend face-to-face appointments with their Provider during school holidays, they can engage with their Provider through other means, such as by telephone or via Skype/face-time etc. Job Search can also be conducted from home or the Provider may also decide to reduce Job Search requirements over the school holiday period, while the Principal Carer Parent is caring for children during school holidays.

Principal Carer Parents must continue to meet their part-time Mutual Obligation Requirements during the school holidays except for the fortnight in which the Christmas public holiday falls.

Employer initiated shut down period over the extended Christmas/New Year school holiday break

Principal Carer Parents who are fully meeting their Mutual Obligation Requirements by working 30 hours a fortnight (including instances when working is one of a combination of Activities) are considered to be meeting their requirements during the employer initiated shutdown period over the extended Christmas/New Year school holiday period. This only applies to Principal Carer Parents who reasonably expect to resume their employment when their employer resumes business in the New Year.

The employer initiated shut down period break can only be taken while the place of employment is closed, up to a maximum of eight weeks. After eight weeks the Principal Carer Parent will be required to participate in other Activities to meet Mutual Obligation Requirements while the employer is in the shutdown period.

Inability to obtain suitable childcare is an Acceptable or Valid Reason

If the Principal Carer Parent is required to undertake an Activity but is unable to obtain suitable childcare, they will have an Acceptable or Valid Reason to not undertake that requirement. If this occurs, alternative requirements must be set to enable the Participant to meet their Mutual Obligation Requirements.

Mutual Obligation Requirements for Participants with a Partial Capacity to Work

Participants have a Partial Capacity to Work if both their baseline work capacity and work capacity within two years of Intervention are less than 30 hours per week.

Mutual Obligation Requirements are based on a Participant's work capacity within two years with Intervention. However, Participants are not required to participate immediately at the higher work capacity. Rather, the Participant's capacity to participate can be increased through participation in a suitable program of assistance or other appropriate Activity.

When a Participant'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.

Participants with an assessed Partial Capacity to Work of 15-29 hours per week can fully meet their part-time Mutual Obligation Requirements through 30 hours per fortnight of paid work including self-employment, approved study, or a combination of these Activities.

If they fully meet their Mutual Obligation Requirements through sufficient participation per fortnight in the above Activities these Participants cannot be required to undertake Job Search or meet other requirements. They also do not need to remain connected with a Provider and will be Suspended on a Provider's caseload.

Participants with an assessed Partial Capacity to Work who are fully meeting their Mutual Obligation Requirements through sufficient participation in paid work and/or study, may be eligible for a Provider Exit (which is processed manually by the Provider) if participation in the approved Activity is likely to be ongoing or last more than 13 weeks. See the [Period of Service, Suspensions and Exits Guideline](#).

Participants who have been assessed as having a Partial Capacity to Work of 0-14 hours per week can fully meet their Mutual Obligation Requirements by attending quarterly appointments with Services Australia.

Mutual Obligation Requirements for Participants with temporary reduced work capacity

Participants may have a temporary medical condition with a temporary reduced work capacity applied by Services Australia (which is identified through an Employment Services Assessment). Participants will have reduced requirements for the period of their temporary reduced work capacity. Providers must take this into account when setting suitable approved Activities and the level of participation in the Job Plan.

If a Provider considers that a Participant without an assessed temporary reduced work capacity is impacted by a medium or long-term medical condition, the Provider should take these personal circumstances into account when setting Mutual Obligation Requirements and record the information about the Participant's circumstances in the 'What you need to know' section of the Department's IT Systems. Providers should exercise judgement and take these personal circumstances into account when setting Mutual Obligation Requirements. Medium or long-term medical conditions are usually episodic or chronic in nature and include schizophrenia, psychosis, depression and anxiety. Where appropriate, Providers should advise Participants to contact Services Australia so that a reduction in their

Mutual Obligation Requirements through a temporary reduced work capacity status or an exemption can be considered.

Participants who have been assessed as having a temporary reduced work capacity of 15-29 hours per week can fully meet their Mutual Obligation Requirements through 30 hours per fortnight of paid work (including self-employment) approved study or a combination of these Activities.

If the Participant is fully meeting their Mutual Obligation Requirements through sufficient participation per fortnight in the above Activities they cannot be required to undertake any Job Search or meet other requirements. They do not need to remain connected to a Provider and will be Suspended from the Provider's caseload.

Participants with an assessed temporary reduced work capacity who are fully meeting their Mutual Obligation Requirements through sufficient participation in paid work and/or study, may be eligible for a Provider Exit (which is processed manually by the Provider) if participation in the approved Activity is likely to be ongoing or last more than 13 weeks. See the [Period of Service, Suspensions and Exits Guideline](#).

Participants who have been assessed as having a temporary reduced work capacity of 0-14 hours per week can fully meet their Mutual Obligation Requirements through participation in a quarterly interview with Services Australia.

Mutual Obligation Requirements for mature-age Participants

Participants 55 years of age and over can meet their full-time Mutual Obligation Requirements through paid work (including self-employment), approved Voluntary Work or a combination of these Activities, depending on their age and circumstances, as follows:

- If the Participant is 55 - 59 years of age and in their first 12 months of receiving payment, they can fully meet their Mutual Obligation Requirements by completing 30 hours per fortnight of paid work. This can also be met by completing 30 hours per fortnight of a combination of approved study, Voluntary Work and paid work. However, this must include at least 15 hours per fortnight of paid work.
- If the Participant is 55 – 59 years of age and has been receiving payment for more than 12 months, they can fully meet their Mutual Obligation Requirements if they undertake at least 30 hours per fortnight of paid work, approved Voluntary Work or a combination of the two Activities.
- If the Participant is aged between 60 and the age pension age, they can fully meet their Mutual Obligation Requirements if they undertake at least 30 hours per fortnight of paid work, approved Voluntary Work or a combination of the two activities.

These Participants cannot be required to do Job Search or other requirements if they are meeting their Mutual Obligation Requirements in this way.

Participants should remain connected with a Provider but will be Suspended on a Provider's caseload. However, Providers can continue to refer them to job opportunities. Services Australia will make an initial Appointment with the Provider for Participants 55 years of age and over, even if they are already satisfying their Mutual Obligation Requirements (as above). Participants who fail to attend this

Appointment or any other scheduled Provider Appointments or who fail to accept referrals to jobs, may be subject to action under the Targeted Compliance Framework.

See the [Targeted Compliance Framework: Mutual Obligation Failures Guideline](#).

Mutual Obligation Requirements for some Ministers of Religion

Ministers of Religion who are either a Principal Carer Parent or have a Partial Capacity to Work will be regarded as fully meeting their part-time Mutual Obligation Requirements by undertaking at least 30 hours per fortnight of paid pastoral work for their religious organisation.

Monitoring by Services Australia for Participants fully meeting their requirements

For the above cohorts of Participants, Services Australia will determine whether a Participant is fully meeting their Mutual Obligation Requirements. If Services Australia establishes that they are participating sufficiently in appropriate Activities, they will update the Participant's Job Plan to include the Activities they are undertaking to fully meet their Mutual Obligation Requirements. Once Services Australia determines a Participant (other than a mature-age Participant) is fully meeting their Mutual Obligation Requirements, the Participant may be a Services Australia managed Participant and Exited from the Provider's caseload.

Continuing voluntarily in Employment Services

- A Participant fully meeting their Mutual Obligation Requirements may elect to participate voluntarily in services while they are Suspended after:
 - being contacted by their Provider to discuss and agree to voluntarily participate while Suspended from employment services
 - notifying Services Australia, who will either call their Provider or book an Appointment for them
 - contacting their Provider directly to request services.
- If a Participant who is Suspended from employment services elects to voluntarily participate in employment services, the Provider must provide services to the Participant.
- If a Participant who is fully meeting their Mutual Obligation Requirements participates voluntarily in employment services, Providers must not remove the relevant compulsory Activities that Services Australia has included in their Job Plan. Additional Activities included in the Job Plan must be added as voluntary.

Sufficient work test

The decision that a Participant is doing sufficient work would generally be restricted to cases where the person can fully meet their Mutual Obligation Requirements while still receiving some payment and a person can demonstrate a stable pattern of employment and earnings (e.g. permanent part-time work). If there is significant variation in hours worked and earning from fortnight to fortnight, whether a Participant's work fully meets their Mutual Obligation Requirements must be determined fortnightly.

Self-employment will satisfy the sufficient work test if the Participant is working at least their required number of hours and the taxable income provides the equivalent of the national minimum wage rate for the minimum required hours. If self-employment does not satisfy the sufficient work test, the Participant will generally be required to look for alternative work.



Documentary evidence: Providers must document a Participant's satisfactory participation in self-employment as per the [Documentary Evidence for AAR and other Approved Activities section](#) of this guideline.

If a Participant's commitment to their business activities interferes with required Job Search or other Activities, the person will usually not be considered to be 'unemployed' for the purpose of qualifying for income support.

Mutual Obligation Requirements for Early School Leavers

An Early School Leaver is a person who receives Youth Allowance (other), is under 22 years of age and has not completed Year 12, the final year of secondary school or an equivalent Australian Qualifications Framework Certificate III level or above.

Until they turn 22 years of age or attain Year 12 or an equivalent qualification, Early School Leavers are generally required to participate in:

- full-time education or training with no Job Search requirement, including Certificate I and II level courses
- a combination of part-time education or training and part-time work for a total of 25 hours per week (15 hours for Principal Carer Parents and those with a Partial Capacity to Work of 15 to 29 hours per week) and no Job Search requirement
- other approved Activities for 25 hours per week (15 hours for Principal Carer Parents and those with a Partial Capacity to Work of 15 to 29 hours per week), including the requirement to do up to 20 Job Searches per month.

Early School Leavers who are eligible for Youth Jobs PaTH Employability Skills Training and PaTH Internship Placements must still undertake Job Search. For further information on these programs, refer to Youth Jobs PaTH Employability Skills Training (EST) section of this guideline.

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.

Verification of an Early School Leaver's qualifications

Only Services Australia can verify a Year 12 or equivalent qualification to determine whether a young person is no longer an Early School Leaver. Services Australia will accept any of the following:

- a Year 12 certificate issued by a Senior Secondary Board of Studies
- an Australian Qualification Framework Certificate III
- a higher qualification issued by a Registered Training Organisation or higher educational institution

- a Certificate III or IV of General Education for Adults
- the International Baccalaureate
- other higher education pre-entry course.



Documentary evidence: Providers must fax an Early School Leaver's qualifications to the Services Australia Business Hotline on 1300 786 102. Sight the original and send a copy of the completed qualification with the cover sheet at Attachment B. If the original qualification has been lost or destroyed, a certified copy of the qualification or a letter from the education institution formally verifying attainment of the qualification will be accepted. If none of these can be obtained, a statutory declaration from the Early School Leaver will be accepted. The statutory declaration must include the name of the course, date completed, name of institution and institution contact details, and must be appropriately certified. Do not send verification requests to Services Australia if the education level is below Year 12.

If Services Australia does not accept the qualification, they will contact the Provider. Providers must contact the Early School Leaver to advise them of the reason the qualification was not verified.



System step: Where accepted by Services Australia, update the education level information in the Participant's JSCI to reflect the Early School Leaver's advised higher level of educational attainment.

(Deed References: Clause 93, 105)

Mutual Obligation Requirements for pregnant Participants

Generally, Mutual Obligation Requirements for pregnant Participants will not change during the first two trimesters of pregnancy. However, Providers must take into account the Participant's personal circumstances when setting their Mutual Obligation Requirements. Pregnant Participants are exempt from Mutual Obligation Requirements from 6 weeks before the expected due date until six weeks following the birth of the child.

Pregnant Participants will not be required to undertake Job Search from three months before their due date. During this time, Providers cannot compel these Participants to accept job offers or referrals to job interviews.

Participants exempt from Mutual Obligation Requirements

If a Participant is temporarily unable to meet their Mutual Obligation Requirements, Services Australia may grant an Exemption from requirements for a specified period. This recognises the different family and personal situations that Participants face and that can prevent them from participating in Job Search, paid work, Work for the Dole, vocational training or a range of other Activities designed to improve their employment prospects.

The types of Exemptions that may be applied include but are not limited to the following situations:

- temporary medical incapacity
- serious illness
- pre and postnatal

- caring for children with a disability or other special family circumstances
- domestic violence
- other special family circumstances including:
 - if a Principal Carer Parent is a registered and active foster carer or providing foster care temporarily in an emergency, or on a respite, basis
 - if a parent is home schooling or facilitating distance education for one or more of the children or secondary pupil children for whom they are the principal carer or main supporter
 - if a Principal Carer Parent is caring for a family of four or more children aged 18 years or under
 - if a principal carer is a relative but not a parent of a child and the child is living with the principal carer in accordance with a family law order, or
 - if a principal carer is a relative but not a parent of a child (kin child) and the principal carer is caring for the wellbeing of that kin child in accordance with a document accepted by the state/territory that is responsible for the wellbeing of children.
- other special circumstances, including:
 - major personal disruption to the job seeker's home
 - major personal crisis (including homelessness)
 - affected by declared natural disaster, e.g. bushfire, flooding or cyclone
 - volunteering during a state or national emergency
 - temporary caring responsibilities
 - dad and partner leave
 - undertaking jury duty
 - being a newly protected witness
 - being a newly arrived refugee, or
 - undertaking Indigenous cultural business.

If a Provider believes that the Participant does not have the capacity to meet their Mutual Obligation Requirements, the Participant should be encouraged to contact Services Australia to test their eligibility for an Exemption. Participants will need to provide evidence to support their claim.

If applying for an Exemption due to a temporary medical condition, the Participant will need to submit appropriate evidence, for example an approved medical certificate.

However, Services Australia should wherever possible reduce a Participant's Mutual Obligation Requirements rather than exempting them completely.

Participants granted an Exemption will be Suspended from a Provider's caseload for the period of the Exemption. Some Participants with longer-term Exemptions may be Exited from a Provider's caseload. However, Participants may voluntarily choose to continue participating with employment services.

NOTE: Some Participants considering an application for a Disability Support Pension may need to demonstrate that they have actively participated in a Program of

Support to be eligible for Disability Support Pension. You should advise these Participants that periods of exemption will not be counted as participation in a Program of Support. More information for providers can be found in the [Participation in a Programme of Support for DSP Claimants Supporting Document](#).

Participants subject to domestic violence

If there is any suspicion of domestic violence (including family violence) then Providers must refer the Participant to a Services Australia social worker. Providers should also refer a Participant to one of the national or state-based organisations for advice and information about domestic violence.

Providers notified of domestic violence (including family violence) as the reason for not meeting Mutual Obligation Requirements, must consider this in their assessment of whether or not the Participant had a Valid Reason.

If a Participant applies to Services Australia for an Exemption because they are subject to domestic violence (including family violence), Services Australia will make an assessment on whether an Exemption is granted and the appropriate length of the Exemption from their Mutual Obligation Requirements.

If the Participant is a Principal Carer Parent and subject to domestic violence, Services Australia will generally grant an Exemption.

Suitable Activities to meet Mutual Obligation Requirements and the AAR

Consider the Participant's Stream, Phase and individual circumstances when setting Mutual Obligation Requirements. In particular, consider whether the Participant is in the Work for the Dole Phase and has an AAR.

Include approved Activities in the Participant's Job Plan that will enable them to meet their Mutual Obligation Requirements, using the correct Job Plan code linked to the Activity scheduled in the Calendar. If the Participant is in the Work for the Dole Phase, sufficient hours of Activities must be scheduled in the Calendar to allow the Participant to meet their AAR.

Depending on a Participant's circumstances, there is a range of Activities they may undertake to meet their Mutual Obligation Requirements (some of which are described below).

Approved Programs of Work

Only Participants over 18 years of age can take part in an Approved Program of Work.

All Participants in an Approved Program of Work (whether they are receiving a full or part rate of income support payment) are eligible for the Approved Program of Work Supplement of \$20.80 a fortnight (Social Security Law).

Approved Programs of Work for jobactive Participants include:

- the National Work Experience Programme – the NWEPP can only be included as a voluntary not compulsory Activity in the Job Plan
- Work for the Dole - Only Participants 18 years of age and older can take part in Work for the Dole

Work for the Dole cannot be included as a compulsory Activity (i.e. can only be included as voluntary) in the Job Plan if:

- the Participant is receiving less than the full rate of JobSeeker Payment, Youth Allowance (other), or Parenting Payment Single, where the rate is reduced due to the income test (combined income of the Participant and, if applicable, their partner)
- the Participant's Job Plan also includes the Paid Work Job Plan code EM56
- for Special Benefit- Nominated Visa Holders, the person or, if applicable, their partner has income
- the Activity is more than 50 hours per fortnight, or
- the Participant is 60 years of age and over.

In all other circumstances, except for Participants under 18 years of age, Work for the Dole can be included as a compulsory Activity in the Participant's Job Plan.

Work for the Dole

Only Participants 18 years and older can take part in Work for the Dole.

Work for the Dole may be included as a voluntary Activity in the Participant's Job Plan in the above circumstances. However, Participants in these circumstances can be compelled to participate in another Activity to enable them to meet their AAR

If the Participant is receiving anything less than the full rate of income support, then Work for the Dole may be included in combination with other approved Activities to meet their AAR. If they elect to do this, then Work for the Dole must be included as a voluntary Activity in their Job Plan.

Providers should regularly review if the Participant is receiving a full rate of income support or a reduced rate due to the income test. Providers can view a Participant's previous four fortnights' income support payment rate on the Department's IT Systems Notification screen. If a Participant returns to the full rate of income support, the Provider can update the Participant's Job Plan to include Work for the Dole as a compulsory Activity.



Documentary evidence: Providers may also consider requesting documentary evidence from the Participant to determine if that Participant is declaring income to Services Australia or is on a reduced rate of income support for other reasons.

If the Participant fails to actively participate in the voluntary Work for the Dole Activity, then a Provider should consider replacing it with an alternative compulsory Activity so that the job seeker can meet their AAR. For example, the job seeker could be compelled to do some voluntary work to achieve the required hours each fortnight. The Participant should not receive the Approved Program of Work Supplement in a fortnight in which they did not actively participate in Work for the Dole.

National Work Experience Programme

The National Work Experience Programme provides voluntary short-term placements for Participants 17 years of age or over, regardless of whether the Participant is receiving full or part rate of income support payment.

Work Experience (Other) Placements

Work Experience (Other) Placements provide voluntary, short-term, observational unpaid work experience placements for Participant 15 years of age or over, regardless of whether the Participant is receiving an Income Support Payment. Participation in this Activity can contribute towards a Participant's Mutual Obligation Requirement, but is not approved for AAR purposes except for Stream C jobactive Participants.

Youth Jobs PaTH Employability Skills Training (EST)

A Participant is Employability Skills Training (EST) Eligible if they are between 15 and 24 years of age, receiving income support and have Mutual Obligation Requirements.

EST Courses consist of 75 hours of training, delivered at 25 hours per week over three weeks for Participants with full time Mutual Obligation Requirements and 15 hours per week over five weeks for Participants with part-time Mutual Obligation Requirements.

An EST Eligible Participant has a mandatory requirement to participate in EST once they have received services through jobactive for five months. An EST mandatory Participant must be considered for both types of EST courses.

Reports are available in ESS Web and Qlik, which identify EST mandatory and eligible Participants, including those not in any Activity.

An EST mandatory Participant retains their mandatory status until they have completed both EST Courses. This is to encourage the development of employability skills. ESS Web recognises completion of an EST Course when a completion payment is claimed by the EST Provider.

Once a Participant has completed both types of EST Courses and the associated completion payments have been claimed by the EST Provider, the Participant will revert to and maintain an EST Eligible status for as long as they meet the eligibility criteria.

Providers have discretion not to refer a Participant (for whom EST would otherwise be mandatory) to an EST Course, or include EST as a compulsory Activity in the Job Plan if the Provider considers that the Participant:

- already has the relevant skills and experience (such as through having relevant recent workforce experience or already having a part time job)
- has recently completed similar training
- has Non-Vocational Barriers that must be addressed first as a priority before they can benefit from the training - this could include language issues, health issues or family problems
- would have to travel more than 90 minute each way to the training (60 minutes for Participants with part-time Mutual Obligation Requirements) or there are no suitable EST courses available
- is referred to another suitable Activity - this should only be used when there is an active referral or commencement to another Activity in ESS Web. Where another Activity referral is in place with an end date in the near future, Providers should consider creating an EST referral for a future course. This provides an opportunity for the Participant to move from their current activity into EST

Choosing one of these reasons in ESS Web removes the Participant from the count of Participants who are EST Mandatory. After eight weeks the Department's IT Systems will override and unselect the reason, making the Participant EST Mandatory again. Providers must then reassess the suitability of EST for the Participant. Provider's use of these reasons will be monitored.

Participants who are EST eligible can also be referred to an EST Course from day one in jobactive.

Providers will receive a notification in the Department's IT Systems when Participants been serviced in jobactive for five months. The [Activity Management Guideline](#) provides details on EST, including how to record reasons for why a Participant will not be participating in EST Courses.

Participants with part-time Mutual Obligation Requirements such as Principal Carer Parents or others with a Partial Capacity to Work may volunteer to undertake more than 15 hours per week of EST. The additional hours will need to be recorded separately in the Job Plan as a voluntary Activity. These Participants are encouraged to participate for the duration of the Course but cannot be compelled to undertake additional hours. If the Participant is unable to meet the Course hours, the Provider should consider a more suitable Activity.



System step: If a Participant is EST mandatory, ESS Web prevents the finalisation of their Job Plan when making a referral to other activities. When referring an EST mandatory Participant to another activity, the EST opt-out reason of 'referred to other activity' must be applied before updating the Job Plan with the other activity.

PaTH Internship Placements

Young Participants 17–24 years of age, with Mutual Obligation Requirements, can participate in a PaTH Internship.

Eligible young Participants must:

- be in jobactive Stream A and have participated in either block one, or block two Employability Skills Training; or
- be in jobactive Stream A and have been continuously serviced in employment services from any jobactive provider, Transition to Work provider or Disability Employment Services provider for at least six months; or
- be in jobactive Stream B or C, Transition to Work or Disability Employment Services.

Early School Leavers can participate in a PaTH Internship. PaTH Internship placements are to be included in the Job Plan as a voluntary item. However, if the Participant fails to participate, then the Provider will need to place them in an alternative compulsory Activity.

See the [Managing PaTH Internships Guidelines](#) for further information.

Career Transition Assistance (CTA)

All Participants aged 45 years and over, and registered with a jobactive Provider, are eligible to participate in CTA. CTA provides opportunities for mature-age people to identify and articulate transferable skills, increase their job readiness and better

target their Job Search to local industries and available jobs, and develop basic functional IT skills.

Participation in CTA is 75 hours over an eight-week period. Where a Participant with part-time Mutual Obligation Requirements is referred to CTA, the jobactive Provider should select and modify the schedule in the Participant's calendar as necessary to meet the Participant's needs.

CTA is an approved Activity for the purposes of meeting a Participant's AAR and will fully meet the Participant's AAR for the duration of their participation in CTA while in the Work for the Dole Phase.

Participation in CTA is voluntary, and CTA can only be added to a Participant's Job Plan as a voluntary Activity. CTA Providers will advise the Participant's jobactive Provider if the Participant stops attending CTA. If the Participant is exited from CTA, the jobactive Provider must place them in an alternative approved Activity.

Launch into Work

Participation in Launch into Work program pre-employment projects should be included as a voluntary Activity in the Participant's Job Plan. Providers should record this Activity in the Job Plan using the ET64 Work Preparation activity code. Providers should include the relevant activity details, such as the Launch into Work organisation and dates and hours of participation.

Participation in Launch into Work program pre-employment projects will fully meet participants' AAR for the duration of the project. Participants will not have to complete other activities whilst participating in the project.

Regional Employment Trials – 10 Selected Trial Regions

Participation in the Regional Employment Trials Activity will meet the job seeker's AAR for the duration of their participation in the Regional Employment Trials Activity.

Participation in a Regional Employment Trials Activity is voluntary, and providers should record participation in a Regional Employment Trials Activity as a voluntary activity in the job seeker's Job Plan.

See the Regional Employment Trials Guideline for further information, including on selected trial regions.

Local Jobs Program – 25 Selected Employment Regions

Participation in a Local Jobs Program (LJP) Activity will meet the job seeker's AAR for the duration of their participation in the LJP Activity.

Participation in a LJP Activity is voluntary, and providers should record participation in a LJP Activity as a voluntary activity in the Participant's Job Plan.

See the [Local Jobs Program Guideline](#) for further information.

Study and Training

As part of servicing and setting mutual obligation requirements, Providers should:

- encourage Participants to build on their existing skill sets and help them to access appropriate and targeted skills and training opportunities; and
- become familiar with, and promote, flexible study and training including courses subsidised by State and Territory governments, including and the JobTrainer Fund,
- ensure the training is appropriate for the Participant and that the courses are under 12 months duration and in areas of high skill demand (see below).

For Providers deciding to fund an education or training course, see the Using the Employment Fund General Account Guideline.

What is an approved course of study or training

Participants can study in a course of high skill demand where the course is no more than 12 months in duration.

Courses considered in demand include:

- subsidised courses in the Vocational Education and Training system, including additional courses made available through the JobTrainer Fund or listed on www.myskills.gov.au as 'subsidies' in the relevant State or Territory.
- Higher Education short course listed on www.courseseecker.edu.au/courses, and
- courses approved by Providers as outlined below.

Additional Provider approved in-demand courses

Providers can also approve a Participant's participation in study or training under the following provisions:

- completing the course is likely to lead to an employment outcome for the Participant, or
- there is little chance of the Participant finding employment with their existing skills, or
- the course will lead to qualifications in an area of identified skill needs.

Approval of study and training

Providers must approve study and courses. An approved course must be included as a compulsory Activity in the Participant's Job Plan.

If a Provider approves a course and includes it in the Participant Job Plan then the Participant must generally still attend appointments with their Provider, look for work and accept suitable work as long as it does not conflict with the scheduled time of the course. Job search requirements can be reduced to reflect the Participant's study load (see below section on Jobsearch).

Job seekers who are working part time while studying are taken to be fully meeting their requirements when their combined work and study hours reach 70 per fortnight.

A Principal Carer Parent or Participant with a Partial Capacity to Work of 15-29 hours per week undertaking an approved study or training for at least 30 hours per fortnight is considered to be fully meeting their part-time Mutual Obligation Requirements. These recipients are managed by Services Australia and will be Suspended from the Provider's caseload.

Non-approved study or training

Participants can undertake other education or training under their own initiative at any time but, if the Activity is not approved (as outlined above) and included as a compulsory item in their Job Plan, this will not contribute towards their mutual obligation requirements.

People undertaking a full time course that is longer than 12 months in duration should generally be placed on a student allowance. Providers should refer full time students to Services Australia for an income support payment eligibility check.

Except in specific circumstances, Providers cannot approve full-time courses of 12 months (two semesters) or longer in duration, or Masters or Doctorate courses.

Note: Exceptions include:

- Participants in receipt of Special Benefit (NVH) who have not attained a Year 12 or equivalent qualification, may undertake full time study in a school institution up to Year 12. These Participants will still be required to attend Provider appointments and undertake up to 20 Job Searches per month.
- the Participant is a single Principal Carer Parent on JobSeeker Payment, has been granted PES for an academic course or course longer than 12 months. Where an eligible course for which PES is granted is being undertaken full-time or for at least 30 hours per fortnight, this will fully meet requirements, and the single principal carer will not be required to undertake additional activities. Providers can include this as approved study in the Participant's job plan, or
- the Participant is in receipt of Parenting Payment Single (this study would usually be approved by Services Australia), or
- the Participant is a Parenting Payment recipient who transferred to JobSeeker Payment or Youth Allowance (other), or, in some limited instances where a Participant was granted the Disability Support Pension, and then transferred to JobSeeker Payment or Youth Allowance (other). They are able to continue their studies in the same course they commenced while receiving the previous Income Support Payment type (this would usually be approved by Services Australia) for which they receive PES.
- Services Australia has approved participation in a full-time course for Participants prior to entering employment services if the Participant has been identified as requiring training under the Skills for Education and Employment (SEE) or Adult Migrant English Program (AMEP).
- Services Australia can also approve participation in a full-time course for any Participant prior to entering employment services or another relevant Provider's program if:
 - the Participant has an offer of employment, confirmed by a letter from the potential employer, contingent upon their completing the course
 - the course has a clear vocational application, and
 - the Participant is prepared to meet any additional expenses involved.

Breaks in Activities

If a Participant has a break in an Activity which is required to satisfy their Mutual Obligation Requirements, the Provider must update the Participant's Job Plan with other Activities to meet their Mutual Obligation Requirements.

There is no need to adjust a Participant's requirements if they have a break of less than or equal to four weeks that is outside their control. If the break is greater than four weeks then the Participant must do other requirements, such as Job Search, for the period of the break. The Job Plan must be updated to include the new requirements.

2. Suitable work

Participants must actively look for work and be prepared to accept any offer of suitable work in a variety of fields. Any work can be considered suitable provided it meets certain safeguards set out in Social Security Law, such as minimum statutory conditions and related health and safety considerations.

'Suitable work' includes any work that a Participant is capable of doing, not just work the Participant prefers to do or is specifically qualified for. This can include casual or permanent, and part-time or full time work depending on the Participant's assessed capacity. Participants are required to accept suitable work that may not be their first preference while they continue to look for work that better matches their qualifications, expertise and interest.

Work is unsuitable if it:

- involves skills, experience or qualifications that the person does not have and appropriate training will not be provided by the employer
- is above the Participant's assessed work capacity within the next two years with intervention
- may aggravate a pre-existing illness, disability or injury and medical evidence has been provided
- involves health or safety risks and would contravene an occupational health and safety law
- has terms and conditions which are less generous than the applicable statutory conditions
- involves commuting from home to work that would be unreasonably difficult (more than 60 minutes one way for Principal Carer Parents and those with Partial Capacity to Work and more than 90 minutes one way for other Participants)
- is considered by the Participants to be unsuitable on moral, cultural or religious grounds
- is not consistent with prevailing community standards
- is the subject of industrial dispute
- involves enlistment in the Defence Force or the Reserve Forces
- requires the person to change residence.

Unsuitable work for Principal Carer Parents

In addition to the above 'unsuitable work', Principal Carer Parents cannot be required to accept employment of more than 25 hours a week. Additionally, Providers should consider whether:

- the Principal Carer Parent has access to appropriate care and supervision for their child/children during the times when they would be required to work

- the location of either the workplace or the child care facility would make the total travel time to and from work unreasonable
- the Principal Carer Parent will be at least \$50.00 a fortnight financially better off as result of working.

If a job offer to the Principal Carer Parent involves employment outside school hours or in school holidays, a job is generally considered suitable if there is appropriate care and supervision for a child during the hours of work (including the travel to and from work). Suitable care and supervision means:

- childcare provided by an approved childcare service (within the meaning of the Family Assistance Administration Act 1999).
- any other care or supervision arrangements that the parent deems suitable.

Unsuitable work for Participants with a Partial Capacity to Work

In addition to the list above of 'unsuitable work', work is unsuitable for Participants with a Partial Capacity to Work if:

- it does not provide appropriate support or facilities to take account of the illness, disability or injury
- the total cost of participating in employment means that the Participants would be financially worse off as a result of undertaking the work. Examples include personal care requirements incurred by the Participant to get ready for work or while on the job; disability aids required for participation in the job that are not covered by the Employer and the cost of travel to and from the job by the Participant's means of transport.

3. Job Search Requirements are an important part of Mutual Obligation Requirements

Providers will set the number of Job Searches a Participant is required to undertake per month in accordance with the Deed, this Guideline and Social Security Law. Record the number of Job Searches required in the Participant's Job Plan.

Participants with Mutual Obligation Requirements will usually have to look for work.

The number of Job Searches generally expected of Participants (including Principal Carer Parents and those with a Partial Capacity to Work of 15 to 29 hours per week) is:

- for Stream A and Stream B Participants – 20 Job Searches per month
- for Stream C Participants – Job Search depends on capacity
- for Participants aged 60 years and over (regardless of Stream) – Job Search depends on capacity.

Participants cannot be required to do more than 20 Job Searches per month.

When assessing the quality of the Participant's Job Search efforts, Providers should consider whether the jobs applied for were:

- at a variety of levels of seniority or remuneration that is suitable for the Participant; and

- in a variety of fields and occupations in which the Participant is suitably qualified or has experience, if that work is suitable for the Participant; unless the Participant is studying or participating in training and the Provider agrees the Participant can focus on job search relevant to their field of study if it will increase the likelihood of the Participant finding sustainable employment, and
- applied for using a variety of methods to contact potential employers.

While the above must be taken into account when assessing Job Search efforts, Providers should also consider the Job Search efforts of the Participant more holistically over time. A Participant is not required to meet each of these criteria in each separate Job Search period – therefore it is important to consider factors such as:

- labour market restrictions as the type and number of vacancies available in each Job Search period may differ; and
- the most appropriate pathway for the Participant to obtain sustainable employment. In considering this, providers could discuss and agree to a strategy for targeting Job Search efforts in advance with the Participant to increase their likelihood of securing employment.

(Deed references: Clause 113)

Participants who do not have Job Search Requirements

The following Participants will not be required to undertake Job Search while they are fully meeting their Mutual Obligation Requirements:

- Principal Carer Parents
- those with a Partial Capacity to Work of 15 to 29 hours per week
- Participants 55 years of age and over
- Participants undertaking Drug and Alcohol rehabilitation in a Residential Program
- refugee Participants undertaking activities to help adjust to life in Australia and to increase chances of finding work.
- Pregnant Participants are exempt from Job Search from six weeks before their expected due date until six weeks following the birth of their child.
- NEIS Prospective Participants who have been assessed as NEIS Eligible but have not yet signed a NEIS Participant Agreement will have their Job Search requirements reduced to zero while participating in NEIS Training.
- NEIS Participants in receipt of Parenting Payment (Single) or the Disability Support Pension are able to choose to remain on their current payment or move to NEIS Allowance. Where they remain on their current payment while participating in NEIS Assistance and actively working on their small business, they do not have Job Search or other Mutual Obligation Requirements.
- Early School Leavers who are meeting their Mutual Obligation Requirements through full-time education or a combination of part-time study and part-time work of 25 hours per week (15 hours for those with part-time Mutual Obligation Requirements) must not have any Job Search requirements in their Job Plan.
- Participants participating in a total of 70 hours a fortnight of combined declared paid work (including self-employment) and approved study or training (see above).

Recording Job Search requirements in the Job Plan

When setting compulsory Job Searches, Providers must use the JS09 code. The Department is actively monitoring Job Plans and would expect that:

- for Stream A and Stream B Participants, all Job Plans should contain JS09.
- for Stream C Participants, most Job Plans should contain JS09. In some Exceptional Circumstances, Job Searches may not be required for a limited period while non-vocational issues are actively being addressed.

Circumstances that may reduce Job Search requirements

Do not reduce the number of Job Searches a Participant is required to undertake merely because the Participant is undertaking other Activities - in particular study or during the Work for the Dole Phase.

Providers may reduce the number of Job Searches as a result of a Participant's:

- participation in approved study or training
- physical, intellectual or psychiatric impairment
- non-residential treatments or counselling for drug and alcohol dependency (including Drug Court Orders)
- preventative health treatments and interventions – (for jobactive Indigenous Participants and Stream C Participants)
- substantially elevated level of family and caring responsibilities
- accommodation situation, where this is likely to impede Job Search
- education or skill level, where this is likely to substantially limit job opportunities
- current employment status (part-time or casual work)
- domestic violence (including family violence) or family relationship breakdown (Services Australia may grant an Exemption from Mutual Obligation Requirements in these circumstances)
- level of English language skills, if Participant is doing a course to improve these skills
- cultural factors
- the state of the labour market and the transport options available to the person in accessing that market, for example, taking into account travel time.

For example, a Stream A Participant either living in a metropolitan area or within 90 minutes travel time to metropolitan area would be expected to have 20 Job Searches per month. In a regional area with limited vacancies and where the travel time to more positive labour markets is more than 90 minutes, it might be appropriate that a Stream A Participant has a lower Job Search requirement, for example, 15 Job Searches per month.

Job Search requirements for those in approved study and training

Participants studying an approved course or can have their studies counted towards reducing Mutual Obligation Requirements, including:

- Providers can reduce and tailor a Participant's requirements by taking into account their study/training

- Participants who are working and studying/training for at least 70 hours per fortnight will have no Job Search requirements, but will stay connected to a Provider.

Participants are still required to accept any suitable work that does not conflict with scheduled course times and Providers should consider what is an appropriate level of Job Search which will not interfere with Participants' ability to undertake their approved study/training.

Where studying an area of identified skill needs in a demand area which would be likely to improve a job seeker's employability, job seekers may initially restrict their Job Search to that skill area. For example, job seekers studying an aged care related qualification should be allowed to initially restrict their Job Search to that field. However, Providers have discretion to require job seekers to diversify their job search, particularly where previous searches in that area have been unsuccessful or there is little immediate likelihood of finding work in the area studied.

Participants who combine declared work and approved study/training for at least 70 hours per fortnight are not required to look for additional work or participate in other activities. However, they should remain connected to the Provider and may be referred to suitable work opportunities that do not conflict with their study or work.

Job Search requirements for Early School Leavers who are not meeting their requirements through study or paid work

Early School Leavers who are meeting their Mutual Obligation Requirements through approved Activities other than just paid work and study for 25 hours per week (15 hours for Principal Carer Parents and those with a Partial Capacity to Work of 15 to 29 hours per week) must have up to 20 Job Searches per month in their Job Plan.

Job Search requirements while studying Language, Literacy and Numeracy courses

If a Provider has identified that a Participant needs to improve their Language Literacy and Numeracy skills, the number of required Job Searches may be reduced (but not reduced to zero) while the Participant is actively participating in an accredited Language Literacy and Numeracy course. Approved courses include the Skills for Education and Employment program and the Adult Migrant English Program.

Job Search requirements for Stream C Participants and Participants 60 years of age and over

The number of Job Searches required by Stream C Participants and Participants 60 years of age and over depends on their capacity. Generally, 10 Job Searches per month are expected.

When setting an appropriate number of Job Searches, in addition to other considerations, Providers may also consider:

- other non-vocational issues or vocational issues that are being, or have been addressed
- if the Participant has undertaken re-skilling or re-training

- for Stream C Participants, it might be appropriate in some Exceptional Circumstances to have no Job Searches for a period while non-vocational issues are actively being addressed.

For Stream C Participants, the number of Job Searches required is expected to increase over time as they overcome or sufficiently manage personal or non-vocational issues.

Job Search requirements for those in paid work

For Participants with full-time Mutual Obligation Requirements:

- if doing at least 40 hours of declared paid work (including self-employment) per fortnight then the number of Job Searches should be halved. If the Participant is doing a significant number of hours of paid work per week and receiving only a residual amount of income support, the number of Job Searches may be reduced further.
- if doing at least 70 hours of declared paid work (including self-employment)
- per fortnight then the Participant should have no Job Search requirement if doing at least 70 hours of combined declared paid work (including self-employment) and approved study or training per fortnight then the Participant should have no Job Search requirement.

For Participant with part-time Mutual Obligation Requirements (Principal Carer Parents and those with a Partial Capacity to Work of 15 to 29 hours per week):

- if doing 11 to 29 hours of declared paid work (including self-employment) per fortnight, the number of Job Searches should be halved
- if doing 30 hours or more of declared paid work (including self-employment) per fortnight, the Participant should have no Job Search requirement.

(Deed references: Clause 113)

4. Annual Activity Requirement (AAR)

The AAR is the set number of hours that a Participant must complete in approved Activities when in the Work for the Dole Phase.

Most Participants have an AAR when they enter into the Work for the Dole Phase and must participate in an approved Activity or combination of approved Activities to meet their AAR.

Providers must ensure that Participants in the Work for the Dole Phase fulfil their AAR. Work for the Dole Phase Activity commencement and participation are performance measures in Providers' Star Ratings. For more information on the Star Ratings, see the [Performance Framework Guideline](#).

(Deed references: Clauses 107, 108, 109)

Entering the Work for the Dole Phase

All Participants who are commencing in the Work for the Dole Phase for the first time start the phase after they have been in jobactive for 12 months. Following this, Participants will need to take part in the Work for Dole Phase for a continuous six months each year they remain in jobactive.

Determining the hours of participation to meet the AAR

The number of hours of participation in approved Activities that a Participant requires to meet their AAR depends on their age, their assessed capacity to work and whether they are a Principal Carer Parent.

Participants with no AAR:

- Participants who have reached Age Pension age.
- Participants who are fully meeting their part-time Mutual Obligation Requirements through participation in appropriate Activities for 30 hours per fortnight
- Participants 55 years of age and over during the period they are meeting their full-time Mutual Obligation Requirements through participation in appropriate Activities for 30 hours per fortnight
- Participants with a Partial Capacity to Work or temporary reduced work capacity of 0 to 14 hours per week
- Participants with Community Service Orders of 20 or more hours per week
- Early School Leavers with full-time Mutual Obligation Requirements already undertaking 25 hours a week of approved Activities or full-time study.

Using the AAR Calculator

The AAR Calculator on the Department's IT Systems provides information on how many hours of participation Participants need to complete to meet their AAR. See the Help. For more information on how to access the AAR Calculator.

Note: Under the Targeted Compliance Framework, where Activities are recorded in the Calendar, which contribute to a Participant's AAR, the Department's IT Systems will calculate hours. There are exceptions, however, where hours will still need to be manually calculated, when hours need to be adjusted.

Participation hours for Participants with full-time Mutual Obligation Requirements

- Up to 49 years of age: generally must participate for 650 hours over 26 weeks (50 hours per fortnight)
- Aged 50 to 59 years of age: generally must participate for 390 hours over 26 weeks (30 hours per fortnight).
- Aged 60 years to the aged pension age: generally must participate for 130 hours over 26 weeks (10 hours per fortnight)

Participation hours for Participants with part-time Mutual Obligation Requirements

- Under 30 years of age: generally must participate for 390 hours over 26 weeks (30 hours per fortnight)
- 30 to 59 years of age: in most circumstances must participate for 200 hours over 26 weeks (15 to 16 hours per fortnight).
- Aged 60 years to the aged pension age: Nil requirements

Participation hours for any Participation undertaking Defence Reserves

- For Participation undertaking Defence Reserves: 240 hours over 26 weeks (18 - 20 hours per fortnight).

Participation in the Launch into Work program

For Participation in the Work for the Dole phase, participation in Launch into Work program pre-employment projects will fully meet Participants' AAR for the project's duration. If the Participant stops attending the project, or does not commence employment with the Launch into Work Organisation at the end of the project, they need to be referred to another AAR Activity in order to complete their AAR hours for the remaining weeks of their Work for the Dole phase.

Participation in Regional Employment Trials Activities

Participation in the Regional Employment Trials Activity will meet the job seeker's AAR for the duration of their participation in the Regional Employment Trials Activity. If the participant stops attending the activity they need to be referred to another AAR activity in order to complete their AAR hours for the remaining weeks of their Work for the Dole phase.

See the Regional Employment Trials Guideline for further information.

Participation in Local Jobs Program Activities

Participation in a LJP Activity will meet the job seeker's AAR for the duration of their participation in the LJP Activity. If the participant stops attending the activity they need to be referred to another AAR activity in order to complete their AAR hours for the remaining weeks of their Work for the Dole phase.

See the [Local Jobs Program](#) Guideline for further information.

Participation hours in approved study/training

Full-time load

If the training Provider considers the Participant has a full-time study load then the Participant will meet their fortnightly hour's requirement in the fortnights they are studying, regardless of actual contact hours.

For example, a Participant who has an AAR of 50 hours per fortnight and undertakes 44 contact hours per fortnight of full-time study does not have to complete any additional hours in another Activity while they are undertaking a full-time study load.

Non-contact hours

Published non-contact study hours for Participants undertaking part-time study/training will also count towards a Participant's AAR, as long as they do not exceed the course's face-to-face hours. Where a course's non-contact study hours are not published, up to a maximum of 10 non-contact study hours per fortnight can be counted towards part-time study. Any non-contact study can be reflected in the Job Plan by using the appropriate Job Plan code, with study recorded in the Participant's Calendar.

Online courses

For online courses, it is expected that the majority of course hours are non-contact. In these cases, study load (hours) and duration requirements as published by the training institution will count towards a Participant's AAR. If the total part-time study hours are not sufficient to meet a Participant's AAR, other Activities will also need to be undertaken.



System step: For study or training Activities, Providers must record the outcomes of the training course upon completion (for example, whether a certificate or statement of attainment was achieved).

Change of circumstances during the Work for the Dole Phase

If a Participant's circumstances change during their Work for the Dole Phase, their AAR may also change. This may occur when a Participant becomes or ceases to be a Principal Carer Parent, where a Participant's capacity to work changes or when a Participant turns 30 years of age. In these instances, the Participant's participation must match their new requirement.

For example, if a Participant who is 49 years of age and has an overall requirement of 650 hours turns 50 years of age while in the Work for the Dole Phase, their requirement will reduce to 390 hours. If they have already completed 390 hours due to undertaking 25 hours per week over their first four months in the Work for the Dole Phase, they will have already met their AAR at this point in the Work for the Dole Phase.

Selecting Activities for a Participant to meet their AAR

After consultation with the Participant, Providers must determine and source the Activities that the Participant must undertake to meet their AAR in accordance with the Deed, this Guideline and Social Security Law.



System step: The Provider must record these in the Participant's Job Plan, including the relevant hours of participation the Participant needs to undertake each fortnight.

Providers placing Participants into Activities must prioritise Participants with Mutual Obligation Requirements over other Participants.



System step: When recording CTA Courses in the Job Plan, the minimum hours of participation required will automatically populate, along with the timeframe for participation.

Approved Activities to meet the AAR

- Work for the Dole
- part-time employment
- National Work Experience Programme
- Work Experience (Other)
- PaTH Internships
- PaTH Employability Skills Training (EST)

- Career Transition Assistance (CTA)
- Voluntary Work
- Launch into Work program pre-employment projects
- Regional Employment Trials activities
- Local Jobs Program activities study/training (part-time or full-time)
- Study/training must be approved by Providers (see the [Approval of Study and Training](#) section of this guideline) and must be a Certificate I course or higher (but not a Masters or Doctorate course).
- accredited language, literacy and numeracy courses, which can include:
 - the Skills for Education and Employment program, or
 - the Adult Migrant English Program
- rehabilitation for drug or alcohol dependency
- other non-vocational assistance and Interventions for Stream C Participants
- preventative health related Activities for jobactive Indigenous Participants and Stream C Participants
- Defence Reserves
- other government programs, including NEIS Training, state government programs and 'Exploring Being My Own Boss' Workshops
- non-government programs approved for AAR purposes (see the [Activity Management Guideline](#)).

Further information on Activities suitable to meet a Participant's AAR can be found in the [Activity Management Guideline](#), [Work for the Dole Guideline](#), and [Managing PaTH Internships Guideline](#).

(Deed references: Clauses 107, 108, 109)

Activities that do not count towards a Participant's AAR

There are certain Activities that will not count towards meeting a Participant's AAR. These include:

- non-accredited education and training unless it is non-vocational assistance for Stream C Participants
- study outside of the approved short course conditions (including Masters and Doctorate courses)
- Non-vocational assistance and interventions. For example, careers counselling and personal development courses. Please note: For Stream A and B Participants, satisfactory participation in the relevant number of hours in drug or alcohol addiction treatments (including rehabilitation) will meet their AAR.

(Deed references: Clauses 107, 108, 109)

Considerations when selecting Activities to meet AAR

Participants under 18 years of age

Participants under 18 years of age with Mutual Obligation Requirements are not eligible to participate in Work for the Dole.

Participants under 17 years of age are not eligible to participate in the National Work Experience Programme.

(Deed references: Clauses 107, 108, 109)

Participants 15-24 years of age

Employability Skills Training (EST) is available to eligible Participants between 15 to 24 years of age who are receiving income support and have compulsory Mutual Obligation Requirements.

Young Participants between 17–24 years of age, with Mutual Obligation Requirements, can participate in a PaTH Internship as a voluntary activity.

A Participant will meet their fortnightly hour's requirement in the fortnights they are participating in PaTH Internships or EST, regardless of the hours of participation.

See the [Activity Management Guideline](#) and [Managing PaTH Internships Guideline](#).

Participants 18-49 years of age

For Participants 18 - 49 years of age with full-time Mutual Obligation Requirements, Work for the Dole is the principal Activity to meet their AAR unless they have:

- arranged to meet their AAR through another approved Activity that will start at the time they become subject to the AAR, or
- are already undertaking other approved Activities at the time they enter the Work for the Dole Phase.

(Deed references: Clauses 107, 108, 109)

Participants 50-59 years of age

Participants 50 to 59 of age with full-time Mutual Obligation Requirements may select which approved Activity they will undertake to meet their AAR. Once chosen, this Activity should generally be entered as a compulsory requirement in their Job Plan.

(Deed references: Clauses 107, 108, 109)

Principal Carer Parents and Participants with a Partial Capacity to Work

Principal Carer Parents and those with a Partial Capacity to Work of 15 to 29 hours per week of any age may select which approved Activity they will undertake to meet their AAR. Once chosen, this Activity should generally be entered as a compulsory requirement in the Job Plan.

(Deed references: Clauses 107, 108, 109)

Participants with Community Service Orders

Participants with Community Service Orders of 20 hours or more a week do not have Mutual Obligation Requirements for the period of the Order.

If a Participant has a Community Service Order of less than 20 hours a week they still have Mutual Obligation Requirements, however, the Community Service Orders take precedence. If these Participants are in the Work for the Dole phase they will need to meet their AAR in addition to their Community Service Order.

(Deed references: Clauses 107, 108, 109)

Certain Participants undertaking non-vocational Activities/interventions

For Stream C job seekers, satisfactory participation for the relevant number of hours in non-vocational assistance or interventions (including preventative health treatments and drug or alcohol addiction rehabilitation) will meet their AAR i.e. the Participant will be deemed to be fully meeting their fortnightly AAR in the fortnights they are participating in that Activity, regardless of contact hours.

For Stream A and B Participants, satisfactory participation in the relevant number of hours in drug or alcohol addiction rehabilitation will meet their AAR i.e. the Participant will be deemed to be fully meeting their fortnightly AAR in the fortnights they are participating in that Activity, regardless of contact hours.

For jobactive participants who are Indigenous or in Stream C, participation in preventative health treatments and interventions can be counted towards their AAR.

Regardless of Stream, any Participants in residential drug or alcohol addiction rehabilitation are considered to be fully meeting their mutual obligation requirements while they are in residence.

Participants who undertake other types of drug and alcohol treatments or counselling should have these activities included in their Job Plan along with appointments, other appropriate activities and an appropriate number of Job Searches. If the Participant is unable to undertake other activities in addition to treatments or counselling, the treatments or counselling will fully meet their fortnightly AAR in the fortnights they are participating in that activity, regardless of contact hours.

Note: the relevant number of hours refers to the number of hours deemed suitable by the Provider, for the Participant, for that particular non-vocational assistance or intervention. While there is no fixed lower limit on the number of hours per fortnight of contact hours, a Participant must not be referred to reduced hours of participation for the sole purposes of meeting their AAR. The Participant's participation in these Activities must be sufficient enough to be treating their condition in order to meet the Participant's AAR.

Placing the Participant in Activities

Providers must commence Participants who have an AAR in an Activity immediately after entering the Work for the Dole Phase.

Participants may undertake a combination of Activities to meet an AAR where it is deemed suitable or necessary by the Provider.

The time taken to commence a Participant in an approved Activity at the start of the Work for the Dole Phase is a performance measure in Providers' Star Ratings. For more information on the Star Ratings, see the [Performance Framework Guideline](#).

For information on setting up and managing Activities, including important information on work health and safety, risk assessments and checks, refer to the [Activity Management Guideline](#) and [the Job Plan and Scheduling Mutual Obligation Requirements Guideline](#).

(Deed references: Clauses 107, 108, 109)

Setting the required hours in the Calendar



System step: For Participants undertaking Work for the Dole to meet their AAR, Providers must use the Calendar to schedule the Participant's required participation, start and finish times as notified to the Participant.



System step: For Participants undertaking other Approved Activities, Providers must use the Calendar to schedule the required hours for all Activities, except:

- for Education and Training where the course is delivered online, or that portion of the course delivered online.
- where it is a requirement that the Participant resides with the host organisation, either as part of a residential program or Drug and Alcohol Treatment or as part of Defence Reserves.
- for Employment and work experience activities where the hours are irregular and are organised directly between the Participant and the employer or host.
- Where the Department's IT Systems do not support scheduling of the activity. For more information see the [Job Seeker Calendar and Annual Activity Requirement IT Supporting Document](#).



System step: For Participants participating in CTA, or a Regional Employment Trials activity, scheduling this activity in the Calendar is required. Any hours marked as attended will automatically accrue towards Participant's AAR. Providers should manually record additional monthly AAR hours for Participants who are in the Work for the Dole Phase and who have an AAR so that the Participant fully meets their AAR for the period of participation in CTA or a Regional Employment Trials activity.



System step: For Participants undertaking a Launch into Work program pre-employment project, scheduling these Activities in the Calendar is encouraged. Providers should manually record monthly AAR hours for Participants who are in the Work for the Dole Phase and who have an AAR.



System step: Providers are encouraged to use the Calendar to ensure conflicting appointments are not scheduled, by creating a personal event for the Participant using the 'working casual / regular' event type (note: even though participation in a project is not employment this is the only available event type).

For further information regarding how to set a Participant's required hours in the Calendar, refer to the Calendar user Guide on the [Learning Centre Website](#).

(Deed reference: Clause 107)

Recording Participant participation against the AAR



System step: Participants will be responsible for recording their attendance at Activities. However, for those Participants found not capable of recording attendance, Providers must record attendance in approved Activities using the Calendar. All results must be recorded by close of business on the day of participation in the activity

- for study or training Activities, Providers must record the outcomes of the training course upon completion (for example, whether a certificate or statement of attainment was achieved).

For all Activity types, the Provider must negotiate with the Supervisor the most appropriate reporting and recording mechanism to ensure that the Provider can record in the system the number of hours a Participant has participated in for each day (for Work for the Dole Activities) or month (for all other approved Activities). This should reflect the Host Organisation's normal business practices. For short breaks, these may form part of the Participant's normal hours of participation, and count toward their AAR.

Alternatively, when setting up the Activities in the Calendar, it is recommended that the Provider request evidence based attendance recording, which will include a QR code and passcode to be generated by the Department's IT Systems. They must have the contact details of the Supervisor up to date so that the Supervisor can receive the QR code and passcode the day of the Activity. Participants will then be able to scan the QR code when they attend the Activity. If the Activity is longer than four hours, the Department's IT Systems will generate two codes: one for the start of the Activity and one for the end of the Activity.

For further information regarding how to record attendance in the Calendar, refer to the Department's [Job Seeker Calendar and Annual Activity Requirement Details IT Supporting Document](#) and the [IT System Online Help](#).

(Deed reference: Clause 107)

EST Providers will enter course details into the Calendar component of the Department's IT Systems. Providers will refer and place eligible Participants from their caseload into the courses; the Activity Diary is automatically updated with the course details.



System step: For CTA and Regional Employment Trials activities, satisfactory participation in the activity will meet the Participant's AAR. I.e. The Participant will be deemed to be fully meeting their fortnightly AAR in the fortnights they are participating in CTA and Regional Employment Trials activities, regardless of the contact hours. Any hours scheduled that are marked as attended will automatically accrue towards the Participant's AAR. jobactive Providers must manually record the relevant additional monthly hours as per the Participant's AAR, using the Monthly Hours section of the AAR Details screen of the Department's IT Systems so that the Participant fully meets their AAR for the period of participation in CTA or a Regional Employment Trials activity.

Recording participation via the Supervisor App

Supervisors can use the Supervisor App to record a Participant's attendance in Work for the Dole and other approved Activities. However, they should be encouraged to only do so for Participant who:

- have been assessed as not being capable of recording or reporting their own attendance

or

- have been assessed as being capable of recording or reporting their own attendance but who are unable to do for themselves on the day.

In most cases it is expected that the Supervisor will receive a QR code or passcode that has been generated by the Department's IT Systems, and Participant will be

able to scan it with their mobile devices to record their own attendance. If the activity is longer than four hours, the Supervisor will receive two QR codes or passcodes: one for the morning when the Participants arrive, and one for the afternoon when the Participants leave for the day.

For further information on the Supervisor App, refer to the [Work for the Dole IT Supporting Document](#).



System step: EST Providers will continue to have access to the Supervisor App to record Participants attendance at EST courses where appropriate.



Documentary evidence: Where Participants have used evidence to record their attendance directly into the Department's IT Systems, offline records are not required to be kept. The same applies where Activity attendance information has been entered by the Activity Host Organisation into the Supervisor App or directly into the Department's IT Systems, offline records are not required to be kept.

(Deed reference: Clause 107)

Recording of Work for the Dole participation in the Calendar



System step: Participants will be able to record their own attendance at Work for the Dole Activities. Where Participants are not capable of recording their own attendance, or are unable to due to certain circumstances, Providers must record results against all required participation in the Calendar for every day that the Participant was required to participate, as per notification issued to the Participant by the close of business each day.

(Deed reference: Clause 107)

Recording participation in paid work in the AAR Details screen



System step: For participation in paid work Activities, ESS Web will automatically place the Participant into a 'Part Time/Casual Paid Employment' Activity when the Participant declares hours of paid work to Services Australia. If the Participant is in the Work for the Dole Phase, the system will automatically populate the AAR Details Screen with the hours declared to Services Australia.

Where necessary, Providers can override the hours received from Services Australia e.g. if they disagree with the Services Australia hours for a period and hold documentary evidence supporting the updated hours.

Recording other approved Activities either in the Activity Diary or AAR Details screen



System step: For all other Approved Activities, attendance results, to meet the AAR must be recorded through the Calendar (using the same process as for Work for the Dole activities).

For Participants doing on-line courses not required to be recorded in the Participants Calendar are encouraged to record the total hours completed for each month in the Work for the Dole Phase within 20 Business Days of each month of participation.

If a Participant is participating in an Activity that fully meets their AAR, the Calendar will only count those hours that are scheduled towards the Participant's AAR. The

remaining hours should be credited by entering them in using the monthly hours section of the AAR Details screen.

Providers are to record the hours completed by the Participant in all Approved Activities during the Work for the Dole Phase by the deadline of 20 Business Days after a Participant exits the Work for the Dole Phase, or exits the Provider's caseload (for example, exiting from jobactive or transferring to another Provider).

If nothing is entered into the system by then, the Participant's required hours will be recorded as zero for that period.

If Providers are aware that duplicate hours have been created for AAR, Providers must reduce the number of hours within 20 Business Days. This may occur when a Participant is in paid work, a day of Activity is resulted as No Longer Required (NLR) as the Participant is working on that day and declares the hours worked. The Participant would be created the Activity hours and the hours declared. The Participant should have credited the higher of the two hours for the individual day.

(Deed reference: Clause 107)

Completing the AAR

Recording requirements



System step: At the end of the Work for the Dole Phase, Providers must ensure the AAR Details screen correctly displays whether the Participant has met their AAR.



System step: Providers have up to 20 business days from when a Participant exits the Work for the Dole Phase or when they exit the Provider's caseload (e.g. exiting from jobactive or transferring to another Provider) to enter hours of participation the Participant undertook within the Phase that were not required to be entered daily in the Calendar.

The Provider is not required to take any further action if the total hours recorded is equal to or greater than the Participant's required AAR hours. In this case the AAR Details screen will display that the AAR has been met.

If the recorded hours are lower than the required AAR hours, but the Participant has nevertheless met their AAR (for example, the Participant's Mutual Obligation Requirements changed from part-time to full-time while they were in the Work for the Dole Phase), the Provider must within 20 Business Days of the end of the Work for the Dole Phase:

- select a reason in the system to indicate how the Participant has met their AAR
- record that the AAR has been met.

If the recorded hours are lower than the Participant's required AAR hours, no reason is selected and the AAR has not been recorded as met, the Participant will not have met their AAR.

For further information regarding how to record completion of the AAR, refer to the Department's [IT System Online Help](#).

(Deed reference: Clause 107)

Meeting the AAR early

Within the Work for the Dole Phase

Within the Work for the Dole Phase, Participants may be permitted to complete additional hours in an Activity every week or fortnight, either to allow them flexibility if their particular circumstances require it, or to assist a Host Organisation. These additional hours will count towards a Participant's AAR and, in effect, means that some Participants will satisfy their AAR early. However:

- any hours a Participant agrees to do in excess of 50 hours per fortnight in Work for the Dole must be created as a voluntary component of their Job Plan using the Job Plan code and recording Activities in the Calendar.
- Participants must not undertake more than 50 hours per fortnight in a National Work Experience Programme Placement or a Work Experience (Other) Placement.

Participants should not be allowed to choose to complete hours early of their own accord. Any additional hours in a week/fortnight can only occur when agreed upon between the Provider, the Host Organisation and the Participant, where there is an identified benefit to the Participant.

If the AAR is completed early, the Provider must ensure that the Participant's Job Plan continues to contain the other requirements that would enable the Participant to continue to meet their Mutual Obligation Requirements. This includes attending Provider Appointments, undertaking any other appropriate Activities, undertaking Job Searches and acting on referrals to jobs in the remaining part of the Work for the Dole Phase after the AAR for that year has already been met.

Early commencement of the Work for the Dole phase

The Work for the Dole Phase can be brought forward for all stream Participant after six months (but before 12 months) of jobactive services if the Provider considers the Participant is not benefiting from, or actively participating in services/interventions designed to improve their employment prospects.

AAR Record Keeping



Documentary Evidence: In addition to recording the relevant information in the Department's IT Systems, Providers must retain the following additional forms of evidence (either hard copy or soft copy):

- timesheets or other records of attendance, including information collected through the Supervisor App, where used
- a statement of attainment or similar (for accredited education)
- a signed training notice or signal notice (for Defence Force Reserves)
- an invoice for services or a letter of acceptance into a program (for non-vocational interventions including drug or alcohol rehabilitation programs and preventative health treatments and interventions)

- Activity Host Organisation Agreements for Work for the Dole, Voluntary Work, the National Work Experience Programme, Work Experience (Other) and PaTH Internships.
- CTA Agreement (for CTA Courses)
- risk assessment documentation which details that all Deed and relevant guideline requirements have been considered for both the Participant and the Activity (for Activities where risk assessments are required to be undertaken)



Documentary Evidence: For part-time/casual work or self-employment, the hours of paid work reported by the Participant to Services Australia to stimulate the Participant income support payment is acceptable documentary evidence. This information is automatically populated into the 'Recording of Services Australia Part Time/Casual Paid Employment AAR Hours' section of the AAR Details screen and no further documentation is required if this information is accepted. See the [Job Seeker Calendar and Annual Activity Requirement Details IT Supporting Document](#) for more information about how paid employment is counted towards the AAR. Details of the hours of paid work completed by the Participant can also be accessed from the Case Summary Screen of the Department's IT Systems (Job Seeker Information – View Declared Earnings) or through the SUB316 – Declared Hours report through ES Reporting. If the Provider chooses to override the hours declared to Services Australia, the Provider must keep:

- For paid work: payslips or Employer payroll summaries,
- For self-employment:
 - a Profit and Loss Statement, a signed and dated written statement from an accountant and/or registered bookkeeper, or copies of records from the Australian Taxation Office and/or a tax return statement.

5. Privacy and information sharing

Providers must comply with Social Security Law and Australian privacy legislation. A Participant's Personal Information must only be used or disclosed for the purpose it was collected, except in limited circumstances such as where the Participant gives permission or where Commonwealth laws allow or other special circumstances.

Providers should seek independent legal advice if they have any concerns regarding their obligations under any privacy or other legislation. For further information, refer to the [Privacy Guideline](#).

(Deed references: Clauses 53, 87, 106)

Sharing Job Plans with SEE or AMEP Providers

Participants participating in the Skills for Education and Employment (SEE) program or Adult Migrant English Program (AMEP) should be encouraged to share their Job Plans with their SEE or AMEP Providers in order to make them aware of their full Mutual Obligation Requirements. This will assist SEE and AMEP Providers in ensuring that they place Participants in courses with study to fully meet their AAR in the Work for the Dole Phase.

6. Summary of Required Documentary Evidence

Notification to Participants of their Mutual Obligation Requirements

- The Provider will notify Participants of their Mutual Obligation Requirements in accordance with the reasonable notice timeframes for the relevant method of notification.
- The Provider will create a notification record in the Department's IT Systems, identifying the method of notification used (i.e. SMS, email or letter).
- If the Provider is in direct contact with the Participant, the Provider must record as the notification method that the appointment was booked directly with the Participant.
- If an Activity or Appointment is rescheduled by the Provider, formal notification must be issued to the Participant of their new requirements.

Note: If the Provider chooses to record the Participant's Activity details in the Activity Diary, this will help them to issue notification of the specific details of participation in an Activity to the Participant.

(Deed reference: Clause 106)

AAR and other Approved Activities



Documentary Evidence: In addition to recording the relevant information in the Department's IT Systems, Providers must retain the following additional forms of evidence (either hard copy or soft copy):

- timesheets or other records of attendance, including information collected through the Supervisor App, where used
- a statement of attainment or similar (for accredited education)
- a signed training notice or signal notice (for Defence Force Reserves)
- an invoice for services or a letter of acceptance into a program (for non-vocational interventions)
- Activity Host Organisation Agreements for Work for the Dole, Voluntary Work, the National Work Experience Programme and Work Experience (Other) Placements
- CTA Agreement (for CTA Courses)
- risk assessment documentation which details that all Deed and relevant guideline requirements have been considered for both the Participant and the Activity (for Activities where risk assessments are required to be undertaken)
- payslips or Employer payroll summaries (for part-time work)
 - For both self-employment and part-time/casual paid work, income reported by the Participant to Services Australia to stimulate a Participant's income support payment is acceptable documentary evidence. This information is available from the Case Summary Screen of the Department's IT Systems (Job Seeker Information – View Declared Earnings). The information provided indicates both the earnings and the hours worked
 - Additionally, documentary evidence for self-employment can include:

- a Profit and Loss Statement
- a signed and dated written statement from an accountant and/or registered bookkeeper
- copies of records from the Australian Taxation Office and/or a tax return statement
- a Business Activity Statement.

If Activity attendance information has been entered by the Activity Host Organisation into the Mobile Supervisor's App or directly into the Department's IT Systems, or the Participant has used evidenced based recording of attendance, offline records are not required to be kept.

A Participant's attendance at their internship will be recorded to ensure the hours completed by the Participant end of each month are counted against the Participant's AAR.

(Deed reference: Section B4)

All capitalised terms in this Guideline have the same meaning as in the jobactive Deed 2015–2022 (the Deed).

This Guideline is not a stand-alone document and does not contain the entirety of Employment Services Providers' obligations. It must be read in conjunction with the Deed and any relevant Guidelines or reference material issued by Department of Education, Skills and Employment under or in connection with the Deed.

7. Attachments

Attachment A – Mutual Obligation Requirement summary tables

Mutual Obligation Requirements—Participants under 30 years of age

Period of Service	Stream A & Stream B Participants		Other Stream A Participants		Other Stream B Participants	Stream C
	Started in the Work for the Dole Phase for the first time before 1 October 2016	Did not start in the Work for the Dole Phase for the first time before 1 October 2016	Started in the Work for the Dole Phase for the first time before 1 October 2016	Did not start in the Work for the Dole Phase for the first time before 1 October 2016		
0–6 months	Case Management	Case Management	Self Service and Job Activity	Self Service and Job Activity	Case Management	Case Management
	Appointments Job Search—up to 20 per month Other suitable Activities as appropriate	Appointments Job Search— up to 20 per month Other suitable Activities as appropriate EST Eligible Participants must be considered for EST Courses at five months.	Appointments Job Search— up to 20 per month Other suitable Activities as appropriate	Appointments Job Search— up to 20 per month Other suitable Activities as appropriate EST Eligible Participants must be considered for EST Courses at five months.	Appointments Job Search— up to 20 per month Other suitable Activities as appropriate EST Eligible Participants must be considered for EST Courses at five months.	Appointments Job Search—depends on capacity Other suitable Activities as appropriate EST Eligible Participants must be considered for EST Courses at five months.
6–12 months	Work for the Dole Phase		Work for the Dole Phase	Case Management		
	Appointments Job Search— up to 20 per month AAR—650 hours over 26 weeks (50 hours/fortnight), Work for the Dole as the principal Activity (that is the default Activity where another Activity is not undertaken for the 18-49 year old cohort)		Appointments Job Search— up to 20 per month AAR—650 hours over 26 weeks (50 hrs/fortnight), Work for the Dole as the principal Activity (that is the default Activity where another Activity is not undertaken for the 18-49 year old cohort) AAR for PCP/PCW—390 over 26 weeks (30 hrs/fortnight), choice of activities	Appointments Job Search— up to 20 per month Other suitable Activities as appropriate		
	Case Management	Work for the Dole Phase	Case Management	Work for the Dole Phase	Work for the Dole Phase	Work for the Dole Phase

Period of Service	Stream A & Stream B Participants		Other Stream A Participants		Other Stream B Participants	Stream C
12-18 months; 24-30 months; etc	Appointments Job Search— up to 20 per month Other suitable Activities as appropriate	Appointments Job Search— up to 20 per month AAR—650 hours over 26 weeks (50 hours/fortnight), Work for the Dole as the principal Activity (that is the default Activity where another Activity is not undertaken for the 18-49 year old cohort)	Appointments Job Search— up to 20 per month Other suitable Activities as appropriate	Appointments Job Search— up to 20 per month AAR—650 hours over 26 weeks (50 hrs/fortnight), Work for the Dole as the principal Activity (that is the default Activity where another Activity is not undertaken for the 18-49year old cohort) AAR for PCP/PCW—390 over 26 weeks (30 hrs/fortnight), choice of activities	Appointments Job Search— up to 20 per month AAR—650 hours over 26 weeks (50 hrs/fortnight), Work for the Dole as the principal Activity (that is the default Activity where another Activity is not undertaken for the 18-49year old cohort) AAR for PCP/PCW—390 over 26 weeks (30 hrs/fortnight), choice of activities	Appointments Job Search— depends on capacity AAR—650 hours over 26 weeks (50 hrs/ fortnight), Work for the Dole as the principal Activity (that is the default Activity where another Activity is not undertaken for the 18-49 year old cohort), can also use non-vocational Activities AAR for PCP/PCW—390 over 26 weeks (30 hrs/fortnight), choice of Activities, can also use non-vocational Activities
18-24 months; 30-36 months; etc	Work for the Dole Phase Appointments Job Search— up to 20 per month AAR—650 hours over 26 weeks (50 hrs/fortnight), Work for the Dole as the principal Activity (that is the default Activity where another Activity is not undertaken for the 18-49 year old cohort).	Case Management Appointments Job Search— up to 20 per month Other suitable Activities as appropriate	Work for the Dole Phase Appointments Job Search— up to 20 per month AAR—650 hours over 26 weeks (50 hrs/fortnight), Work for the Dole as the principal Activity (that is the default Activity where another Activity is not undertaken for the 18-49year old cohort). AAR for PCP/PCW—390 over 26 weeks (30 hrs/fortnight), choice of Activities	Case Management Appointments Job Search— up to 20 per month Other suitable Activities as appropriate	Case Management Appointments Job Search— up to 20 per month Other suitable Activities as appropriate	Case Management Appointments Job Search—depends on capacity Other suitable Activities as appropriate

Mutual Obligation Requirements—Participants 30 years of age up to 49 years of age

Period of Service	Stream A		Stream B	Stream C
	Started in the Work for the Dole Phase for the first time before 1 October 2016	Did not start in the Work for the Dole Phase for the first time before 1 October 2016		
0–6 months	Self Service and Job Activity	Self Service and Job Activity	Case Management	Case Management
	Appointments Job Search— up to 20 per month Other suitable Activities as appropriate	Appointments Job Search— up to 20 per month Other suitable Activities as appropriate	Appointments Job Search— up to 20 per month Other suitable Activities as appropriate	Appointments Job Search— depends on capacity Other suitable Activities as appropriate
6–12 months	Work for the Dole Phase	Case Management		
	Appointments Job Search— up to 20 per month AAR—650 hours over 26 weeks (50 hours per fortnight), Work for the Dole as the principal Activity (that is the default Activity where another Activity is not undertaken for the 18-49 year old cohort) AAR for PCP/PCW—200 hours over 26 weeks (15–16 hours per fortnight), choice of Activities	Appointments Job Search— up to 20 per month Other suitable Activities as appropriate		
12–18 months; 24–30 months; etc	Case Management	Work for the Dole Phase	Work for the Dole Phase	Work for the Dole Phase
	Appointments Job Search— up to 20 per month Other suitable Activities as appropriate	Appointments Job Search— up to 20 per month AAR—650 hours over 26 weeks (50 hours per fortnight), Work for the Dole as the principal Activity (that is the default Activity where another Activity is not undertaken for the 18-49 year old cohort) AAR for PCP/PCW—200 hours over 26 weeks (15–16 hours per fortnight), choice of Activities	Appointments Job Search— up to 20 per month AAR—650 hours over 26 weeks (50 hours per fortnight), Work for the Dole as the principal Activity (that is the default Activity where another Activity is not undertaken for the 18-49 year old cohort) AAR for PCP/PCW—200 hours over 26 weeks (15–16 hours per fortnight), choice of Activities	Appointments Job Search—depends on capacity AAR—650 hours over 26 weeks (50 hours per fortnight), Work for the Dole as the principal Activity, (that is the default Activity where another Activity is not undertaken for the 18-49 year old cohort), can also use non-vocational Activities AAR for PCP/PCW—200 hours over 26 weeks (15–16 hours per fortnight), choice of Activities, can also use non-vocational Activities.
18–24 months; 30–36 months; etc	Work for the Dole Phase	Case Management	Case Management	Case Management
	As above for the Work for the Dole Phase for six months	As above for Case Management for six months	As above for Case Management for six months	As above for Case Management for six months

Mutual Obligation Requirements — Participants 50 years of age up to 59 years of age

Period of Service	Stream A		Stream B	Stream C
	Started in the Work for the Dole Phase for the first time before 1 October 2016	Did not start in the Work for the Dole Phase for the first time before 1 October 2016		
0–6 months	Self Service and Job Activity	Self Service and Job Activity	Case Management	Case Management
	Appointments Job Search— up to 20 per month Other suitable Activities as appropriate	Appointments Job Search— up to 20 per month Other suitable Activities as appropriate	Appointments Job Search— up to 20 per month Other suitable Activities as appropriate	Appointments Job Search—depends on capacity Other suitable Activities as appropriate
6–12 months	Work for the Dole Phase	Case Management		
	Appointments Job Search— up to 20 per month AAR—390 hours over 26 weeks (30 hours per fortnight), choice of activities AAR for PCP/PCW—200 hours over 26 weeks (15–16 hours per fortnight), choice of Activities	Appointments Job Search— up to 20 per month Other suitable Activities as appropriate		
12–18 months; 24–30 months; etc	Case Management	Work for the Dole Phase	Work for the Dole Phase	Work for the Dole Phase
	Appointments Job Search— up to 20 per month Other suitable Activities as appropriate	Appointments Job Search— up to 20 per month AAR—390 hours over 26 weeks (30 hours per fortnight), choice of activities AAR for PCP/PCW—200 hours over 26 weeks (15–16 hours per fortnight), choice of Activities	Appointments Job Search— up to 20 per month AAR—390 hours over 26 weeks (30 hours per fortnight), choice of activities AAR for PCP/PCW—200 hours over 26 weeks (15–16 hours per fortnight), choice of Activities	Appointments Job Search—depends on capacity AAR—390 hours over 26 weeks (30 hours per fortnight), choice of Activities, can also use non-vocational Activities AAR for PCP/PCW—200 hours over 26 weeks (15–16 hours per fortnight), choice of Activities, can also use non-vocational Activities
18–24 months; 30–36 months; etc	Work for the Dole Phase	Case Management	Case Management	Case Management
	As above for the Work for the Dole Phase for six months	As above for Case Management for six months	As above for Case Management for six months	As above for Case Management for six months

Mutual Obligation Requirements—Participants 60 years of age and over

Period of Service	Stream A		Stream B	Stream C
	Started in the Work for the Dole Phase for the first time before 1 October 2016	Did not start in the Work for the Dole Phase for the first time before 1 October 2016		
0–6 months	Self Service and Job Activity	Self Service and Job Activity	Case Management	Case Management
	Appointments Job Search— up to 10 per month Other suitable Activities as appropriate	Appointments Job Search— up to 10 per month Other suitable Activities as appropriate		
6–12 months	Work for the Dole Phase	Case Management		
	Appointments Job Search— up to 10 per month AAR—130 hours over 26 weeks (10 hours per fortnight), choice of activities. No AAR once the Aged Pension age is reached. Other suitable Activities as appropriate	Appointments Job Search— up to 10 per month Other suitable Activities as appropriate		
12–18 months; 24–30 months; etc	Case Management	Work for the Dole Phase	Work for the Dole Phase	Work for the Dole Phase
	Appointments Job Search— up to 10 per month Other suitable Activities as appropriate	Appointments Job Search— up to 10 per month AAR—130 hours over 26 weeks (10 hours per fortnight), choice of activities. No AAR for PCW/PCP or for Age Pension age. Other suitable Activities as appropriate	Appointments Job Search— up to 10 per month AAR—130 hours over 26 weeks (10 hours per fortnight), choice of activities. No AAR for PCW/PCP or for Age Pension age. Other suitable Activities as appropriate	Appointments Job Search—depends on capacity AAR—130 hours over 26 weeks (10 hours per fortnight), choice of activities. No AAR for PCW/PCP or for Age Pension age. Other suitable Activities as appropriate
18–24 months; 30–36 months; etc	Work for the Dole Phase	Case Management	Case Management	Case Management
	As above for the Work for the Dole Phase for six months	As above for Case Management for six months	As above for Case Management for six months	As above for Case Management for six months

Notes:

- NEIS Prospective Participants who have been assessed as NEIS Eligible will meet their AAR for the period they are participating in NEIS Training.
- Participants in NEIS who have not transferred to NEIS Allowance when they commence NEIS Assistance will fully meet their Mutual Obligation Requirements.
- Volunteer Participants do not have a mandatory number of Job Searches.
- Outside the AAR, Providers can require Participants to participate in other Activities (in addition to Job Search and Provider Appointments).
- Participants can meet their AAR through full participation in the Defence Reserves (240 hours over 26 weeks or 18–20 hours per fortnight).

Attachment B – Early School Leaver Facsimile Cover Sheet

Fax to: Services Australia Business Hotline

1300 786 102

**Verification of Year 12 or equivalent qualification****(Office use only: CBHESL)**

Attached to this Verification Facsimile Cover Sheet is evidence of a completed Year 12 or equivalent qualification (i.e. Certificate III or higher) for:

Participant's
name _____

CRN _____

Declaration by Provider

I have sighted:

(tick as to which applies)

- ☐ the original qualification
- ☐ a certified true copy of the qualification
- ☐ a letter from the relevant school or educational institution formally verifying attainment of the qualification
- ☐ a Statutory Declaration detailing the name of the course, date completed, institution and institution contact details.

Signed:

Name (Please print):

Organisation:

Office telephone & fax numbers:

Number of pages (including cover sheet):

Guideline:

Targeted Compliance Framework: Mutual Obligation Failures

The Targeted Compliance Framework (TCF) is designed to target financial penalties towards only those Participants who persistently commit Mutual Obligation Failures without a Valid Reason or Reasonable Excuse, while providing protections for the most vulnerable. It is designed to encourage Participants to engage with their employment services provider (Provider), take personal responsibility for managing and meeting their Mutual Obligation Requirements, and actively look for work.

Participants commit Mutual Obligation Failures when they fail to comply with any one of a range of particular requirements specified in the Social Security Law. Broadly speaking, these requirements include, among other things:

- entering into a Job Plan
- attending appointments, and participating in activities, where required by their Job Plan
- acting appropriately during those appointments and while participating in those activities
- undertaking adequate Job Searches, where required by their Job Plan
- attending job interviews
- acting on job opportunities when requested to do so by their Provider.

If a Participant persistently commits Mutual Obligation Failures, they progress through the compliance framework. The Participant may eventually incur financial penalties after they:

- have participated in a Capability Interview with their Provider, and a Capability Assessment with Services Australia, to ensure that the Mutual Obligation Requirements specified in their Job Plan are appropriate for their personal circumstances and that they are capable of meeting them
- have continued to commit Mutual Obligation Failures.

That Participant may also face financial penalties if, at any time, they commit a Work Refusal Failure or an Unemployment Failure. See the [Work Refusal Failures and Unemployment Failures Guideline](#) for more information.

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Effective from: 12 April 2021

Effective end: 30 June 2021

Changes from the previous version (Version 4.0)

Policy changes:

Nil.

Wording changes:

The following minor updates have been made:

- Clarifying the processes for Providers when apparent non-compliance cannot be actioned under the Targeted Compliance Framework (TCF) as the non-compliance is identified outside of normal timeframes or policy settings.
- Outlining the interactions and processes the Provider must take regarding the Employer Reporting Line.
- Addition of Attachment D, previous attachments from D to H are now E to I.
- Deed clause numbers have been removed from body of the text and appear at the bottom of each section.
- Deed clause numbers and links have been updated where necessary.

A full document history is available on the [Provider Portal](#).

Related documents and references

jobactive

[Job Plan and Setting Mutual Obligation Requirements Guideline](#)

[Capability Assessment Guideline](#)

[Capability Interview Guideline](#)

[Work Refusal Failures and Unemployment Failures Guideline](#)

ParentsNext

[Capability Assessment Guideline](#)

[Capability Interview Guideline](#)

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1. Interpretation

Unless otherwise specified:

- all references in this Guideline to:
 - a 'Participant' are references to a 'Fully Eligible Participant (Mutual Obligation)' as defined in the jobactive Deed 2015–2022 (jobactive Deed) or a 'Compulsory Participant' as defined in the ParentsNext Deed 2018–2021 (ParentsNext Deed), as relevant;
 - a 'Job Plan' are references to a 'Job Plan' as defined in the jobactive Deed or a 'Participation Plan' as defined in the ParentsNext Deed, as relevant;
 - '3 active months' are, broadly speaking, references to 91 days, but prolonged for the time the Participant is in a penalty period or has an Exemption (up to a maximum of 12 months); and
 - '6 active months' are, broadly speaking, references to 182 days, but prolonged for the time the Participant is in a penalty period or has an Exemption (up to a maximum of 12 months); and
- capitalised terms in this Guideline have the meaning given to them in the jobactive Deed or the ParentsNext Deed, as relevant.

2. The Targeted Compliance Framework (TCF)

Providers' main obligations relating to the Targeted Compliance Framework (TCF) are set out in Chapter B3 of the jobactive Deed or Chapter B3 of the ParentsNext Deed, as relevant. One of the key obligations is that Providers must actively monitor and record each Participant's compliance against their Mutual Obligation Requirements. This includes recording compliance against requirements that, if not complied with, would result in a Mutual Obligation Failure, Work Refusal Failure or Unemployment Failure for jobactive Participants, or a Mutual Obligation Failure for ParentsNext Participants.

For more information on the meaning of the term 'Mutual Obligation Failure', see section 3, Committing Mutual Obligation Failures.

See the [Targeted Compliance Framework: Work Refusal and Unemployment Failures Guideline](#) for more information on Work Refusal Failures and Unemployment Failures.

In summary, a Participant's Income Support Payment potentially may be:

- suspended, reduced and/or cancelled—if they commit a Mutual Obligation Failure (see section Committing Mutual Obligation Failures in this Guideline)
- suspended and/or cancelled if they commit a Work Refusal Failure (that is, they refuse or fail to accept an offer of suitable employment, subject to certain exceptions)
- cancelled if they commit an Unemployment Failure (that is, they become unemployed as a result of a voluntary act or misconduct, subject to certain exceptions).

Note that, if a Participant's Income Support Payment is cancelled, the Participant must serve a four-week preclusion period before they may be paid again (after reapplying for income support).

A key principle of the TCF is personal responsibility. Participants are held personally responsible for managing, meeting and reporting on their Mutual Obligation Requirements

each fortnight in return for their Income Support Payment. This means that Participants are responsible for:

- meeting their Mutual Obligation Requirements, including those set out in their Job Plan
- self-reporting participation against their Mutual Obligation Requirements as they are scheduling in their Electronic Calendar—when they are found to be reasonably capable of doing so
- looking for work and reporting their Job Searches on time each month—when required to do so.

The three zones

The TCF comprises three zones for Participants:

- the Green Zone
- the Warning Zone
- Penalty Zone.

The key things that influence whether a Participant moves from one zone to another are:

- whether they accrue a Demerit. See [Attachment A](#) for information on the circumstances in which a Participant will accrue a Demerit. Broadly speaking, it is intended that a Participant will accrue a Demerit when they commit a Mutual Obligation Failure without a Valid Reason
- how many Demerits they accrue in a particular time period
- the types of Mutual Obligation Failures that lead to the accrual of the Demerits
- the outcomes of any Capability Interview or Capability Assessment that the Participant participates in.

See the [Capability Interview Guideline](#) and the [Capability Assessment Guideline](#) for more information on Capability Interviews or Capability Assessments.

Each of the three zones are described in further detail below.

For a diagram illustrating the three zones in the TCF, see [Attachment B](#).

The Green Zone

All Participants begin in the Green Zone. As long as they do not commit any Mutual Obligation Failures without a Valid Reason, they will remain in this zone.

The Warning Zone

Moving into the Warning Zone helps to reinforce the importance of meeting Mutual Obligation Requirements and discourages Participants from committing any further Mutual Obligation Failures.

When a Participant in the Green Zone accrues a Demerit, they move into the Warning Zone. Each Demerit has a lifespan of 6 active months, after which they are automatically removed by the Department's IT Systems.

In some circumstances (discussed below), when a Participant is in the Warning Zone, the Provider must conduct a Capability Interview with the Participant.

The Provider must do this when the Department's IT Systems specify that the Participant's Reconnection Requirement is a Capability Interview (the timing of when this occurs is discussed below). Note that the Department's IT Systems refer to a Reconnection Requirement as a 're-engagement requirement'.

See the [Reconnection Requirements](#) section of this Guideline for more information on setting Reconnection Requirements.

The outcome of a Capability Interview determines whether the Participant will remain in the Warning Zone or will go back to the Green Zone with their Demerits reset to zero. The purpose of a Capability Interview is to determine whether a Participant's Job Plan is suitable for the Participant, and to provide an additional opportunity for the Participant to disclose information that may be affecting their capacity to comply with their Mutual Obligation Requirements. A Job Plan will be suitable for a Participant if the Mutual Obligation Requirements specified in the Participant's Job Plan are appropriate for their individual circumstances and the Participant is capable of meeting them.

Broadly speaking, the Department's IT Systems will specify that the Participant's Reconnection Requirement is a Capability Interview when the Participant has, in 6 active months, incurred three Demerits or a Demerit for a 'fast-track' Mutual Obligation Failure.

A fast-track Mutual Obligation Failure is one of the following:

- intentionally acting in a manner at a job interview that could result in an offer of employment not being made to the Participant
- failing to attend a job interview
- failing to act on a job opportunity when requested to do so by their Provider.

Note that, if a Participant has less than three Demerits when they incur a Demerit for a fast-track Mutual Obligation Failure, the Department's IT Systems will automatically increase the number of Demerits to three.

In practice, fast-track Mutual Obligation Failures do not apply in ParentsNext because ParentsNext Participants do not have obligations related to finding work.

A factor that influences whether a Provider must conduct a Capability Interview in the circumstances described above is the outcome of any Capability Interview or Capability Assessment that has been conducted in relation to the Participant in the last 60 days.

Providers' main obligations regarding Capability Interviews are set out in the jobactive Deed or the ParentsNext Deed, as relevant. See also the [Capability Interview Guideline](#) for more information.

The Department's IT Systems will determine whether the Participant will remain in the Warning Zone or go back to the Green Zone with their Demerits reset to zero. This is based on the information that the Provider records in the Department's IT Systems regarding the outcome of the Capability Interview. It is intended that, if the result of the Capability Interview is that:

- the Participant's Job Plan is not suitable for the Participant (i.e. the Mutual Obligation Requirements specified in the Participant's Job Plan are not appropriate for their circumstances, and/or the Participant is not capable of meeting them), the Participant will go back to the Green Zone with their Demerits reset to zero, or

- the Participant's Job Plan is suitable for the Participant (i.e. the Mutual Obligation Requirements specified in the Participant's Job Plan are appropriate for their circumstances and the Participant is capable of meeting them), the Participant will continue in the Warning Zone with their confirmed Demerits.

In some circumstances (discussed below), when a Participant is in the Warning Zone, Services Australia will conduct a Capability Assessment with the Participant. The Department's IT Systems will notify the Provider when this will occur.

(Deed references: jobactive Deed 2015–2022 clauses 114.7, 114.8 and 114.9; ParentsNext Deed 2018–2021 clauses 97.1, 97.2 and 97.3)

The Penalty Zone

There are a number of criteria that must be satisfied before a Participant will enter the Penalty Zone. The first is that the Participant has attended a Capability Interview and the outcome of that Capability Interview is that the Participant's Job Plan is suitable for the Participant.

The second criterion that must be satisfied before a Participant will enter the Penalty Zone is that the Participant has incurred five Demerits in 6 active months. When this occurs, Services Australia will arrange for the Participant to attend a Capability Assessment with Services Australia. Note that, if a Participant has three or four Demerits when they incur a Demerit for a fast-track Mutual Obligation Failure (discussed above), the Department's IT Systems will automatically increase the Participant's total number of Demerits to five.

The final criterion is that the outcome of the Capability Assessment is that the Participant's Job Plan is suitable for the Participant. This means that the outcome of a Capability Assessment determines whether the Participant will enter the Penalty Zone or will go back to the Green Zone with their Demerits reset to zero.

The Capability Assessment has the same goals as the Capability Interview: to assess whether a Participant's Job Plan is suitable for the Participant (i.e. whether the Mutual Obligation Requirements specified in the Participant's Job Plan are appropriate for their circumstances and whether the Participant is capable of meeting them).

The Department's IT Systems will determine whether the Participant will enter the Penalty Zone or will go back to the Green Zone with their Demerits reset to zero. It does this based on the information that Services Australia records in the Department's IT Systems regarding the outcome of the Capability Assessment. It is intended that, if the result of the Capability Assessment is that:

- the Participant's Job Plan is not suitable for the Participant (i.e. the Mutual Obligation Requirements specified in the Participant's Job Plan are not appropriate for their circumstances, and/or the Participant is not capable of meeting them), the Participant will go back to the Green Zone with their Demerits reset to zero; or
- the Participant's Job Plan is suitable for the Participant (i.e. the Mutual Obligation Requirements specified in the Participant's Job Plan are appropriate for their circumstances and the Participant is capable of meeting them), the Participant will enter the Penalty Zone.

Broadly speaking, it is intended that a Participant in the Penalty Zone will incur the following financial penalties in succession if they continue to commit Mutual Obligation Failures:

- first Mutual Obligation Failure without a Reasonable Excuse in the Penalty Zone—loss of one week’s Income Support Payment
- second Mutual Obligation Failure without a Reasonable Excuse in the Penalty Zone—loss of two weeks’ Income Support Payment
- third Mutual Obligation Failure without a Reasonable Excuse in the Penalty Zone—Income Support Payment is cancelled, and the Participant must serve a four-week preclusion period before they may be paid again (after reapplying for income support). The preclusion period referred to here is called a ‘post-cancellation non-payment period’ in the relevant legislation.

Once a Participant’s Income Support Payment has been cancelled, the Participant must reapply for income support—they will not automatically receive an Income Support Payment again once the four-week preclusion period has ended. If a Participant has had their Income Support Payment cancelled, but they return to payment within 3 active months of cancellation, they will return to the beginning of the Penalty Zone. In other words, their next Mutual Obligation Failure without a Reasonable Excuse (committed within 3 active months after cancellation) would result in another loss of one week’s payment.

It is intended that a Participant in the Penalty Zone will return to the Green Zone if they do not commit any further Mutual Obligation Failures for 3 active months. The potential to return to the Green Zone through demonstrating compliance provides a further incentive for Participants to change their behaviour and meet their Mutual Obligation Requirements.

Note that, although Participants can incur financial penalties while they are in the Penalty Zone (as discussed above), they do not accrue further Demerits.

Recording participation by close of business

Providers have an obligation to record Engagements in each Participant’s Electronic Calendar. The types of Engagements that must be recorded include all Mutual Obligation Requirements, except for those that involve a requirement to:

- undertake adequate Job Searches
- enter into a Job Plan, or
- act on a job opportunity.

Providers also have an obligation to confirm or record participation against each Mutual Obligation Requirement scheduled in a Participant’s Electronic Calendar. This must be done no later than close of business on the day that the Mutual Obligation Requirement is scheduled to occur in the Participant’s Electronic Calendar.

Except in the case of attending a Provider Appointment, if participation is not recorded by close of business on the day that the Mutual Obligation Requirement is scheduled to occur in the Participant’s Electronic Calendar (either by the Provider or by the Participant), the Department’s IT Systems will automatically suspend the Participant’s Income Support Payment in the Green Zone and the Warning Zone after two Business Days if the Participant does not make contact or does not meet a Reconnection Requirement (where the Participant does not have a Valid Reason). See the [Payment Suspension](#) section of this Guideline for more information on payment suspensions.

Although a Participant does not necessarily accrue a Demerit for failing to record their participation against a Mutual Obligation Requirement, they may potentially accrue a

Demerit if they did not attend or participate in the Mutual Obligation Requirement, including if they failed to give prior notice of their inability to meet the requirement when it was reasonable to expect them to do so. See [Attachment A](#) for information on the circumstances in which a Participant will accrue a Demerit.

(Deed references: jobactive Deed 2015–2022 clause 83A, 106A; ParentsNext Deed 2018–2021 clauses 71, 88)

Self-reporting participation

Providers must assess whether each individual Participant is capable of taking personal responsibility for self-reporting participation against all the Mutual Obligation Requirements in their Job Plan.

If the Provider assesses that a Participant is not capable of self-reporting as referred to above, the Provider must remove the Job Plan code ‘Personal Responsibility to Record or Report Attendance (PA03)’ from the Participant’s Job Plan. It is then the Provider’s responsibility to record the Participant’s participation against each of the Mutual Obligation Requirements scheduled in their Electronic Calendar. Providers are encouraged to work with Participants assessed as not capable of self-reporting to help them build the required skills to be able to self-report their participation against each of the Mutual Obligation Requirements scheduled in their Electronic Calendar.

If the Provider assesses that a Participant is capable of self-reporting as referred to above, the Provider must confirm with the Participant that they understand that this means:

- the Participant must record their participation against each of the Mutual Obligation Requirements scheduled in their Electronic Calendar themselves—either on the jobactive website, or by using the Job Seeker App
- if the Participant does not do this, their Income Support Payment will be suspended—and, if their payment is suspended, it will remain suspended until they contact their Provider to discuss.

For information on how Providers must assess whether each individual Participant is capable of taking personal responsibility for self-reporting participation against all the Mutual Obligation Requirements in their Job Plan, refer to the [Job Plan and Scheduling Mutual Obligation Requirements Guideline](#) on the Provider Portal.

(Deed references: jobactive Deed 2015–2022 clauses 106A.1, 106A.2; ParentsNext Deed 2018–2021 clauses 88.1, 88.2)

3. Committing Mutual Obligation Failures

The term ‘Mutual Obligation Failure’ is defined in the jobactive Deed and ParentsNext Deed by reference to the meaning of that term in the *Social Security (Administration) Act 1999* (see the definition of ‘mutual obligation failure’ in section 42AC of that Act). In summary, this means that a Participant will commit a Mutual Obligation Failure if they:

- fail to enter into a Job Plan
- fail to attend, or to be punctual for, an appointment that they are required to attend under their Job Plan
- fail to attend, to be punctual for, or to participate in, an activity that they are required to undertake under their Job Plan

- fail to undertake adequate Job Searches
- fail to comply with any other requirement in their Job Plan
- act in an inappropriate manner:
 - during an appointment that they are required to attend under their Job Plan, or
 - while participating in an activity that they are required to undertake under their Job Plan
- intentionally act in a manner that could result in an offer of employment not being made to the person
- fail to:
 - attend a job interview, or
 - act on a job opportunity when requested to do so by their Provider.

Fast-track Mutual Obligation Failures

Particular types of Mutual Obligation Failures are referred to as ‘fast-track’ Mutual Obligations Failures because they can result in a Participant having a Capability Interview or Capability Assessment more quickly than would otherwise be the case. See [The Warning Zone](#) section of this Guideline for more information on ‘fast-track’ Mutual Obligations Failures.

Prior notice and Acceptable Reasons

A Participant may notify the Provider, before the start time scheduled for a Mutual Obligation Requirement, that they are unable to comply with their Mutual Obligation Requirement. Providers must then assess whether the Participant’s reason for being unable to comply with the Mutual Obligation Requirement is an Acceptable Reason. If the Provider is satisfied that the Participant has an Acceptable Reason for being unable to comply with the Mutual Obligation Requirement, they have an obligation to reschedule or remove the Mutual Obligation Requirement from the Electronic Calendar. See the jobactive Deed or the ParentsNext Deed, as relevant, together with the definition of ‘Acceptable Reason’ in Annexure A1 in the relevant Deed.

For the purposes of the above, the Provider must determine that a Participant has an Acceptable Reason for being unable to satisfy a Mutual Obligation Requirement if:

- the Participant notified the Provider, before the start time scheduled for a Mutual Obligation Requirement, that the Participant is unable to satisfy the Mutual Obligation Requirement
- the Provider is satisfied that the Participant has a Valid Reason for being unable to satisfy the Mutual Obligation Requirement.

A Provider must determine that the Participant has a Valid Reason for a Mutual Obligation Failure when they are satisfied that the reason the Participant provides:

- would directly prevent the Participant from meeting the Mutual Obligation Requirement at the time that the Mutual Obligation Requirement is scheduled to occur;
- would be considered to be reasonable by a member of the general public; and
- aligns with the Participant’s personal circumstances as known by the Provider.

However, note the exception to the above discussed in the [Drug and alcohol dependency or misuse](#) section of this Guideline.

Where a Provider has an obligation to reschedule or remove a Mutual Obligation Requirement as per the jobactive Deed or the ParentsNext Deed, the Provider must select 'No Longer Required' or 'Rescheduled' (as appropriate) in relation to the Mutual Obligation Requirement in the Participant's Electronic Calendar. This will either remove the Mutual Obligation Requirement from the Participant's Electronic Calendar or allow the Mutual Obligation Requirement to be re-scheduled in the Participant's Electronic Calendar.

Despite the above, the Provider must select 'No Longer Required' in relation to the Mutual Obligation Requirement in the Participant's Electronic Calendar if the Mutual Obligation Requirement in question is a requirement to undertake Job Searches or a requirement to act on a job opportunity.

If the Provider selects 'No Longer Required' or 'Rescheduled' in relation to a Mutual Obligation Requirement in the Participant's Electronic Calendar as referred to above, the Provider must also select a description of the relevant Valid Reason from the drop-down menu that will appear. In selecting a Valid Reason option from the drop-down menu, the Provider must select the option that is most similar to the Participant's Valid Reason as they described it to the Provider. The Provider must not use the options in the drop-down menus to prompt or elicit responses from the Participant. A full list of these drop-down menu options can be found at [Attachment C](#).

If the Provider is **not** satisfied that the Participant has a Valid Reason for being unable to satisfy the Mutual Obligation Requirement, the Provider must tell the Participant why. The Provider must then remind the Participant that they are still expected to meet the Mutual Obligation Requirement and must remind them about the consequences of non-compliance.

(Deed references: jobactive Deed 2015–2022 clause 106B.1; ParentsNext Deed 2018–2021 clause 89.1; definition of 'Acceptable Reason' in Annexure A1 in the relevant Deed)

Misconduct—Acting in an inappropriate manner

Particular types of Mutual Obligations Failures are referred to as 'misconduct' in the Department's IT Systems. The circumstances in which the Provider must select 'misconduct' are described below in the [When the Participant does not have a Valid Reason](#) section of this Guideline.

Misconduct refers to:

- inappropriate behaviour by the Participant:
 - during an appointment that they are required to attend under their Job Plan, or
 - while participating in an activity that they are required to undertake under their Job Plan, or
- behaviour by a Participant, during a job interview, that could result in an offer of employment not being made to the Participant.

A Provider must determine that a Participant's behaviour involved 'misconduct' in the circumstances described above when the Participant's behaviour during the relevant appointment, activity or job interview:

- was within the Participant's control

- prevented the purpose of the relevant appointment, activity or job interview from being met
- would be judged by a reasonable person as being inappropriate in the circumstances.

This behaviour may include:

- dressing in a way that is clearly inappropriate for the relevant appointment, activity or job interview
- using offensive language during the relevant appointment, activity or job interview
- showing an obvious lack of interest in the relevant appointment, activity or job interview
- exaggerating the severity of an existing injury or illness to avoid fully participating in the relevant appointment, activity or job interview
- leaving the relevant appointment, activity or job interview before its completion.

Behaviour that appears to be inappropriate but is out of the Participant's control must not be determined by a Provider to be misconduct. For example, a Participant may act in an inappropriate manner because they:

- do not have appropriate clothes to wear to the relevant appointment, activity or job interview
- are affected by a major personal crisis
- are affected by a medical condition.

Mutual Obligation Failures

Participant contact

In most cases, if the Provider becomes aware that a Participant has apparently committed a Mutual Obligation Failure, the Provider must attempt to contact the Participant on the same Business Day on which the Provider becomes aware of the apparent Mutual Obligation Failure. If there is contact between the Provider and the Participant on that day, the Provider must:

- discuss with the Participant the circumstances of the apparent Mutual Obligation Failure so that the Provider can determine whether a Mutual Obligation Failure has actually been committed; and
- if the Provider considers that a Mutual Obligation Failure has been committed:
 - discuss with the Participant their reasons for the Mutual Obligation Failure, assess whether the Participant has a Valid Reason, and comply with the obligations set out below in the [Assessing Valid Reasons](#) section in this Guideline
 - set an appropriate Reconnection Requirement for the Participant (if they do not have a Valid Reason for the relevant Mutual Obligation Failure) in accordance with the [Reconnection Requirements](#) section in this Guideline; or
- if the Provider considers that a Mutual Obligation Failure has not been committed, not take any further action.
- if the Provider determines that the Participant has been non-compliant but the TCF cannot be applied, follow the TCF workflow at [Attachment D](#).

See the jobactive Deed or the ParentsNext Deed, as relevant.

See the [Assessing Valid Reasons](#) section in this Guideline for more information on Valid Reasons.

See the [Reconnection Requirements](#) section in this Guideline for more information on Reconnection Requirements.

(Deed references: jobactive Deed 2015–2022 clause 114; ParentsNext Deed 2018–2021 clause 96)

Contact attempt not required

The Provider is not required to attempt to contact the Participant if the Mutual Obligation Failure has occurred because the Participant:

- failed to undertake adequate Job Searches (this does not apply to participants in ParentsNext), or
- failed to enter into a Job Plan.

See the jobactive Deed or the ParentsNext Deed, as relevant.

In these instances, the Provider should wait for the Participant to make contact. Once the Participant has made contact, the Provider must:

- schedule a date and time for a Reconnection Requirement to occur (if the Participant does not have a Valid Reason for the relevant Mutual Obligation Failure) in accordance with the [Reconnection Requirements](#) section in this Guideline
- otherwise comply with the Deeds referred to above.

(Deed references: jobactive Deed 2015–2022 clause 114.2; ParentsNext Deed 2018–2021 clause 96.2)

Contact attempt not successful

As discussed above, in most cases, the Provider has an obligation to attempt to contact the Participant on the same Business Day on which the Provider becomes aware of an apparent Mutual Obligation Failure. When the Provider attempts to contact the Participant in accordance with that obligation and the attempt is not successful, the Provider must:

- record that they are not in contact with the Participant, and select 'Did Not Attend—Invalid' in relation to the relevant Mutual Obligation Requirement in the Participant's Electronic Calendar. Doing so will:
 - create a pending Demerit on the Participant's record if the Participant is in the Warning Zone; or
 - create a pending Non-Compliance Report on the Participant's record if the Participant is in the Penalty Zone; and
- comply with the jobactive Deed or the ParentsNext Deed, as relevant.

If the Participant is in the Green Zone or the Warning Zone, the Department's IT Systems will automatically suspend the Participant's Income Support Payment if, within two Business Days, the Participant does not make contact or does not meet a Reconnection Requirement (where the Participant does not have a Valid Reason).

If the Participant is in the Penalty Zone, Income Support Payment suspension will occur when the Provider has recorded 'Did Not Attend—Invalid' in the Department's IT Systems.

If the Participant later contacts the Provider to discuss the Mutual Obligation Failure, the Provider must:

- schedule a date and time for a Reconnection Requirement to occur (if the Participant does not have a Valid Reason for the relevant Mutual Obligation Failure) in accordance with the Reconnection Requirements section in this Guideline; and
- otherwise comply with the jobactive Deed or the ParentsNext Deed, as relevant.

Where the TCF cannot be applied, but the Provider has determined that the Participant has been non-compliant, follow the TCF workflow at [Attachment D](#).

(Deed references: jobactive Deed 2015–2022 clause 114.5; ParentsNext Deed 2018–2021 clause 96.5)

When a Participant commits a Mutual Obligation Failure

When a Participant commits a Mutual Obligation Failure, it is intended that there are a few consequences:

- Their Income Support Payment is suspended:
 - If the Participant is in the Green Zone or the Warning Zone, payment suspension will occur if, within two Business Days of the date of the Mutual Obligation Failure, they do not provide a Valid Reason or meet a Re-connection Requirement.
 - If the Participant is in the Penalty Zone, payment suspension will occur at the time the Provider records that a Mutual Obligation Failure has occurred.
- They accrue a Demerit if they do not have a Valid Reason.

See [Attachment A](#) for information on the circumstances in which:

- a Participant's Income Support Payment is suspended
- the suspension of a Participant's Income Support Payment is lifted
- a Participant will accrue a Demerit.

Two Business Day delay of payment suspension: Green and Warning Zones

The purpose of delaying the suspension of an Income Support Payment is to allow Participants two Business Days to contact their Provider, and to discuss and—when possible—resolve the Mutual Obligation Failure before a Participant's payment is impacted. This will also reduce the number of payment suspensions Participants' experience in the course of their servicing.

In the Green Zone and the Warning Zone, a Participant's Income Support Payment is generally suspended two Business Days following the day a Mutual Obligation Failure is recorded in the Department's IT Systems.

Suspension of a Participant's Income Support Payment will not occur if, within those two Business Days, the Participant contacts the Provider and:

- the Provider records that the Participant has a Valid Reason, or
- the Participant meets a Reconnection Requirement.

See the [Reconnection Requirements](#) and [Assessing Valid Reasons](#) sections of this Guideline.

During the two Business Days that occur between:

- the recording of a Mutual Obligation Failure in the Department's IT Systems, and
- the suspension of a Participant's Income Support Payment

the Provider must be available to engage with Participants who make contact to discuss a Mutual Obligation Failure and the relevant delayed payment suspension.

During this discussion, the Provider must determine whether the Participant has a Valid Reason for the Mutual Obligation Failure and must immediately record this assessment in the Department's IT Systems. As a result of this assessment:

- If the Provider records that the Participant has a Valid Reason, the payment suspension will be avoided.
- If the Provider records that the Participant does not have a Valid Reason, the Participant must meet a Reconnection Requirement.
 - If the Participant meets the Reconnection Requirement before the two Business Day timeframe has expired, the payment suspension will be avoided.
 - If the Participant does not meet the Reconnection Requirement before the two Business Day timeframe has expired, the payment suspension will occur two Business Days following the day the Mutual Obligation Failure was recorded. This suspension will generally be maintained until the Participant meets the Reconnection Requirement.

If the Provider has discussed the Mutual Obligation Failure with the Participant and is satisfied that a Reconnection Requirement is not necessary, the Provider must record either 'Re-engagement Not Required' or 'Compliance Action No Longer Appropriate'.

See the [Reconnection Requirements](#) section of this Guideline.

Immediate payment suspension: Penalty Zone

In the Penalty Zone, a Participant's Income Support Payment is generally suspended at the time a Mutual Obligation Failure is recorded in the Department's IT Systems. This immediate suspension is intended to encourage the Participant to contact their Provider and discuss the Mutual Obligation Failure.

On the day the Provider records a Mutual Obligation Failure in the Department's IT Systems

The effects of recording a Mutual Obligation Failure in the Department's IT Systems differ depending on whether the Participant is in the Green Zone or Warning Zone, or whether they are in the Penalty Zone.

When the Provider records in the Department's IT Systems that a Participant has committed a Mutual Obligation Failure in the Green Zone or Warning Zone, the Department's IT Systems send the Participant a notification to advise them:

- that it appears they have failed to meet a Mutual Obligation Requirement
- to contact their Provider as soon as possible
- that their Income Support Payment may be suspended after two Business Days have passed if they take no further action.

When the Provider records in the Department's IT Systems that a Participant has committed a Mutual Obligation Failure in the Penalty Zone, the Department's IT Systems send the Participant a notification to advise them:

- that their Income Support Payment is suspended
- why their Income Support Payment is suspended
- what they must do to lift the Income Support Payment suspension
- to contact their Provider as soon as possible.

The automatic notifications described above only occur if the Participant has SMS or e-mail details recorded in the Department's IT Systems for automatic notification. If the Participant does not have SMS or e-mail details recorded in the Department's IT Systems for automated notification, the Provider must send the notice prepared by the Department's IT Systems in response to the Mutual Obligation Failure to the Participant's postal address.

If the Participant's Income Support Payment has been suspended as a result of recording the Mutual Obligation Failure, the payment will normally remain suspended until they meet a Reconnection Requirement or until the Provider records a Valid Reason in the Department's IT Systems. Failure to comply with a Reconnection Requirement within 28 days of notification will usually result in Services Australia cancelling the Participant's Income Support Payment. For more information on Reconnection Requirements, see the [Reconnection Requirements](#) section in this Guideline.

(Deed references: jobactive Deed 2015–2022 clauses 114.2(a)(iii), 114.5(a)(i), 114.5(c) and 115.4(a)(ii); ParentsNext Deed 2018–2021 clauses 96.5(a)(i) and 96.5(c))

After two Business Days have passed since the Provider recorded the Mutual Obligation Failure in the Department's IT Systems: in the Green and Warning Zones

If the Participant is in the Green Zone or the Warning Zone, the Department's IT Systems will automatically suspend the Participant's Income Support Payment once two Business Days have passed and:

- the Participant has not contacted their Provider, or
- the Provider has recorded that the Participant does not have a Valid Reason, and the Participant has not yet met a Reconnection Requirement.

When the Participant's Income Support Payment is suspended, the Department's IT Systems send them a payment suspension notification to notify them:

- that their Income Support Payment is suspended
- why their Income Support Payment is suspended
- what they must do to lift the Income Support Payment suspension
- to contact their Provider as soon as possible.

As noted above, if the Participant does not have SMS or e-mail details recorded in the Department's IT Systems for automated notification, the Provider must send the notice prepared by the Department's IT Systems in response to the Mutual Obligation Failure to the Participant's postal address.

A Participant's Income Support Payment will normally remain suspended until they meet a Reconnection Requirement or until the Provider records a Valid Reason in the Department's IT Systems, and an Income Support Payment will normally be cancelled by Services Australia if the Participant fails to meet a Reconnection Requirement within four weeks of notification. For more information on Reconnection Requirements, see the [Reconnection Requirements](#) section in this Guideline.

(Deed references: jobactive Deed 2015–2022 clauses 114.2(a)(iii), 114.5(a)(i), 115.4(a)(ii); ParentsNext Deed 2018–2021 clause 96.5(a)(i))

Assessing Valid Reasons

Providers have obligations to assess whether a Participant has a Valid Reason for a Mutual Obligation Failure in a number of specific circumstances. It is intended that if the Participant:

- has a Valid Reason for a Mutual Obligation Failure, any Demerit on their record relating to that Mutual Obligation Failure will be removed; or
- does not have a Valid Reason, the Demerit will be confirmed.

See [Attachment A](#) for information on the circumstances in which:

- a Demerit (pending confirmation) will be put on a Participant's record
- a Demerit (pending confirmation) will be confirmed or removed from the Participant's record.

For the purposes of the above, a Provider must determine that the Participant has a Valid Reason for a Mutual Obligation Failure when they are satisfied that:

- the reason the Participant provided:
 - directly prevented the Participant from meeting the Mutual Obligation Requirement at the relevant time that the Mutual Obligation Failure occurred
 - would be considered to be reasonable by a member of the general public
 - aligns with their personal circumstances as known by the Provider
- it would have been unreasonable to expect the Participant to give prior notice of their inability to meet the relevant Mutual Obligation Requirement.

However, note the exception to the above discussed below under the heading 'Drug and alcohol dependency or misuse'.

(Deed references: jobactive Deed 2015–2022 clauses 114.4, 114.6, 114.11; ParentsNext Deed 2018–2021 clauses 96.4, 96.6)

Drug and alcohol dependency or misuse

There are limits on the circumstances in which a Provider can determine that a Participant's drug or alcohol misuse or dependency is a Valid Reason for a Mutual Obligation Failure. Valid Reason determinations are discussed above in the [Prior notice and Acceptable Reasons](#) and [Assessing Valid Reasons](#) sections of this Guideline. Subject to what is stated in those sections, the first time a Participant cites drug or alcohol misuse or dependency as the reason they have committed a Mutual Obligation Failure, the Provider may determine that this is a Valid Reason. If the Participant does this, the Provider must identify and source an available and appropriate treatment program, and must encourage the Participant to participate in that program. Participation in treatment services to address drug or alcohol misuse or dependency may reduce other Mutual Obligation Requirements. See the [Managing and Monitoring Mutual Obligation Requirements](#) Guideline for information on setting Mutual Obligation Requirements.

If a Participant cites drug or alcohol misuse or dependency as the reason they have committed a Mutual Obligation Failure, the Provider must not determine that this is a Valid Reason if:

- the Participant previously committed a Mutual Obligation Failure on or after 1 July 2018;
- the Provider determined that the Participant's drug or alcohol misuse or dependency was a Valid Reason for that previous Mutual Obligation Failure, so it did not result in a Demerit
- as a result of the Mutual Obligation Failure, the Provider referred to Participant to treatment to address the drug or alcohol misuse or dependency
- the Participant refused or failed to participate in the treatment.

The Provider must not determine that drug or alcohol misuse or dependency is a Valid Reason in the circumstances described above, unless one of the following applies:

- the treatment that the Participant was referred to was not available or appropriate for the Participant
- the Participant was genuinely unable to participate in the treatment
- the Participant agreed to participate in the treatment but, despite taking all reasonable steps to commence the treatment, the treatment did not commence, or
- before the Participant was referred to the treatment, the Participant had:
 - completed the same type of treatment as the treatment they were referred to, or
 - completed treatment that was substantially similar to the treatment they were referred to

and, in the opinion of an appropriately qualified medical professional, the Participant would not benefit from further treatment of the same kind as the type of treatment already completed by the person.

When the Participant has a Valid Reason

On the day that the Provider determines that a Participant has a Valid Reason for a Mutual Obligation Failure, they must record this assessment in the Department's IT Systems. The way to record this assessment can differ, depending on the type of Mutual Obligation Failure that the Participant has committed. The steps that the Provider must take, depending on the type of Mutual Obligation Failure, are described below.

When the Provider records that the Participant has a Valid Reason, the Provider must also select a description of the relevant Valid Reason from a drop-down menu that will appear. In selecting a Valid Reason option, the Provider must select the option that is most similar to the Participant's Valid Reason as they described it to the Provider. The Provider must not use the options in the drop-down menus to prompt or elicit responses from the Participant. By recording a reason that is Valid, the Provider is:

- finalising the Mutual Obligation Failure and preventing the payment suspension if the Participant's Income Support Payment has not yet been suspended
- lifting the Participant's payment suspension if the Participant's Income Support Payment is suspended, and
removing the relevant Demerit from the Participant's record.

A full list of these drop-down menu options can be found at [Attachment E](#). In the Department's IT Systems:

- 'reasons accepted' refers to reasons that the Provider determines are Valid Reasons; and
- 'reasons not accepted' refers to reasons that the Provider determines are not Valid Reasons.

[Failures against requirements that are in the Participant's Electronic Calendar](#)

On the day that the Provider determines that a Participant has a Valid Reason for a Mutual Obligation Failure:

- If the Provider has not already recorded an attendance result in relation to the relevant Mutual Obligation Requirement—the Provider must select 'Did Not Attend—Valid'.
- If the Provider has already recorded 'Did Not Attend—Invalid' or 'Misconduct' in relation to the relevant Mutual Obligation Requirement—the Provider must select 'Yes' in response to the question of whether they accept the job seeker's given reason.

[Failures to undertake adequate Job Searches](#)

For failures to undertake adequate Job Searches, on the day that the Provider determines that a Participant has a Valid Reason for a Mutual Obligation Failure, the Provider must select 'Yes' on the Provider Re-engagement page in the Department's IT Systems to indicate that the job seeker's reason for not meeting their Job Search requirement has been accepted.

[Failures to enter into a Job Plan](#)

For failures to enter into a Job Plan, on the day that the Provider determines that a Participant has a Valid Reason for the Mutual Obligation Failure, the Provider must select 'Yes' on the Provider Re-engagement Page in the Department's IT Systems to indicate that the job seeker's reason for failing to enter into a Job Plan has been accepted.

Once the Provider has recorded that the Participant has a Valid Reason, the Provider must then create a Provider Appointment for the Participant to attend within two Business Days after the day the Provider has recorded their assessment. If the Participant attends the Provider Appointment, the Provider must discuss the Job Plan with the Participant. If the Participant does not attend the Provider Appointment to discuss the Job Plan, this is a Mutual Obligation Failure, and the Provider must comply with their usual obligations regarding Mutual Obligation Failures.

[Failures to act on a job opportunity](#)

For failures to act on a job opportunity, on the day that the Provider determines that a Participant has a Valid Reason for a Mutual Obligation Failure, the Provider must select 'Unsatisfactory—Valid' on the Provider Re-engagement page in the Department's IT Systems to indicate that the job seeker's reason for failing to act on a job opportunity has been accepted.

When the Participant does not have a Valid Reason

On the day that the Provider determines that a Participant does not have a Valid Reason for failing to meet a Mutual Obligation Requirement, the Provider must record this assessment in the Department's IT Systems. The way to record this assessment can differ, depending on the type of Mutual Obligation Failure the Participant has committed. The steps that the Provider must take, depending on the type of Mutual Obligation Failure, are described below.

When they do this, the Provider must also select a description of the Participant's reason that was not a Valid Reason from a drop-down menu that will appear. In selecting a reason option, the Provider must select the option that is most similar to the reason that the Participant gave as they described it to the Provider. By recording that the Participant's reason is not a Valid Reason, the Provider is confirming the relevant Demerit on the Participant's record.

A full list of these drop-down menu options can be found at [Attachment E](#). In the Department's IT Systems:

- 'reasons accepted' refers to reasons that the Provider determines are Valid Reasons
- 'reasons not accepted' refers to reasons that the Provider determines are not Valid Reasons.

On the day that the Provider determines that a Participant does not have a Valid Reason for failing to meet a Mutual Obligation Requirement, the Provider must explain the following to the Participant, depending on whether they are in the Green Zone or Warning Zone, or in the Penalty Zone.

If the Participant is in the Green Zone or Warning Zone, the Provider must inform them that:

- their Income Support Payment will be suspended in two Business Days as a result of a Mutual Obligation Failure, unless the Participant is able to meet a Reconnection Requirement before those two Business Days lapse, and
- if the Participant does not meet a Reconnection Requirement within two Business Days, their Income Support Payment will remain suspended until they do so.

If the Participant is in the Penalty Zone, the Provider must inform them that:

- their Income Support Payment has been suspended as a result of a Mutual Obligation Failure, and
- they must meet a Reconnection Requirement to have their Income Support Payment suspension lifted.

Regardless of what Zone the Participant is in, the Provider must then also explain to the Participant:

- why their given reason was not a Valid Reason and what the consequences of this are
- how this decision will be recorded on the 'Participant's Participation (Compliance) History' page in the Department's IT Systems and displayed on the 'Participant's Compliance Status Indicator' on the online Dashboard
- whether the Mutual Obligation Failure is considered a 'fast-track' Mutual Obligation Failure and, if so, what that means and what the next steps are
- the number of Demerits the Participant has accrued so far
- the importance of meeting all Mutual Obligation Requirements

- the consequences of persistent non-compliance, including financial penalties and Income Support Payment cancellation, what and when the Participant's Reconnection Requirement will be.

By reinforcing the consequences of failing to meet Mutual Obligation Requirements, Participants are encouraged to meet their Mutual Obligation Requirements in the future and remain engaged with their Providers.

Failures against requirements that are in the Participant's Electronic Calendar

On the day that the Provider determines that a Participant does not have a Valid Reason for a Mutual Obligation Failure:

- If the Provider has not already recorded an attendance result in relation to the relevant Mutual Obligation Requirement—the Provider must select 'Did Not Attend—Invalid' or 'Misconduct'.
- If the Provider has already recorded 'Did Not Attend—Invalid' or 'Misconduct' in relation to the relevant Mutual Obligation Requirement—the Provider must select 'No' in response to the question of whether they accept the job seeker's given reason.

Failures to undertake adequate Job Searches

For failures to undertake adequate Job Searches, on the day that the Provider determines that a Participant does not have a Valid Reason for a Mutual Obligation Failure, the Provider must select 'No' on the Provider Re-engagement page in the Department's IT Systems to indicate that the job seeker's reason for not meeting their Job Search requirement has not been accepted.

Failures to enter into a Job Plan

For failures to enter into a Job Plan, on the day that the Provider determines that a Participant does not have a Valid Reason for the Mutual Obligation Failure, the Provider must select 'No' on the Provider Re-engagement page in the Department's IT Systems to indicate that the job seeker's reason for failing to enter into a Job Plan has not been accepted.

Failures to act on a job opportunity

For failures to act on a job opportunity, on the day that the Provider determines that a Participant does not have a Valid Reason for a Mutual Obligation Failure, the Provider must select 'Unsatisfactory—Invalid' on the Provider Re-engagement page in the Department's IT Systems to indicate that the job seeker's reason for failing to act on a job opportunity has not been accepted.

Employer Reporting Line

The Department has a dedicated Employer Reporting Line for employers to report suspected non-compliance by a Participant. The Employer Reporting Line will review reports received from employers, and if appropriate email an Employer Report Referral for action to the relevant Provider. The report will include information about the job interview or job, the employer and the Participant.

Providers must review the information provided in the Employer Report Referral and action in accordance with the relevant [Targeted Compliance Framework: Mutual Obligation Failures](#) Guideline and the [Work Refusal Failures and Unemployment Failures](#) Guideline.

Providers must respond to the Employer Reporting Line within the specified timeframes in the Employer Report Referral, outlining details of any actions and outcomes, relevant to the referral.

Manually removing Demerits

Providers have obligations to remove Demerits in certain circumstances. If the Participant is in the Penalty Zone when the Provider assesses that a Demerit should be removed in accordance with the jobactive Deed or the ParentsNext Deed, as relevant, the Provider should contact their Account Manager for advice before removing the Demerit.

When removing the Demerit, the Provider must record the reason for the removal in the Department's IT Systems. A full list of these drop-down menu options can be found at [Attachment F](#).

(Deed references: jobactive Deed 2015–2022 clauses 114.11, 114.12; ParentsNext Deed 2018–2021 clause 98)

Participants cannot appeal Demerit decisions under Social Security Law

All Participants have the right to ask for a review of a decision made under Social Security Law, and, in most cases, appeal the decision to a court or tribunal. This includes decisions to suspend a Participant's Income Support Payment as a result of non-compliance and decisions made by Services Australia to reduce or cancel their Income Support Payment.

Demerit decisions are not decisions under Social Security Law and so Participants cannot appeal or ask for a formal review of any decision to confirm a Demerit using the same processes as those that apply for decisions under Social Security Law. However, Participants may dispute Demerit decisions.

Disputing a Demerit decision with the National Customer Service Line

If a Participant is dissatisfied with a Demerit decision, they must first discuss the decision with their Provider. If they still wish to dispute the decision after this discussion, they can contact the Department of Education, Skills and Employment National Customer Service Line (NCSL).

By contacting the NCSL to dispute a Demerit decision, the Participant will in effect make a jobactive servicing-related complaint. If required and appropriate, Providers must action complaints that are referred back to them by the NCSL. This may include reviewing the Demerit decision-making process, any Valid Reason assessments, or information that has been recorded on the Department's IT Systems.

(Deed references: jobactive Deed 2015–2022 clause 114.12 and ParentsNext Deed 2018–2021 clause 98.2)

4. Reconnection Requirements

A Participant must generally meet a Reconnection Requirement following a Mutual Obligation Failure when they do not have a Valid Reason.

If the Provider has discussed the Mutual Obligation Failure with the Participant and is satisfied that a Reconnection Requirement is not necessary, the Provider must record either 'Re-engagement Not Required' or 'Compliance Action No Longer Appropriate'.

If the Participant's Income Support Payment has been suspended, they must meet a Reconnection Requirement in order to have their Income Support Payment suspension lifted.

See [Attachment A](#) for information on the circumstances in which:

- a Participant's Income Support Payment is suspended
- the suspension of a Participant's Income Support Payment is lifted.

'Reconnection Requirements' are referred to as 're-engagement requirements' in the Department's IT Systems.

Note that a Reconnection Requirement is a Mutual Obligation Requirement. This means that, among other things:

- the Provider must comply with the jobactive Deed or the ParentsNext Deed, as relevant, when recording Reconnection Requirements in a Participant's Electronic Calendar
- the Provider must comply with the jobactive Deed or the ParentsNext Deed, as relevant, in relation to rescheduling or removing a Reconnection Requirement from a Participant's Electronic Calendar.

(Deed references: jobactive Deed 2015–2022 clauses 83A, 106B; ParentsNext Deed 2018–2021 clauses 71, 89)

Setting a Reconnection Requirement

For the purposes of the jobactive Deed and ParentsNext Deed and this Guideline, a Participant will be taken to have complied with a Reconnection Requirement where the Provider has, in accordance with the relevant Deed and this Guideline:

- discussed with the Participant their reasons for the relevant Mutual Obligation Failure
- then determined that the Participant has a Valid Reason for the Mutual Obligation Failure.

All the obligations discussed below in relation to setting Reconnection Requirements only apply where the Participant does not have a Valid Reason for the relevant Mutual Obligation Failure.

Subject to this Guideline (including the above provisions in particular), Providers have obligations to set Reconnection Requirements in certain circumstances following a Mutual Obligation Failure. When setting a Reconnection Requirement, the Provider must follow the prompts in the Department's IT Systems and notify the Participant of the Reconnection Requirement. The Department's IT Systems will specify the type of Reconnection Requirement that the Provider must set for the purposes of complying with their Deed obligation referred to above.

Note that, when a Provider sets a Reconnection Requirement as discussed above, they are imposing a Reconnection Requirement for the purposes of subsection 42AM of the *Social Security (Administration) Act 1999*.

Providers have obligations to schedule Reconnection Requirements in the timeframes specified in this Guideline. The Provider must schedule the Reconnection Requirement in the

Participant's Electronic Calendar to occur within two Business Days following the day of the contact between the Participant and their Provider to discuss the relevant Mutual Obligation Failure. Exceptions to this two Business Day requirement are:

- the Department's IT Systems automatically sets the date and time of the Reconnection Requirement as discussed below under the heading 'Reconnection Requirements that have times and dates automatically set by the Department's IT Systems', or
- the Participant has a Valid Reason for not being able to meet the Reconnection Requirement within the two Business Day timeframe as discussed below under the heading 'Valid Reason to not meet Reconnection Requirement within two Business Days'.

Reconnection Requirements must be scheduled to occur within two Business Days of Participant contact to try and ensure that a Participant's Income Support Payment is not suspended for more than two Business Days following contact with their Provider.

(Deed references: jobactive Deed 2015–2022 clauses 114.2(a)(ii), 114.4(b), 114.6(b)(ii); ParentsNext Deed 2018–2021 clauses 96.4(b), 96.5(a)(i))

Multiple Mutual Obligation Failures before contact

When a Participant commits multiple Mutual Obligation Failures before there is a contact with their Provider to discuss those Mutual Obligation Failures:

- only one Reconnection Requirement can be set
- the Provider must advise Participants that they only have to meet one Reconnection Requirement.

Reconnection Requirements that have times and dates automatically set by the Department's IT Systems

For some Mutual Obligation Failures, the Department's IT Systems will automatically set the Reconnection Requirement. This happens when:

- in jobactive, the Participant has failed to undertake adequate Job Searches by the end of their Job Search Period as referred to in the jobactive Deed, or
- the Participant has failed to enter into a Job Plan as referred to in the jobactive Deed or the ParentsNext Deed.

Where the Department's IT Systems automatically sets a Reconnection Requirement for a Participant as described above, the Provider does not need to do this.

(Deed references: jobactive Deed 2015–2022 clause 114.2(a), 114.2(b); ParentsNext Deed 2018–2021 clause 96)

Job Search failures in the Penalty Zone

If a Participant fails to undertake adequate Job Searches and the Participant is in the Penalty Zone, the Participant's Reconnection Requirement is to contact their Provider (this is as opposed to the usual Reconnection Requirement, which is to undertake adequate job searches). The Department's IT Systems automatically sets this Reconnection Requirement. If the Participant's Income Support Payment is suspended, the suspension is lifted when the Provider records that they are in contact with the Participant.

Valid Reason to not meet Reconnection Requirement within two Business Days

When the Provider contacts the Participant to discuss the relevant Mutual Obligation Failure(s), they must consider whether the Participant has a Valid Reason for being unable to meet their Reconnection Requirement within two Business Days following that contact. If the Provider considers that the Participant does have such a Valid Reason, the Provider must select 'Unable to Re-engage Within two Business Days' on the Provider Re-engagement page in the Department's IT Systems. If the Participant's Income Support Payment is suspended, this will lift the Participant's Income Support Payment suspension and remove the need for a Reconnection Requirement.

For the purposes of the above, a Provider must determine that the Participant has a Valid Reason for being unable to meet their Reconnection Requirement within two Business Days when they are satisfied that the reason the Participant is unable to do this:

- directly prevents the Participant from meeting meet their Reconnection Requirement within two Business Days following the contact with their Provider to discuss the relevant Mutual Obligation Failure(s)
- would be considered to be reasonable by a member of the general public
- aligns with the Participant's personal circumstances as known by the Provider.

If the Provider selects 'Unable to Re-engage Within two Business Days' as described above, the Provider must also select a description of the relevant Valid Reason from the drop-down menu that will appear. In selecting a Valid Reason option from the drop-down menu, the Provider must select the option that is most similar to the Participant's Valid Reason as they described it to the Provider. Providers must not use the options in the drop-down menus to prompt or elicit responses from the Participant.

A full list of these drop-down menu options can be found at [Attachment G](#).

Provider not able to arrange or deliver the Reconnection Requirement within two Business Days

In some circumstances, a Provider is not be able to arrange or deliver the Reconnection Requirement within two Business Days following the contact between the Participant and the Provider to discuss the relevant Mutual Obligation Failure(s). If that is the case, and only if that is the case, the Provider must select 'Re-engagement Not Required' on the Provider Re-engagement page. If the Participant's Income Support Payment is suspended, this will lift the payment suspension and remove the need for a Reconnection Requirement. When selecting 'Re-engagement Not Required' as described above, the Provider must also select a description of the relevant reason from the drop-down menu that will appear when they make that selection. In selecting a reason option from the drop-down menu, the Provider must select the option that is most similar to the actual reason.

A full list of these drop-down menu options can be found at [Attachment H](#).

Compliance action no longer appropriate

Once a Participant's Reconnection Requirement has been set, unexpected circumstances may make it inappropriate to expect them to meet a Reconnection Requirement and/or to maintain their payment suspension. If that is the case, the Provider must record 'Compliance action no longer appropriate' on the Provider Re-engagement page. If the Participant's

Income Support Payment is suspended, this will lift the payment suspension and remove the need for a Reconnection Requirement.

When selecting 'Compliance action no longer appropriate' as described above, the Provider must also select a description of the relevant reason from the drop-down menu that will appear when they make that selection. In selecting a reason option from the drop-down menu, the Provider must select the option that is most similar to the actual reason.

A full list of these drop-down menu options can be found at [Attachment I](#).

Failure to meet a Reconnection Requirement

If the Provider becomes aware that a Participant has failed to meet a Reconnection Requirement, the Provider must attempt to contact the Participant on the same Business Day. If the Provider:

- is not able to contact the Participant on that day, the Provider must record that they are not in contact with the Participant and select 'Did Not Attend—Invalid' in relation to the Reconnection Requirement in the Participant's Electronic Calendar. In this case:
 - if the Participant's Income Support Payment is not yet suspended, it will be suspended if the Participant does not meet another Reconnection Requirement within two Business Days following the date they failed to meet the original Reconnection Requirement, or
 - if the Participant's Income Support Payment is suspended, the payment will remain suspended, and the Provider must reschedule the Reconnection Requirement
- is able to contact the Participant on that day, the Provider must discuss the Participant's reasons for not meeting the Reconnection Requirement and assess if the Participant had a Valid Reason.

For the purposes of the above, a Provider must determine that the Participant had a Valid Reason for being unable to meet their Reconnection Requirement when they are satisfied that the Participant's reason:

- directly prevented the Participant from meeting meet their Reconnection Requirement
- would be considered to be reasonable by a member of the general public
- aligns with the Participant's personal circumstances as known by the Provider.

If the Participant had a Valid Reason, the Provider must select 'Did Not Attend—Valid' in relation to the Reconnection Requirement in the Participant's Electronic Calendar. If the Participant's Income Support Payment is suspended, this will lift the payment suspension as the Participant will be taken to have met the Reconnection Requirement (as they have a Valid Reason). The Provider must set a Mutual Obligation Requirement for the Participant:

- to occur within two Business Days after the day on which the Provider determines that the Participant has a Valid Reason for not meeting the Reconnection Requirement
- that is the same type as the Mutual Obligation Requirement the Participant failed to meet originally.

If the Participant did not have a Valid Reason, the Provider must select 'Did Not Attend—Invalid' in relation to the Reconnection Requirement in the Participant's Electronic Calendar. In this case:

- if the Participant's Income Support Payment is not yet suspended, it will be suspended if the Participant does not meet another Reconnection Requirement within two Business Days following the date of the original Reconnection Requirement, or
- if the Participant's Income Support Payment is suspended, the payment will remain suspended, and

the Provider must reschedule the Reconnection Requirement.

5. The Penalty Zone

As discussed in further detail above under the heading 'The Penalty Zone', the Department's IT Systems will determine whether the Participant will enter the Penalty Zone based on the information that Services Australia records in the Department's IT Systems regarding the outcome of a Capability Assessment.

Non-compliance reports

If a Participant is in the Penalty Zone, and the Provider records 'Did Not Attend—Invalid' or 'Misconduct' as discussed above under the heading [When the Participant does not have a Valid Reason](#), the Department's IT Systems creates a non-compliance report and submits it to Services Australia for investigation, instead of recording a Demerit. The Participant's Income Support Payment is suspended as a result of the creation of a non-compliance report.

If a Participant is in the Penalty Zone, and the Provider records 'Did Not Attend—Valid' as discussed above under the heading [When the Participant has a Valid Reason](#), any non-compliance report on their record relating to that Mutual Obligation Failure will be closed.

An open non-compliance report on a Participant's record will prevent the Participant from finalising their fortnightly reporting requirement, and it will prevent the Participant from receiving their Income Support Payment.

Summary of required Documentary Evidence

Depending on the Mutual Obligation Failure that the Participant has committed, in addition to the evidence recorded in the Department's IT Systems, the Provider must retain the following Documentary Evidence:

- where the Mutual Obligation Failure is a failure to attend a job interview or act on a job opportunity, a copy of the prior notification of the requirement to attend the job interview or act on the job opportunity;
- where the Mutual Obligation Failure is a failure to attend an appointment, a copy of the prior notification of the requirement to attend the appointment;
- where the Mutual Obligation Failure is a failure to undertake adequate Job Searches, a hard copy of any relevant fully or partially completed Job Searches; and
- where the Mutual Obligation Failure is acting in an inappropriate manner during an appointment or while participating in an activity, details of the job/employer and/or details of the relevant incident, including dates, the parties involved and what occurred.

Attachment A—System steps that affect: creation and confirmation of Demerits; potential suspension of Income Support Payment; lifting of Income Support Payment suspensions

Mutual Obligation Failure related Provider actions in the Department's IT Systems that result in a Participant's Income Support Payment being suspended, the suspension being lifted, or a Demerit being created on a Participant's record or accrued by the Participant (i.e. confirmed).

Type of potential Mutual Obligation Failures	When is a Participant's Income Support Payment suspended?	When is a Demerit created (pending confirmation) on a Participant's record?	When does a Participant accrue a Demerit (i.e. the Demerit is confirmed)?	When is a Participant's potential Income Support Payment suspension prevented? OR When is a Participant's Income Support Payment suspension lifted?
Non-attendance The Participant fails to: <ul style="list-style-type: none"> attend, or to be punctual for, an appointment that they are required to attend under their Job Plan; attend, to be punctual for, or to participate in, an activity that they are required to undertake under their Job Plan; or attend a job interview. The relevant Mutual Obligation Requirement	When the Provider selects 'Did Not Attend Invalid (DNAI)' in relation to a Mutual Obligation Requirement in the Participant's Electronic Calendar. See the discussion on page 21 of this Guideline regarding when a Provider must select 'Did Not Attend—Invalid'. When both the Participant and the Provider have failed to select 'Attended' by close of business on the day on which the Mutual Obligation	When the Provider selects 'Did Not Attend Invalid (DNAI)' in relation to a Mutual Obligation Requirement in the Participant's Electronic Calendar. See the discussion on page 13 of this Guideline regarding when a Provider must select 'Did Not Attend—Invalid'.	When the Provider records the reason they did not accept as a Valid Reason in the Department's IT Systems. See the discussion on page 15 of this Guideline regarding when a Provider must select a description of the Participant's reason that was not a Valid Reason.	When the Provider has already recorded 'Did Not Attend—Invalid': when the Provider selects 'Yes' in response to the question 'Do you accept the job seeker's reason?' and records the reason accepted as a Valid Reason on the Provider Re-engagement Page in the Department's IT Systems. OR When the Provider selects 'Attended' or 'Did Not Attend—Valid' in relation to a Reconnection Requirement in the Participant's Electronic Calendar. OR When the Provider reschedules a Reconnection Requirement in the Participant's Electronic Calendar. OR When the Provider selects 'Unable to Re-engage Within two Business Days' on the Provider Re-engagement page in the Department's IT Systems. See the discussion on page 24 of this Guideline regarding when a Provider must select 'Unable to Re-engage Within two Business Days'. OR When the Provider selects 'Re-engagement Not Required' on the Provider Re-engagement page in the Department's

Type of potential Mutual Obligation Failures	When is a Participant's Income Support Payment suspended?	When is a Demerit created (pending confirmation) on a Participant's record?	When does a Participant accrue a Demerit (i.e. the Demerit is confirmed)?	When is a Participant's potential Income Support Payment suspension prevented? OR When is a Participant's Income Support Payment suspension lifted?
<p>is shown in the Participant's Electronic Calendar as one of the following:</p> <ul style="list-style-type: none"> • 'Provider Appointment'; • 'Activity'; • 'Third Party Appointment' or • 'Job Interview'. 	<p>Requirement is Scheduled to occur in the Participant's Electronic Calendar (for all requirements indicated except Provider Appointment).</p>			<p>IT Systems. See discussion on page 24 of this Guideline regarding when a Provider must select 'Re-engagement Not Required'.</p> <p>OR</p> <p>If a Capability Assessment is the Reconnection Requirement, Services Australia will lift the Income Support Payment suspension once the Participant contacts them to participate in a Capability Assessment.</p> <p>OR</p> <p>When the Provider selects 'Compliance action no longer appropriate' on the Provider Re-engagement page. See the discussion on page 25 of this Guideline regarding when a Provider must select 'Compliance action no longer appropriate'.</p> <p>OR</p> <p>When the Provider selects 'Attended' or 'Did Not Attend—Valid' (where this was previously not selected by close of business on the day on which the Mutual Obligation Requirement is Scheduled to occur in the Participant's Electronic Calendar).</p>
<p>Non-attendance at Activity—Supervisor reported</p> <p>The Participant fails to attend, to be punctual for, or to participate in, an activity that they are</p>	<p>When the activity Supervisor records DNA via the Supervisor App.</p>	<p>N/A—No Demerit.</p>	<p>N/A—No Demerit.</p>	<p>When the Provider selects 'Yes' in response to the question 'Do you accept the job seeker's reason?' and records the reason accepted as Valid on the Provider Re-engagement Page in the Department's IT Systems.</p> <p>OR</p>

Type of potential Mutual Obligation Failures	When is a Participant's Income Support Payment suspended?	When is a Demerit created (pending confirmation) on a Participant's record?	When does a Participant accrue a Demerit (i.e. the Demerit is confirmed)?	When is a Participant's potential Income Support Payment suspension prevented? OR When is a Participant's Income Support Payment suspension lifted?
<p>required to undertake under their Job Plan.</p> <p>The relevant Mutual Obligation Requirement is shown in the Participant's Electronic Calendar as 'Activity'.</p>				<p>When the Provider selects 'Attended' or 'Did Not Attend — Valid' in relation to a Reconnection Requirement in the Participant's Electronic Calendar.</p> <p>OR</p> <p>When the Provider reschedules a Reconnection Requirement in the Participant's Electronic Calendar.</p> <p>OR</p> <p>When the Provider selects 'Unable to Re-engage Within two Business Days' on the Provider Re-engagement page in the Department's IT Systems. See the discussion on page 24 of this Guideline regarding when a Provider must select 'Unable to Re-engage Within two Business Days'.</p> <p>OR</p> <p>When the Provider selects 'Re-engagement Not Required' on the Provider Re-engagement page in the Department's IT Systems. See discussion on page 24 of this Guideline regarding when a Provider must select 'Re-engagement Not Required'.</p> <p>OR</p> <p>If a Capability Assessment is the Reconnection Requirement, Services Australia will lift the Income Support Payment suspension once the Participant contacts them to participate in a Capability Assessment.</p> <p>OR</p>

Type of potential Mutual Obligation Failures	When is a Participant's Income Support Payment suspended?	When is a Demerit created (pending confirmation) on a Participant's record?	When does a Participant accrue a Demerit (i.e. the Demerit is confirmed)?	When is a Participant's potential Income Support Payment suspension prevented? OR When is a Participant's Income Support Payment suspension lifted?
				When the Provider selects 'Compliance action no longer appropriate' on the Provider Re-engagement page. See the discussion on page 25 of this Guideline regarding when a Provider must select 'Compliance action no longer appropriate'.
Misconduct The Participant acted in an inappropriate manner: <ul style="list-style-type: none"> during an appointment that they are required to attend under their Job Plan; or while participating in an activity that they are required to undertake under their Job Plan. The relevant Mutual Obligation Requirement is shown in the Participant's Electronic	When the Provider selects 'Misconduct (MISC)' in relation to the relevant appointment or activity in the Participant's Electronic Calendar, along with the type of inappropriate behaviour. See the discussion on pages 12 and 17 of this Guideline regarding when a Provider must select 'Misconduct'.	When the Provider selects 'Misconduct (MISC)' in relation to the relevant appointment or activity in the Participant's Electronic Calendar, along with the type of inappropriate behaviour. See the discussion on pages 12 and 17 of this Guideline regarding when a Provider must select 'Misconduct'.	When the Provider records the reason they did not accept as a Valid Reason in the Department's IT Systems. See the discussion on page 15 of this Guideline regarding when a Provider must select a description of the Participant's reason that was not a Valid Reason.	When the Provider selects 'Yes' in response to the question 'Do you accept the job seeker's reason?' and records the reason accepted as a Valid Reason on the Provider Re-engagement Page in the Department's IT Systems. OR When the Provider selects 'Attended' or 'Did Not Attend—Valid' in relation to a Reconnection Requirement in the Participant's Electronic Calendar. OR When the Provider reschedules a Reconnection Requirement in the Participant's Electronic Calendar. OR When the Provider selects 'Unable to Re-engage Within two Business Days' on the Provider Re-engagement page in the Department's IT Systems. See the discussion on page 24 of this Guideline regarding when a Provider must select 'Unable to Re-engage Within two Business Days'. OR When the Provider selects 'Re-engagement Not Required' on the Provider Re-engagement page in the Department's

Type of potential Mutual Obligation Failures	When is a Participant's Income Support Payment suspended?	When is a Demerit created (pending confirmation) on a Participant's record?	When does a Participant accrue a Demerit (i.e. the Demerit is confirmed)?	When is a Participant's potential Income Support Payment suspension prevented? OR When is a Participant's Income Support Payment suspension lifted?
<p>Calendar as one of the following:</p> <ul style="list-style-type: none"> • 'Provider Appointment', which includes Reconnection Requirements; • 'Activity'; • 'Third Party Appointment'; or • 'Job Interview'. 				<p>IT Systems. See discussion on page 24 of this Guideline regarding when a Provider must select 'Re-engagement Not Required'.</p> <p>OR</p> <p>If a Capability Assessment is the Reconnection Requirement, Services Australia will lift the Income Support Payment suspension once the Participant contacts them to participate in a Capability Assessment.</p> <p>OR</p> <p>When the Provider selects 'Compliance action no longer appropriate' on the Provider Re-engagement page. See the discussion on page 25 of this Guideline regarding when a Provider must select 'Compliance action no longer appropriate'.</p>
<p>Job Plan Failure</p> <p>The Participant fails to enter into a Job Plan</p> <p>See the Job Plan and Scheduling Mutual Obligation Requirements Guideline for information on the process of entering into a Job Plan.</p>	<p><u>Job Plan sent Job Plan online</u>—when the 'think time' expires and the Participant has not agreed to their Job Plan online.</p>	<p>When the 'think time' expires and the Participant has not agreed to their Job Plan online.</p> <p>Demerit is automatically created and confirmed.</p>	<p>When the 'think time' expires and the Participant has not agreed to their Job Plan online.</p>	<p>When the Participant agrees to their Job Plan.</p> <p>OR</p> <p>When the Provider selects 'Yes' in response to the question 'Do you accept the job seeker's reason?' and records the reason accepted as a Valid Reason on the Provider Re-engagement Page in the Department's IT Systems.</p> <p>OR</p> <p>When the Provider selects 'Attended' or 'Did Not Attend—Valid' in relation to a Reconnection Requirement in the Participant's Electronic Calendar.</p>
	<p><u>Job Plan sent Job Plan in hard copy</u>—when the 'think time' expires</p>	<p>When 'think time' expires.</p>	<p>When the Provider records the reason they did not accept as a Valid Reason in the</p>	

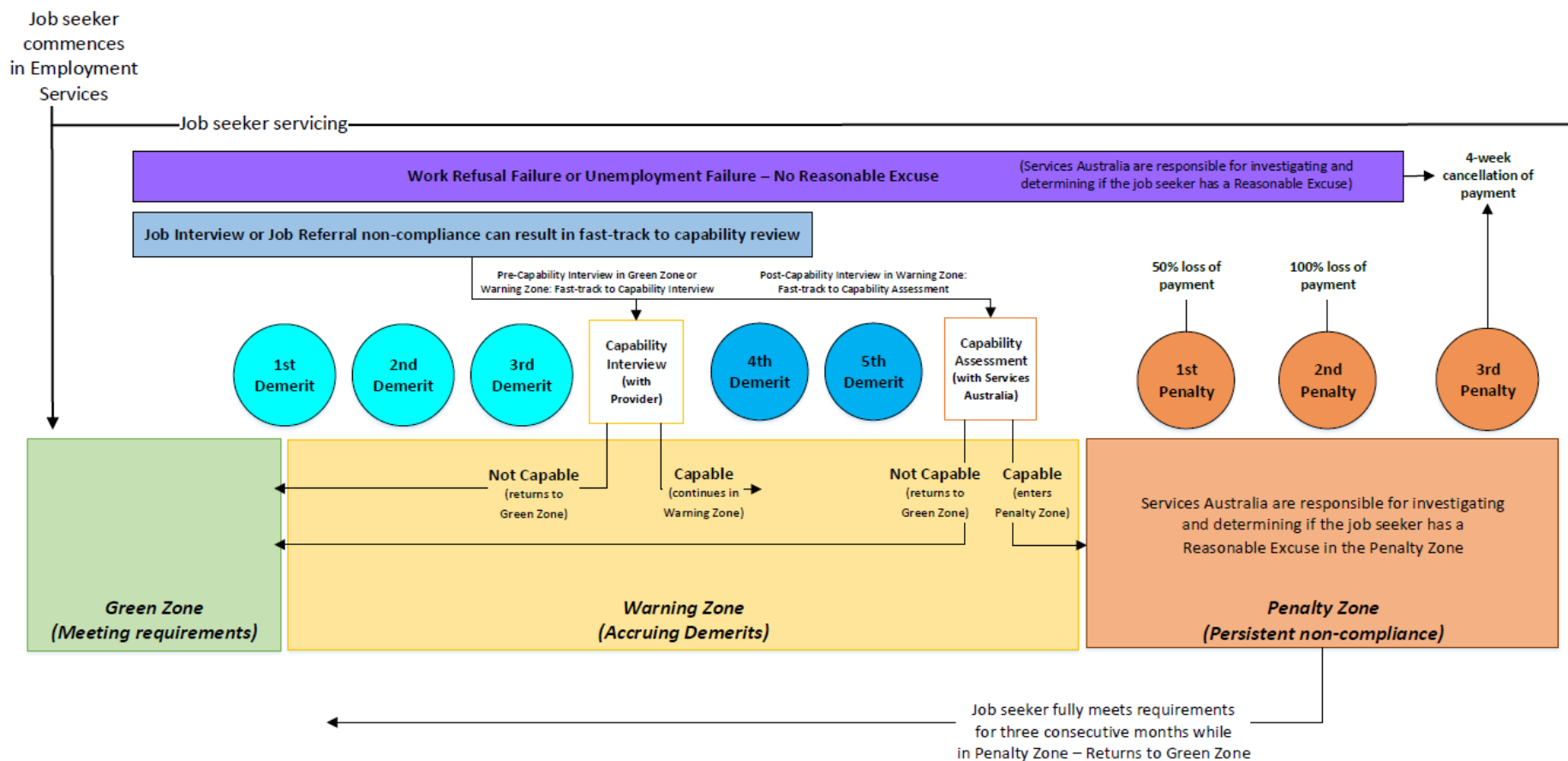
Type of potential Mutual Obligation Failures	When is a Participant's Income Support Payment suspended?	When is a Demerit created (pending confirmation) on a Participant's record?	When does a Participant accrue a Demerit (i.e. the Demerit is confirmed)?	When is a Participant's potential Income Support Payment suspension prevented? OR When is a Participant's Income Support Payment suspension lifted?
			<p>Department's IT Systems.</p> <p>See the discussion on page 15 of this Guideline regarding when a Provider must select a description of the Participant's reason that was not a Valid Reason.</p>	<p>OR</p> <p>When the Provider selects 'Unable to Re-engage Within two Business Days' in relation to a Reconnection Requirement on the Provider Re-engagement page in the Department's IT Systems. See the discussion on page 24 of this Guideline regarding when a Provider must select 'Unable to Re-engage Within two Business Days'.</p> <p>OR</p> <p>If a Capability Assessment is the Reconnection Requirement, Services Australia will lift the Income Support Payment suspension once the Participant contacts them to participate in a Capability Assessment.</p>
	<p><u>If a Participant refuses outright to agree to Job Plan:</u></p> <p>When the Provider selects 'Create Compliance' and selects 'submit' on the Job Plan screen in the Department's IT Systems.</p>	<p>When the Provider selects 'Create Compliance' and selects 'submit'.</p> <p>Demerit is automatically created and confirmed.</p>	<p>When the Provider selects 'Create Compliance' and selects 'submit'.</p> <p>Demerit is automatically created and confirmed.</p>	<p>OR</p> <p>When the Provider selects 'Compliance action no longer appropriate' on the Provider Re-engagement page. See the discussion on page 25 of this Guideline regarding when a Provider must select 'Compliance action no longer appropriate'.</p>
Failure to act on a job opportunity	When the Provider records 'Unsatisfactory—Invalid Reason' on the Job referrals page.	When the Provider records 'Unsatisfactory—Invalid Reason' on the Job referrals page.	When the Provider records 'Unsatisfactory—Invalid Reason' on the Job referrals page.	<p>When the Provider selects 'Unsatisfactory—Valid Reason' on the Provider Re-engagement page in the Department's IT Systems.</p> <p>OR</p>

Type of potential Mutual Obligation Failures	When is a Participant's Income Support Payment suspended?	When is a Demerit created (pending confirmation) on a Participant's record?	When does a Participant accrue a Demerit (i.e. the Demerit is confirmed)?	When is a Participant's potential Income Support Payment suspension prevented? OR When is a Participant's Income Support Payment suspension lifted?
				<p>When the Provider selects 'Satisfactory' in relation to a Reconnection Requirement on the Provider Re-engagement page in the Department's IT Systems.</p> <p>OR</p> <p>When the Provider selects 'When the Provider selects 'Unable to Re-engage Within two Business Days' on the Provider Re-engagement page in the Department's IT Systems. See the discussion on page 24 of this Guideline regarding when a Provider must select 'Unable to Re-engage Within two Business Days'.</p> <p>OR</p> <p>When the Provider selects 'Re-engagement Not Required' on the Provider Re-engagement page in the Department's IT Systems. See discussion on page 24 of this Guideline regarding when a Provider must select 'Re-engagement Not Required'.</p> <p>OR</p> <p>If a Capability Interview is the Reconnection Requirement, the Department's IT Systems will lift the Income Support Payment suspension once the Provider selects 'Attended' or 'Did Not Attend –Valid' in the Participant's Electronic Calendar in relation to the Capability Interview.</p> <p>OR</p> <p>If a Capability Assessment is the Reconnection Requirement, Services Australia will lift the Income Support Payment</p>

Type of potential Mutual Obligation Failures	When is a Participant's Income Support Payment suspended?	When is a Demerit created (pending confirmation) on a Participant's record?	When does a Participant accrue a Demerit (i.e. the Demerit is confirmed)?	When is a Participant's potential Income Support Payment suspension prevented? OR When is a Participant's Income Support Payment suspension lifted?
				suspension once the Participant contacts them to participate in a Capability Assessment. OR When the Provider selects 'Compliance action no longer appropriate' on the Provider Re-engagement page. See the discussion on page 19 of this Guideline regarding when a Provider must select 'Compliance action no longer appropriate'.
Job Search Failure The Participant failed to undertake adequate Job Searches.	When the Job Search Period ends and the number of Job Search efforts that are recorded by the Participant in the Department's IT Systems is not equal to the number of Job Search efforts that are required under the Participant's Job Plan.	When the Job Search Period ends and the number of Job Search efforts that are recorded by the Participant in the Department's IT Systems is not equal to the number of Job Search efforts that are required under the Participant's Job Plan. Demerit is automatically created and confirmed.	When the Job Search Period ends and the number of Job Search efforts that are recorded by the Participant in the Department's IT Systems is not equal to the number of Job Search efforts that are required under the Participant's Job Plan. Demerit is automatically confirmed.	When the Provider selects 'Yes' in response to the question 'Do you accept the job seeker's reason?' and records the reason accepted as a Valid Reason on the Provider Re-engagement Page in the Department's IT Systems. OR When the Provider selects 'Yes' in response to the question 'Has the job seeker now met their re-engagement requirement?' on the Provider Re-engagement Page in the Department's IT Systems. OR When the Provider selects 'Unable to Re-engage Within 2 Business Days' on the Provider Re-engagement page in the Department's IT Systems. See the discussion on page 21 of this Guideline regarding when a Provider must select 'Unable to Re-engage Within 2 Business Days'.
	If the Provider assesses that submitted Job Search efforts are not	When the Provider records an 'Unsatisfactory'	When the Provider records the reason they did not accept as	OR

Type of potential Mutual Obligation Failures	When is a Participant's Income Support Payment suspended?	When is a Demerit created (pending confirmation) on a Participant's record?	When does a Participant accrue a Demerit (i.e. the Demerit is confirmed)?	When is a Participant's potential Income Support Payment suspension prevented? OR When is a Participant's Income Support Payment suspension lifted?
	of satisfactory quality to have satisfactorily met their requirement, payment is suspended when the Provider records an 'Unsatisfactory' assessment result in the Job Search Reporting page.	assessment result in the Job Search Reporting page.	a Valid Reason in the Department's IT Systems. See the discussion on page 15 of this Guideline regarding when a Provider must select a description of the Participant's reason that was not a Valid Reason.	When the Provider selects 'Requirement no longer needs to be met' on the Provider Re-engagement page in the Department's IT Systems. OR If a Capability Assessment is the Reconnection Requirement, Services Australia will lift the Income Support Payment suspension once the Participant contacts them to participate in a Capability Assessment. OR When the Provider selects 'Compliance action no longer appropriate' on the Provider Re-engagement page. See the discussion on page 22 of this Guideline regarding when a Provider must select 'Compliance action no longer appropriate'. OR If the Participant is in the Penalty Zone, when the Provider records that the Participant is in contact.

Attachment B—Overview of the Targeted Compliance Framework



Attachment C—‘Rescheduled’, ‘No Longer Required’ and ‘Requirement no longer needs to be met’ reason options

‘Rescheduled’ or ‘No Longer Required’

<ul style="list-style-type: none"> • Acceptable Reason—Caring/family reasons • Acceptable Reason—Housing—instability issues/inspections • Acceptable Reason—Legal requirements • Acceptable Reason—Travel/transport—access/financial issues • Acceptable Reason—Local issue/natural disaster • Reason not acceptable—flexibility utilised 	<ul style="list-style-type: none"> • Acceptable Reason—Cultural business • Acceptable Reason—Major personal crisis affecting job seeker • Acceptable Reason—Medical/health reason • Acceptable Reason—Working on day of requirement • Provider Initiated—Requirement can’t be delivered
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‘Requirement no longer needs to be met’

Job Search	Job referrals
<ul style="list-style-type: none"> • Job Plan requires update to reflect new job search efforts • Paid work impacting level of job search • Major personal crisis impacting job seeker • Ongoing local issue/natural disaster impacts ongoing compliance • Cultural business for extended period • Significant and ongoing caring/family duties—no exemption • Significant and ongoing medical/health issues—no exemption 	<ul style="list-style-type: none"> • Applications closed/Vacancy withdrawn • Caring/family duties • Conditions or pay not suitable • Housing instability/emergency • Legal requirements • Local issue/natural disaster • Medical/health issue • Major personal crisis affecting job seeker* • Position no longer suitable • Referral created in error

Attachment D – Targeted Compliance Framework (TCF) D – Targeted Compliance Framework (TCF) workflow

The following table describes the TCF workflow Providers must undertake when the Provider considers that the TCF cannot be applied but the Participant has been non-compliant.

Reason	TCF is applicable	TCF is not applicable
Job seeker submitted a poor quality job search application	<ul style="list-style-type: none"> As per the Guideline, if job search is unsatisfactory in quality apply the TCF. <p>For details on how to report non-compliance due to unsatisfactory Job Search efforts, refer to:</p> <p><i>Task Card Guide – Monitoring Job Search Requirements.</i></p>	<ul style="list-style-type: none"> When the TCF cannot be applied, for example if the unsatisfactory job application was submitted in a previous reporting period that is now finalised and cannot be quality reviewed, attempt contact with the job seeker to discuss the matter. If contact is unsuccessful, schedule a Provider Appointment for the job seeker to attend (if there is not one already scheduled to occur within a reasonable timeframe). Discuss with the job seeker – over the phone or during the Provider Appointment – and where applicable, the information provided by the Employer Reporting Line (through the Employer Report Referral) - and provide guidance on how to improve the quality of the job seeker's job search applications. During this discussion Providers should also consider referring the job seeker to activities to build or improve employability skills or similar appropriate activities.
Job seeker did not attend or behave appropriately at a job interview	<ul style="list-style-type: none"> As per the Guideline, if a job seeker failed to attend or behaved inappropriately at a scheduled job interview that their Provider notified them of with no valid reason apply the TCF. <p>For details on how to report non-compliance refer to:</p> <p><i>Task Card Guide – Recording attendance results for Third Party Appointments, Job Interviews and Activities where the Provider is responsible for this.</i></p> <p><i>Task Card Guide – Actions following a no Result Entered (NRE) and Did Not Attend (DNA) result.</i></p>	<ul style="list-style-type: none"> Review the job seeker's calendar. If the interview was not scheduled in the job seeker's calendar the TCF is not applicable. However, Providers must discuss the information provided in the Employer Report Referral with the job seeker. Attempt contact with the job seeker to discuss the matter. If contact is unsuccessful, schedule a Provider Appointment for the job seeker to attend (if there is not one already scheduled to occur within a reasonable timeframe). Discuss with the job seeker – over the phone or during the Provider Appointment – and where applicable, the information provided by the Employer Reporting Line (through the Employer Report Referral) - and provide guidance on successful job interview techniques. During this discussion Providers should also consider referring the job seeker to activities to build or improve employability or similar appropriate activities.

<p>Job seeker was offered a suitable job by an employer but did not accept the job, or accepted a job offer but did not commence on the agreed start date</p>	<ul style="list-style-type: none"> • If not already assessed undertake a suitable work assessment. • As per the Work Refusal and Unemployment Failure Guideline, if no valid reason apply the TCF. • This must be reported to Services Australia as a Work Refusal Failure. <p>For details on how to create a Work Refusal Failure Report, refer to:</p> <p><i>Task Card Guide – Reporting Work Refusal Failures.</i></p>	<ul style="list-style-type: none"> • If not already assessed undertake a suitable work assessment. • If the assessment determines that the work is unsuitable, no further action required. • If the assessment determines that the work was suitable, review the date of the job offer. If it is more than 10 business days since this date the TCF is not applicable. However, Providers must discuss the information provided in the report with the job seeker. • Attempt contact with the job seeker to discuss the matter. • If contact is unsuccessful, schedule a Provider Appointment for the job seeker to attend (if there is not one already scheduled to occur within a reasonable timeframe). • Discuss with the job seeker – over the phone or during the Provider Appointment – and where applicable, the information provided by the Employer Reporting Line (through the Employer Report Referral) - and provide guidance on accepting and commencing suitable employment. During this discussion Providers should also consider referring the job seeker to activities to build or improve employability or similar appropriate activities.
<p>Job seeker voluntarily left a suitable job or was dismissed due to misconduct</p>	<ul style="list-style-type: none"> • As per the Work Refusal Failures and Unemployment Failures Guideline, if following a discussion with the job seeker, the Provider considers that the job seeker has committed an apparent Unemployment Failure, apply the TCF. • This must be reported to Services Australia as an Unemployment Failure. <p>For details on how to create an Unemployment Failure Report, refer to:</p> <p><i>Task Card Guide – Reporting Unemployment Failures.</i></p>	<ul style="list-style-type: none"> • As per the Work Refusal and Unemployment Failure Guideline, if following a discussion with the job seeker, the Provider considers that the job seeker has not committed an apparent Unemployment Failure, no further action is required. • However, if the Provider considers that the job seeker has committed an apparent Unemployment Failure but the TCF cannot be applied, as more than 20 business days have passed since the incident date, Providers must while in contact with the job seeker: <ul style="list-style-type: none"> ○ discuss the information provided by the Employer Reporting Line (through the Employer Report Referral) where applicable, and provide guidance on sustaining employment. ○ during this discussion Providers should also consider referring the job seeker to activities to build or improve employability or similar appropriate activities.

Attachment E—Valid Reason assessment options

The following tables replicate the drop-down menus in the system. When recording a reason that is a Valid Reason or that is not a Valid Reason in the Department's IT Systems, the appropriate menu will appear. Reasons may appear in both columns and may be a Valid Reason or not a Valid Reason, depending on the Provider's determination (see the [Assessing Valid Reasons](#) section of this Guideline, above). In the Department's IT Systems, 'reasons accepted' refers to Reasons that the Provider determines are Valid Reasons, and 'reasons not accepted' refers to Reasons that the Provider determines are not Valid Reasons.

Failure to attend a Provider Appointment, Third Party Appointment, activity or job interview

Reasons accepted	Reasons not accepted
<ul style="list-style-type: none"> • Caring/family reasons that were unforeseeable—unable to advise prior • Conditions or pay not suitable⁺ • Conditions/skills beyond job seeker[*] capacity⁺ • Cultural business—unable to advise prior • Believe job seeker[*] thought they were exempt • Housing instability issues—unable to advise prior • Housing—landlord/property inspection—unable to advise prior • Legal requirements—unable to advise prior • Local issue/natural disaster—unable to advise prior • Major personal crisis affected job seeker[*]—unable to advise prior • Medical/health reason—unable to advise prior • Notification issue—not aware of requirement • Travel/transport, did not have money to pay—unable to advise prior • Travel/transport access issue—unable to advise prior • Working on day of requirement—unable to advise prior 	<ul style="list-style-type: none"> • Away from home/on holiday • Caring/family reasons • Caring—claims childcare will be too expensive if offered job⁺ • Conditions—claims job does not match skills⁺ • Conditions—claims not in preferred employment industry⁺ • Did not believe they had a requirement • Did not think they had to attend—thought exempt • Did not want to attend requirement • Forgot about requirement • Got lost/got time wrong • Housing instability issues • Medical/health reason • Slept in/missed requirement • Travel/transport—did not have money to pay • Travel/transport issue—did not have access • Travel/transport issue—claims distance too great • Undertaking other non-mutual obligation requirement • Prior notice not given and reasonable to expect: <ul style="list-style-type: none"> ▪ Caring/family reasons ▪ Housing—landlord/property inspection ▪ Legal requirement ▪ Medical/health reason

^{*} In this case, 'job seeker' refers to a 'Fully Eligible Participant (Mutual Obligation)' as defined in the jobactive Deed 2015–2022 or a 'Compulsory Participant' as defined in the ParentsNext Deed 2018–2021, as relevant

Failure to attend a Provider Appointment, Third Party Appointment, activity or job interview

Reasons accepted	Reasons not accepted
	<ul style="list-style-type: none"> ▪ Travel/transport—did not have money to pay ▪ Travel/transport issue—did not have access ▪ Working on day of requirement

*Applicable to Job Interviews only

Misconduct at a Provider Appointment, Third Party Appointment, activity or job interview

Behaviours that may be considered misconduct which prevent the purpose of the requirement from being met include:

<ul style="list-style-type: none"> • Appeared intoxicated/under the influence • Disingenuous • Disruptive/disengaged—unable to complete requirement • Inadequate presentation/attire at requirement • Left prior to completion of requirement 	<ul style="list-style-type: none"> • Physically abusive—unable to deliver requirement • Self-sabotage • Theft • Verbally abusive—unable to deliver requirement.
<ul style="list-style-type: none"> • Reasons accepted • Did not have appropriate attire to wear at requirement • Disability/condition presenting itself as misconduct • Major personal crisis affected job seeker* • Medical issue/condition contributed to behaviour 	<ul style="list-style-type: none"> • Reasons not accepted • Couldn't control behaviour/self • Denied nature of misconduct • Did not believe they were impacted by substances • Did not think they had to stay for the duration • Did not think they were dressed inappropriately • Did not want to participate/engage with requirement • Falsified disability/condition presenting itself as misconduct • Did not want that job+

*Applicable to Job Interviews only

*In this case, 'job seeker' refers to a 'Fully Eligible Participant (Mutual Obligation)' as defined in the jobactive Deed 2015–2022 or a 'Compulsory Participant' as defined in the ParentsNext Deed 2018–2021, as relevant

Failure to agree to a Job Plan

Reasons accepted	Reasons not accepted
<ul style="list-style-type: none"> • Did not understand requirement to agree to Job Plan • Required further assistance to understand terms of Job Plan • Housing instability issues—unable to return Plan or advise prior • Local issue/natural disaster—unable to return Plan or advise prior • Legal requirements—unable to return Plan or advise prior • Medical/health reason—unable to return Plan or advise prior • Travel/transport access issue—unable to return Plan or advise prior 	<ul style="list-style-type: none"> • Away from home/on holiday • Caring/family reasons—claims no time to participate • Does not believe they have to meet requirements • Refuses to participate in employment services • Refuses to look for work—number or overall • Refuses to participate due to study • Refuses to participate in specific activity • Refuses to participate/claims to have no time due to paid work • Refuses to participate due to self-employment • Refuses to discuss requirements • Refuses to participate due to undertaking other, non-mutual obligation requirements • Does not want to enter into a Job Plan • Forgot about requirement • Medical/health reason—could not return Plan • Caring/family reasons—could not return Plan • Travel/transport issues—could not return Plan

Failure to satisfactorily meet a Job Search Requirement

Reasons accepted	Reasons not accepted
<ul style="list-style-type: none"> • Caring/family duties that were significant—no exemption • Cultural business for extended period • Housing instability issues • Legal requirements impacted job search • Local issue/natural disaster impacted job search • Medical/health reason—no exemption • Major personal crisis—no exemption 	<ul style="list-style-type: none"> • Away from home/on holidays • Caring/family requirements affected job search • Claims other requirements affected job search • Does not believe suitable jobs are available • Does not want to apply for jobs • Does not want to apply for jobs using different methods • Does not want to look for work in diverse industries • Does not want to tailor applications to industry • Forgot about job search/got due date wrong • Housing instability • Medical/health reasons • States not required to look for work • States too many job searches required • Technology issue—claims could not submit efforts online • Technology issue—reported job search efforts incorrectly • Thinks quality of applications is satisfactory

Failure to act on a job referral

Reasons accepted	Reasons not accepted
<ul style="list-style-type: none"> • Caring/family duties were significant—no exemption • Commute to/from workplace—distance too great/expensive • Conditions or pay not suitable • Conditions/skills for job beyond job seeker* capacity • Cultural business for extended period • Cultural—workplace unsuitable for cultural/religious reasons • Housing instability issues • Legal requirements prevented compliance • Local issue/natural disaster prevented compliance • Major personal crisis affected job seeker • Medical/health reason prevented compliance • Notification issue—not aware of requirement • PCP—job seeker Error! Bookmark not defined. not better off financially • Technology—no access to technology to complete requirement • Technology—no phone or credit to contact employer 	<ul style="list-style-type: none"> • Acted in a manner that did not result in a job offer/interview • Away from home/on holiday • Believes not required to look for work • Caring/family requirements • Caring—claims childcare will be too expensive if job offered • Conditions—claims job does not match skills • Conditions—claims not in preferred employment industry • Conditions—claims too many or too few hours • Conditions—pay not enough (within allowable policy) • Does not want job • Forgot about requirement • Housing instability • Medical/health reason • Résumé not acceptable standard • Technology—claims no access to technology to complete requirement • Technology—claims no phone or credit to contact employer • Travel/transport issue—claims distance too great/expensive

* In this case, 'job seeker' refers to a 'Fully Eligible Participant (Mutual Obligation)' as defined in the jobactive Deed 2015–2022 or a 'Compulsory Participant' as defined in the ParentsNext Deed 2018–2021, as relevant

Attachment F—Manual Demerit removal options

All Demerit types

Reason	Description
Issue affected overall capability— requirements changed	The Participant’s personal circumstances would have likely affected their overall capability to meet requirements. Their Provider has updated their requirements to be more appropriate and to support the Participant to meet them.
New information disclosed— job seeker* in services to address	New information about the Participant has been disclosed which impacted their ability to meet requirements at the time they accrued the Demerit. The Provider has referred the Participant to services, or the Participant is in services, to address this issue.
New information disclosed—likely impacted compliance	New information about the Participant has been disclosed which impacted their ability to meet requirements at the time they accrued the Demerit, and should it have been known, would likely have meant the Participant had a Valid Reason.
Provider Error	An error occurred and the Participant should not have accrued a Demerit—for example, they had a Valid Reason or they should not have had the requirement.

* In this case, ‘job seeker’ refers to a ‘Fully Eligible Participant (Mutual Obligation)’ as defined in the jobactive Deed 2015–2022 or a ‘Compulsory Participant’ as defined in the ParentsNext Deed 2018–2021, as relevant

Job Search Demerits

Reason	Description
Issue affected overall capability— requirements changed	The Participant’s personal circumstances would have likely affected their overall capability to meet requirements. Their Provider has updated their requirements to be more appropriate and to support the Participant to meet them.
Job Search efforts submitted after end of Job Search Period— Valid Reason identified	The Participant has submitted their outstanding Job Search efforts online. Upon Participant contact, the Provider identified that the Participant had a Valid Reason for not submitting their efforts by the end of their Job Search Period.
Adjustment not made— paid work impacted number required	The Participant’s declared earnings for that period mean that their Provider should have reduced their level of job search. Note: this is only applicable where paid work/self-employment is not included in the Job Plan as a requirement. Where it is included, the Department’s IT Systems will automatically make this adjustment based on hours committed to per fortnight (regardless of actual earnings).
Adjustment not made— exemption impacted number required	The Participant had an Exemption during the Job Search Period. Although the system re calculated their required efforts based on the exemption period, the Provider should have made further adjustment due to the nature of the Exemption.
Adjustment not made to number of Job Search efforts required	The Provider failed to adjust the Participant’s required Job Search efforts for the Job Search Period. The result was that the number of required efforts was too high, and the Provider will makes the adjustment in the Job Plan for the next Job Search Period.
Job Search efforts were reported manually within Job Search Period	The Participant provided their Job Search efforts to their Provider during the Job Search Period; however, the Provider did not record them in the Department’s IT Systems before the end of the Participant’s Job Search Period.
Job Search efforts were satisfactory	The Provider had assessed that the Participant’s Job Search efforts were unsatisfactory in quality. Upon review, the Provider identified that the efforts and quality were satisfactory.

Job Plan Demerits

Reason	Description	Type of failure
Job Plan accepted online— Valid Reason identified	The Participant accepted their Job Plan online, but only after the due date. Upon contact with the Participant, the Provider identified that they had a Valid Reason for not agreeing to the Job Plan within the required timeframe.	Job Plan
Job Plan terms unreasonable/inappropriate	Upon another review of the Job Plan and discussion with the Participant, the Provider identified that the requirements in the Plan are not suitable for Participant.	Job Plan
Signed Job Plan was returned	An error occurred and the Participant did return their signed hardcopy Job Plan within the required timeframe, however the Provider did not record this agreement in the Department's IT Systems.	Job Plan— where think time granted (hardcopy)
Job seeker* did agree to Job Plan at appointment	An error or misunderstanding occurred and the Participant did actually agree to their Job Plan onsite. However, the Provider did not record this agreement in the Department's IT Systems, and they used the compliance framework instead.	Job Plan— think time granted (hard copy) or refusal recorded
Job seeker** did not refuse to sign Job Plan	An error or misunderstanding occurred and the Participant had not refused to agree to their Job Plan onsite. However, the Provider did not record their agreement or their request for think time, and they used the compliance framework instead.	Job Plan— refusal

* In this case, 'job seeker' refers to a 'Fully Eligible Participant (Mutual Obligation)' as defined in the jobactive Deed 2015–2022 or a 'Compulsory Participant' as defined in the ParentsNext Deed 2018–2021, as relevant

Attachment G—‘Unable to Re-engage Within 2 Business Days’ reason options

‘Unable to Re-engage within 2 Business Days’

- | | |
|--|---|
| <ul style="list-style-type: none">• Caring/family duties that were unexpected impacts attendance• Cultural business over next two business days impacts attendance• Full-Time Activity/Training impacts attendance• Housing instability/emergency impacts attendance• Legal requirements impact attendance | <ul style="list-style-type: none">• Local issue/natural disaster impacts attendance• Major personal crisis affecting job seeker* impacts attendance• Medical/health issue over next two days impacts attendance• Travel/transport–exceptional issue impacts attendance• Working over next two business days |
|--|---|
-

* In this case, ‘job seeker’ refers to a ‘Fully Eligible Participant (Mutual Obligation)’ as defined in the jobactive Deed 2015–2022 or a ‘Compulsory Participant’ as defined in the ParentsNext Deed 2018–2021, as relevant

Attachment H— 'Re-engagement Not Required' reason options

The following table describes the options Providers have to record the reason a Re-engagement is Not Required. The table also indicates which requirements each of the options can be recorded against.

Reason	Appointment (Provider or third party)	Activity	Job interview	Job Plan	Job referral
Re-engagement not required— non-compliance discussed	✓	✓	✓		✓
Outreach/Part-time site impacts re-engagement	✓	✓	✓		
Unable to be arranged in next two days		✓			
Applications closed/ Vacancy withdrawn					✓
Local issue/natural disaster impacts compliance	Record as 'unable to re-engage within 2 business days'			Record 'compliance action no longer appropriate'	✓
Major personal crisis impacts compliance					✓
Departmental Override [^]	✓	✓	✓	✓	✓
Exit/Transfer from services [^]	✓	✓	✓	✓	✓

[^] Departmental Users or the IT system (automatically) only

Attachment I—‘Compliance Action No Longer Appropriate’ reason options

The following table describes the options Providers have to record the reason Compliance Action is No Longer Appropriate. The table also indicates which requirements each of the options can be recorded against.

Reason	Appointment (Provider or third party)	Job Plan	Activity or job interview	Job Search	Job referral
Applications closed/ Vacancy withdrawn					✓
Local issue/natural disaster impacts compliance	✓		✓	✓	✓
Major personal crisis impacts compliance	✓	✓	✓	✓	✓
Significant and ongoing caring/family duties—no exemption				✓	
Significant and ongoing medical/health issues—no exemption				✓	
Job seeker* requirements changed—job search not applicable				✓	
Departmental Override^	✓	✓	✓	✓	✓
Exit/Transfer from services^	✓	✓	✓	✓	✓

^ Departmental Users or the IT system (automatically) only

* In this case, ‘job seeker’ refers to a ‘Fully Eligible Participant (Mutual Obligation)’ as defined in the jobactive Deed 2015–2022 or a ‘Compulsory Participant’ as defined in the ParentsNext Deed 2018–2021, as relevant

All capitalised terms in this Guideline have the same meaning as in the jobactive Deed 2015–2022 (the Deed). This Guideline is not a stand-alone document and does not contain the entirety of Employment Services Providers' obligations. It must be read in conjunction with the relevant Deed and any relevant Guidelines or reference material issued by Department of Education, Skills and Employment under or in connection with the relevant Deed.

Guideline:

Work Refusal Failures and Unemployment Failures

Under the Targeted Compliance Framework (TCF), there are consequences for Participants if they commit a Work Refusal Failure or an Unemployment Failure. A Participant commits a Work Refusal Failure when they refuse or fail to accept an offer of suitable Employment. A Participant commits an Unemployment Failure when they become unemployed either:

- as a direct or indirect result of a voluntary act (unless Services Australia is satisfied that the voluntary act was reasonable); or
- as a result of their misconduct as an employee.

Broadly speaking, if a Participant commits:

- a Work Refusal Failure, their Income Support Payment may be suspended and will be cancelled if they do not have a Reasonable Excuse; or
- an Unemployment Failure, their Income Support Payment will be cancelled.

If a Participant's Income Support Payment is cancelled, then it cannot be paid for four weeks.

These penalties reinforce the principles that:

- Income Support Payments for Participants should only be available to those who are genuine in their efforts to move into paid work; and
- where Participants gain Employment, they must take all reasonable steps to remain in the workforce, and reduce their reliance and need for an Income Support Payment.

This Guideline does not apply to ParentsNext Providers.

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Changes from the previous version (Version 3.0)

Policy changes:

Nil.

Wording changes:

The following minor updates have been made to this Guideline:

- Clarifying the processes for Providers when apparent non-compliance cannot be actioned under the Targeted Compliance Framework (TCF) as the non-compliance is identified outside of normal timeframes or policy settings.
- Outlining the interactions and processes the Provider must take regarding the Employer Reporting Line.
- Clause numbers and links have been updated where necessary.
- Additional wording added in line with policy changes.
- Clause numbers have been removed from body of the text and appear at the bottom of each section.

A full document history is available on the [Provider Portal](#).

Related documents and references

Jobactive

[Job Plan and Scheduling Mutual Obligation Requirements Guideline](#)

[Capability Assessment Guideline](#)

[Capability Interview Guideline](#)

[Targeted Compliance Framework: Mutual Obligation Failures Guideline](#)

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1. Interpretation

Unless otherwise specified:

- in this Guideline, all references to a 'Participant' are references to a 'Fully Eligible Participant (Mutual Obligation)' as defined in the jobactive Deed 2015-2022 (the Deed);
- capitalised terms in this Guideline have the meaning given to them in the jobactive Deed; and
- Deed clauses are references to the jobactive Deed.

2. Work Refusal Failures and Unemployment Failures

A Participant commits a Work Refusal Failure when they refuse or fail to accept an offer of suitable Employment.

A Participant commits an Unemployment Failure when they become unemployed either:

- as a direct or indirect result of a voluntary act (unless Services Australia is satisfied that the voluntary act was reasonable); or
- as a result of their misconduct as an employee.

3. Work Refusal Failures

Identifying a Work Refusal Failure

Providers have obligations under the Deed when they become aware (e.g. an employer notifies the Provider or the Provider receives an Employer Report Referral from the Employer Reporting Line) that a Participant has apparently committed a Work Refusal Failure (i.e. the Participant has refused or failed to accept an offer of Employment). Providers' main obligations in this case are set out in the Deed.

When the Provider discusses the circumstances of an apparent Work Refusal Failure with the Participant, the Provider must consider the issues outlined below.

The Provider must first consider whether the Participant has refused or failed to accept an offer of Employment. If the Participant has not received an offer of Employment (e.g. they attended an interview but were not offered the position), the Provider must not determine that the Participant committed a Work Refusal Failure.

If the Participant has refused or failed to accept an offer of Employment, the Provider must then consider whether the Employment that was offered was suitable for the Participant. Providers must have regard to the following factors (as relevant) when assessing whether the Employment was suitable for the Participant, as any one of these factors would make the work unsuitable:

- the Participant lacks the particular skills, experience or qualifications that are needed to perform the work and no training will be provided by the Employer;
- there is medical evidence that the Participant has an illness, disability or injury that would be aggravated by the conditions in which the work would be performed;

- the Participant is the principal carer for one or more children, and does not have access to appropriate care and supervision for the children at the times when the Participant would be required to undertake the work (which includes reasonable amounts of time that would be needed for the Participant to travel between home and the work);
- performing the work in the conditions in which the work would be performed would constitute a risk to health or safety and would contravene a law of the Commonwealth, a State or a Territory relating to occupational health and safety;
- the terms and conditions for the work would be less generous than the applicable statutory conditions;
- commuting between the Participant's home and the place of work would be unreasonably difficult (that is, it would require the Participant to spend more than 90 minutes each way in commuting time (60 minutes for principal carers or those with a partial capacity to work, see below), using the mode of transport normally available to the Participant);
- the work requires the Participant to change residence;
- the Participant has a verifiable and legitimate objection to the work on moral, cultural or religious grounds (for example, there is evidence that the Participant adheres to a particular set of moral, ethical or religious values and aspects of the work would be inconsistent with those values);
- the work would require the Participant to enlist in the Defence Force or the Reserves; or
- the Participant has a partial capacity to work, or is the principal carer of at least one child, and one or more of the following applies:
 - the duration of the journey between the Participant's home and the place of work would normally exceed 60 minutes;
 - the Participant would be financially worse off as a result of undertaking the work, by comparison with not undertaking the work, considering:
 - the financial cost to the Participant in providing appropriate care and supervision for one or more children, for whom the Participant is the principal carer, at the times when the Participant would be required to undertake the work;
 - the financial cost of travel that would be incurred by the Participant in undertaking the work;
 - the reduction in income support, additional tax paid, or impact on public housing; or
 - the financial benefit for the Participant of undertaking the work would be marginal because of the financial cost to the Participant in providing appropriate care and supervision for one or more children, for whom the Participant is the principal carer, at the times when the Participant would be required to undertake the work.

For more information on Providers' Deed obligations regarding Work Refusal Failures, see the [Reporting a Work Refusal Failure](#) section in this document.

(Deed references: jobactive Deed 2015–2022 clauses 115.2(a), 115.5(a))

Reporting a Work Refusal Failure

Providers must comply with their Deed obligations relating to Work Refusal Failures, regardless of which compliance zone the relevant Participant is in. In accordance with the Deed, following a discussion with the Participant, the Provider must consider whether the Participant has committed a Work Refusal Failure. See above under the heading 'Identifying a Work Refusal Failure'.

Below is a discussion of the system steps that the Provider must follow after they decide whether the Participant has committed a Work Refusal Failure.

Providers have Deed obligations to create Work Refusal Failure reports in certain circumstances. The system steps that the Provider must follow to create Work Refusal Failure reports in those circumstances are discussed below.

The Work Refusal Failure report must be created and finalised (as discussed below) within 10 Business Days of the incident date. If this does not occur (e.g. where the Provider does not become aware of a Work Refusal Failure until after 10 Business Days have passed since the incident date), the Department's IT Systems will not allow the Work Refusal Failure report to be finalised, meaning the Work Refusal Failure will not be reported to Services Australia.

The incident date is the date that the Participant:

- refused an offer of suitable Employment. For example, if a Participant was offered a job at an interview and refused that offer:
 - on the day of the interview, the incident date is the date of the interview; or
 - three days after the interview, the incident date is the date that is three days after the interview; or
- failed to accept an offer of suitable Employment. For example:
 - if the Participant was given 14 days to accept the offer, and did not do so, the incident date is the 14th day (unless the Participant actively refuses the job on an earlier day); or
 - if, when the offer was made, the Participant agreed a start date with the potential Employer, but did not commence work on that date, the incident date is the date the Participant was due to start.

(Deed references: jobactive Deed 2015–2022 clauses 115.2, 115.3(b), 115.4(a)(i), 115.5)

Contact attempt is successful on the same Business Day

Provider considers that the Participant committed a Work Refusal Failure

This section of the Guideline applies when, after discussing the circumstances of an apparent Work Refusal Failure with the Participant, the Provider:

- considers the Participant committed a Work Refusal Failure (see the discussion under the heading 'Identifying a Work Refusal Failure' above); and
- has an obligation to create a Work Refusal Failure report under the Deed (i.e. because they had the discussion with the Participant on the Business Day they became aware of the apparent Work Refusal Failure).

In that case, the Provider must create and finalise the Work Refusal Failure report by undertaking the following steps in the Department's IT System:

- selecting 'create compliance';
- selecting the Event Type from the drop down menu that will appear as follows:
 - select 'job seeker failed to accept suitable job' where the Provider considers that the Participant refused or failed to accept an offer of suitable Employment, other than by failing to commence work on the start date agreed with the potential Employer; or
 - select 'job seeker failed to commence suitable job' where the Provider considers that the Participant failed to commence work on the start date agreed with the potential Employer;
- recording the incident date (discussed above);
- answering 'yes' to the question of whether they are in contact with the Participant;
- selecting a reason from the 'Reasons not accepted' column of the drop down menu that will appear. The Provider must select the reason that most closely aligns with the reason the Participant gave as to why they refused or failed to accept the offer of suitable Employment. A full list of these drop-down menu options can be found at Attachment A;
- otherwise accurately answer the questions that will be automatically generated; and
- selecting 'create', which will finalise the Work Refusal Failure report and send it to Services Australia. Services Australia will assess whether the Participant had a Reasonable Excuse for the Work Refusal Failure, which will determine whether the Participant's Income Support Payment is cancelled.

By creating and finalising the Work Refusal Failure report as described above, the Provider is confirming that they consider that the Participant has committed a Work Refusal Failure.

(Deed references: jobactive Deed 2015–2022 clause 115.3(b))

Provider considers that the Participant has not committed a Work Refusal Failure

This section of the Guideline applies when the Provider:

- is in contact with the Participant on the Business Day on which the Provider became aware of an apparent Work Refusal Failure; and
- after discussing the circumstances of the apparent Work Refusal Failure with the Participant, considers the Participant has not committed a Work Refusal Failure (see the discussion under the heading 'Identifying a Work Refusal Failure' above), no further action required.

Provider considers that the Participant has been non-compliant but the TCF cannot be applied

This section of the Guideline applies when the Provider:

- is in contact with the Participant on the Business Day on which the Provider became aware of an apparent Work Refusal Failure; and

- after discussing the circumstances of the apparent Work Refusal Failure with the Participant, the Provider considers that the TCF cannot be applied (e.g. more than 10 Business Days have past), but the Participant has been non-compliant. Refer to the TCF workflow at Attachment D of the [Targeted Compliance Framework: Mutual Obligation Failures](#) Guideline.

Contact attempt is not successful on the same Business Day

Providers have obligations under the Deed when they become aware that a Participant has apparently committed a Work Refusal Failure, but are unable to contact the Participant on the same day. On that day, the Provider must create the Work Refusal Failure report by undertaking the following steps in the Department's IT System:

- selecting 'create compliance';
- selecting the Event Type from the drop down menu that will appear as follows:
 - select 'job seeker failed to accept a suitable job' where the Provider considers that the Participant refused or failed to accept an offer of suitable Employment, other than by failing to commence work on the start date agreed with the potential Employer; or
 - select 'job seeker failed to commence suitable job' where the Provider considers that the Participant failed to commence work on the start date agreed with the potential Employer;
- recording the incident date (discussed above);
- answering 'no' to the question of whether they are in contact with the Participant;
- otherwise accurately answering the questions that will be automatically generated; and
- selecting 'create'. This will create a draft Work Refusal Failure report.

If the Participant is in the Penalty Zone, the Participant's Income Support Payment will be suspended when the Provider creates a Work Refusal Report in the Department's IT System. The Participant will then receive a notification advising them to contact their Provider.

If the Participant is in the Green Zone or Warning Zone, they will receive notification advising that they appear to have committed a Mutual Obligation Failure, that they must contact their Provider as soon as possible, and that their payment may be suspended after two Business Days if they take no further action.

If the Participant does not make contact with their Provider within two Business Days, the Department's IT Systems will automatically suspend the Participant's Income Support Payment and the Participant will receive notification that their Income Support Payment has been suspended and to contact their Provider.

The Participant's Reconnection Requirement is to make contact with their Provider to discuss the Work Refusal Failure. If the Participant's Income Support Payment has been suspended, the suspension will be lifted once they make contact with their Provider, and their Provider finalises the Work Refusal Failure report (as discussed immediately below).

Where the TCF cannot be applied, but the Provider has determined that the Participant has been non-compliant, refer to the TCF workflow at Attachment D of the Targeted Compliance Framework: Mutual Obligation Failures Guideline.

(Deed references: jobactive Deed 2015–2022 clause 115.4)

When there is contact with the Participant

Where there is contact with the Participant after the Business Day on which the Provider became aware of the apparent Work Refusal Failure, the Provider has a Deed obligation to update the draft Work Refusal Failure report referred to above. System Step: The Provider must update and finalise the Work Refusal Failure report by undertaking the following steps in the Department's IT System:

- selecting the pencil icon in the draft Work Refusal Failure report. By doing so, the Provider is confirming that they are in contact with the Participant; and
- either:
 - if the Provider considers the Participant committed a Work Refusal Failure (see the discussion under the heading 'Identifying a Work Refusal Failure' above):
 - selecting 'No' in response to the question of whether they accepted the reason given by the Participant. By doing so, the Provider is confirming that they have determined that the Participant has committed a Work Refusal Failure;
 - selecting a reason from the 'Reasons not accepted' column of the drop down menu that will appear. The Provider must select the reason that most closely aligns with the reason that the Participant gave as to why they refused or failed to accept the offer of suitable Employment. A full list of these drop-down menu options can be found at Attachment A; and
 - selecting 'submit', which will send the Work Refusal Failure report to Services Australia. Services Australia will assess whether the Participant had a Reasonable Excuse for the Work Refusal Failure, which will determine whether the Participant's Income Support Payment is cancelled; or
 - if the Provider considers the Participant did not commit a Work Refusal Failure (see the discussion under the heading 'Identifying a Work Refusal Failure' above):
 - selecting 'Yes' in response to the question of whether they accepted the reason given by the Participant. By doing so, the Provider is confirming that they have determined that the Participant has not committed a Work Refusal Failure;
 - selecting a reason from the 'Reasons accepted' column of the drop down menu that will appear. The Provider must select the reason that most closely aligns with the reason that the Participant gave as to why they did not refuse or fail to accept an offer of suitable Employment. A full list of these drop-down menu options can be found at Attachment A; and
 - selecting 'submit', which will close the report (i.e. the report will not be sent to Services Australia for investigation).

If the Participant's Income Support Payment has been suspended, this suspension is lifted when the Provider selects 'submit'.

If the Participant does not contact their Provider within 28 calendar days of their payment suspension date, their Income Support Payment will automatically be cancelled.

Where the TCF cannot be applied, but the Provider has determined that the Participant has been non-compliant, refer to the TCF workflow at Attachment D of the [Targeted Compliance Framework: Mutual Obligation Failures](#) Guideline.

(Deed references: jobactive Deed 2015–2022 clause 115.5(c))



Documentary Evidence: Evidence that the Provider must link or upload to the Work Refusal Failure report in the Department's IT Systems may include notification of Employment offer, details of the job/Employer and dates or evidence from a Transition to Work Provider (for a Transition to Work participant).

4. Unemployment Failures

Identifying an apparent Unemployment Failure

Providers have Deed obligations when they become aware (e.g. an employer notifies the Provider and/or the Provider receives an Employer Report Referral from the Employer Reporting Line) that a Participant has become unemployed apparently as:

- a direct or indirect result of a voluntary act of the Participant; or
- a result of the Participant's misconduct as an employee.

Where a Participant becomes unemployed as described above, this is referred to as an 'apparent Unemployment Failure' in this Guideline. Providers' main obligations in regarding apparent Unemployment Failures are set out in the Deed.

When the Provider discusses the circumstances of an apparent Unemployment Failure with the Participant (as referred to in the Deed), in addition to whether or not the work was unsuitable (as discussed under the heading 'Identifying a Work Refusal Failure'), the Provider must also consider the issues referred to below.

One of the issues that the Provider must consider is whether the Participant became unemployed as a direct or indirect result of an act of the Participant that was voluntary. For example, a Participant will become unemployed as a direct result of their voluntary act if the Participant voluntarily resigns. Note that this will not be an Unemployment Failure if Services Australia considers that the Participant's voluntary act was reasonable (for example, if the Participant resigned due to bullying or unsafe work practices, or if, for any of the reasons listed under the heading 'Identifying a Work Refusal Failure', the work was unsuitable). When the Provider creates an Unemployment Failure report (as discussed below under the heading 'Reporting an apparent Unemployment Failure'), the report will be sent through the Department's IT Systems to Services Australia. Services Australia will then determine whether the Participant's voluntary act was reasonable (i.e. Services Australia will determine whether the Participant has committed an Unemployment Failure).

In addition to the above, the Provider must also consider the issue of whether the Participant became unemployed as a result of the Participant's misconduct as an employee. Providers must have regard to the following factors (if relevant) when assessing whether the Participant became unemployed as a result of the Participant's misconduct as an employee:

- a **deliberate** failure by the Participant to produce/deliver a reasonable amount of work;
- the Participant's unauthorised absences from duty without good reason;
- the Participant's improper behaviour or practices, such as theft, assault or harassment of other employees;
- deliberate actions by the Participant that cause serious risk to the health or safety of other employees; or
- deliberate actions that threaten the reputation, viability or profitability of the Employer.

For more information on Providers' Deed obligations regarding apparent Unemployment Failures, see the [Reporting an apparent Unemployment Failure](#) section in this document.

(Deed references: jobactive Deed 2015–2022 clauses 116.2(a), 116.4(a))

Reporting an apparent Unemployment Failure

Providers must comply with their Deed obligations relating to apparent Unemployment Failures, regardless of which compliance zone the relevant Participant is in.

In accordance with the Deed, following a discussion with the Participant, the Provider must consider whether the Participant has committed an apparent Unemployment Failure. See above under the heading 'Identifying an apparent Unemployment Failure'.

Below is a discussion of the system steps that the Provider must follow after they decide whether the Participant has committed an apparent Unemployment Failure.

Providers have obligations under the Deed to create Unemployment Failure reports in certain circumstances. The system steps that the Provider must follow to create Unemployment Failure reports in those circumstances are discussed below.

The Unemployment Failure report must be created and finalised (as discussed below) within 20 Business Days of the incident date (discussed immediately below). If this does not occur (e.g. where the Provider does not become aware of an Unemployment Failure until after 20 Business Days have passed since the incident date), the Department's IT Systems will not allow the Unemployment Failure report to be finalised, meaning the apparent Unemployment Failure will not be reported to Services Australia.

The incident date is the first full day a Participant is unemployed (e.g. if a Participant was dismissed due to misconduct, the incident date is the day after the day on which they became unemployed).

(Deed references: jobactive Deed 2015–2022 clauses 116.2, 116.3(a)(ii), 116.4)

Contact attempt is successful on the same Business Day

Provider considers that the Participant committed an apparent Unemployment Failure

This section of the Guideline applies when, after discussing the circumstances of the apparent Unemployment Failure with the Participant, the Provider:

- considers the Participant committed an apparent Unemployment Failure (see the discussion under the heading 'Identifying an apparent Unemployment Failure' above); and
- has an obligation to create an Unemployment report under the Deed (i.e. because they had the discussion with the Participant on the Business Day they became aware of the apparent Unemployment Failure).



System Step: In that case, the Provider must create and finalise the Unemployment Failure report by undertaking the following steps in the Department's IT System:

- selecting 'create compliance';
- selecting the Event Type from the drop down menu that will appear as follows:
 - select 'job seeker dismissed for misconduct' where the Provider considers that the Participant became unemployed apparently as a result of the Participant's misconduct as an employee; or
 - select 'job seeker voluntarily leaves a job' where the Provider considers that the Participant became unemployed apparently as a direct or indirect result of a voluntary act of the Participant;
- recording the incident date (discussed above);
- answering 'yes' to the question of whether they are in contact with the Participant;
- selecting a reason from the 'Reasons not accepted' column of the drop down menu that will appear. The Provider must select the reason that most closely aligns with the reason that the Participant gave as to:
 - why the Participant did the voluntary act (e.g. resigned) that lead to their unemployment; or
 - why the Participant engaged in misconduct (or believed they did not engage in misconduct);
- A full list of these drop-down menu options can be found at Attachment B;
- otherwise accurately answer the questions that will be automatically generated; and
- selecting 'create', which will send the Unemployment Failure report to Services Australia for investigation.

(Deed references: jobactive Deed 2015–2022 clause 116.3(a)(ii))

Provider considers that the Participant has not committed an apparent Unemployment Failure

This section of the Guideline applies when the Provider:

- is in contact with the Participant on the Business Day on which the Provider became aware of an apparent Unemployment Failure; and

- after discussing the circumstances of the apparent Unemployment Failure with the Participant, considers the Participant has not committed the apparent Unemployment Failure (see the discussion under the heading 'Identifying an apparent Unemployment Failure' above).

In this case, the Provider does not need to take any TCF action.

Provider considers that the Participant has been non-compliant but the TCF cannot be applied

This section of the Guideline applies when the Provider:

- is in contact with the Participant on the Business Day on which the Provider became aware of an apparent Unemployment Failure; and
- after discussing the circumstances of the apparent Unemployment Failure with the Participant, considers that the TCF cannot be applied (e.g. more than 20 Business Days have past), but the Participant has been non-compliant. Refer to the TCF workflow at Attachment D of the [Targeted Compliance Framework: Mutual Obligation Failures](#) Guideline.

Contact attempt is not successful on the same Business Day

Providers have Deed obligations where they become aware that a Participant has committed an apparent Unemployment Failure, but were unable to contact the Participant on the same Business Day. On that day, the Provider must create the Unemployment Failure report by undertaking the following steps in the Department's IT Systems:

- selecting 'create compliance';
- selecting the Event Type from the drop down menu that will appear as follows:
 - select 'job seeker dismissed for misconduct' where the Provider considers that the Participant became unemployed apparently as a result of the Participant's misconduct as an employee; or
 - select 'job seeker voluntarily leaves a job' where the Provider considers that the Participant became unemployed apparently as a direct or indirect result of a voluntary act of the Participant;
- recording the incident date (discussed above);
- answering 'no' to the question of whether they are in contact with the Participant;
- otherwise accurately answering the questions that will be automatically generated; and
- selecting 'create', which will create a draft Unemployment Failure report that the Provider must update when they are next in contact with the Participant.

Unlike the creation of a Work Refusal Failure report, the creation of an Unemployment Failure report does not trigger payment suspension under any circumstances. Therefore, to prompt the Participant to make contact in order to discuss the apparent Unemployment Failure, the Provider must create a Provider Appointment for the Participant to attend within 10 Business Days.

If the Participant attends the Provider Appointment, the Provider must discuss the Unemployment Failure with them at that Provider Appointment.

If the Participant is in the Penalty Zone and they do not attend the Provider Appointment, their Income Support Payment will be suspended for failing to attend and they will receive notification that they should contact their Provider.

If the Participant is in the Green Zone or Warning Zone and they do not attend the Provider Appointment to discuss the apparent Unemployment Failure, the Participant will receive notification that their payment will be suspended after two Business Days if they do not make contact with their Provider. If the Participant does not make contact with their Provider within two Business Days, their payment is suspended and they will receive notification of the suspension.

Where the TCF cannot be applied, but the Provider has determined that the Participant has been non-compliant, refer to the TCF workflow at Attachment D of the [Targeted Compliance Framework: Mutual Obligation Failures](#) Guideline.

Payment suspensions act as a trigger to encourage the Participant to contact their Provider.

Once the Participant makes contact, the Provider can then discuss the apparent Unemployment Failure with them in the same conversation.

If the Participant does not contact their Provider within 28 calendar days of the day on which their Income Support Payment is suspended, their Income Support Payment will automatically be cancelled.

(Deed references: jobactive Deed 2015–2022 clause 116.3)

When there is contact with the Participant

Where there is contact with the Participant after the day the Provider became aware of the apparent Unemployment Failure, the Provider has a Deed obligation to update the draft Unemployment Failure report referred to above. The Provider must update and finalise the Unemployment Failure report by undertaking the following steps in the Department's IT System:

- selecting the pencil icon in the draft Unemployment Failure report. By doing so, the Provider is confirming that they are in contact with the Participant; and
- either:
 - if the Provider considers the Participant committed an apparent Unemployment Failure (see the discussion under the heading 'Identifying an apparent Unemployment Failure' above):
 - selecting 'No' in response to the question of whether they accepted the reason given by the Participant. By doing so, the Provider is confirming that they have determined that the Participant has committed an apparent Unemployment Failure;
 - selecting a reason from the 'Reasons not accepted' column of the drop down menu that will appear. The Provider must select the reason that most closely aligns with the reason that the Participant gave as to:
 - why the Participant did the voluntary act (e.g. resigned) that lead to their unemployment; or

- why the Participant engaged in misconduct (or believed they did not engage in misconduct); and
- selecting 'submit', which will send the Unemployment Failure report to Services Australia for investigation; or
- if the Provider considers the Participant **did not commit** an apparent Unemployment Failure (see the discussion under the heading 'Identifying an apparent Unemployment Failure' above):
 - selecting 'Yes' in response to the question of whether they accepted the reason given by the Participant. By doing so, the Provider is confirming that they have determined that the Participant has not committed an apparent Unemployment Failure;
 - selecting a reason from the 'Reasons accepted' column of the drop down menu that will appear. The Provider must select the reason that most closely aligns with the reason that the Participant gave as to why the Participant became unemployed. A full list of these drop-down menu options can be found at Attachment B; and
 - selecting 'submit', which will close the report (i.e. the report will not be sent to Services Australia for investigation).

A full list of these drop-down menu options can be found at [Attachment B](#).

Where the TCF cannot be applied, but the Provider has determined that the Participant has been non-compliant, refer to the TCF workflow at Attachment D of the [Targeted Compliance Framework: Mutual Obligation Failures](#) Guideline.

(Deed references: jobactive Deed 2015–2022 clause 116.4(b))



Documentary Evidence: Evidence that the Provider must link or upload to the Unemployment Failure report in the Department's IT Systems may include notification of unemployment, or evidence from a Transition to Work Provider (for a Transition to Work Participant), details of the job/Employer and/or details of the incident, including dates, the parties involved and what occurred.

5. Identifying Work Refusal Failures and apparent Unemployment Failures for Transition to Work participants

If a Transition to Work Provider assesses that a Transition to Work participant has committed a Work Refusal Failure or an apparent Unemployment Failure, they will refer the participant to a jobactive Provider. The Transition to Work Provider will:

- explain the impact of the failure to the participant;
- exit the participant from Transition to Work and refer the participant to a jobactive Provider; and
- provide electronic evidence to the jobactive Provider that supports the assessment of a failure.

The jobactive Provider must then comply with their Deed obligations in relation to that Participant, including those relating to Work Refusal Failures and apparent Unemployment Failures.

Summary of required Documentary Evidence



Documentary Evidence: Depending on the failure that has occurred, in addition to the evidence recorded in the Department's IT Systems, Documentary Evidence could include:

- notification of an employment offer;
- the format of the notification (i.e. SMS, email or letter);
- details of the job/Employer and/or details of the incident, including dates, the parties involved and what occurred; and
- evidence from a Transition to Work Provider (for Transition to Work Participants).

Attachment A—Work Refusal Failure reason options

The following tables replicate the drop-down menus in the system.

Job seeker* failed to accept suitable job

Reasons accepted	Reasons not accepted
<ul style="list-style-type: none"> • Caring/family duties that are significant • Conditions or pay not suitable • Conditions/skills beyond job seeker* capacity • Cultural—workplace unsuitable for cultural/religious reasons • Housing instability issues • Legal requirements • Medical—employment will exacerbate medical condition • PCP—unable to arrange suitable childcare • Travel/transport issue—distance too great/expensive • PCP—job seeker* not better off financially 	<ul style="list-style-type: none"> • Caring/family requirements • Caring—childcare not organised as required • Caring—claims childcare too expensive • Conditions—claims too many or too few hours • Conditions—claims job does not match skills • Conditions—claims not in preferred employment industry • Conditions—does not want to undertake certain part of job • Conditions—pay not enough (within allowable policy) • Does not want job • Housing instability • Travel/transport issue—claims distance too great/expensive

* In this case, 'job seeker' refers to a 'Fully Eligible Participant (Mutual Obligation)' as defined in the jobactive Deed 2015–2022

Job seeker* failed to commence suitable job

Reasons accepted	Reasons not accepted
<ul style="list-style-type: none"> • Caring/family duties that were unforeseeable—unable to advise prior • Caring—unable to obtain suitable childcare/too expensive • Conditions or pay not suitable • Conditions/skills for job beyond job seeker⁺ capacity • Cultural business—unable to advise prior • Cultural—workplace unsuitable for cultural/religious reasons • Housing instability issues • Housing—landlord/property inspection—unable to advise prior • Legal requirements—unable to advise prior • Local issue/natural disaster prevented attendance • Medical/health reason—unable to advise prior • Major personal crisis affected job seeker⁺—unable to advise prior • Travel/transport issue—distance too great/expensive • Travel/transport issue—did not have money to pay for • Travel/transport issue on the day—unable to advise prior 	<ul style="list-style-type: none"> • Away from home/on holiday • Caring/family requirements • Caring—childcare not organised as required • Caring—claims childcare too expensive • Conditions—claims too many or too few hours • Conditions—claims job does not match skills • Conditions—claims not in preferred employment industry • Conditions—does not want to undertake certain part of job • Conditions—pay not enough (within allowable policy) • Does not want job • Got start date/time wrong/got lost • Housing instability • Housing—landlord/property inspection • Medical/health reason • Travel/transport issue—claims distance too great/expensive • Travel/transport—did not have money to pay • Travel/transport issue—did not have access <p>Prior notice not given and reasonable to expect:</p> <ul style="list-style-type: none"> • Caring/family reasons • Housing—landlord/property inspection • Legal requirement • Medical/health reason • Travel/transport—did not have money to pay • Travel/transport issue—did not have access

* In this case, 'job seeker' refers to a 'Fully Eligible Participant (Mutual Obligation)' as defined in the jobactive Deed 2015–2022

Attachment B—Unemployment Failure reason options

The following tables replicate the drop-down menus in the system.

Job seeker* voluntarily leaves a job

Reasons accepted	Reasons not accepted
<ul style="list-style-type: none"> • Caring/family duties that are significant • Conditions—pay disputes • Conditions/skills for job beyond job seeker[‡] capacity • Conditions—workplace conflicts • Conditions—work environment unsafe/no longer accessible • Cultural—workplace unsuitable for cultural/religious reasons • Housing instability issues • Legal requirements • Major personal crisis affected job seeker[‡] • Medical—employment exacerbates medical condition • PCP—childcare no longer suitable • PCP—no longer financially suitable • Travel/transport issue—distance too great/expensive 	<ul style="list-style-type: none"> • Caring—claims childcare too expensive • Caring/family requirements • Conditions—claims too many or too few hours • Conditions—claims not in preferred employment industry • Conditions—claims job does not match skills • Conditions—does not like the workplace/employees • Conditions—does not want to undertake certain part of job • Conditions—does not like the type of work • Conditions—pay not enough (within allowable policy) • Conditions—workplace conflicts • Does not want job • Housing instability • Medical/health reason • Travel/transport issue—claims distance too great/expensive

* In this case, 'job seeker' refers to a 'Fully Eligible Participant (Mutual Obligation)' as defined in the jobactive Deed 2015–2022

Job seeker* dismissed for misconduct

Reasons accepted	Reasons not accepted
<ul style="list-style-type: none"> • Caring/family duties impacted work hours • Claims of misconduct by employer are false • Disability/condition presenting itself as misconduct • Did not have appropriate attire to wear at requirement • Major personal crisis affected job seeker⁵ • Medical issue/condition contributed to behaviour • Significant breakdown in employer relationship 	<ul style="list-style-type: none"> • Believes rules are too strict/not applicable to them • Claims accidentally miscalculated hours worked—excessive • Claims of misconduct are false • Conflict started by other people • Couldn't control behaviour/self • Did not think they were dressed inappropriately • Did not believe they were impacted by substances • Denied nature of misconduct • Falsified disability/condition presenting itself as misconduct

* In this case, 'job seeker' refers to a 'Fully Eligible Participant (Mutual Obligation)' as defined in the jobactive Deed 2015–2022

All capitalised terms in this Guideline have the same meaning as in the jobactive Deed 2015–2022 (the Deed).

This Guideline is not a stand-alone document and does not contain the entirety of Employment Services Providers' obligations. It must be read in conjunction with the Deed and any relevant Guidelines or reference material issued by Department of Education, Skills and Employment under or in connection with the Deed.

Guideline:

Eligibility, Referral and Commencement

This Guideline outlines who is Eligible for jobactive Services and arrangements for Participants to be Referred and Commenced in an appropriate Stream. Providers must provide Participants with appropriate Services, taking into account their individual circumstances, to assist them to find employment and move off Income Support Payments.

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Policy changes:

Nil

Wording changes:

Reference to ParentsNext Participants updated – removal of the words 'Intensive Stream' (page 12)

A full document history is available on the [Provider Portal](#)

Related documents and references

[Assessments Guideline – Job Seeker Classification Instrument \(JSCI\) and Employment Services Assessments \(ESAt\)](#)
[Direct Registration Guideline](#)
[Job Plan and Scheduling Mutual Obligation Requirements Guideline](#)
[Managing and Monitoring Mutual Obligation Requirements Guideline](#)
[Period of Service, Suspensions and Exits Guideline](#)

[Privacy Guideline](#)
[Transfer Guideline](#)
[Stronger Transitions Guideline](#)
[Volunteers Guideline](#)
[Time to Work Employment Services TTW Eligibility, Referral, Commencement and Caseload Guideline](#)
[Structural Adjustment Programmes Guideline](#)

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1. Eligibility for jobactive Services

Eligibility for jobactive Services generally depends on the type of Income Support Payment a Participant is receiving. The [Eligibility Tables](#) identify the main categories of Participants based on their individual circumstances and their eligibility for jobactive Services.

The Department of Education, Skills and Employment (the Department) may amend the eligibility for jobactive Services at any time.

For Participants on income support, Eligibility is shown in the Department's IT Systems, based on information entered by Services Australia.

2. Eligible Participants Referred automatically through the Department's IT Systems

The majority of Participants will be automatically Referred through the Department's IT Systems, not via Services Australia. A Participant may be initially Referred to Online Employment Services (OES) or a Provider following the grant of income support and:

- the application of the Job Seeker Classification Instrument (JSCI) or
- an Employment Services Assessment (ESAt), where applicable.

Participants Referred to a jobactive Provider will generally be Referred to Stream A, Stream B or Stream C, based on the outcome of their JSCI or, where applicable, an ESAt. The exceptions are Time to Work Employment Service Participants, Early School Leavers and Structural Adjustment Program Participants who will be Referred to Stream B as a minimum or Stream C, dependent on the outcome of an ESAt. If a Vulnerable Youth Directly Registers with a jobactive provider, they will commence in Stream C - Refer to the [Direct Registration Guideline](#).

Participants automatically Referred will be randomly allocated to a Provider's caseload after taking into consideration provider site to postcode mapping and provider Referral tolerance. Participants who are randomly allocated to a provider will still have the opportunity to transfer to a provider of their choice – Refer to the [Transfer Guideline](#).

Participants in Online Employment Services (OES) who complete their period in Online Employment Services

Participants who are serviced in OES and who complete their period of assistance in OES, or who leave OES for other reasons (including Opting Out) but who remain Fully Eligible for jobactive, will be transferred to a jobactive Provider. These Participants will be provided the opportunity to choose their jobactive Provider before leaving OES, but will be automatically transferred to a departmentally nominated Provider should they not do so.

(Deed reference: Clause 82 – Transfer of Stream Participants to the Provider)

Providers must have [Electronic Diary timeslots](#) available.

Providers are responsible for booking an Initial Interview for Participants who have been Referred to them automatically through the Department's IT Systems.

Providers must also ensure that the Electronic Calendar has, at all times, capacity to receive Appointments within the next two Business Days for all other Referrals. Refer to the [Managing and Monitoring Mutual Obligation Requirements Guideline](#).

(Deed references: Clauses 77.2 and 83.1)

For Time to Work Employment Service (TWES) Participants Referred to jobactive, Providers will need to schedule/block out time in their Electronic Calendar for a facilitated transfer meeting with the Participant and TWES Provider, using the 'Provider Event' functionality.

(Deed reference: Clauses 82.4)

3. Eligible Participants Referred by Services Australia

Services Australia will Refer some eligible individuals to a jobactive Provider. This may include but is not limited to:

- DSP Recipients with participation Requirements
- Vulnerable Participants
- those who cannot complete the registration and assessment process online.

4. Other Referral Types for Eligible Participants

Some eligible individuals may elect to participate in jobactive Services and can Directly Register with a jobactive Provider. The jobactive Provider is responsible for determining a person's eligibility for Direct Registration and registering that person for Services. Refer to the [Direct Registration Guideline](#).

[Retrenched workers and their partners](#)

Retrenched Workers and their partners are eligible for immediate access to jobactive Services. These Participants receive services as a Fully Eligible Participant in the stream appropriate to their level of labour market disadvantage as determined by the Job Seeker Classification Instrument. Refer to the [Assessments Guideline](#).

Some retrenched workers and their partners may be eligible for additional assistance through Structural Adjustment Programmes, which enable recently retrenched workers from eligible companies or industries to access jobactive Services. Structural Adjustment Programme Participants are eligible for immediate access to jobactive Services as a Stream B Participant to assist them to find new employment. For information relating to Structural Adjustment Programmes including eligibility and registration, refer to the [Structural Adjustment Programme Guideline](#).

Providers must use the hierarchy of eligibility below to Directly Register any retrenched workers and/or their partners.

Retrenched workers and their partners - hierarchy of eligibility

Retrenched workers and their partners do not need to participate in the same program. Where a retrenched worker and their partner are eligible for a Structural Adjustment Programme this will take priority.

While a retrenched person and their partner may be eligible to register for jobactive under multiple retrenched worker programs, they can only be registered under **one** retrenched worker program each. (e.g. Structural Adjustment Programme Participant or a general retrenched worker/partner). This might mean that in some cases, the retrenched worker and their partner are registered in different retrenched worker programs.

Where the Structural Adjustment Programme provides Services for a retrenched worker but not their partner, then the worker should commence with the appropriate program and the partner can receive Services appropriate to their level of labour market disadvantage as determined by the Job Seeker Classification Instrument.

The programs are to be applied to retrenched workers and their partners with the following priority:

1. Structural Adjustment Programme
2. As a Fully Eligible Participant in the stream appropriate to their level of labour market disadvantage as determined by the Job Seeker Classification Instrument.

Transition to Work Participants nearing the end of TtW

Transition to Work (TtW) Providers will Refer Participants with Mutual Obligation Requirements to jobactive Services if they are nearing the end of their 18 months in TtW and are not tracking towards an outcome. A TtW Provider may also Refer a Participant if they are not fully engaging in TtW. The TtW Provider will identify jobactive Providers in the Employment Region and offer the Participant a choice of Provider, if applicable.

The TtW Provider must organise and attend an initial planning meeting with the jobactive Provider and the Participant, to be held in the first week of the Participant's eighteenth month in TtW. The purpose of this meeting is for the jobactive Provider to set out participation expectations and organise an assessment for the Participant.

At this point, the TtW Participant has not been Referred to the jobactive Provider. Therefore, a Participant appointment cannot be made in the jobactive Provider's calendar. The jobactive Provider will need to manually schedule/block out time for this meeting in their calendar.

The TtW Provider will organise the Participant's Initial Interview with a jobactive Provider to be held in the final week of the eighteenth month. This is where the Participant is Referred to the jobactive Provider by the TtW Provider and exited from TtW.

If the Transition to Work Participant is transferring to a jobactive Provider before 18 months of service then the TtW Provider must organise and attend one meeting with the Participant and the jobactive Provider. This should occur within one month of the decision to move to the jobactive Provider. The exception is if the Participant Exited shortly after Commencement in TtW.

5. Preparing for all Appointments

When preparing for all Appointments, including the Initial Interview, Providers must take into consideration whether the Participant has any special requirements.

For example, when a Participant requests or where the Provider considers it appropriate, Providers must use an interpreter to ensure that the Participant understands their requirements.

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 it is not the Case Manager's role to act as an interpreter).

Providers should also deliver services to Participants in a culturally sensitive way, based on details in the Participant's record in the Department's IT Systems. Cultural sensitivities may be particularly applicable where Participants identify as Indigenous Australians or as being from Culturally and Linguistically Diverse backgrounds. Sensitivities to consider may include, but are not limited to, language barriers, gender roles, potential misinterpretation of body language and suspicion of authorities.

Authorised Nominees

The Department's correspondence and notifications to a Participant are also provided to that Participant's authorised correspondence nominee/s. This includes information about their Mutual Obligation Requirements and the need to attend appointments and agreed activities. The nominee can, therefore, contact the Participant's Provider if and when required to reschedule their appointment.

When the nominee rebooks appointments for the Participant, the Provider should work with the nominee to ensure the Participant is aware of their Mutual Obligation Requirements and what may happen if he/she does not comply with them.

Best practice for the Provider is to record details of the conversation with the nominee in the comments screen in the Department's IT Systems. Providers should also regularly check with the Participant that nominee details are up to date and correct.

6. Initial Interviews and other meetings with Participants

All new Participants must have an Initial Interview

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

- were Referred automatically through the Department's IT Systems
- were Referred by Services Australia
- were Referred by a TtW Provider
- have Directly Registered for assistance (see [Direct Registration Guideline](#))
- have transferred to the Provider (see [Transfers Guideline](#)).

This includes:

- developing and approving a Job Plan (see [Job Plan and Scheduling Mutual Obligation Requirements Guideline](#)) and
- providing the Participant with the relevant Privacy Notification and Consent Form in the [Privacy Guideline](#) and seek the individual's express written consent to collect their sensitive information by asking the individual to sign and date the relevant form. The Provider **must** advise the individual that they are not required to give consent for the collection of their sensitive information and can withdraw their consent at any time (see the [Privacy Guideline](#)).

Initial Interview when a Participant changes Streams

Where a Participant becomes eligible for a new Stream as a result of a JSCI Change of Circumstances Reassessment, the Provider must conduct an Initial Interview.

Note: To ensure the currency of notification and consent, best practice is for Providers to provide and ask the Participant to sign and date the Privacy Notification and Consent form every time the JSCI Change of Circumstances is conducted. A Participant is not required to sign the Privacy Notification and Consent Form for an Initial Interview for a New Stream if they remain with the same Provider.

Facilitated Transfer meeting for Participants exiting from Time to Work Employment Services (TWES) to jobactive

A TWES Participant may be Referred to jobactive before the TWES Participant's release from prison, where they meet jobactive eligibility.

To assist the TWES Participant's move to jobactive, the TWES Provider must organise a facilitated transfer meeting with the post-release Provider and TWES Participant before the TWES Participant's release from prison. However, in some cases the Facilitated Transfer Meeting may need to happen after the Participant's release from Prison.

The purpose of the facilitated transfer meeting is to introduce the TWES Participant to their post-release employment services provider and to discuss the TWES Participant's Transition Plan and their transition to jobactive following their release from prison. The post-release Provider must attend the facilitated transfer meeting, in person or by telephone, and explain the

Services that will be available to the TWES Participant when they Commence in jobactive.

The Transition Plan will be developed by the TWES Provider in consultation with the TWES Participant and will outline actions to help address any barriers that the Participant will face following their release from prison and detail their plan for employment. The post-release Provider should use the Transition Plan to identify any support or services that the Participant may require to address these barriers and assist the Participant to move into employment. The post-release Provider must consider any comments or recommendations that are contained in the Transition Plan when setting the terms of a Job Plan.

Where possible, the staff member who will be providing Services to the Participant upon their release from prison should attend the meeting.

Where a TWES Participant Commences in jobactive and the TWES Provider has not attended a facilitated transfer meeting, the Provider should contact the TWES Provider to discuss the TWES Participant's participation in the TWES program and their Transition Plan.

Where a Participant is Referred to a post-release Provider which is the same organisation that delivered Time to Work Employment Services to the Participant, the TWES Provider must still arrange a Facilitated Transfer Meeting. This will ensure that the Participant has the opportunity to meet the jobactive staff who will service them post-release and understand the post-release services they will receive.

(Deed references: Clauses 82.4)

Participants exiting from TtW to jobactive

In the first week of the Participant's eighteenth month in TtW, the TtW Provider will organise and attend an initial planning meeting with the jobactive Provider and the Participant. The purpose of this meeting is for the jobactive Provider to set out the expectations of participation in jobactive Services and identify what type of activities are most appropriate for the Participant in the Work for the Dole (WfD) phase. Noting, the TtW Provider will not be able to make this appointment directly to the jobactive Provider's calendar and timing should be negotiated between all parties.

In the final week of the eighteenth month in TtW, the TtW Provider will Refer the Participant to jobactive and organise the Participant's Initial Interview with the jobactive Provider.

If the TtW Participant is transferring to a jobactive Provider **before** 18 months of service then the TtW Provider must organise and attend one meeting with the Participant and the jobactive Provider. This should occur within one month of the decision to move to the jobactive Provider. The exception is if the Participant Exited shortly after Commencement in TtW.

Please note: TtW Participants exiting from TtW after six months and transitioning to jobactive will Commence in the WfD Phase of jobactive.

(Deed references: Clauses 82.3)

Vulnerable Youth or Vulnerable Youth (Student)s

Following the immediate Direct Registration of a Vulnerable Youth or Vulnerable Youth (Student) who presents in crisis, Providers must immediately provide or Refer the young person to relevant crisis assistance. The support provided will depend on the nature of the crisis but could include assistance with emergency accommodation, counselling or other non-vocational support. Refer to the [Direct Registration Guideline](#).

(Deed references: Clauses 78.3)

7. Participants must be commenced in a timely manner

Providers must Commence Participants in a timely manner.

- Participants who are referred to the provider on or after 12 April 2021 must be commenced within 10 business days of the referral. This provides sufficient time for providers to review their caseloads, schedule and conduct an Initial Interview (including re-scheduling if required), and think-time for participants to agree to their Job Plan.
- Participants referred to the provider prior to 12 April must be commenced as outlined below, with efforts focussing on those referred for the longest period:
 - Participants referred before 12 October 2020 (6+ months), must be commenced within 10 business days
 - Participants referred before 12 November 2020 (5+ months), must be commenced within 15 business days
 - Participants referred before 12 December 2020 (4+ months), must be commenced within 20 business days
 - Participants referred before 12 January 2021 (3+ months), must be commenced within 25 business days
 - Participants referred before 12 February 2021 (2+ months), must be commenced within 30 business days
 - Participants referred before 12 March 2021 (1+ month), must be commenced within 35 business days
 - Participants referred before 12 April 2021 (less than 1 month), must be commenced within 40 business days

(Deed references: Clauses 83.1 and 84.1(a))

8. Participants are automatically Commenced in the Department's IT Systems

A Participant is automatically Commenced in the Department's IT Systems when the Provider records attendance at the Initial Interview and the Participant has an approved Job Plan.

A Participant who changes Stream due to a Change of Circumstances Reassessment remains commenced in their previous Stream until the Provider has undertaken an Initial Interview for the new Stream.

The Provider must deliver Services in accordance with the Deed, Guidelines, Service Delivery Plan, Job Plan and Participant's circumstances once the Participant is Commenced.

9. Administration Fees are calculated and paid automatically by the Department's IT Systems

Administration Fees are calculated and paid automatically by the Department's IT Systems once the Participant is Commenced and at the start of each Administration Fee Period thereafter. This system calculation includes all pro-rata adjustments and 25 per cent regional loading for administration of Services to Participants in Regional Locations.

Providers are not required to submit a claim for payment. Administration Fee Tax Invoices will be automatically generated in the Department's IT Systems and do not require acceptance before payment is made.

(Deed references: Clause 123, Annexure B2)

10. Referral to another program as a result of Change of Circumstances Reassessment

In some instances, a Participant may be Referred to an ESAt after a JSCI Change of Circumstances Reassessment. If, as a result of the ESAt, the Participant is Referred to DES or TtW, the Provider must continue to deliver Services to the Participant until they have commenced in that program. Once the Participant has commenced in the new program, they will be Exited from jobactive Services. Refer to the [Assessments Guideline](#).

(Deed references: Clauses 79, 82, 85, 87)

Referral of a Participant to TtW

A Provider may Refer Stream C Participants to TtW if they meet eligibility requirements and would benefit from the service.

The eligibility requirements are:

- aged 15-24 years on Commencement in the TtW Service, and
- a Stream C Participant, and
- identified by their jobactive Provider as having a capacity to benefit from TtW Services: for example, a young Participant who has addressed their unstable housing or mental health issues, and
- an Australian citizen, or
- the holder of a permanent visa, or
- New Zealand Special Category Visa holders (a protected Special Category Visa holder; or non-protected Special Category Visa holder), or
- nominated Visa Holders (including Temporary Protection Visa Holders and Safe Haven Visa Holders).

11. Services must be delivered to Participants who return after Exiting

Where a Participant Exits and returns to Services within 13 consecutive weeks of Exit, the Provider must resume providing Services to a Participant in accordance with the Deed. When a Participant returns to Services at 13 consecutive weeks or more from their date of Exit, their Period of Service will re-set and they will need to be Commenced into Service as a new Referral.

A new JSCI will need to be conducted prior to the Provider delivering Services to the Participant, as their previous JSCI will be inactive as a result of the Exit.

(Deed references: Clauses 95.3 and 95.4)

12. Summary of required Documentary Evidence

Retrenched Workers



Documentary Evidence: Please refer to the [Direct Registration Guideline](#).

Job Plan



Documentary Evidence: Where the Participant has agreed to a Job Plan by signing a hard copy version, a copy must be retained by the Provider.

13. Eligibility in jobactive

The sections below are not mutually exclusive and sections of this table should be considered in combination according to Participant individual circumstances.

For example, Participants may be in receipt of JobSeeker Payment, be Mature Age (55+) and have a Partial Capacity to Work; or be in receipt of Disability Support Pension, be a Vulnerable Youth and a Parent.

Please Note:

- People with a Partial Capacity to Work who are fully meeting their requirements through part-time paid employment or study and who do not have a requirement to remain connected to their Employment Provider may elect to participate in Employment Provider Services.
- Volunteer Participants on Norfolk Island and in the Yarrabah community will continue to be eligible for Stream A Volunteer services and will not be Referred to the Volunteer Online Employment Services Trial (VOEST).

	Fully Eligible	Eligible for Volunteer Online Employment Services (VOEST) for 12 months	Not Eligible
JobSeeker Payment	JobSeeker Payment recipient		
Parents	<p>Parenting Payment recipient with participation requirements.</p> <p>Principal Carer parents who are fully meeting their requirements through part-time paid employment or study and who do not have a requirement to remain connected to their Employment Provider but may elect to participate in Employment Provider Services.</p> <p>Note: Fully Eligible Participants who are fully meeting their part-time Mutual Obligation Requirements or are currently subject to a Services Australia -granted Exemption may voluntarily elect to participate in Employment Provider Services. If they choose to do so, they continue to be serviced as a Fully Eligible Participant.</p>	<p>Parenting Payment recipients without participation requirements</p> <p>Parents (with a youngest child under six years old) in receipt of Parenting Payment (Partnered)/Parenting Payment (Single).</p> <p>ParentsNext volunteers and ParentsNext compulsory participants.</p>	
Disability Support Pension	<p>Disability Support Pension recipient with compulsory requirements</p> <p>Disability Support Pension recipients aged under 35 years with a work capacity of eight or more hours per week (without a youngest child under six years) will have compulsory activity requirements.</p> <p>Disability Support Pension applicants and recipients subject to review (without compulsory requirements) undertaking a Program of Support (not eligible for Disability Employment Services or Community Development Programme)</p> <p>Fully eligible for assistance while they undertake their Program of Support requirement provided they remain connected or do not Exit for more than 13 weeks.</p> <p>Note: Fully Eligible Participants who do not remain connected or who complete their Program of Support may be eligible for the VOEST in the future.</p>	<p>Disability Support Pension applicants and recipients subject to review (without compulsory requirements) undertaking a Program of Support (not eligible for Disability Employment Services or Community Development Programme) who do not remain connected or Exit for more than 13 weeks.</p> <p>Disability Support Pension recipients without compulsory requirements</p> <p>Australian Disability Enterprises Participant</p> <p>Disability Pensioner (DVA)</p>	
Youth and students	<p>Youth Allowance (other) recipient</p> <p>Vulnerable Youth and Vulnerable Youth (Student)</p> <p>Young people who are not in receipt of Income Support Payments aged 15 to 21 who are not working 15 hours or more per week, who are not in Full-time Study and who have at least one serious Non-vocational Barrier are eligible for immediate Stream C Services as a Vulnerable Youth. Ongoing assistance is subject to confirmation through an ESAt. If they are not eligible for Stream C and are not otherwise determined to be Fully Eligible, they must be Exited by the Provider and may be Referred to the VOEST by Services Australia should they require assistance as a Volunteer.</p> <p>Full-Time students aged 15 to 21 years who present in crisis and have at least one Non-vocational Barrier are eligible for immediate Stream C services as Vulnerable Youth</p>	<p>Full-time students seeking an apprenticeship or traineeship</p> <p>Young people who are not in receipt of Income Support Payments who are under school-leaving age, including those under 17 years, are Eligible only if they have permission to leave school.</p>	<p>Youth Allowance (full-time Student) recipient</p> <p>ABSTUDY recipient</p> <p>Austudy recipient</p>

	Fully Eligible	Eligible for Volunteer Online Employment Services (VOEST) for 12 months	Not Eligible
	(Student) if no appropriate youth services are available in the local area. Ongoing assistance is subject to having their eligibility for Stream C confirmed by an ESAt.		
Visa holders and migrants	<p>Visa holders with working rights attached, on income support To be a Fully Eligible Participant, Visa holders with working rights attached, must be in receipt of an Income Support Payment type that would otherwise enable an individual to access services as a Fully Eligible Participant. Other rows in this table specify Income Support Payment types that enable people to access services as a Fully Eligible Participant.</p> <p>New Zealand non-protected Special Category Visa holders in receipt of JobSeeker Payment or Youth Allowance (Other)</p>	<p>Visa holders with working rights attached, not on income support, including temporary residents With the exception of working holiday visas.</p> <p>Visa holders with working rights attached, who are on an Income Support Payment listed in the section of this table titled Other income support without Participation requirements</p> <p>Migrants serving a Newly Arrived Residents Waiting Period</p> <p>Status Resolution Support Services (SRSS) program recipients - people who are actively engaged with the Department of Home Affairs in resolving their immigration status.</p>	<p>Visa holders without working rights (including temporary residents)</p> <p>Overseas visitors on working holiday visas are Eligible for Harvest Trail Services only</p>
Newly Arrived Refugees	Newly arrived refugees are able to voluntarily participate in the appropriate level of service based on their assessment (i.e. Stream A, Stream B or Stream C) for 12 months after they have started on income support following arrival. During this time they are not required to participate in jobactive. Standard eligibility and Mutual Obligation rules would apply after the end of this period.		
Special Benefit	<p>Special Benefit recipients Special Benefit recipients who are Nominated Visa Holders have the same mutual obligation requirements, and consequences for non-compliance as Job Seeker Payment and Youth Allowance (Other) recipients.</p> <p>Special Benefit recipients, who are not Nominated Visa Holders, but are capable of looking for and undertaking work must be connected to employment services and have voluntary requirements with their employment services Provider.</p>		
Mature Age	<p>Mature age (aged 55 years and over) Participants in receipt of income support with participation requirements who are meeting their Mutual Obligation Requirements may elect to participate in Employment Provider Services.</p> <p>Note: Fully Eligible Participants who are fully meeting their part-time Mutual Obligation Requirements or are currently subject to a Services Australia -granted Exemption may voluntarily elect to participate in Employment Provider Services. If they choose to do so, they continue to be serviced as a Fully Eligible Participant.</p>		
Pre-release Prisoners	<p>Pre-release Prisoners Prisoners or detainees must be in the final 12 months of their sentence and be approved by corrective services or youth justice case managers. They must be prisoners or detainees aged 15 years and over (including those not in receipt of income support) who have been Referred to an Employment Provider by state or territory corrective or youth justice services and Directly Registered by the Employment Provider.</p>		

	Fully Eligible	Eligible for Volunteer Online Employment Services (VOEST) for 12 months	Not Eligible
Retrenched worker or partner of a retrenched worker	<p>Retrenched workers and their partners People who have been retrenched in the last six months or who have received notification from their employer in the three months prior to their retrenchment date and their partners are eligible for immediate access to jobactive Services.</p> <p>Retrenched workers and their partners may be eligible for assistance through the programs in the following hierarchy. Providers must use this hierarchy to Directly Register any retrenched workers and/or their partners.</p> <ol style="list-style-type: none"> 1. Structural Adjustment Programme. 2. As a Fully Eligible Participant in the stream appropriate to their level of labour market disadvantage as determined by the Job Seeker Classification Instrument. <p>Where a Structural Adjustment Programme provides Services for a retrenched worker but not their partner, then the worker should commence with the appropriate program and the partner can receive Services appropriate to their level of labour market disadvantage as determined by the Job Seeker Classification Instrument.</p> <p>A retrenched worker and their partner must only be registered in one of the above retrenched worker programs each.</p> <p>A special placement flag will identify whether a Participant is registered as a Fully Eligible Retrenched Worker/Partner or as a Structural Adjustment Programme Participant. Eligibility requirements are outlined in the relevant Structural Adjustment Programme Guidelines.</p>		
Other income support without Participation requirements		<p>Participants in receipt of Income Support Payments without participation requirements</p> <p>Carer Payment recipient, Carer Allowance recipient, Aged Pension recipient, Low Income Card holder, Widow Allowance recipient, Farm Household Allowance recipient, Service Pensioner (DVA), Partner Service Pensioners (DVA), War Widow(er)s Pensioner (DVA), Rehabilitation Allowance recipient, Widows B Pensioner, Partner Allowance recipient, Assistance for Isolated Children recipient, Child Care Assistance recipient, Double Orphan Pension recipient, Family Payment recipient, Mobility Allowance recipient, Special Benefit (without participation requirements)</p>	
Early School Leavers	<p>Early School Leavers</p> <p>Early School Leavers unable to access Transition to Work will be Referred by Services Australia to jobactive and will be referred as Stream B, unless identified eligible for Stream C via an ESAt.</p>		

Not in receipt of income support	Retrenched workers and their partners and Structural Adjustment Programme Participants may be eligible for jobactive services without being in receipt of income support. Eligibility requirements are outlined in the Structural Adjustment Programme Guidelines .	Participants not in receipt of Income Support Payments Subject to them not being: <ul style="list-style-type: none"> • full-time students • working in paid employment for 15 hours or more per week and not on an Income Support Payment • overseas visitors on working holiday visas or overseas students studying in Australia, or • prohibited by law from working in Australia. 	
Australian Government Disaster Recovery payment			Australian Government Disaster Recovery Payment recipient: except if they fall into any of the Fully Eligible or Volunteer categories
Workers Compensation			People receiving workers compensation

All capitalised terms in this guideline have the same meaning as in the jobactive Deed 2015–2022 (the Deed).

In this guideline, references to Provider mean an Employment Provider, as defined in the Deed.

This Guideline is not a stand-alone document and does not contain the entirety of Employment Services Providers' obligations. It must be read in conjunction with the Deed and any relevant Guidelines or reference material issued by Department of Education, Skills and Employment under or in connection with the Deed.

Guideline:

Performance Framework

jobactive is underpinned by a sound Performance Framework based on the principles of efficiency, effectiveness, quality and assurance. This Guideline contains detailed information on the Performance Frameworks for each of the services delivered under the jobactive Deed 2015–2022 (hereafter the Deed). Performance Framework elements common to all programs are outlined in this section.

The following programs are outlined in stand-alone chapters:

- Employment Provider Services
- New Business Assistance with New Enterprise Incentive Scheme (NEIS)

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Star Ratings – Added description on the discontinuation of the jobactive Star Ratings and changes to Table 3.

Document Change History:

A full document history is available on the [Provider Portal](#).

Related documents and references:

[Program policy Guidelines on Provider Portal](#)

[Learning Centre website](#)

[Employment Services Reporting](#) and [Qlik](#)

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1. Star Ratings

After the September 2020 Star Ratings release, the calculations were suspended and have now been discontinued. The following describes the Star Ratings methodology that was used – for reference purposes. Provider performance will continue to be assessed against the underlying performance measures for the remainder of the Deed.

This section describes the methodology used to calculate the jobactive Star Ratings which assess the relative performance levels of Providers. They inform Participant and employer choice and the Department's performance review, business review and reallocation processes.

Star Ratings are calculated at both Employment Region (contract) level and site level. All ratings are released for the information of all Providers on the Provider Portal while the public releases on the jobactive and Department websites include only the site level ratings.

Star Ratings Methodology

The Star Ratings assess Providers against Key Performance Indicator 1 (efficiency) and Key Performance Indicator 2 (effectiveness) via the six performance measures in Table 1. The methodology has eight major steps.

Table 1 – Performance Measures and Weightings

Performance Measure	Weighting
26 Week Outcomes – All Participants	50%
26 Week Outcomes – Indigenous Participants	10%
26 Week Outcomes – Time to Placement	10%
12 Week Outcomes	10%
Work for the Dole Phase – Participation	10%
Time to Commence in Work for the Dole / Activity	10%

Step 1: Calculate Actual Performance

Actual performance is calculated for each performance measure in each Stream.

Step 2: Calculate Expected Performance

For each performance measure (except Time to Commence in Work for the Dole / Activity) regression analysis determines the performance levels which could reasonably have been expected given Participants' individual characteristics and the characteristics of the local labour market.

Step 3: Calculate Actual to Expected Ratios

Actual performance is divided by expected performance (or national average performance in the case of the Time to Commence measure).

Step 4: Standardise Actual to Expected Ratios

The Actual to Expected Ratios are standardised to performance measure scores between zero and four which are similarly distributed on the same scale, allowing them to be aggregated in line with their respective weightings.

Step 5: Calculate Stream Level and Overall Star Percentages

Stream level performance scores are calculated by aggregating the performance measure scores according to their weightings. The Stream scores are compared with national average scores of two to calculate the Stream Star Percentage.

The Overall Star Percentages are calculated by aggregating the Stream Star Percentages with the following weightings:

- Stream A: 25 per cent
- Stream B: 35 per cent
- Stream C: 40 per cent.

Step 6: Apply Indigenous Outcomes Incentive

For each Stream within a contract, the Indigenous Outcomes Incentive can result in a bonus, a demerit or no change. These are calculated and applied to the respective Stream Star Percentages. The Overall Star Percentages are recalculated.

The Stream bonuses or demerits for a contract are also applied to the respective Stream Star Percentages of each site belonging to that contract.

Step 7: Apply Compliance Indicator Penalties

In cases where a Provider's Employment Region Compliance Indicator Score is below 83, a penalty is applied to the Overall Star Percentages in that region at both contract and site level. This may also lead to lower Overall Star Ratings.

Step 8: Allocate Star Ratings

Star Ratings are allocated using the Star Percentage bandwidths shown in Table 2.

Table 2 – Star Percentage Bandwidths

Star Rating	Star Percentage Bandwidth
5-Star	30 per cent or more above the national average
4-Star	Between 15 and 29 per cent above the national average
3-Star	Between 14 per cent above and 14 per cent below the national average
2-Star	Between 15 and 39 per cent below the national average
1-Star	40 per cent or more below the national average

Performance Reports

Spreadsheet-based reports can be accessed from Employment Services Reporting by selecting reports, jobactive and performance. They are updated weekly and monthly and provide data on the six Star Ratings performance measures and the Indigenous Outcomes Incentive. There is data for both the two-year assessment period and the contract period to date, including:

- numerators, denominators and rates at contract and site level.
- Employment Region and national averages.

Two Star Ratings Qlik Apps are available on the 'Qlik Data Analysis' site. User Guides for these Apps are available from the 'About Qlik' site.

The Star Ratings Analysis App is updated monthly and provides visual analysis and discovery tools to assess performance levels against the six Star Rating performance measures over time.

The Star Ratings Performance Measures App is updated weekly and provides detailed information on the six performance measures, the Indigenous Outcomes Incentive and the impact of the two-year assessment period.

Star Ratings Definitions

Rolling Assessment Period and Timing

Star Ratings are calculated quarterly and use a two-year rolling assessment period. Table 3 details the assessment periods (the start and end dates) and the months of publication from the June 2020 release. The end dates for the December quarter releases account for the Department shutdown period. Any extensions to the end dates will be advised in news items on the Provider Portal and are most likely to occur in response to natural disasters or technical systems issues.

Table 3 – Assessment Periods for Star Ratings Releases

Star Ratings Release	Assessment Period	Month of Publication
June 2020	1 July 2018 – 30 June 2020	September 2020
September 2020	1 October 2018 – 30 September 2020	December 2020
December 2020	1 January 2019 – 8 January 2021	*
March 2021	1 April 2019 – 31 March 2021	*
June 2021	1 July 2019 – 30 June 2021	*
September 2021	1 October 2019 – 30 September 2021	*
December 2021	1 January 2020 – 7 January 2022	*
March 2022	1 April 2020 – 31 March 2022	*
June 2022	1 July 2020 – 30 June 2022	*

* Star Rating calculations have been discontinued.

Performance Measure Definitions

26 Week Outcomes - All Participants

The 26 Week Outcome rate for all eligible Participants.

Numerator: 26 Week Outcomes for eligible Participants that were lodged during the assessment period plus Transition to Work Sustainability Employment Outcomes for Participants who were referred from jobactive plus 26 Week Harvest Trail Services (HTS) jobactive outcomes.

Denominator (Stream A): Participants who reached three months' period of service in Employment Services at least 28 weeks before the end of the assessment period.

Denominator (Streams B & C): Participants who commenced at least 28 weeks before the end of the assessment period.

Denominator (Exclusions): The following groups of Participants are excluded from the denominator to reflect the two-year rolling assessment period.

- Participants who exited at least 26 weeks before the assessment period start date.
- Participants who exited up to 26 weeks before the assessment period start date with a 26 Week Outcome lodged prior to the assessment period start date.

Two-Year Rolling Assessment Period Case Study

A Participant exits Stream C assistance with a Provider site on 1 February 2018 and a 26 Week Outcome is lodged on 1 June 2018.

For the June 2020 Stream C Star Ratings, the two-year assessment period start date is 1 July 2018. As the outcome was lodged prior to 1 July 2018 it is excluded from the numerator in the calculation of the rating. The commencement record is also excluded from the denominator as the Participant exited within 26 weeks of 1 July 2018 and a 26 Week Outcome was lodged prior to 1 July 2018.

26 Week Outcomes - Indigenous Participants

The 26 Week Outcome rate for all eligible Indigenous Participants. This has the same definition as the 26 Week Outcomes – All Participants measure except that it assesses Indigenous Participants only and Transition to Work Outcomes are not included in the numerator.

26 Week Outcomes – Time to Placement

The average number of days taken to achieve 26 Week Outcomes.

Numerator (Stream A): Total period of service days between Participants' commencement dates or passing three months in Employment Services (whichever is the latest) and their job placement dates that led to the 26 Week Outcome.

Numerator (Streams B & C): Total period of service days between Participants' commencement dates and their job placement dates that led to the 26 Week Outcome.

Denominator: 26 Week Outcomes for eligible Participants that were lodged during the assessment period.

Two-Year Rolling Assessment Period Case Study

A Provider site lodged a Stream C 26 Week Outcome on 1 June 2018. The Participant had a period of service of 100 days between their commencement date with the site and the date of placement in the job that led to the outcome.

For the June 2020 Stream C Star Ratings, the two-year assessment period start date is 1 July 2018. As the outcome was lodged prior to the rolling period start date, it is excluded from the denominator and the 100 period of service days is excluded from the numerator.

12 Week Outcomes - All Participants

The 12 Week Outcome rate for all eligible Participants.

Numerator: 12 Week Full and Partial Outcomes for eligible Participants which were lodged during the assessment period plus Transition to Work 12 Week Employment Outcomes for Participants who were referred from jobactive plus 12 Week HTS jobactive outcomes.

Denominator (Stream A): Participants who reached three months' period of service in Employment Services at least 14 weeks before the end of the assessment period.

Denominator (Streams B & C): Participants who commenced at least 14 weeks before the end of the assessment period.

Denominator (Exclusions): The following groups of Participants are excluded from the denominator to reflect the two-year rolling assessment period.

- Participants who exited at least 12 weeks before the assessment period start date.

- Participants who exited up to 12 weeks before the assessment period start date with a 12 Week Outcome lodged prior to the assessment period start date.

Work for the Dole Phase - Participation

The average proportion of Annual Activity Requirement hours achieved by Participants while in the Work for the Dole Phase. For information on approved activities, refer to the Activity Management Section of the jobactive Guidelines page on the Provider Portal.

Numerator: Aggregate proportions of Annual Activity Requirement hours met during the Work for the Dole Phase for eligible Participants.

For Participants who commenced the phase up to 13 March 2020 and exited after this date, their required hours are reduced to reflect the period between their phase start date and 13 March 2020, while still using total recorded hours to calculate the proportions achieved.

Participants who are placed in a job during the Work for the Dole Phase and achieve a 12 Week Full Outcome from that placement during the same phase are counted as having met the entirety of their Annual Activity Requirement.

Denominator: Participants with an Annual Activity Requirement who completed or exited the Work for the Dole Phase during the assessment period.

Denominator (Exclusions): For the June 2020, September 2020 and December 2020 Star Ratings, participants with Work for the Dole Phase start dates after 13 March 2020 are excluded.

Two-Year Rolling Assessment Period Case Study

A Stream C Participant exited the Work for the Dole Phase on 1 June 2018. This Participant is excluded from the June 2020 and subsequent Stream C Star Rating calculations having exited prior to the assessment period start date of 1 July 2018.

Time to Commence in Work for the Dole / Activity

The average numerator value (see Table 4) achieved by Participants who commenced in the Work for the Dole Phase.

Numerator: Aggregate values for time taken to commence Participants (who are in the denominator) in a Work for the Dole or other Approved Activity.

Denominator: Participants with an Annual Activity Requirement who commenced in the Work for the Dole Phase on or after the assessment period start date.

Denominator (Exclusions):

- Participants who commenced within 15 business days of the end of the assessment period and who had not yet achieved a numerator value.
- For the June 2020, September 2020 and December 2020 Star Ratings, participants with Work for the Dole Phase start dates after 13 March 2020 are excluded.

Table 4 – Numerator Values for Time to Commence in Work for the Dole / Activity

Time taken to Commence Approved Activity after Commencing in the Work for the Dole Phase	Numerator Value
<= 5 business days (1 week)	1
6 to 10 business days (2 weeks)	0.66
11 to 15 business days (3 weeks)	0.33
Did not commence Activity within 3 weeks	0

Two-Year Rolling Assessment Period Case Study

A Stream C Participant commenced in the Work for the Dole Phase on 20 June 2018 and commenced an approved activity eight business days later on 30 June 2018. This earns a numerator value of 0.66 for the June 2018 to March 2020 ratings. For the June 2020 (and subsequent) ratings, this Participant is excluded having commenced the phase prior to the assessment period start date of 1 July 2018. This reduces the numerator by 0.66 and the denominator by 1.

Additional Notes on Performance Measure Definitions

The denominator conditions for the 12 Week and 26 Week Outcome performance measures include an additional two weeks to allow for cases where the outcome start date is moved forward to align with Services Australia fortnightly payment periods.

Stream A Participants who are exited from assistance before reaching three months in Employment Services are not eligible for Employment Outcomes and are excluded from the relevant denominators.

Commencement records for which the 'Days Available' Participant characteristic reflects less than two weeks of assistance are excluded.

Commencement records which otherwise would not meet the criteria for inclusion in the denominator are included if an outcome for the measure has been achieved.

The 12 Week and 26 Week Outcome claims submitted by Providers count towards Star Rating calculations if they:

- were lodged within the period being assessed
- have a status of approved, pending, or acquitted on the final day of the period being assessed (this means that Pay Slip Verified Outcome Payments need to be finalised by the final day of the period and Outcomes which have since been recovered are not included)
- are not a multiple outcome for a single Participant commencement record for the same performance measure (e.g. if a Stream A Participant has a 12 Week Partial Outcome followed by a 12 Week Full Outcome, only the first Outcome counts towards the Stream A 12 Week Outcomes measure).

Regression

The Star Ratings methodology recognises that Providers operate in disparate labour markets and work with diverse Participants. To control for differences in Participant and labour market characteristics, the Star Ratings methodology uses regression analysis—a standard statistical technique that accounts for different relationships among variables. The use of regression analysis allows for fair comparison of Providers' performances across Australia.

A separate regression model is run for five of the six performance measures for each Stream, resulting in 'expected' outcome rates for each Provider. These 'expected' rates represent what Providers could reasonably be expected to have achieved given the unique set of Participants they assisted under local labour market conditions. The actual Outcome rate is divided by the expected Outcome rate to derive an actual-versus-expected ratio. Higher ratios contribute to higher Star Percentages and Star Ratings.

The Time to Commence in Work for the Dole / Activity performance measure is not subject to regression analysis as performance is a function of individual Provider's level of organisation and ability to activate Participants, as opposed to external factors such as local labour market conditions. Providers should plan ahead of Participants commencing in the Work for the Dole Phase in order to perform well against the measure.

The Participant and labour market characteristics which are accounted for in the jobactive Star Ratings model are set out in Table 5. Additional characteristics may be included for one or more of the six performance measures.

Table 5 – Labour Market and Participant Characteristics

Labour Market Characteristics	Description
State Final Demand Change ¹	Change in per capita State Final Demand.
Income Support	The proportion of the population on income support for the Participant's Australian Bureau of Statistics (ABS) Statistical Area 2 level.
Low Skilled Vacancy Rate	Low skilled vacancies proportion for Participant's Internet Vacancy Index region.
Metro Employment Region	Participant is being assisted by a Metropolitan located site.
Unemployment Rate ²	The unemployment rate of the Participant's ABS Statistical Area 4 level spatial unit.
Unemployment Rate Change ²	Change in unemployment rate over 12 months at Greater Capital City Statistical Area ³ level (since the March 2017 release).
Participant Characteristics	Description
Access to transport	Type of transport available as recorded in the Job Seeker Classification Instrument (JSCI).
Age	Age at commencement.
Age Youngest Child	The age of the youngest dependent child.
Allowance Type	Allowance type at commencement.
Commencement Month	The year and month that the Participant commenced assistance.
Contactability	Has access to a phone as recorded in the JSCI.
Culturally and Linguistically Diverse	Country of birth – grouped into main English-speaking countries, and other countries classified into geographical regions reflecting the ABS' Australian Standard Classification of Countries.
Days Available	Number of days provider has had to place the Participant.
Disability	Identification of any disability as recorded in the JSCI.
Drug / Alcohol	Identified as having drug or alcohol issues through an ESAt.
Early School Leaver	Identified as subject to the Early School Leavers policy.
Education Level	Highest education level as recorded in the JSCI.
Ex-Offender	Identified as having had a custodial sentence in JSCI.
English Language Proficiency	Participant is recorded as being proficient in English in the JSCI.
Flow	Identified as an active Participant at the start of jobactive.
Gender	Gender.
Indigenous	Participant is Indigenous.
JSCI Score	JSCI Score.

Labour Market Characteristics	Description
Long Term Income Support	Proportion of the preceding 10 years the Participant was on income support (or from the age of 15 if under 25).
Previous Work Experience	Work experience type over the previous two years prior to JSCI interview.
Transient	Participant's postcode changed one or more times during period of assistance.
Unemployment Duration	Unemployment duration at commencement.
Unstable Accommodation	Identified as having unstable accommodation in JSCI.
Vocational Qualifications	Participant has a useful vocational qualification as identified in their JSCI.
Work Capacity Hours	Hours per week available for work from the Employment Services Assessment.

Table notes:

¹ <http://www.abs.gov.au/ausstats/abs@.nsf/mf/5206.0> Final Demand statistics with particular reference to the table - 5206.0 - Australian National Accounts - Table 17.

² <http://www.abs.gov.au/ausstats/abs@.nsf/mf/6291.0.55.001> has Unemployment Rate and Unemployment Rate Change statistics with particular reference to the tables - 6291.0.55.001 - Labour Force, Australia, Detailed - Electronic Delivery – Table 02 and RM1.

³

<http://www.abs.gov.au/ausstats/abs@.nsf/PrimaryMainFeatures/1270.0.55.001?OpenDocument> has information and maps on the Greater Capital City Statistical Areas with particular reference to:

- 1270.0.55.001 - Australian Statistical Geography Standard (ASGS): Volume 1 - Main Structure and Greater Capital City Statistical Areas
- 1270.0.55.001 - GCCSA ASGS Edition 2011 pdf maps

Standardisation

Standardisation is applied to each Star Ratings performance measure which results in a final performance measure score. Standardisation is used to ensure that above average performance is properly credited. This enables the Star Ratings model to treat performance measures with different means and standard deviations equally. In this way, the Star Ratings compensates for differing distributions of performance measure results without advantaging or disadvantaging Providers.

The standardised performance measure scores for any Provider will have the same rank as the equivalent pre-standardised performance measure score. Additionally, standardisation preserves relative difference in results between any two performance measure star scores.

Indigenous Outcomes Incentive

The Indigenous Outcomes Incentive (IOI) is an adjustment to the Stream level Star Percentages based on comparisons of outcome rates for Indigenous Participants with the rates for non-Indigenous Participants on a like-for-like basis. This is achieved via the use of regression to calculate 'expected' rates which account for the personal and labour market factors which have been identified as affecting the likelihood of each Participant achieving outcomes.

- Bonuses are applied when Providers have achieved higher actual to expected rate ratios for their Indigenous Participants in comparison with their non-Indigenous Participants.

- Demerits are applied when Providers have achieved lower actual to expected rate ratios for their Indigenous Participants in comparison with their non-Indigenous Participants.
- If, in a given Stream, a Provider achieved exactly the same actual to expected rate ratio for their Indigenous and non-Indigenous Participants, the Stream will receive neither a bonus nor a demerit.
- No bonuses or demerits are applied for contracts which have assisted fewer than 20 Indigenous Participants in the two-year assessment period.

The steps undertaken to calculate the IOI are:

1. For each Stream within a contract, calculate the actual 4, 12 and 26 Week Outcome rates achieved over the two-year assessment period, for Indigenous Participants and for non-Indigenous Participants separately.
2. Using regression, calculate the respective expected outcome rates. The regression uses the same set of Star Rating characteristics with the exception of the Indigenous flag.
3. Calculate the actual to expected rate ratios for Indigenous and non-Indigenous Participants for each outcome type.
4. IOI Ratios are calculated for each outcome type by dividing the Indigenous ratios by the non-Indigenous ratios.
5. An IOI Score is calculated by aggregating the ratios using these weightings:
 - 26 Week Outcomes 60 per cent
 - 12 Week Outcomes 30 per cent
 - 4 Week Outcomes 10 per cent
6. The IOI Score is applied to adjust the Stream Star Score (SSC) which results in an adjusted Stream Star Percentage. The formula includes a five per cent weighting and is scaled so that contracts with higher ratings receive higher bonuses and lesser demerits than contracts with lower ratings and vice versa. This is because higher rated contracts will have achieved higher than expected outcome rates for their non-Indigenous Participants and have therefore set higher standards to achieve for their Indigenous Participants than lower rated contracts. The formula which is applied is as follows:
 - **Bonus:** $SSC + ((IOI\ Score - 1) \times (SSC + 5) \times 5\ per\ cent)$
 - **Demerit:** $SSC + ((IOI\ Score - 1) \times (5 - SSC) \times 5\ per\ cent)$
7. The adjusted SSCs are used to determine the Star Percentages and then the Star Ratings for each Stream, and for the contract overall.
8. The calculated SSC adjustments for a contract are then applied to all sites belonging to that contract.

Star Ratings for New and Ceased Contracts and Sites

New Contracts and Their Sites

From the time a Provider commences delivering jobactive services in an Employment Region, all performance data which meet the criteria for individual performance measures will be included in the statistical regression calculations of the Star Ratings model. However, around 12 months of performance data is required before its contract and site level ratings are publicly released.

An exception to this occurs with contract novations, where new Providers take over the operations of existing contracts. The new Provider has a new contract and new sites but inherits the past performance data of the ceased contract and its sites. The Star Ratings model aggregates the performance data of both the new and original contracts and sites. This means that Star Ratings for the new contracts and sites can be calculated from the very next release following the novations.

New Sites with Existing Contracts

In the immediate release following their commencement of service, these sites receive ratings which have been imputed from their contract level ratings. Actual ratings will be calculated and published after around 12 months of operation. However regardless of whether an actual rating is calculated for a new site, from the time the site commences, all performance data which meet the criteria for individual performance measures will contribute to the Provider's contract level ratings.

Ceased Sites with Continuing Contracts

While Star Ratings are not calculated for ceased sites, their performance data will continue to contribute to their respective contract level ratings.

Ceased Contracts

While Star Ratings are not calculated for ceased contracts and their associated sites, their performance data (within the two-year assessment period) is retained in the regression analysis. New contracts do not inherit the past performance data of ceased contracts, with the exception of contract novations as described above.

Treatment of Participants referred to the Community Development Programme

The Star Ratings model accounts for Participants who are transferred to the Community Development Programme but are not immediately exited. For these Participants, their Community Development Programme referral dates are deemed to be their exit dates.

Treatment of Participants supported by Structural Adjustment Programmes

Participants being supported under a Structural Adjustment Programme (SAP) may commence with a jobactive Provider while still employed by the company they are being retrenched from. Providers can enter a 'Redundancy Due Date' on the Department's Employment Services System (ESS) which recognises the date on which Participants actually cease their employment with the company. While the Redundancy Due Date field is not mandatory, it is required for the Star Ratings calculations to account for SAP Participants.

In cases for which the Redundancy Due Date is later than the jobactive Commencement Date, the Star Ratings will treat the Participant as having commenced on the Redundancy Due Date. This properly recognises the date from which Participants are actually available for new employment.

Treatment of Participants participating in the Online Employment Service Trial

Commencement records related to participation in the Online Employment Service Trial from July 2018 are excluded from the Star Ratings Model. Participants who leave

the trial and commence with a jobactive provider are included in the rating calculations from the date of commencement with the provider.

Treatment of New Employment Services Trial (NEST) Participants and NEST Providers

Commencement records related to the participation of Participants in the NEST from July 2019 are excluded from the Star Ratings Model. From the December 2019 release onwards, the NEST contracts have been treated as ceased contracts.

Imputed Stream Star Ratings and imputed Performance Measure Scores

Contracts and sites with 26 Week Outcomes – All Participants performance measure denominators of less than 20 are given imputed Stream Star Ratings.

- Contract ratings are imputed by calculating the average Star Percentage of those Streams that did have sufficient data.
- Site ratings are imputed from their contract level Stream Star Percentages.

Actual Stream Star Ratings are calculated for contracts and sites with denominators of 20 or more for the 26 Week Outcomes – All Participants performance measure. Where the denominator for any other measure is less than 20, the following business rules are applied to impute a performance score.

- Contract performance scores are imputed from the 26 Week Outcomes – All Participants measure score.
- Site performance scores are imputed from the contract performance score.

Star Ratings Worked Examples

This section demonstrates important elements of the Star Ratings Methodology.

Worked Example: Calculate Stream Star Scores

Stream Star Scores are calculated by aggregating the final performance measure scores together using the measure weightings as set out in Table 6.

Table 6 – Stream Star Score Calculation Worked Example

Performance Measure	Final Score	Weighting	Weighted Score
26 Week Outcomes – All Participants	2.2	50%	1.10
26 Week Outcomes – Indigenous Participants	1.0	10%	0.10
26 Week Outcomes – Time to Placement	1.5	10%	0.15
12 Week Outcomes	2.3	10%	0.23
Work for the Dole Phase Participation	1.9	10%	0.19
Time to Commence in Work for the Dole / Activity	1.7	10%	0.17
Stream Star Score			1.94

Worked Example: Calculate Overall Star Scores

Overall Star Scores are calculated by aggregating the Stream Star Scores using the Stream level weightings as shown in Table 7.

Table 7 – Overall Star Score Worked Example

Stream	Final Stream Score	Weighting	Weighted Star Score
Stream A	1.53	25%	0.383
Stream B	1.94	35%	0.679
Stream C	2.97	40%	1.188

Stream	Final Stream Score	Weighting	Weighted Star Score
Overall Star Score			2.250

Worked Example: Calculate Stream and Overall Star Percentages and Star Ratings

Star Percentages are calculated by comparing the Star Score with the national average of 2. A positive Star Percentage indicates the distance above the national average while a negative Star Percentage indicates the distance below the national average. Star Percentages are rounded down to the nearest whole number.

The formula for determining the Star Percentage is:

$$(\text{Star Score} - \text{National Average}) / \text{National Average} \times 100$$

Consider the Star Scores from Table 7. The calculation of the Star Percentages is shown in Table 8. The Star Ratings are allocated by mapping the Star Percentages to the Star Percentage bandwidths detailed in Table 2.

Table 8: Stream and Overall Star Percentages and Star Ratings Worked Example

Stream	Star Score	National Average	Comparison	Star Percentage	Star Rating
Stream A	1.53	2.00	-23.5%	-23	2-Stars
Stream B	1.94	2.00	-3.0%	-3	3-Stars
Stream C	2.97	2.00	+48.5%	+48	5-Stars
Overall	2.25	2.00	+12.5%	+12	3-Stars

Worked Example: Calculating the Indigenous Outcomes Incentive Bonus/Demerit

Table 9 details how a Stream IOI Score is calculated for a contract. In this case it is a positive IOI Score of 1.23. This contract had higher actual to expected ratios for Indigenous Participants than non-Indigenous Participants for 12 and 26 Week Outcome rates but a lower ratio for 4-Week Outcome rates.

Table 9: Stream IOI Score Worked Example

Outcome Type	Indigenous Participants			Non-Indigenous			IOI	Weight	IOI
	Actual	Expected	Ratio	Actual	Expected	Ratio	Ratio		Score
	a	b	c (a/b)	d	e	f (d/e)	g (c/f)	h	i=g*h
26 Week	6.8	5.4	1.27	7.5	8.0	0.94	1.35	60%	0.81
12 Week	10.2	9.5	1.08	13.1	13.1	1.00	1.08	30%	0.32
4 Week	10.8	11.5	0.94	15.1	15.2	0.99	0.95	10%	0.09
							IOI	Score:	1.23

Given that the IOI Score is greater than one, an IOI bonus is applied. If this contract has a Stream Star Ratings Score of 2.25 (giving a Star Percentage of +12 and a rating of 3-Stars) then it is adjusted using the following formula:

$$\text{Adjusted Stream Star Ratings Score} = 2.25 + [(1.23 - 1) \times (2.25 + 5) \times 5\%] = 2.33$$

The adjusted score of 2.33 increases the Stream Star Percentage by 4 percentage points to +16 which is also enough in this case to improve the rating to 4-Stars.

A site belonging to this contract has a Stream Star Percentage of -16 and a Star Rating of 2-Stars. Its Star Percentage is also adjusted by 4 percentage points to -12 and the rating increases to 3-Stars.

Worked Example: Stream Imputation - Site

Table 10 is a worked example of how site Star Percentages are imputed if one or more Streams do not meet the thresholds for calculating ratings.

Table 10 – Stream Imputation

Star Percentage	Overall	Stream A	Stream B	Stream C
Contract	+12	-22	-3	+48
Site A	+16	-26	-10	+66
Site B		-10	Insufficient Data	+31
Site C		Insufficient Data	Insufficient Data	Insufficient Data

Site B has insufficient data in Stream B. It is given the contract level Star Percentage of –3 which contributes to an Overall Star Percentage of +8.

Site C has insufficient data in all three Streams. It is given the same Overall and Stream level Star Percentages as were achieved at contract level.

2. Quality Assurance Framework

Introduction

All organisations contracted to deliver jobactive services under the Deed must achieve and maintain certification under the Department's Quality Assurance Framework (QAF).

The QAF sets the minimum standards of quality for Providers, ensuring their policies and processes support continuous improvement and quality service delivery.

Certification under the QAF requires:

- demonstrated adherence to the Department's [Quality Principles](#)
- Certification against one of the Department's approved [Quality Standards](#)

Both are assessed via on-site audits, conducted by an approved Quality Auditor.

Providers delivering services under the NEST must maintain QAF Certification under the Deed. The Provider's conformance with the Quality Principles will not be assessed in the NEST Employment Regions.

Administrative Considerations

Roles and Responsibilities

- **The Department** – is responsible for supporting Providers and Quality Auditors through the Certification process, granting QAF Certification and ensuring Providers under the Deed continue to meet QAF requirements. The Department also manages the QAF Auditor List and associated Deed.
- **Employment Provider** – is responsible for preparing for its Certification, engaging a Conformity Assessment Body (CAB) from the QAF Auditor List for this purpose, and obtaining its Audit Plan template from the Department. Following the Audit, the Provider approves any documentation (such as a Corrective Actions Plan) before submitting to the Department.
- **Conformity Assessment Body (CAB)** – is responsible for following the conditions set out in the QAF Auditor List Deed, including approving documents prepared by their Quality Auditors.
- **Quality Auditor** – is responsible for conducting Audits on behalf of CABs and providing recommendations on the Provider's conformance with QAF requirements.

Tendering Groups

Where the Provider is a collection of organisations delivering Services as a Tendering Group, the lead member of the Tendering Group must achieve and maintain Certification against the QAF. All Sites listed in the Tendering Group's Deed schedule are within the scope for the Site sample. When auditing against the Quality Principles, the lead member's head office must be audited as part of the Site sample.

Change of membership

If there is a change in membership of the Tendering Group the new Tendering Group must gain or maintain QAF Certification in accordance with this Guideline or as otherwise advised by the Department.

Novations, transfers and new Employment Providers

If an organisation becomes a Provider following the execution of a Deed of Novation, or if a new Provider is awarded a Deed, the organisation must demonstrate adherence to the Quality Principles through a Certification Audit, or as otherwise specified in the Deed of Novation. The organisation must also achieve certification against an approved Quality Standard within the timeframe advised by the Department.

If business is transferred to an organisation that is an existing Provider, and this organisation has achieved QAF Certification, the organisation must maintain its QAF Certification in accordance with this Guideline, or as otherwise specified in the business transfer deed.

The Quality Principles

The Quality Principles cover the minimum requirements for delivering Employment Services and promote a strong focus on continuous organisational improvement.

The Quality Principles audit criteria are comprised of [Key Performance Measures \(KPMs\)](#) and corresponding [Practice Requirements](#), supported by [Minimum Evidence Requirements](#) (see Attachment A).

Key Performance Measures

Each of the seven Quality Principles are underpinned by a set of Key Performance Measures (KPMs).

Practice Requirements and Minimum Evidence Requirements

Each KPM contains Practice Requirements. The Provider must meet each Practice Requirement within the KPM to demonstrate conformance with the KPM.

In order to demonstrate conformance with each Practice Requirement, the Provider must address each of the Minimum Evidence Requirements during its audit. [Attachment A](#) sets out the evidentiary requirements.

The Quality Standards

The Quality Standards set the foundation of quality management, and support an organisation to achieve consistent business processes and drive measurable performance improvements.

The Quality Standards approved by the Department under the QAF are:

- **ISO 9001** – Internationally recognised standard that promotes a quality management system as an integral part of an organisation's operations.
- **Employment Services Industry Standards (ESIS)** – Developed by the National Employment Services Association (NESA) for the Australian Employment Services industry.

- **National Standards for Disability Services (NSDS)** – Provides the basis for the Disability Employment Services (DES) Quality Framework.

A Provider must choose one of these Quality Standards to be certified against as part of its QAF Certification. If the Provider changes to a different approved Quality Standard, it must achieve certification against the new Standard prior to the expiry date of its previous certification.

For QAF purposes, the scope of Quality Standard certification must include a Provider's jobactive business.

A Provider must be delivering DES if using NSDS for QAF Certification. A Provider who ceases to deliver DES during the term of the Deed, and any Extended Service Periods, must transition to an alternate approved Quality Standard prior to the expiry of their NSDS Quality Standard.

A Provider using NSDS for QAF purposes must have its NSDS audit plan endorsed by the department prior to audit commencement to ensure the audit sample is representative of its jobactive business.

Quality Standards Certification

A Provider must achieve and maintain certification against a Quality Standard by fulfilling all the requirements of the relevant Quality Standard, including following the relevant audit schedule. A Provider should discuss its Quality Standards auditing requirements with its [CAB](#).

Following each Quality Standards Audit, the Provider must submit the resulting Quality Standards Report to the Department, along with copies of new or updated Quality Standard Certificates as evidence of Quality Standard Certification. The Provider must notify the Department immediately if its certification lapses or is suspended as this may affect its QAF Certification.

Any Non-conformance identified during a Quality Standard Audit must be addressed in accordance with the requirements of the relevant Quality Standard and with this Guideline. Refer to [Quality Standard Non-conformance](#) for further information.

CABs and Quality Auditors

The Department maintains a list of approved CABs on the [Provider Portal](#). These CABs, and their Quality Auditors, must participate and pass all the Department's required training to conduct QAF audits. A Provider must engage a CAB for QAF purposes that is on this list, including for Quality Standards Audits.

Quality Principles Audits and Reports

There are three types of Quality Principles Audits under the QAF:

- Certification Audit – conducted when initially gaining QAF Certification and when seeking recertification. Certification is valid for four years.
- Surveillance Audit – conducted within two years of achieving QAF Certification or recertification.
- Extraordinary Audit – conducted if directed by the Department.

All Quality Principles Audits are conducted by the Quality Auditor on site, unless otherwise agreed by the Department, and in accordance with this Guideline and the approved [QAF Audit Plan](#).

During the audit, the Quality Auditor will determine whether a Provider adheres to the Quality Principles by gathering evidence and conducting interviews with staff and Participants at each Site before preparing Site findings. The Provider must work with the Quality Auditor to ensure all Practice Requirements are appropriately addressed.

The Quality Auditor must prepare the [Quality Principles Report](#) addressing all KPMs outlined in the Audit Plan and indicating whether conformance has been demonstrated against each Practice Requirement.

The Quality Auditor must hold an [Audit Close Meeting](#) with the Provider, following which the Provider must review the Quality Principles Report and submit it to the Department within six weeks of the Audit Close Meeting.

The Provider is responsible for its audit costs, including the [close out](#) of Non-conformances.

Certification Audits

A Provider must undergo a Certification Audit to gain initial QAF Certification and again to achieve recertification prior to the Certification expiry, or as otherwise advised by the Department.

Quality Auditors must assess the Provider's adherence to all seven Quality Principles by auditing a sample of the Provider's Sites and its head office (see [Quality Principles Audit Sampling](#) for further detail).

A Provider seeking recertification will be considered for a scope reduction, based on its performance against selected measures detailed in the table in [Attachment A](#). A Provider's eligibility for scope reduction will be determined at the time it requests its Audit Plan template.

Surveillance Audits

The Surveillance Audit ensures the Provider has maintained the systems, policies and processes that led to its initial Certification. Surveillance Audits must be completed within two years of Certification or recertification, or as otherwise advised by the Department.

Surveillance Audits involve auditing the head office plus a smaller sample of the Provider's Sites than for a Certification Audit (see [Quality Principles Audit Sampling](#)).

A Provider undertaking a Surveillance Audit will be considered for a scope reduction, based on its performance against selected measures detailed in the table at [Attachment A](#). A Provider's eligibility for scope reduction will be determined at the time it requests its Audit Plan template. Quality Principles 1-3 are generally not in scope for Surveillance Audits but may be included at the Department's discretion, particularly where the most recent Quality Audits (Quality Standards and Quality Principles) identified a relevant Non-conformance. The Department reserves the right to include any KPM, regardless of a Provider's performance against it.

Failing to undergo a Surveillance Audit in accordance with the requirements of this Guideline may result in the suspension of the Provider's QAF Certification.

Extraordinary Audits

An Extraordinary Audit is conducted at the direction of the Department by a Quality Auditor. The Provider is required to cover the audit costs.

The scope is determined by the Department on a case-by-case basis and is usually targeted to a specific aspect of the QAF. Quality Auditors may also recommend additional auditing requirements for the Department's consideration.

Preparing for your Audit

Audit timeframes

When scheduling Audits, the Provider should be mindful of the key dates to ensure it meets the required timeframes. The Department strongly recommends a Provider begins preparing for scheduled QAF Audits nine months prior to the relevant anniversary dates (see QAF Reporting Schedule below).

A Provider must complete its Quality Principles Audit and submit its audit report to the Department, along with a copy of its latest Quality Standards Report, at least four months prior to the relevant anniversary date, and within six weeks of the Audit Close Meeting.

Engaging a Conformity Assessment Body

The Provider must engage a CAB from the QAF Auditor List to conduct a Quality Principles Audit. Any agreement entered into by a Provider with a CAB must:

- be in writing
- require the CAB to provide any information (including working papers) and assistance relating to QAF Audits to the Department when requested
- reserve the right of termination to take into account the Department's right to remove the CAB from the QAF Auditor List.

Requesting and Completing your Audit Plan

The QAF Audit Plan (Audit Plan) provides the basis on which the Quality Principles Audit will be conducted. It outlines the Sites to be included in the sample and the relevant Claims Sampling and Participant Sampling to be conducted at each Site.

When preparing for the audit, the Provider must request the Audit Plan template from the Department. The Audit Plan template assists the Quality Auditor and the Provider ensure the relevant sampling requirements will be met.

The Provider must complete the Audit Plan in conjunction with its Quality Auditor and submit it to the Department for approval no later than two months (40 business days) before the commencement of its Quality Principles Audit.

The Quality Principles Audit must be conducted in accordance with the approved Audit Plan. The Department will consider requests to change the Audit Plan on a case-by-case basis. However, the Department must approve any changes before the Quality Principles Audit starts.

Audit Intelligence

At the time the Audit Plan is requested (from the Department), the Department may supply the Provider with information to assist with the Quality Principles Audit, such

as programme assurance activity results. The Provider must provide this Audit Intelligence to the Quality Auditor to assist in the planning of the audit.

Quality Principles Audit Sampling

The sampling methodology outlined in this Guideline is for Quality Principles Audits only. The sampling requirements for the Quality Standards are governed by the Standards themselves. The Provider should discuss the sampling requirements of the Quality Standards with its CAB.

The sampling numbers provided in this document are the minimum numbers required. If a Quality Auditor considers that additional sampling is required to determine conformance with the audit criteria, they may increase the sampling numbers.

For Quality Principles Audits, sampling falls into the following three categories:

- Site sampling
- Claims sampling
- Participant sampling.

Site sampling

Quality Auditors must ensure that the Site sample is representative of the Provider's business. As most Providers operate more than one Site, multiple Sites must be audited to ensure adequate representation of its business. Table 11 explains the method for determining the number of Sites to be included in the sample for each type of Quality Principles Audit.

The Provider's head office must be audited at each Quality Principles Audit. If the Provider has a jobactive delivery Site co-located with its head office, this may be included in the audit sample, however, will be subject to the same considerations listed below (i.e. no repetition, geographical coverage). Sites in the NEST Employment Regions are out of scope for site sampling.

Table 11 – Calculating Site Sample Sizes

Audit Type	Number Of Sites
Certification Audit	The square root of Site count (\sqrt{n}) rounded to the next whole number, plus the head office.
Surveillance Audit	60 per cent of the square root of the Site count ($\sqrt{n} \times 0.6$) rounded to the next whole number, plus the head office.
Extraordinary Audit	The Department will determine the number of Sites in an Extraordinary Audit on a case-by-case basis.

Table 11 Note:

The Site Count is equal to the sum of the Full-time and Part-time Sites listed in the Provider's Deed Schedule.

The Quality Auditor will determine the Sites that make up the Site sample. When determining the Site sample, consideration should be given to the following:

- No repetition—It is expected that over the duration of the Deed, Quality Principles Audits would sample as many Sites as possible. Generally, Sites that have been audited previously would not be included in future Quality Principles Audits unless it is considered relevant. For example, following the identification of Non-conformance, or when the Site count is too small, requiring Sites to be audited multiple times.
- Geographical coverage—Where the Provider operates in more than one Employment Region, Quality Auditors should aim to select Sites from different Employment Regions. Where the calculated Site sample is larger than the total number of Employment Regions in which the Provider operates, the Quality Auditor may choose multiple Sites within Employment Regions.
- Varying Site types—Quality Auditors should consider the range of service Sites (Full-time, Part-time and Outreach) operated by the Provider.
- Changes in servicing arrangements—Whether the Provider has established any new Sites or received additional Business Share since the last Quality Principles Audit.
- Subcontractor Sites—Sites operated by Subcontractors are included in the scope of the Quality Principles Audit. Quality Auditors should give consideration to the amount of Subcontractors delivering services on behalf of the Provider. Quality Auditors should seek to include Sites from different Subcontractors where relevant.

Please note that the above considerations are provided as guidance only and are not mandatory requirements. They are intended to assist in ensuring the Site sample is reflective of the Provider's business.

Claims sampling

Quality Auditors must select and review enough claims for payment or claims for reimbursement (Claims) to determine the level of conformance with the Provider's claims processing procedures.

A minimum of 10 Claims per Site, capped at a total of 50 Claims across the organisation, must be reviewed by the Quality Auditor. However, Quality Auditors

may review further Claims if they consider additional checking is required to determine the Provider's level of conformance.

Where the Provider's Site sample is greater than five Sites, the number of Claims checked must be evenly distributed across each of the Sites in the sample. If the Provider processes its Claims through a central claims processing unit, the Quality Auditor must ensure that the Claims reviewed during the audit are linked to the Sites included in the Site sample.

The Department may request that Quality Auditors focus on particular Claim types. Quality Auditors may refer to relevant guidelines when considering a Provider's approach to Claims processing. Please note, Quality Auditors must check Claims to ensure the Provider's adherence to its policies and processes. However, they are not expected to check Claims for validity against the Deed.

While it is not expected that every Claim type be checked by the Quality Auditor, all Claim types made by the Provider are within the scope for checking.

Participant sampling

While assessing adherence to the Quality Principles, Quality Auditors must collect evidence to demonstrate the Provider's delivery of quality Services to Participants.

Participant sampling is conducted in two ways. The first is through a selection and review of Participant files. This involves an audit review of all documentation associated with providing Services to the Participant. This can include, but is not limited to:

- file notes (both electronic and hard copy)
- copies of Job Plans
- Employment Fund reimbursements and receipts
- the Participant's résumé
- Training referrals and certificates
- Job Seeker Classification Instrument (JSCI) and other Participant assessments
- reviews and participation reporting information.

The second method of Participant sampling is through conducting interviews directly with Participants. Acceptable methods for interviewing Participants include one-on-one sessions, group interviews, phone interviews as well as video conference tools such as Skype. Quality Auditors may choose to review the files of those Participants they interview in advance, to help develop questions for the interview.

The number of Participant interviews and file reviews to be conducted at each Site depends on the Site's caseload. The file review and Participant interview sampling requirements are set out in Table 12.

Table 12 – File review and Participant interview sampling requirements

SITE SIZE (Stream Participants on Site's active caseload)	File review sample	Participant interview sample
Small (0–600)	4	4
Medium (601–1200)	8	8
Large (1201+)	12	12

If the Quality Auditor is unable to interview the minimum number of Participants at a given Site, the Quality Auditor must state this in the Quality Principles Report and explain why these interviews were not conducted. The Department may require additional interviews to be conducted if there is a significant gap between the number of interviews conducted during the audit and the minimum sampling requirements.

Selecting the sample

The Quality Auditor will be responsible for selecting and reviewing Site, Claim and Participant samples. However, for Participant sampling, the Quality Auditor may seek assistance from the Provider to better understand the Participant. Participants selected for the sample should be representative of the organisation and include Participants from a range of cohorts.

Finalising your Audit

Audit Close Meeting

Following the completion of a Quality Principle Audit, the Quality Auditor must discuss the outcomes of the Audit and conduct an Audit Close Meeting with the Provider. The date of the Audit Close Meeting must be recorded in the Quality Principles Report before it is submitted to the Department.

Quality Principles Reports

Following a Quality Principles Audit, Quality Auditors are required to complete a Quality Principles Report, providing justification statements against each Practice Requirement being audited, and raising Non-conformances where required. The Department's electronic Quality Principles Report template must be used.

The Quality Principles Report must be submitted to the Department within 30 business days (six weeks) from the Audit Close Meeting, together with a [Corrective Action Plan](#), if Non-conformances have been identified.

Providers and Quality Auditors should discuss any corrective actions required, including how and when any Non-conformances should be downgraded or closed out.

Quality Principles Reports must be clear, accurate and evidence based. It must contain sufficient detail to demonstrate how the recommendations for Conformance or Non-conformance were determined for a Practice Requirement. This will assist the Department in determining whether a Provider has met the requirements for QAF Certification.

Evidence can be presented in many forms, including:

- hard copy—signed forms or records of attendance
- electronic—comments recorded in the Department's Employment Services System or the Provider's third-party IT System
- observed—staff meeting with Participants or staff demonstrating a process
- interviews—staff and/or Participant's confirmation of ability or service delivery and satisfaction.

The Department conducts a thorough review of the Quality Principles Report to assess how effectively the justification statements:

- address the Minimum Evidence Requirements for each Practice Requirement audited
- support the conformance ratings recorded.

During this process, the Department may request further information to clarify any issues or request changes to the report in consultation with the Quality Auditor. The Department may reject Quality Principles Reports if Practice Requirements are not appropriately addressed, which could impact on the Provider's QAF Certification.

The Department endeavours to complete these reviews within 20 business days.

Addressing Non-conformance

When auditing against the Quality Principles, any issues identified by a Quality Auditor are raised in the form of a Non-conformance. Non-conformances are issued when a Quality Auditor determines that a certain aspect of the system being audited does not conform to the Quality Principles.

Non-conformance Classifications

There are two Non-conformance classifications, which are defined in Table 13.

Table 13 – Non-conformance classifications

Major Non-conformance	Minor Non-conformance
<p>A Major Non-conformance is defined as:</p> <ul style="list-style-type: none"> • a failure to satisfy 50 per cent of the Practice Requirements across a Quality Principle, regardless of which KPM they fall under or • a failure to satisfy any of the Practice Requirements within a KPM or • a failure to close out a Minor Non-conformance within six months or • a Major Non-conformance identified against a Quality Standard during a Quality Standard Audit. 	<p>A Minor Non-conformance is defined as:</p> <ul style="list-style-type: none"> • failure to meet a Practice Requirement or • a Minor Non-conformance identified against a Quality Standard during a Quality Standard Audit.

Impact on QAF Certification

Major Non-conformance

QAF Certification is not granted or renewed until all the Major Non-conformances are downgraded to a Minor Non-conformance or closed out. Major Non-conformances must be closed out or downgraded within three months of the Audit Close Meeting, or, in the case of Department-identified Major Non-conformances, within three months of the date the Provider is advised of the Department-identified Non-conformance. Failure to address Major Non-Conformances within the required timeframes may result in QAF Certification being suspended and remedial action being taken against the Provider (see clause 52.2 and 98.11 of the Deed).

Minor Non-conformance

QAF Certification may be granted if Minor Non-conformances are issued. Minor Non-conformances must be closed out within six months of the Audit Close Meeting, or, in the case of Department-identified Major Non-conformances, within

six months of the date the Provider is advised of the Department-identified Non-conformance.

Any Minor Non-conformance will be upgraded to Major Non-conformance if it has not been addressed within the required timeframe and may result in QAF Certification being suspended.

Quality Standard Non-conformance

If a Non-conformance raised in a Provider's Quality Standard audit is relevant to the Quality Principles, the Quality Auditors must include the Non-conformance in the Audit Report under the relevant Quality Principle.

Any Non-conformance raised against a Quality Standard that results in the suspension or cancellation of certification against that Quality Standard may result in the Provider's QAF Certification being suspended.

Department-identified Non-conformance

The Department may issue a Non-conformance where it is not satisfied that the evidence included in the Quality Principles Audit Report addresses the requirements, or indicates a Non-conformance. The Department reserves the right to raise Non-conformances where it has received information contrary to that provided in the Quality Principles Report, including information provided through its assurance activities.

Quality Principles Corrective Action Plan

A Corrective Action Plan (CAP) must be submitted to the Department within 30 business days (six weeks) of the Audit Close Meeting. The Quality Auditor may use the Department's CAP template or its own template. The CAP must contain:

- the proposed action to be taken to address the Non-conformance (that is to close the Non-conformance, or to downgrade a Major Non-conformance to a Minor Non-conformance)
- the timeframes for progress milestones
- the endorsement from the Quality Auditor and a determination as to whether the Non-conformance can be closed out remotely or if further on-site audit activity is required.

Department-identified Non-conformances should be added to the Provider's CAP submitted to the Department within 30 business days (six weeks) of the Department notifying the Provider of the Department-identified Non-conformances.

Closing out Non-conformances

The Department must receive confirmation from the Quality Auditor that the Non-conformances have been addressed within the required timeframes. This is done through submission of an updated CAP to the Department by the Provider, that includes the Quality Auditor's agreement to the close out of the relevant Non-conformances.

Closing out Major Non-conformances can be achieved by downgrading it to a Minor Non-conformance, which must also be agreed through a Quality Auditor and may be demonstrated remotely or at the Site. If the Major Non-conformance has been downgraded, the Provider must completely close out the Minor Non-conformance

within three months (that is, a maximum timeframe of six months from the [Audit Close Meeting](#) date, or, for Department-identified Non-conformance, a maximum timeframe of six months from the date the Department advised the Provider of the Department-identified Non-conformance).

Department identified Non-conformances are subject to the same requirements as Quality Auditor raised Non-conformances and must be closed out by the Quality Auditor.

All Non-conformances must be checked during the next Quality Principles Audit.

3. Compliance Indicator

Introduction

The Compliance Indicator is calculated as a value between zero and one hundred at the National, State and Employment Region levels. It is based on reviews finalised¹ in the 18-month period prior to the date of calculation i.e. transactions assessed during 1 October 2018 to 31 March 2020 contribute to the March 2020 score.

The Compliance Indicator Methodology

All Programme Assurance Activities are included in the calculation of the Compliance Indicator. Activities may, however, be excluded on a case-by-case basis where:

- the result of the activity identifies deficiencies, ambiguity or inconsistencies within the Deed, Guidelines or advice provided by the Department that materially contributed to non-compliance observed
- the objective of the Programme Assurance Activity is information-gathering
- the Department has taken an extended length of time to deliberate or finalise a particular activity
- the activity is out of scope for the Compliance Indicator
- or for any other reason determined by the Department.

Providers, as part of their quarterly Compliance Indicator release, will be given details of each of the Programme Assurance Activities that contribute to the Compliance Indicator score.

The Compliance Indicator uses a number of variables in its calculation:

- Claim Value Weighting: value of the claim or activity
- Review result score: assessment result for each claim or activity
- Review type weighting: type of Programme Assurance Activity.

Claim Value Weighting

For payment integrity related reviews, the Claim Value Weighting is the square root of the claim value and divided by 10. The minimum and maximum values attributed to the Claim Value Weighting are capped between one and eight respectively.² For Non-Payment Integrity activities commenced prior to 1 July 2018, a fixed Claim Value Weighting has been applied: four for JSCI Change of Circumstance Reassessments; and six for Work for the Dole reviews and the Internship Host Agreement and Risk Assessment.

¹ The Finalisation date is when each activity is completed in its entirety.

² Claims worth \$100 or less have a value of one and any claim with a value of \$6,400 or more is capped at a value of eight.

Table 14, outlines the Claim Value Weightings for Non-Payment Integrity Programme Assurance Activities commenced from 1 July 2018. They are included in the calculation of the Compliance Indicator as a separate component.

Table 14—Non-Payment Integrity Claim Value Weightings – July 2018 onwards

Non-Payment Integrity assurance activity	Claim Value Weighting
JSCI Change of Circumstance Reassessments	3.0
Risk Assessment (job seeker) – Administration (Work for the Dole)	4.0
Risk Assessment (place) – Administration (Work for the Dole, Voluntary Work Activities, National Work Experience Programme Placements, Work Experience (Other) Placements, PaTH Internships and Launch into Work Placements)	4.0
Host Agreements (Work for the Dole, (Voluntary Work Activities, National Work Experience Programme Placements, Work Experience (Other) Placements and PaTH Internships.	5.0
Job Seeker Compliance – Procedural Error	5.0
Work for the Dole Acquittals – Group Based Activities	5.0
Mandatory Employability Skills Training participants – In Activities	6.0
Incident Reports	6.0
Job Plan Appropriateness (Department of Education, Skills and Employment Review)	6.0
Targeted Compliance Framework (Education, Skills and Employment Review)	6.0
Targeted Compliance Framework (Services Australia Review)	6.0
Work for the Dole bona fides	6.0
Competent Person	8.0
Risk Assessment (job seeker) – Content (Work for the Dole)	8.0
Risk Assessment (place) – Content (Work for the Dole, Voluntary Work Activities, National Work Experience Programme Placements, Work Experience (Other) Placements, PaTH Internships and Launch into Work Placements)	8.0
Work health and safety (WHS) audits	8.0

Review Result Scores

The Department will allocate a score for each review undertaken through a Programme Assurance Activity (see Table 17).

Table 15—Review result scores

Review result	Review result score
Satisfies requirements	1.0
Requirements mostly satisfied	1.0
Requirements partially met	0.6
Requirements not met	0.0

Payment Integrity Review calculation

The Claim Value Weighting for each transaction is multiplied by the Review Result Score to give the Weighted Review Score. These are summed to give the numerator value. The sum of the Claim Value Weightings for the same transactions provides the denominator.

For example, an Employment Fund Claim was worth \$220 result in a Claim Value Weighting of 1.48. If the review result for this claim was 'Requirements partially met' the individual weighted review score for this claim is 0.89 (1.48×0.6), which is the contribution of this transaction to the numerator. The denominator contribution is the Claim Value Weighting of 1.48.

Non-Payment Integrity review calculation

The calculation of the Non-Payment Integrity component is the same as for the payment-integrity reviews with one exception. The difference is that the calculation is undertaken at the Programme Assurance Activity level as opposed to individual transaction level.

A Non-Payment Integrity Programme Assurance Activity looking at JSCI Change of Circumstance Reassessments is given a Claim Value Weighting of three. It involves the review of 500 records, with 30 records assessed as 'Requirements partially met' and 20 assessed as 'Requirements not met' with the remaining 450 records either fully or mostly satisfying requirements. The score for this activity is therefore equal to 93.6 ($((450 \times 1 + 30 \times 0.6 + 20 \times 0)/500)$). This score of 0.936 is then multiplied by the Claim Value Weighting of three applied to this activity to determine this project's relative contribution to the Compliance Indicator. Given the Claim Value Weighting of this activity was three, then this value is added to the denominator.

Review Type Weightings

There are four separate review types contributing different weightings to the final score: Rolling Random Sample (60 per cent); Non-Risk Based (20 per cent); Risk Based (10 per cent) and Non-Payment Integrity (10 per cent).

The methodology also imposes a condition that if less than 25 reviews are undertaken for the Rolling Random Sample, Non-Risk-Based or Risk-Based components, then that component will contribute only a proportion (of 25) of the review type weighting. For example, if only 10 reviews are conducted on Risk Based activities, then a proportion of the 10 per cent weighting for that component would be applied. In this case, it would be $(10 \div 25) \times 10$ per cent.

A comparable condition is applied to the weighting that the Non-Payment Integrity component contributes to the final score. Instead of looking at the number of individual reviews completed within a review type, the sum of the Claim Value Weighting of the Programme Assurance Activities is assessed, and if it sums to less than 10, then the relative contribution will be reduced to that percentage. For example, the two Non-Payment Integrity Programme Assurance Activities included in the calculation are:

- JSCI Change of Circumstance Reassessments - Claim Value Weighting = 3
- Work for the Dole bona fides – Claim Value Weighting = 6

The sum of the Claim Value Weightings for these activities is nine, therefore the Non-Payment Integrity weighting will drop to nine per cent (or 0.09).

Out of Scope Reviews

Transactions 'out of scope' include:

- Provider identified claims – claims where the provider has identified a claim made in error
- hand selected claims – claims that are known to be non-compliant for various reasons and are recovered
- related claims – claims that are deemed non-compliant resulting from the assessment of different claim.

Final Compliance Indicator Score

For each component, a score, as defined in the Payment Integrity Review calculation and Non-Payment Integrity review calculation sections above are calculated, which are then multiplied by their respective Review Type Weightings. The sum of these four values forms the final Compliance Indicator score.

The [Learning Centre](#) has a detailed walkthrough Webinar, the Compliance Indicator in Practice, that Providers are encouraged to access to view a number of example of Compliance Indicator score calculations.

In cases where at the Employment Region level the margin of error is larger than 12 per cent, then, the following imputation rules are used:

- the Provider's State level Compliance Indicator Score is applied
- if the margin of error at the State level is also greater than 12 per cent then the organisation level Compliance Indicator Score is applied
- if the margin of error at the organisation level is also greater than 12 per cent, then neither the Provider or its regions will have a Compliance Indicator Score.

Star Ratings Interaction

A Provider's Compliance Indicator score may, at the Employment Region level, impact upon their Star Percentage.

- Compliance Indicator Scores of 95 and above are considered to meet the Department's target level of compliance with the Deed and guidelines.
- Compliance Indicator Scores between 83 and 94.9 are below the Department's target level of compliance with the Deed, but the Department will not apply any penalties to Star Percentages to allow for a 12 per cent margin of error.
- Compliance Indicator Scores below 83 will reduce Providers' Overall Star Percentages. This may lead to lower Star Ratings. A Provider will lose one Star Percentage for every two points their Compliance Indicator Score is below 83. In practice, a Compliance Indicator Score of 68.8 results in a 7.1 $((83 - 68.8)/2)$ reduction in the Star Percentage.

4. Service Guarantees and Service Delivery Plans

Service Guarantee

As part of the Australian Government's commitment to deliver high-quality employment services for Stream Participants and Employers, a key component of the Employment Services Performance Framework is to ensure that stakeholders are receiving quality services.

Common to all Providers, the Service Guarantee reflects the government's expectations of how Providers will interact with Stream Participants and specifies the minimum level of service each Stream Participant or volunteer Stream Participant can expect to receive, as well as the requirements a Stream Participant needs to meet while looking for a job.



Documentary Evidence: The provider must prominently display the Service Guarantees and Service Delivery Plan(s) in its offices and all Sites, and make these available to Stream Participants, potential Stream Participants, Volunteers and Employers.

(Deed References: Clauses 1.6, 28.1, 30.1, 73.1, 99.1(c), Annexure B3)

Service Delivery Plan

Each Provider's Service Delivery Plan(s) is published on the Provider's page of the jobactive website and given to Stream Participants and potential Stream Participants at their initial appointment with their Provider. The Provider's Service Delivery Plan(s) captures the commitments made by the Provider in its tender response and outlines the specific services an Employer or Stream Participant can expect from them.



Documentary Evidence: The provider must:

- prominently display the Service Guarantees and Service Delivery Plan(s) in its offices and all Sites, and make these available to Stream Participants, potential Stream Participants and Employers
- upload the Service Delivery Plan(s) on the Provider's page of the jobactive website.

(Deed References: Clause 73.1(b and c))

Assessment of Service Delivery Plans

The Department will monitor Service Guarantees, Service Delivery Plan(s) and representations in the Provider's response to tender (service offer) on an ongoing basis to assess the Provider's performance.

The Department's assessment of service delivery against the Service Guarantees and the Provider's Service Delivery Plan(s) will be undertaken as part of the measurement of a Provider's performance against KPI 3. This will involve the Department making an assessment of whether Providers are meeting the service delivery standards outlined in the Service Guarantees, their service offer and their Service Delivery Plan(s) through a range of activities, including direct demonstration by the Provider to the Department.

Where the Department determines that a Provider is not delivering services as outlined in their Service Delivery Plan or the Service Guarantees, the Department

reserves the right to apply remedial actions to that Provider, with the type of actions applied dependant on the nature of the non-compliance. Providers not meeting the service delivery standards may also be in scope for business reallocation.

(Deed References: Clauses 28.1, 30.1(a), 73.1, 73.2, 84.1(e), 99.1(c)(iii), 102.1(b), 103.1, 104.1, Annexure B3)

5. Performance Reviews

Approach

The Department will provide timely and regular feedback to Providers regarding their performance and will work proactively with Providers to address performance management issues.

Formal performance feedback will be provided at least once every 12 months, but feedback may be provided, at the discretion of the Department, following each Performance Period and the public release of Star Ratings. This feedback will generally be provided in writing but may also include face-to-face discussions.



Documentary Evidence: Without limiting any other provisions of this Deed, the Provider must provide, as required by the Department specific reports on the Services, including on the results of internal and external audits of Payment claims and claim processes, action taken to address performance issues raised by the Department, and training provided to Personnel and Subcontractors.

(Deed References: Clauses 4.1(C), 24.1(a)(i), 26, 28, 29.2, Annexure A2, 99.1(c)(iii), 101)

6. Business Reallocation

Approach

There have been two performance-based business reallocations for Providers: at the 18 and 36 months points of the Deed. The Department may conduct performance-based business reallocations for Providers at other points of the Deed. Providers assessed at a Star Rating of 2-Stars or below at the Employment Region or Site level at these points in the Deed may be in scope for business reallocation. Where performance against other measures of performance and operation, such as the service offer or Compliance Indicator score is not to the Department's satisfaction, Providers may also be in scope for business reallocation.

Consistent with past practice, the Department's approach to adjusting Providers' Business Shares will be communicated to Providers before the business reallocation process.

(Deed references: Clauses 26-29, 52, 99, 100, 101)

7. New Business Assistance with NEIS Performance Framework

Introduction

The Department will provide timely and regular feedback to NEIS Providers about their performance at the completion of each performance period. This feedback may be face to face and/or in writing. Informal performance feedback may also be

provided at the Department's discretion. The Department will work proactively with NEIS Providers to address performance management issues.

NEIS Provider performance will be measured in relation to usage of NEIS places, achievement of Post-Programme Outcomes and the delivery of quality services that are compliant with the deed. This section of the Guideline outlines the methodology and approach that will be used by the Department to measure performance.

(Deed reference: Clause 28)

NEIS Performance Assessment

The Department will measure NEIS Provider performance using a single NEIS performance score. The single performance score will provide a simple and transparent mechanism for measuring performance at an Employment Region level.

Weightings and single performance score

The single performance score will incorporate performance from three NEIS Key Performance Indicators. Performance against these Key Performance Indicators will be weighted to produce the single overarching score. The weightings for each Key Performance Indicator will be:

- | | |
|--|---------------|
| • KPI 1a – Place Utilisation | • 45 per cent |
| • KPI 2 – Post-Programme Outcomes Achieved | • 45 per cent |
| • KPI 3 – Quality | • 10 per cent |

The Department will review these weightings periodically to ensure they remain appropriate.

KPI 1b (exits) will be excluded from the single performance score.

Highly Disadvantaged (HD) Trial performance will also be excluded from the single performance score. HD Trial performance will be discussed as part of regular performance discussions.

The methodology for measuring performance against each Key Performance Indicator is outlined in Table 17. NEIS Providers can also refer to the NEIS Performance Framework Industry Information Paper and NEIS Quality Assessment Matrix (available on Provider Portal) for further information.

NEIS Business reallocation

The Department will undertake NEIS business reallocation on an annual basis following the end of the financial year (performance as at 30 June).

The NEIS business reallocation process may result in NEIS places being reallocated from poorer performing NEIS Providers.

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

(Deed reference: Clause 132)

Benchmarks

NEIS Provider performance will be measured against an overarching benchmark of 77 per cent at an Employment Region level.

The Department set this overarching benchmark by considering the weightings of each Key Performance Indicator and setting individual Key Performance Indicator benchmarks.

Table 16— Key performance indicator weightings and set benchmarks

KPI	Weighting	Benchmark
KPI 1a—Place utilisation	45%	85%
KPI 2—Outcomes	45%	68%
KPI 3—Quality	10%	80%
Total	100%	77%

The overarching benchmark at an Employment Region level will be the basis for determining which providers are in scope for business reallocation.

The individual Key Performance Indicator benchmarks will assist NEIS Providers to identify where they are performing well, as well as any areas for improvement.

The Department may also consider performance in relation to individual Key Performance Indicators during business reallocation and in regular performance discussions.

Right of reply

The Department will formally notify NEIS Providers subject to a reduction in NEIS places and they will have the opportunity to submit a 'right of reply'. The 'right of reply' may describe:

- labour market or geographical factors that affected performance, or
- extenuating circumstances³ that may have affected their ability to use their NEIS places.

NEIS Providers will need to include strategies for responding to these challenges in their 'right of reply'.

Providers will have five business days from notification to submit a 'right of reply' for the Department's consideration.

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

(Deed reference: Clause 28, 30.5, Clause 131)

³ Extenuating circumstances are circumstances that are outside the NEIS Provider's control, have not affected other providers (such as policy changes, the transition to jobactive), and are not situations internal to the NEIS Provider's organisation.

Table 17 — Measuring NEIS Key Performance Indicators**KPI 1 — Efficiency**

Key Performance Measure	Practice Requirement	Evidence
The NEIS Provider utilises allocated NEIS Places within the Employment Region(s).	The NEIS Provider has in place appropriate strategic and operational planning practices to fully utilise all NEIS Places allocated to them within their Employment Region during each financial year.	The Department's IT Systems will identify the number of NEIS Places allocated to a NEIS Provider at a specific point in time, and the number of NEIS Places used during the same period.
Reasons for NEIS Participants exiting NEIS Assistance early.	The NEIS Provider must discuss the reason a NEIS Participant wants to exit NEIS Assistance prior to completion, and work with the NEIS Participant to resolve any issues.	A NEIS Provider must enter the reason why a NEIS Participant exits NEIS Assistance in the Department's IT Systems. The Department's IT Systems will identify those NEIS Participants who exit NEIS Assistance at or before completion (52 weeks).

KPI 2 — Effectiveness

Key Performance Measure	Practice Requirement	Evidence
<p>The percentage of NEIS Post-Programme Outcomes achieved.</p> <p>Note: participants who exit as a result of personal/medical reasons will be excluded from the measure if they do not achieve a Post-Programme Outcome.</p>	The NEIS Provider delivers NEIS Services that result in a NEIS Post-Programme Outcome for contract to date.	<p>The Department's IT Systems will identify the number of NEIS Participants who:</p> <ul style="list-style-type: none"> exited 15 weeks or more ago (those participants who could have achieved a Post-Programme Outcome) who have not exited for personal/medical reasons have achieved a Post-Programme Outcome.

KPI 3 — Quality and Assurance

The Department will use the evidence outlined below to assess NEIS Provider performance against KPI 3. An assessment matrix will be used by Account Managers to ensure a consistent approach is applied when assessing quality and Deed compliance.

Key Performance Measure	Practice Requirement	Evidence
The NEIS Provider's procedures and practices support the delivery of NEIS Services in accordance with the Deed.	The NEIS Provider has strategies and practices in place to ensure compliance with the Deed and NEIS Guidelines.	<p>The NEIS Provider has documented policies and procedures that reflect their servicing strategies and compliance with the Deed and NEIS Guidelines.</p> <p>These policies and procedures have been implemented wholly and consistently across the organisation:</p> <ul style="list-style-type: none"> • staff are consistently applying the policies and procedures when servicing NEIS Participants • all NEIS Participant records maintained by the provider in the Department's IT Systems and/or in third party systems are accurate, align with documentary evidence requirements and are in accordance with the Deed • NEIS Participants are provided with the services outlined in the Deed within the required timeframes • NEIS Participant commencement paperwork is accurate and provided within the required timeframes.
<p>The number of validated complaints for the relevant Performance Period received via:</p> <ul style="list-style-type: none"> • the Department's National Customer Service Line • the Department's Employment Services Tip Off Line • the Departments Post-Program Monitoring Survey • ministerial correspondence • the Ombudsman. 	The NEIS Provider has in place strategies for monitoring NEIS Participant satisfaction of the NEIS Services delivered and addressing complaints when raised.	<p>The Provider has in place documented policies and procedures to support the raising of complaints and feedback. The policies detail:</p> <ol style="list-style-type: none"> how complaints and feedback are used to improve service delivery how the outcome of a complaint is communicated to the complainant escalation procedures. <p>The complaints and feedback process is implemented consistently across the organisation:</p> <ol style="list-style-type: none"> Staff can readily access the complaints procedure and can articulate the process Complaints are referred to the Department when required Complaints are investigated by an appropriately senior staff member. <p>Records of complaints are maintained and include:</p>

Key Performance Measure	Practice Requirement	Evidence
		<ul style="list-style-type: none"> i. detailed information relating to the complaint, including the date of the complaint and who the complaint relates to ii. steps taken to resolve the complaint iii. the outcome of any investigation iv. any follow-up action required. <p>The Provider's feedback mechanism is open and transparent:</p> <ul style="list-style-type: none"> i. NEIS Participants are aware of feedback and complaints procedures and feel comfortable to raise a complaint without fear of retribution. ii. Feedback from NEIS Participants indicates that complaints lodged have, or are being, resolved.
NEIS Providers delivering NEIS Training are a Registered Training Organisation (RTO) certified against the Australian Skills Quality Authority (ASQA) Standards.	NEIS Providers ensure that NEIS Training is delivered by accredited trainers employed by RTOs in line with ASQA requirements.	NEIS Providers delivering NEIS Training are subject to the ASQA compliance and accreditation regime. Those NEIS Providers who do not deliver NEIS Training must ensure NEIS Prospective Participants are referred to an RTO for NEIS Training.

Attachment A: jobactive Quality Assurance Framework Evidence Requirements

Principle 1 - Governance

Key Performance Measure	Practice Requirement	Minimum Evidence Requirements
1.1 Corporate governance and management systems satisfy legal and contractual requirements that withstand public scrutiny. Scope Reduction Principles 1-3 are not included in Surveillance Audits.	1.1.1. The Provider's corporate governance arrangements promote confidence that Employment Services are being delivered effectively.	a) There are processes in place supporting the ongoing operation of the Provider's governing body. These processes: <ul style="list-style-type: none"> i. ensure that members or directors have an understanding of their responsibilities and accountabilities, including ethical, legal and contractual requirements, ii. specify how the governing body operates and records its governance function—for example, processes cover escalation of matters to the governing body, frequency of meetings, recording of minutes and management of conflicts of interest. b) Corporate planning includes integrating internal business services and systems to support the delivery of Employment Services. This includes having in place: <ul style="list-style-type: none"> i. organisational charts that outline how business services interlink, ii. corporate or business plans that ensure that staffing levels and expertise are commensurate with caseload levels.
	1.1.2. The Provider has in place appropriate processes for decision making that outline the authority or delegations within the Provider that support staff in carrying out their roles and responsibilities.	a) The Provider has decision-making processes in place that include decision-making matrices (financial and administrative). b) The Provider can demonstrate that these processes have been implemented, are used and adhered to in day to day operations.
1.2 The Provider has appropriate policies and processes in place that manage operational and strategic risks, including disaster recovery, as well as practices to ensure effective document control and record keeping practices.	1.2.1. The Provider has in place corporate governance arrangements that manage risk, including fraud and cyber security.	a) The Provider has a documented, enterprise-wide risk management framework in place that includes: <ul style="list-style-type: none"> i. processes for identifying and managing risk, including incident management and disaster recovery plans, ii. organisational and Site risk management plans, and iii. evidence of regular review of risk management plans. b) To manage the risk of fraud the Provider has a documented fraud control plan, which refers to: <ul style="list-style-type: none"> i. clear processes for staff to notify management of potential fraud, ii. the Department's tip-off line contact details, and iii. ensuring staff awareness of fraud prevention iv. considering what risks exist as they relate to cyber security.

Key Performance Measure	Practice Requirement	Minimum Evidence Requirements
		c) Appropriate treatment for any alleged or actual instances of fraud or misconduct that has been identified, including the documentation of treatment plans.
	1.2.2 The Provider has in place effective records management and document control processes.	a) The Provider has in place processes to ensure that there is accurate record keeping and document control and that processes are understood by all staff, who can detail how they access information. This includes demonstrating that: <ul style="list-style-type: none"> i. there is accurate record keeping that aligns with defined processes, Deed and guideline requirements, including Documentary Evidence requirements in guidelines where relevant, ii. all forms and documents use version control and are kept up to date, with current versions being readily identifiable and accessible, and iii. out-of-date material is not used by staff.

Principle 2 - Leadership

Key Performance Measure	Practice Requirement	Minimum Evidence Requirements
2.1 All employees have a shared understanding of the Provider's direction, including the vision and purpose that directs the Provider's conduct.	2.1.1. The Provider has a clear purpose and a vision.	a) The Provider has a vision statement that outlines its mission and values. b) Staff can demonstrate that they understand the vision and how their individual and team roles link to the objectives of the Provider.
	2.1.2. The Provider's code of conduct is promoted, easily located, followed, and upheld, by the Provider.	a) The Provider has in place a code of conduct that includes: <ul style="list-style-type: none"> i. a set of values that outline the expectations placed on staff within the Provider, and ii. a requirement that staff act in a manner that withstands public scrutiny. b) The code of conduct is promoted effectively throughout the Provider and: <ul style="list-style-type: none"> i. the Provider can demonstrate how it communicates the requirements of the code of conduct to staff, ii. staff can accurately describe the requirements of the code of conduct, and iii. where a breach of the code of conduct occurs, it is appropriately managed and action is taken to prevent it from reoccurring.
2.2 Internal planning and communication ensures understanding, consistent messaging and encompasses people at all levels.	2.2.1. The Provider has in place appropriate strategic and operational planning practices that facilitate quality management and improve its effectiveness.	a) There are strategic and operational plans that are aligned to and support the Provider's purpose and vision, and include: <ul style="list-style-type: none"> i. performance objectives and reporting mechanisms, and ii. strategies for achieving Employment program outcomes. b) Staff are involved, where appropriate, in the development of strategic and operational plans.
	2.2.2. Communication and sharing of information occurs systematically throughout the Provider.	a) The Provider has in place systematic internal communication processes and ensures that knowledge and information is shared throughout the Provider. This includes the Provider demonstrating that: <ul style="list-style-type: none"> i. processes ensure a regular flow of accurate and timely information, and ii. communication processes are followed to ensure all Sites are provided with consistent information.

Principle 3 - Staff

Key Performance Measure	Practice Requirement	Minimum Evidence Requirements
3.1 The Provider's human resource policies ensure that there are systems in place to support staff in the delivery of Employment Services.	3.1.1. The Provider has in place merit-based recruitment and selection processes.	a) Recruitment and selection processes: <ul style="list-style-type: none"> i. reflect the core competencies and skill attributes of the job description, ii. encourage workplace diversity and cultural competency, and iii. require police checks and Working with Children Checks (as required by relevant legislation).
	3.1.2. Staff understand the skills and competency requirements needed to successfully undertake their role.	a) The Provider has documented job descriptions that include statements of the skills and competencies required for the position, including cultural competency skills.
3.2 The Provider has a structured approach to developing staff and an effective performance management system.	3.2.1. The Provider has staff training and development policies and processes in place.	a) The Provider has an induction process outlining what is required of inductees, supporting staff and managers, and conducts induction training for all staff. b) The staff development policy and processes: <ul style="list-style-type: none"> i. incorporate details of the Provider's plan for the ongoing training and development of all staff, ii. is informed by internal and external audits and/or reviews, and iii. contains strategies for identifying skill gaps. c) Staff are appropriately trained to deliver Employment Services on an ongoing basis and individual training records are maintained.
	3.2.2. The Provider's performance management framework supports the ongoing development of staff.	a) The Provider has a performance management framework in place that outlines the methods and timing for providing ongoing individual feedback to staff, particularly where there is skill or competency deficiency identified. b) The Provider can demonstrate that performance management processes are followed consistently. This includes demonstrating that: <ul style="list-style-type: none"> i. all staff are given timely and relevant performance feedback, and ii. action has been taken when skills or competency deficiencies, or underperformance, has been identified.

Principle 4 - Participants

Key Performance Measure	Practice Requirement	Minimum Evidence Requirements
4.1 The Provider has strategies in place that result in effective engagement with Stream Participants. This KPM is a minimum requirement for all Providers.	4.1.1. The Provider has a communication policy in place to engage with Stream Participants.	a) The Provider's communication policies and processes include: <ul style="list-style-type: none"> i. a variety of communication methods, and ii. the frequency of contact between the Provider and Stream Participants, that is line with the Service Guarantee and Service Delivery Plans.
	4.1.2. The Provider regularly reviews its caseload to ensure Stream Participant engagement.	a) The Provider has processes in place to conduct regular caseload monitoring across all sites and address emerging issues. These processes support the consistent review of caseloads to ensure: <ul style="list-style-type: none"> i. timely activation of Stream Participants from date of referral, ii. the timely commencement and ongoing participation of Stream Participants into Work for the Dole and other relevant activities, and iii. prompt re-engagement of Stream Participants following Suspension and exemption periods or who fall out of employment. The Provider has a process in place to maintain engagement with Stream Participants to ensure they remain in Employment for the length of the payment period.
4.2 Employment Services are delivered to Stream Participants, assisting them to become work ready and gain sustainable Employment, in line with individual program eligibility and the Provider's service delivery model. Scope Reduction	4.2.1. The Provider delivers services in line with the Service Guarantee, its Service Delivery Plans and the Joint Charter of Deed Management (Joint Charter).	a) The Provider has policies and processes that reflect the servicing strategies outlined in the Service Guarantee and its Service Delivery Plans. b) Staff can describe the obligations outlined in the Service Guarantee and its Service Delivery Plans and correctly apply them to individual Stream Participants.
	4.2.2. Staff understand the eligibility criteria for individual Employment Services programs and can identify the Mutual Obligation Requirements and compliance requirements for individual Stream Participants.	a) Staff are able to describe the various programs and eligibility requirements. b) Staff can demonstrate that they are able to identify the varying circumstances and Mutual Obligation Requirements of individual Stream Participants.

Key Performance Measure	Practice Requirement	Minimum Evidence Requirements
<p>80 per cent of commitments measured by the Department during the monitoring period (two years or contract to date, whichever is less) are assessed as 'Met'</p> <p>NOTE: Those commitments assessed as partially met will not count as 'Met'.</p>	<p>4.2.3. Staff undertake assessments of Stream Participant's circumstances and implement strategies that focus on assisting them to become work ready and gain sustainable Employment.</p>	<p>a) The Provider's Stream Participant assessment is used to implement strategies and includes:</p> <ul style="list-style-type: none"> i. complex issue identification and treatment, ii. identification of employment goals, and iii. identification of skill and development needs.
	<p>4.2.4. The Provider has a variety of strategies in place for promoting a wide range of Employment opportunities to Stream Participants.</p>	<p>a) Staff can describe the strategies they use to provide Stream Participants with advice on:</p> <ul style="list-style-type: none"> i. job searching methods, ii. government incentives such as Wage Subsidies, iii. available vacancies, local labour market opportunities and employer needs and preferences, and iv. selecting and applying for suitable jobs.
<p>4.3 Job Plans set out an individualised Employment-orientated action plan for each Stream Participant.</p>	<p>4.3.1. Plans are tailored to the Stream Participant. They contain activities that will satisfy the Stream Participant's Mutual Obligation Requirements (where relevant) and assist them to become work ready and gain sustainable Employment.</p>	<p>a) All Stream Participants have an individualised and up-to-date Job Plan, which has been signed and agreed to by the Stream Participant and recorded on the Department's IT Systems. There is evidence of regular review and modification in accordance with internal processes.</p> <p>b) The Job Plan contains:</p> <ul style="list-style-type: none"> i. the number of job searches that must be undertaken by the Stream Participant each month, ii. current, time-specific activities for the Stream Participant to complete, iii. activities focused on securing and maintaining Employment, and iv. hours of participation that do not exceed the Stream Participant's Mutual Obligation Requirements. <p>c) The Provider has a systematic approach to ensuring that Stream Participants fulfil the requirements of their individual Job Plans, including:</p> <ul style="list-style-type: none"> i. ensuring that Stream Participants apply for and accept suitable roles, ii. ensuring that Stream Participant mutual obligations, including monthly job search requirements, are being met iii. placing Participants into suitable activities to meet their Annual Activity Requirements in a timely fashion, and correctly recording their hours of participation in activities.

Key Performance Measure	Practice Requirement	Minimum Evidence Requirements
	4.3.2. The Provider has processes in place to ensure Stream Participants fulfil their Mutual Obligation Requirements and staff effectively undertake action under the Targeted Compliance Framework.	<ul style="list-style-type: none"> a) The Provider's compliance processes outline when the reporting of non-attendance or non-compliance in relation to Mutual Obligation Requirements should occur and include: <ul style="list-style-type: none"> i. the need to consider complex issues and Acceptable and Valid Reasons before reporting incidents of non-compliance, and ii. the provision of full Formal Notification of the Stream Participant's requirements in accordance with the Notification Timeframes and using the templates and/or scripts specified by the Department. b) Where a Stream Participant has failed to comply with their Mutual Obligation Requirements: <ul style="list-style-type: none"> i. considering appropriate strategies for engagement and, as appropriate, ii. ensuring timely re-engagement, and iii. taking timely action under the Targeted Compliance Framework including submission of compliance recommendations with sufficient evidence to inform the decision by Services Australia.
4.4 The Provider's service delivery strategy incorporates policies and processes that measure Stream Participant satisfaction, support Stream Participants in the raising of complaints, and are in line with the Deed and guidelines.	4.4.1. The Provider has policies and processes in place for proactively monitoring Stream Participant satisfaction with the Employment Services delivered.	<ul style="list-style-type: none"> a) The Provider has processes in place for proactively monitoring Stream Participant satisfaction with the Employment Services delivered, which are applied consistently and as planned. b) Stream Participants confirm that they have received tailored services from the Provider, that are in line with the Service Guarantee and Service Delivery Plan, and which meet their individual needs.
	4.4.2. The Provider's policies and processes support the raising of complaints and feedback, with no fear of retribution, and facilitate complaints resolution.	<ul style="list-style-type: none"> a) The Provider has in place policies and processes to support the raising of complaints and feedback. The policies detail: <ul style="list-style-type: none"> i. how the outcome of a complaint is communicated to the complainant, and ii. escalation processes, including relevant delegations. b) The Provider can demonstrate that the complaints and feedback process is implemented consistently across the Provider, and that: <ul style="list-style-type: none"> i. staff can articulate the process, ii. complaints are referred to the Department when required, and iii. records of complaints indicate appropriate escalation consistent with processes. c) The Provider's feedback mechanism is open and transparent and: <ul style="list-style-type: none"> i. Stream Participants are aware of feedback and complaints processes and feel comfortable to raise a complaint without fear of retribution, and ii. feedback from Stream Participants indicates that complaints lodged have or are being resolved.

Principle 5 – Labour market, Employers and community

Key Performance Measure	Practice Requirement	Minimum Evidence Requirements
5.1 The Provider identifies and incorporates local labour market knowledge into service delivery.	5.1.1. The Provider has policies in place to incorporate labour market knowledge to assist staff to achieve Employment outcomes.	a) The Provider has documented labour market plans that demonstrate how local, regional and national labour market information is used to determine areas of current and future job opportunities.
	5.1.2. The Provider identifies the cohort groups it services and implements specific policies that assist these Stream Participants into Employment.	b) The Provider has in place policies that assist staff in tailoring Employment Services to different cohort groups. c) The Provider can demonstrate that staff consistently apply policies for engaging and servicing different cohort groups in their respective Employment Regions.
	5.1.3. The Provider has in place policies and processes that assure the cultural competence of staff in dealing with Stream Participants.	a) The Provider's policies and processes demonstrate a commitment to culturally appropriate service delivery. b) The Provider has in place policies and processes for accessing interpreting services, and: i. staff can accurately describe these processes and how they are used, and ii. there is evidence of professional interpreters being engaged, where appropriate, to address Stream Participants' needs.

Key Performance Measure	Practice Requirement	Minimum Evidence Requirements
<p>5.2 The Provider has a systematic approach to servicing the needs of Employers including evidence of ongoing relationships that deliver Employment outcomes for Stream Participants.</p> <p>Scope Reduction 80 per cent of the Provider's contracts have a Star Rating of 3 or above based on the last published results</p>	<p>5.2.1. The Provider has in place proactive policies for meeting the needs of Employers.</p>	<p>a) The Provider can demonstrate how they develop and maintain relationships with Employers and Employer groups. This includes demonstrating that there is:</p> <ul style="list-style-type: none"> i. ongoing marketing to Employers both of Provider Services and of individual Stream Participants, and ii. evidence of Employer networks and/or databases. <p>b) The Provider can describe how they supply information to Employers about government incentives available to the Employer, including Wage Subsidies.</p> <p>c) The Provider can describe how they participate, facilitate and contribute to industry strategies including collaboration with other Providers, which improve the quality of services to Employers.</p>
	<p>5.2.2 The Provider has in place proactive processes for sourcing and matching Stream Participants with vacancies.</p>	<p>a) The Provider's staff can describe how they source vacancies and match and place Stream Participants into Employment, including any related strategies outlined in Service Delivery Plans. This involves staff:</p> <ul style="list-style-type: none"> i. assessing the needs of Employers, ii. matching the needs of Employers with skills of the Stream Participants on their caseload, and iii. providing ongoing assistance to Employers, for eligible Stream Participants post placement, to improve Employment outcomes.
<p>5.3 - There are effective relationships developed and maintained with Activity Host Organisations, other Providers and organisations that deliver complementary services.</p>	<p>5.3.1 This Practice Requirement no longer needs to be met.</p>	<p>This Minimum Evidence Requirement no longer needs to be met.</p>
	<p>5.3.2. The Provider can demonstrate linkages with Activity Host Organisations.</p>	<p>a) The Provider can demonstrate the approach taken to promote the Work for the Dole program to potential Host Organisations.</p> <p>b) The Provider has policies in place to develop and maintain relationships with Activity Host Organisations for all relevant programs, including, but not limited to, Work for the Dole, the National Work Experience Programme, PaTH Internships and staff can describe these policies.</p> <p>c) The Provider can demonstrate collaboration with other Providers to meet the needs of Activity Host Organisations for all relevant programs, and to deliver the Work for the Dole program.</p>

Key Performance Measure	Practice Requirement	Minimum Evidence Requirements
	5.3.3. The Provider can demonstrate linkages between the services that the Provider delivers and appropriate referral to and from other agencies.	a) The Provider has established networks, where relevant, with other services, including but not limited to the New Business Assistance with NEIS, Employability Skills Training and Career Transition Assistance. b) Information is maintained, at Site level, about complementary programs or services that may be available to Stream Participants.

Principle 6 – Operational effectiveness

Key Performance Measure	Practice Requirement	Minimum Evidence Requirements
6.1 Provider's policies and processes support the delivery of services that comply with the Deed and guidelines.	6.1.1. The Provider's policies and processes ensure compliance with the Deed, and changes in the Deed and guidelines are promptly and accurately reflected in the Provider's systems, processes and practices.	<ul style="list-style-type: none"> a) The Provider's policies and processes ensure that the requirements of the Deed and guidelines are being met. b) The Provider can demonstrate that it has in place processes for accurately and promptly updating the Provider's systems, policies and processes following Deed and guideline updates. c) The Provider's staff can describe the importance of complying with the Deed and guidelines, and how they are notified of updated processes.
	6.1.2. The Provider has policies and processes in place to ensure staff awareness of probity and accountability issues.	<ul style="list-style-type: none"> a) The Provider has policies and processes in place to address probity and accountability issues.
6.2 The Provider has arrangements in place to monitor and comply with the Privacy Act, Work Health and Safety Act and other relevant legislation.	6.2.1. The Provider has policies and processes in place to ensure that personal information is handled in a manner consistent with the Privacy Act and other legislation.	<ul style="list-style-type: none"> a) The Provider has privacy and confidentiality policies and processes in place to comply with all relevant legislative and Departmental requirements (including those outlined in the Department's Records Management Instructions). b) The Provider can demonstrate how it has implemented its privacy and confidentiality processes. This includes demonstrating that: <ul style="list-style-type: none"> i. staff can accurately describe how these processes are used and how they are implemented in their daily work, ii. information is stored securely including electronically, and iii. there are facilities, such as private interview rooms, that accommodate private discussion with Stream Participants.
	6.2.2. The Provider has arrangements in place to promote their privacy and confidentiality policies to Stream Participants and Employers.	<ul style="list-style-type: none"> a) The Provider has in place processes to ensure Stream Participants are informed of how their personal information may be used. This must incorporate: <ul style="list-style-type: none"> i. relevant information about protecting Stream Participants' privacy and the handling of confidential issues is shared with Stream Participants at their first interview with the Provider, and ii. where relevant, additional considerations for managing issues of privacy, where these are required by local communities. b) The Provider can demonstrate that they inform Employers about how their disclosed information is managed.

Key Performance Measure	Practice Requirement	Minimum Evidence Requirements
	<p>6.2.3</p> <p>The Provider has policies and processes in place to ensure that Work Health and Safety requirements are handled in a manner consistent with relevant legislation.</p>	<p>a) The Provider has policies and processes in place to comply with all relevant work health and safety legislation, including reporting of Notifiable Incidents.</p> <p>b) There are policies in place to ensure changes to Work Health and Safety legislation generate a review of the Provider's processes.</p> <p>c) The Provider has policies and processes in place to regularly monitor all Activities to ensure the ongoing work health and safety of Stream Participants.</p> <p>d) The Provider can demonstrate effective implementation of these policies and processes.</p>
<p>6.3</p> <p>Claiming processes used by the Provider are systematic and ensure claiming practices align with the Deed and relevant guidelines.</p> <p>Scope Reduction</p> <p>At an organisation level the Compliance Indicator result was 83 or more (based on the data available to providers as at the time the Audit Plan is requested).</p>	<p>6.3.1.</p> <p>The Provider ensures reimbursement and claiming policies and processes are in place and align with the Deed and relevant guidelines.</p>	<p>a) The Provider's claiming policies and processes:</p> <ul style="list-style-type: none"> i. support compliance with relevant guidelines, including relevant Documentary Evidence requirements of those guidelines, ii. specify the internal and external (where required) approval processes for expenditure, reimbursements and claims, and iii. clearly identify accountability and delegation arrangements.
	<p>6.3.2.</p> <p>The Provider ensures that reimbursements and claims policies and processes are systematically applied by the Provider.</p>	<p>a) The Provider can demonstrate that the policies and processes for reimbursements and claims are systematically applied including that when submitting reimbursements and claims to the Department the staff responsible:</p> <ul style="list-style-type: none"> i. process reimbursements and claims in accordance with the Provider's processes, and ii. ensure the application of the Deed and relevant guidelines.

Principle 7 – Continual improvement

Key Performance Measure	Practice Requirement	Minimum Evidence Requirements
7.1 The Provider has an effective internal audit system in place.	7.1.1. The Provider has formally defined internal audit processes in place.	a) The Provider has an internal audit function that supports the Provider's overall effectiveness. An internal audit process is approved by the Provider's governing body and outlines the purpose, authority and responsibility of the internal audit function. The audit processes detail: <ol style="list-style-type: none"> how the Provider ensures that the internal audit function remains an independent process, free of operational interference, how the Provider's internal audit activity mitigates fraud and how this activity interlinks with its risk management strategies. b) The Provider's staff responsible for conducting internal audits are independent, objective and impartial and have a clear separation of duties, particularly where audits are conducted by Employment Service staff.
	7.1.2. The Provider ensures that internal audit activity is effectively planned and undertaken as scheduled.	a) The Provider effectively plans internal audit activity by: <ol style="list-style-type: none"> preparing an internal audit schedule that is approved by directors and board members ensuring that internal audit activities are appropriate to the size and structure, for the services being delivered, of the Provider, and adopting a risk-based approach to determining internal audit priorities b) The Provider's internal audit plan includes activities targeted at its internal quality management system as well as Deed and guideline related compliance. c) The Provider undertakes internal audit activities as outlined in the Provider's audit schedule, and can demonstrate that: <ol style="list-style-type: none"> all scheduled audits have been conducted, and reasons that audits are undertaken outside the audit schedule are documented.
7.2 The Provider has in place a systematic approach to identifying and implementing continual improvement activities.	7.2.1. The Provider has in place processes for the systematic monitoring and reporting of Site, Employment Region and Provider performance.	a) The Provider has in place processes to measure and review performance at a Site, Employment Region and Provider level. These reviews include specific monitoring of placement and Outcome data in relation to Aboriginal and Torres Strait Islander peoples. b) The Provider can demonstrate that ongoing performance monitoring is conducted as planned and how this monitoring has informed specific performance improvement policies. c) The Provider monitors and reviews its Employment placement strategies to ensure they continue to be effective in securing Employment outcomes for Stream Participants.

Key Performance Measure	Practice Requirement	Minimum Evidence Requirements
	7.2.2. The Provider can demonstrate how feedback received from a variety of sources informs the implementation of continual improvement activities.	a) The Provider collates Provider-wide information on feedback and complaints received from Employers, Stream Participants, Auditors and the Department and can demonstrate how feedback received informs continual improvement. b) Records of complaints and feedback are maintained and include: <ol style="list-style-type: none"> detailed information relating to the complaint, including the date of the complaint and the Site to which the complaint relates, steps taken to resolve the complaint, the outcome of any investigation, and any follow-up action required. c) The Provider can demonstrate how it uses observations, recommendations and Opportunities for Improvement from QAF and Quality Standard audits, to improve the Provider's effectiveness.
	7.2.3. The Provider has in place a continual improvement register that is used to monitor continual improvement proposals and the activities that address them.	a) The Provider can demonstrate that there is a continual improvement register and that it is effectively utilised, including demonstrating that: <ol style="list-style-type: none"> there is a systematic process to updating and monitoring the continual improvement register, the register contains all corrective action, the register contains all current and completed improvement activities, the register contains issues and opportunities that have been informed by a variety of sources, the register demonstrates the Provider's timely response to identified issues and opportunities, and the governing body regularly reviews the continual improvement register and contributes to its ongoing development. b) The Provider can demonstrate that non-conformity against either the Provider's chosen Quality Standard or the Department's Quality Principles, is reflected in its continual improvement register and timely corrective action has been completed.

All capitalised terms in this Guideline have the same meaning as in the jobactive Deed 2015–2022 (the Deed).

In this Guideline, references to Provider mean an Employment Provider, and references to Participants mean Stream Participants as defined in the Deed.

In this Guideline, references to NEST Provider means a New Employment Services Trial Provider, and references to NEST Participants means Enhanced Services Participants as defined in the New Employment Services Trial Deed 2019–2022.

This Guideline is not a stand-alone document and does not contain the entirety of Employment Services Providers' obligations. It must be read in conjunction with the Deed and any relevant Guidelines or reference material issued by Department of Education, Skills and Employment under or in connection with the Deed.

Guideline:

Period of Service, Suspensions and Exits

Period of Service is the time Participants spend in Online Employment Services (OES) and in jobactive. It identifies when they must participate in activities and determines the services providers must deliver. It is affected by periods of Suspension and when Participants are Exited.

Suspensions are periods when Participants are not required to participate in jobactive services and providers are not required to deliver services to them during that period although they may agree to do so in some circumstances.

Participants may be Exited if they are meeting their obligations or are no longer eligible for jobactive services. This will usually happen automatically but there are some instances when providers can manually Exit Participants.

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Changes from the previous version (Version 9.1)

Policy changes:

Nil

Wording changes:

Page 3 Minor wording update: replace 'are serviced' with 'commence'

Page 3 Update to calculation of Period of Service for Vulnerable Youth

Page 6 Clarification of Effective Exits for Participants who are no longer in receipt of an Income Support Payment that makes them a Fully Eligible Participant

Page 7 Inclusion of retrenched workers and their partners as a cohort that providers can exit

Document Change History:

A full document history is available on the [Provider Portal](#)

Related documents and references

[Managing and Monitoring Mutual Obligation Requirements Guideline](#)

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1. Period of Service determines the phase of a Participant

Participants move between jobactive phases at specific points in their Period of Service (except Volunteers, who are only eligible for six months of jobactive support. From 9 December 2019, newly registered Volunteers are eligible for the Volunteer Online Employment Services Trial (VOEST) for a period of 12 months only).

The phases in jobactive are:

- the Self Service and Job Activity Phase
- the Case Management Phase
- the Work for the Dole Phase

Providers must deliver specific services to Participants appropriate to their jobactive phase.

Participants may participate in a Work for the Dole Activity while in the Case Management Phase. This participation will not move the Participant into the Work for the Dole Phase early.

Participants who commence in OES and complete their period of assistance in OES, or who leave OES for other reasons (including Opting Out) but who remain Fully Eligible for jobactive, will be transferred to a jobactive provider and their service in OES will count towards their Period of Service.

(Deed references: Clause 82 – Transfer of Stream Participants to the Provider, Chapter B1- Clause 75.3, Chapter B2, specifically Sections B2.1 – Stronger Participation Incentives Participants, B2.2 – Stream A (General) Participants, and B2.3 – Stream B (General) Participants and Stream C Participants.)

The Period of Service is calculated by the Department's IT Systems

The Period of Service:

- starts when a Participant Commences in a Stream
- pauses while a Participant is Suspended
- ends when the Participant:
 - is Exited, or
 - moves to another Stream, except in the case of:
 - a Stronger Participation Incentive (SPI) Participant who moves from Stream A to Stream B and remains an SPI Participant or
 - Participants who register as Vulnerable Youth who Services Australia determines to be ineligible as Vulnerable Youth, but who remain eligible for services in Stream A or B. These Participants' Period of Service will continue from their initial Stream C commencement regardless of their new Stream.

(Deed References: Clause 78, 92 and Annexure A1)

2. Suspensions pause Period of Service and affect services to Participants

The Period of Service pauses when a Participant is Suspended and restarts when the Suspension ends.

Providers generally do not need to deliver services to Suspended Participants, however Participants aged 55 years or over can be required to attend appointments relating to employment opportunities.

Participants may be Suspended for a range of reasons

Participants are Suspended if they are:

- a Fully Eligible Participant:
 - with an Exemption applied by the Services Australia
 - who is a Principal Carer Parent (PCP) and is fully meeting their part-time Mutual Obligation Requirements through participating in 30 hours a fortnight of paid work and/or study
 - who has a Partial Capacity to Work (PCW) of 15 to 29 hours a week and is fully meeting their part-time Mutual Obligation Requirements through participating in 30 hours a fortnight of paid work and/or study
 - aged 55 years and over and meeting their Full-Time Mutual Obligation Requirements through participating in paid work and/or approved Voluntary Work depending on their age and circumstances.
 - If the Participant is aged 55 – 59 and in their first 12 months of receiving payment, they can fully meet their Mutual Obligation Requirements by completing 30 hours per fortnight of paid work. These Participants can also fully meet their Mutual Obligation Requirements by completing 30 hours per fortnight of a combination of approved Voluntary Work and paid work. However, this must include at least 15 hours per fortnight of paid work.
 - If the Participant is aged 55 – 59 and has been receiving payment for more than 12 months, they can fully meet their Mutual Obligation Requirements if they undertake at least 30 hours per fortnight of paid work, approved Voluntary Work or a combination of the two Activities.
 - If the Participant is aged between 60 and the age pension age, they can fully meet their Mutual Obligation Requirements if they undertake at least 30 hours per fortnight of paid work, approved Voluntary Work or a combination of the two activities.
- with a temporary reduced work capacity of less than 15 hours per week
- identified as a PCW Participant who has a current and future work capacity of less than 15 hours per week

Who applies a Suspension

Suspensions can be applied by Services Australia if:

- Participants qualify for an exemption from their Mutual Obligation Requirements when their personal circumstances make it difficult for them to meet those requirements, or
- a Participant is participating in an appropriate activity to meet their Mutual Obligation Requirements.

Suspensions can be applied by providers:

- when a Participant is a Volunteer who is experiencing a situation that affects their ability to participate for a specified period
- when the Participant is a ParentsNext Volunteer and the ParentsNext Provider agrees to the Suspension if:
 - the ParentsNext Volunteer's ParentsNext Provider notifies the jobactive provider that the ParentsNext Volunteer has an Exemption or
 - the jobactive provider identifies that the ParentsNext Volunteer has experienced circumstances which prevent them from participating in Services for a specified period of time.

Suspensions can be applied by the Department on behalf of providers if:

- a Volunteer has a New Enterprise Incentive Scheme (NEIS) referral
- the provider requests a suspension for a Fully Eligible Participant who meets the Suspension criteria.



Documentary Evidence: Where a provider Suspends a Participant, the provider must record the reason for the Suspension, and the start and end dates for the Suspension, in the Department's IT Systems.

(Deed references: Clauses 93)

Fully Eligible Participants who are Suspended can voluntarily participate in jobactive services

A Fully Eligible Participant with Mutual Obligation Requirements can choose to participate voluntarily in jobactive services while they are Suspended after:

- being contacted by their provider to discuss and agree to voluntarily participate while Suspended, or
- notifying Services Australia who will either call their provider or book an Appointment for them, or
- directly contacting their provider to request jobactive services.

The provider must provide jobactive services to a Suspended Fully Eligible Participant if they advise they want to voluntarily participate in Services.

Fully Eligible Participants on a preclusion period (a period during which they do not receive an Income Support Payment from Services Australia because of a lump-sum payment) may also participate voluntarily in Services.



Documentary Evidence: Where a Fully Eligible Participant elects to volunteer while Suspended, the provider must record, in the Department's IT Systems:

- the agreed start and end dates for the volunteering period
- the agreed voluntary Activities in the Job Plan
- that the Stream Participant is participating as a Volunteer.



Documentary Evidence: The provider must immediately record the end of the Suspension or volunteering period in the Department's IT Systems. No additional Documentary Evidence is required.

(Deed reference: Clause 93.4)

jobactive services resume when a Suspension ends

When a Suspension ends, providers must resume delivery of jobactive services.



System step: Providers receive a noticeboard message when a Suspension is applied and when it ends.

(Deed references: Clauses 93.3, 93.5, 93.6, 93.9)

3. Participants may Exit from jobactive services for a range of reasons

Most Exits happen automatically (Effective Exit)

In most cases, Participants will be Exited automatically from jobactive services. This is called an Effective Exit and can occur when:

- a Volunteer (registered prior to 9 December 2019) has reached a maximum of six months Period of Service in Stream A
- a Fully Eligible Participant:
 - is in a job and has stopped receiving an eligible Income Support Payment (for example when a Participant has six consecutive fortnights with nil rate of Income Support Payment)
 - has not lodged a report of income with Services Australia (even if this is zero) 14 days after their Report Due Date and their payment is cancelled by Services Australia
 - is fully meeting their Mutual Obligation Requirements and no longer needs to remain fully connected to the provider
 - has a change in circumstances that means they are no longer in receipt of an Income Support Payment that makes them a Fully Eligible Participant
 - is commenced in Disability Employment Services or the Community Development Programme, or
 - they commence in NEIS.

Some Exits can be actioned by providers (Provider Exit)

Volunteers, ParentsNext Volunteers, and some Fully Eligible Participants may be eligible for a provider Exit which is processed manually by the provider.

Fully Eligible Participants

Providers can Exit Fully Eligible Participants who are Suspended and:

- have a Partial Capacity to Work (PCW) of:
 - less than 15 hours per week, or
 - 15 hours or more per week and are meeting their Mutual Obligation Requirements through 30 hours or more a fortnight of paid work and/or study that will likely be ongoing or last more than 13 weeks.
- are Principal Carer Parents (PCP) who:
 - have a long-term Exemption (end date longer than 16 weeks), or

- are meeting their Mutual Obligation Requirements through 30 hours or more a fortnight of paid work and/or study that will likely be ongoing or last more than 13 weeks.
- are Vulnerable Youth, Vulnerable Youth (Student), Structural Adjustment Programme Participants, retrenched workers and their partners or Pre-release Prisoners who have no Mutual Obligation Requirements and no longer wish to participate.

Volunteers (registered prior to 9 December 2019)

Providers can Exit a Volunteer who is on their caseload once they have been informed of the six-month limit to their eligibility, and both parties agree to the Exit.

ParentsNext Volunteers

Providers must Exit a ParentsNext Volunteer if both they, and the ParentsNext provider assess that the ParentsNext Volunteer is unsuitable for jobactive services.

Structural Adjustment Programme Participant, Stronger Transition Participants and retrenched workers and their partners

Providers should manually Exit a Structural Adjustment Programme Participant or retrenched worker or their partner who has no Mutual Obligation Requirements and no longer wishes to participate.

Providers should manually Exit a Structural Adjustment Programme Participant, Stronger Transition Participant or retrenched worker or their partner who has no Mutual Obligation Requirements if the Participant is in Employment and the Provider has claimed a 26-week Employment Outcome for that Employment.

This applies to existing Stronger Transitions Participants. From 1 July 2020, the Stronger Transitions program is closed to new entrants.

Vulnerable Youth and Vulnerable Youth (Student)

Providers must Exit a Vulnerable Youth or Vulnerable Youth (Student) where the Employment Services Assessment (ESAt) determines that they are not a Fully Eligible for jobactive services. They may be referred to the VOEST via Services Australia.

(Deed reference: Clause 95)

Providers should assess the appropriateness of Participant requests to Exit

Fully Eligible Participants requesting an Exit

If a Fully Eligible Participant advises their provider that they wish to Exit, the provider should determine whether a provider Exit is appropriate. This decision should consider whether the Fully Eligible Participant:

- is eligible for a provider Exit
- wishes to access Services in the future
- is currently tracking towards an Outcome Payment, or has a pending Outcome Payment claim
- is receiving post-placement support

- is in an activity that is likely to last more than 13 weeks (and has a Partial Capacity to Work of less than 15 hours per week or is meeting Mutual Obligation Requirements through 30 hours or more a fortnight of paid work and/or study).
- is aware of the Services that the provider can offer.

Volunteers (registered prior to 9 December 2019) requesting an Exit

If a Volunteer tells their provider they no longer want to participate in jobactive services, the provider must inform them of the six month limit to their eligibility.

Depending on their individual circumstances, the Volunteer may choose to:

- continue receiving jobactive services
- be Suspended, or
- be Exited.

A provider must resume the delivery of jobactive services to a Volunteer if they return to services within 13 Weeks from the date of Exit and have not received a total of six months of Services as a Volunteer.

(Deed references: Clauses 75, 93, 95.6)

Providers must continue delivering jobactive services if a Participant request to Exit is not approved

The provider must advise a Participant when they do not approve a request for a provider Exit and must continue to deliver jobactive services.

(Deed references: Clauses 93.2, 93.4)

Some Participants cannot be Exited

Participants aged 55 years and over who are fully meeting their full-time Mutual Obligation Requirements through paid work (including self-employment), approved Voluntary Work, or a combination of these Activities cannot be Exited.

These Participants will remain connected with a provider but will be Suspended. They cannot be required to undertake Job Search, other additional requirements, or to attend provider appointments, unless they relate to employment opportunities or job referrals. Appointments must be made around the times of their paid and Voluntary Work hours.

These Participants still have full-time Mutual Obligation Requirements and are required to attend job interviews with employers and accept increased hours of paid work until they obtain a full-time job or no longer receive Income Support Payments.

4. Summary of required Documentary Evidence

Suspensions



Documentary Evidence: Where a provider Suspends a Participant, the provider must record the reason for the Suspension, and the start and end dates for the Suspension, in the Department's IT Systems.



Documentary Evidence: Where a Fully Eligible Participant elects to volunteer while Suspended, the provider must record, in the Department's IT Systems:

- the agreed start and end dates for the volunteering period
- the agreed voluntary Activities in the Job Plan
- that the Stream Participant is participating as a Volunteer.



Documentary Evidence: The provider must immediately record the end of the Suspension or volunteering period in the Department's IT Systems.

Exits



Documentary Evidence: Where the provider determines it is appropriate to Exit a Participant, the provider must record this in the Department's IT Systems, including the reason for the decision. No additional Documentary Evidence is required.

All capitalised terms in this Guideline have the same meaning as in the jobactive Deed 2015–2022 (the Deed).

In this Guideline, references to provider mean an Employment Provider, references to Participants mean Stream Participants, and references to jobactive services mean Employment Provider Services as defined in the Deed.

This Guideline is not a stand-alone document and does not contain the entirety of Employment Services providers' obligations. It must be read in conjunction with the Deed and any relevant Guidelines or reference material issued by Department of Education, Skills and Employment under or in connection with the Deed.

Guideline:

Targeted Compliance Framework: Mutual Obligation Failures

The Targeted Compliance Framework (TCF) is designed to target financial penalties towards only those Participants who persistently commit Mutual Obligation Failures without a Valid Reason or Reasonable Excuse, while providing protections for the most vulnerable. It is designed to encourage Participants to engage with their employment services provider (Provider), take personal responsibility for managing and meeting their Mutual Obligation Requirements, and actively look for work.

Participants commit Mutual Obligation Failures when they fail to comply with any one of a range of particular requirements specified in the Social Security Law. Broadly speaking, these requirements include, among other things:

- entering into a Job Plan
- attending appointments, and participating in activities, where required by their Job Plan
- acting appropriately during those appointments and while participating in those activities
- undertaking adequate Job Searches, where required by their Job Plan
- attending job interviews
- acting on job opportunities when requested to do so by their Provider.

If a Participant persistently commits Mutual Obligation Failures, they progress through the compliance framework. The Participant may eventually incur financial penalties after they:

- have participated in a Capability Interview with their Provider, and a Capability Assessment with Services Australia, to ensure that the Mutual Obligation Requirements specified in their Job Plan are appropriate for their personal circumstances and that they are capable of meeting them
- have continued to commit Mutual Obligation Failures.

That Participant may also face financial penalties if, at any time, they commit a Work Refusal Failure or an Unemployment Failure. See the jobactive [Work Refusal Failures and Unemployment Failures Guideline](#) for more information.

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Changes from the previous version (Version 4.1)

Policy changes:

Nil.

Wording changes:

The following minor updates have been made to the document:

- ParentsNext Deed date has been extended throughout document from 2018-2021 to 2018-2024.

- Deed Clause numbers have been removed from body of the text and appear at the bottom of each section.
- Deed Clause numbers and links have been updated where necessary.

A full document history is available on the [Provider Portal](#).

Related documents and references

jobactive

[Job Plan and Setting Mutual Obligation](#)

[Requirements Guideline](#)

[Capability Assessment Guideline](#)

[Capability Interview Guideline](#)

[Work Refusal Failures and Unemployment Failures Guideline](#)

ParentsNext

[Capability Assessment Guideline](#)

[Capability Interview Guideline](#)

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1. Interpretation

Unless otherwise specified:

- all references in this Guideline to:
 - a ‘Participant’ are references to a ‘Fully Eligible Participant (Mutual Obligation)’ as defined in the jobactive Deed 2015–2022 (jobactive Deed) or a ‘Compulsory Participant’ as defined in the ParentsNext Deed 2018–2024 (ParentsNext Deed), as relevant;
 - a ‘Job Plan’ are references to a ‘Job Plan’ as defined in the jobactive Deed or a ‘Participation Plan’ as defined in the ParentsNext Deed, as relevant;
 - ‘3 active months’ are, broadly speaking, references to 91 days, but prolonged for the time the Participant is in a penalty period or has an Exemption (up to a maximum of 12 months); and
 - ‘6 active months’ are, broadly speaking, references to 182 days, but prolonged for the time the Participant is in a penalty period or has an Exemption (up to a maximum of 12 months); and
- capitalised terms in this Guideline have the meaning given to them in the jobactive Deed or the ParentsNext Deed, as relevant.

2. The Targeted Compliance Framework (TCF)

Providers’ main obligations relating to the Targeted Compliance Framework (TCF) are set out in Chapter B3 of the jobactive Deed or Chapter B3 of the ParentsNext Deed, as relevant. One of the key obligations is that Providers must actively monitor and record each Participant’s compliance against their Mutual Obligation Requirements. This includes recording compliance against requirements that, if not complied with, would result in a Mutual Obligation Failure, Work Refusal Failure or Unemployment Failure for jobactive Participants, or a Mutual Obligation Failure for ParentsNext Participants.

For more information on the meaning of the term ‘Mutual Obligation Failure’, see section 3, Committing Mutual Obligation Failures.

See the [Targeted Compliance Framework: Work Refusal and Unemployment Failures Guideline](#) for more information on Work Refusal Failures and Unemployment Failures.

In summary, a Participant’s Income Support Payment potentially may be:

- suspended, reduced and/or cancelled—if they commit a Mutual Obligation Failure (see section Committing Mutual Obligation Failures in this Guideline)
- suspended and/or cancelled if they commit a Work Refusal Failure (that is, they refuse or fail to accept an offer of suitable employment, subject to certain exceptions)
- cancelled if they commit an Unemployment Failure (that is, they become unemployed as a result of a voluntary act or misconduct, subject to certain exceptions).

Note that, if a Participant’s Income Support Payment is cancelled, the Participant must serve a four-week preclusion period before they may be paid again (after reapplying for income support).

A key principle of the TCF is personal responsibility. Participants are held personally responsible for managing, meeting and reporting on their Mutual Obligation Requirements

each fortnight in return for their Income Support Payment. This means that Participants are responsible for:

- meeting their Mutual Obligation Requirements, including those set out in their Job Plan
- self-reporting participation against their Mutual Obligation Requirements as they are scheduling in their Electronic Calendar—when they are found to be reasonably capable of doing so
- looking for work and reporting their Job Searches on time each month—when required to do so.

The three zones

The TCF comprises three zones for Participants:

- the Green Zone
- the Warning Zone
- Penalty Zone.

The key things that influence whether a Participant moves from one zone to another are:

- whether they accrue a Demerit. See [Attachment A](#) for information on the circumstances in which a Participant will accrue a Demerit. Broadly speaking, it is intended that a Participant will accrue a Demerit when they commit a Mutual Obligation Failure without a Valid Reason
- how many Demerits they accrue in a particular time period
- the types of Mutual Obligation Failures that lead to the accrual of the Demerits
- the outcomes of any Capability Interview or Capability Assessment that the Participant participates in.

See the [Capability Interview Guideline](#) and the [Capability Assessment Guideline](#) for more information on Capability Interviews or Capability Assessments.

Each of the three zones are described in further detail below.

For a diagram illustrating the three zones in the TCF, see [Attachment B](#).

The Green Zone

All Participants begin in the Green Zone. As long as they do not commit any Mutual Obligation Failures without a Valid Reason, they will remain in this zone.

The Warning Zone

Moving into the Warning Zone helps to reinforce the importance of meeting Mutual Obligation Requirements and discourages Participants from committing any further Mutual Obligation Failures.

When a Participant in the Green Zone accrues a Demerit, they move into the Warning Zone. Each Demerit has a lifespan of 6 active months, after which they are automatically removed by the Department's IT Systems.

In some circumstances (discussed below), when a Participant is in the Warning Zone, the Provider must conduct a Capability Interview with the Participant.

The Provider must do this when the Department's IT Systems specify that the Participant's Reconnection Requirement is a Capability Interview (the timing of when this occurs is discussed below). Note that the Department's IT Systems refer to a Reconnection Requirement as a 're-engagement requirement'.

See the [Reconnection Requirements](#) section of this Guideline for more information on setting Reconnection Requirements.

The outcome of a Capability Interview determines whether the Participant will remain in the Warning Zone or will go back to the Green Zone with their Demerits reset to zero. The purpose of a Capability Interview is to determine whether a Participant's Job Plan is suitable for the Participant, and to provide an additional opportunity for the Participant to disclose information that may be affecting their capacity to comply with their Mutual Obligation Requirements. A Job Plan will be suitable for a Participant if the Mutual Obligation Requirements specified in the Participant's Job Plan are appropriate for their individual circumstances and the Participant is capable of meeting them.

Broadly speaking, the Department's IT Systems will specify that the Participant's Reconnection Requirement is a Capability Interview when the Participant has, in 6 active months, incurred three Demerits or a Demerit for a 'fast-track' Mutual Obligation Failure.

A fast-track Mutual Obligation Failure is one of the following:

- intentionally acting in a manner at a job interview that could result in an offer of employment not being made to the Participant
- failing to attend a job interview
- failing to act on a job opportunity when requested to do so by their Provider.

Note that, if a Participant has less than three Demerits when they incur a Demerit for a fast-track Mutual Obligation Failure, the Department's IT Systems will automatically increase the number of Demerits to three.

In practice, fast-track Mutual Obligation Failures do not apply in ParentsNext because ParentsNext Participants do not have obligations related to finding work.

A factor that influences whether a Provider must conduct a Capability Interview in the circumstances described above is the outcome of any Capability Interview or Capability Assessment that has been conducted in relation to the Participant in the last 60 days.

Providers' main obligations regarding Capability Interviews are set out the jobactive Deed or the ParentsNext Deed, as relevant. See also the [Capability Interview Guideline](#) for more information.

The Department's IT Systems will determine whether the Participant will remain in the Warning Zone or go back to the Green Zone with their Demerits reset to zero. This is based on the information that the Provider records in the Department's IT Systems regarding the outcome of the Capability Interview. It is intended that, if the result of the Capability Interview is that:

- the Participant's Job Plan is not suitable for the Participant (i.e. the Mutual Obligation Requirements specified in the Participant's Job Plan are not appropriate for their circumstances, and/or the Participant is not capable of meeting them), the Participant will go back to the Green Zone with their Demerits reset to zero, or

- the Participant's Job Plan is suitable for the Participant (i.e. the Mutual Obligation Requirements specified in the Participant's Job Plan are appropriate for their circumstances and the Participant is capable of meeting them), the Participant will continue in the Warning Zone with their confirmed Demerits.

In some circumstances (discussed below), when a Participant is in the Warning Zone, Services Australia will conduct a Capability Assessment with the Participant. The Department's IT Systems will notify the Provider when this will occur.

(Deed references: jobactive Deed 2015–2022 clauses 114.7, 114.8 and 114.9; ParentsNext Deed 2018–2024 clauses 101.1, 101.2 and 101.3)

The Penalty Zone

There are a number of criteria that must be satisfied before a Participant will enter the Penalty Zone. The first is that the Participant has attended a Capability Interview and the outcome of that Capability Interview is that the Participant's Job Plan is suitable for the Participant.

The second criterion that must be satisfied before a Participant will enter the Penalty Zone is that the Participant has incurred five Demerits in 6 active months. When this occurs, Services Australia will arrange for the Participant to attend a Capability Assessment with Services Australia. Note that, if a Participant has three or four Demerits when they incur a Demerit for a fast-track Mutual Obligation Failure (discussed above), the Department's IT Systems will automatically increase the Participant's total number of Demerits to five.

The final criterion is that the outcome of the Capability Assessment is that the Participant's Job Plan is suitable for the Participant. This means that the outcome of a Capability Assessment determines whether the Participant will enter the Penalty Zone or will go back to the Green Zone with their Demerits reset to zero.

The Capability Assessment has the same goals as the Capability Interview: to assess whether a Participant's Job Plan is suitable for the Participant (i.e. whether the Mutual Obligation Requirements specified in the Participant's Job Plan are appropriate for their circumstances and whether the Participant is capable of meeting them).

The Department's IT Systems will determine whether the Participant will enter the Penalty Zone or will go back to the Green Zone with their Demerits reset to zero. It does this based on the information that Services Australia records in the Department's IT Systems regarding the outcome of the Capability Assessment. It is intended that, if the result of the Capability Assessment is that:

- the Participant's Job Plan is not suitable for the Participant (i.e. the Mutual Obligation Requirements specified in the Participant's Job Plan are not appropriate for their circumstances, and/or the Participant is not capable of meeting them), the Participant will go back to the Green Zone with their Demerits reset to zero; or
- the Participant's Job Plan is suitable for the Participant (i.e. the Mutual Obligation Requirements specified in the Participant's Job Plan are appropriate for their circumstances and the Participant is capable of meeting them), the Participant will enter the Penalty Zone.

Broadly speaking, it is intended that a Participant in the Penalty Zone will incur the following financial penalties in succession if they continue to commit Mutual Obligation Failures:

- first Mutual Obligation Failure without a Reasonable Excuse in the Penalty Zone—loss of one week’s Income Support Payment
- second Mutual Obligation Failure without a Reasonable Excuse in the Penalty Zone—loss of two weeks’ Income Support Payment
- third Mutual Obligation Failure without a Reasonable Excuse in the Penalty Zone—Income Support Payment is cancelled, and the Participant must serve a four-week preclusion period before they may be paid again (after reapplying for income support). The preclusion period referred to here is called a ‘post-cancellation non-payment period’ in the relevant legislation.

Once a Participant’s Income Support Payment has been cancelled, the Participant must reapply for income support—they will not automatically receive an Income Support Payment again once the four-week preclusion period has ended. If a Participant has had their Income Support Payment cancelled, but they return to payment within 3 active months of cancellation, they will return to the beginning of the Penalty Zone. In other words, their next Mutual Obligation Failure without a Reasonable Excuse (committed within 3 active months after cancellation) would result in another loss of one week’s payment.

It is intended that a Participant in the Penalty Zone will return to the Green Zone if they do not commit any further Mutual Obligation Failures for 3 active months. The potential to return to the Green Zone through demonstrating compliance provides a further incentive for Participants to change their behaviour and meet their Mutual Obligation Requirements.

Note that, although Participants can incur financial penalties while they are in the Penalty Zone (as discussed above), they do not accrue further Demerits.

Recording participation by close of business

Providers have an obligation to record Engagements in each Participant’s Electronic Calendar. The types of Engagements that must be recorded include all Mutual Obligation Requirements, except for those that involve a requirement to:

- undertake adequate Job Searches
- enter into a Job Plan, or
- act on a job opportunity.

Providers also have an obligation to confirm or record participation against each Mutual Obligation Requirement scheduled in a Participant’s Electronic Calendar. This must be done no later than close of business on the day that the Mutual Obligation Requirement is scheduled to occur in the Participant’s Electronic Calendar.

Except in the case of attending a Provider Appointment, if participation is not recorded by close of business on the day that the Mutual Obligation Requirement is scheduled to occur in the Participant’s Electronic Calendar (either by the Provider or by the Participant), the Department’s IT Systems will automatically suspend the Participant’s Income Support Payment in the Green Zone and the Warning Zone after two Business Days if the Participant does not make contact or does not meet a Reconnection Requirement (where the Participant does not have a Valid Reason). See the [Payment Suspension](#) section of this Guideline for more information on payment suspensions.

Although a Participant does not necessarily accrue a Demerit for failing to record their participation against a Mutual Obligation Requirement, they may potentially accrue a

Demerit if they did not attend or participate in the Mutual Obligation Requirement, including if they failed to give prior notice of their inability to meet the requirement when it was reasonable to expect them to do so. See [Attachment A](#) for information on the circumstances in which a Participant will accrue a Demerit.

(Deed references: jobactive Deed 2015–2022 clause 83A, 106A; ParentsNext Deed 2018–2024 clauses 72, 92)

Self-reporting participation

Providers must assess whether each individual Participant is capable of taking personal responsibility for self-reporting participation against all the Mutual Obligation Requirements in their Job Plan.

If the Provider assesses that a Participant is not capable of self-reporting as referred to above, the Provider must remove the Job Plan code ‘Personal Responsibility to Record or Report Attendance (PA03)’ from the Participant’s Job Plan. It is then the Provider’s responsibility to record the Participant’s participation against each of the Mutual Obligation Requirements scheduled in their Electronic Calendar. Providers are encouraged to work with Participants assessed as not capable of self-reporting to help them build the required skills to be able to self-report their participation against each of the Mutual Obligation Requirements scheduled in their Electronic Calendar.

If the Provider assesses that a Participant is capable of self-reporting as referred to above, the Provider must confirm with the Participant that they understand that this means:

- the Participant must record their participation against each of the Mutual Obligation Requirements scheduled in their Electronic Calendar themselves—either on the jobactive website, or by using the Job Seeker App
- if the Participant does not do this, their Income Support Payment will be suspended—and, if their payment is suspended, it will remain suspended until they contact their Provider to discuss.

For information on how Providers must assess whether each individual Participant is capable of taking personal responsibility for self-reporting participation against all the Mutual Obligation Requirements in their Job Plan, refer to the [Job Plan and Scheduling Mutual Obligation Requirements Guideline](#) on the Provider Portal.

(Deed references: jobactive Deed 2015–2022 clauses 106A.1, 106A.2; ParentsNext Deed 2018–2024 clauses 92.1, 92.2)

3. Committing Mutual Obligation Failures

The term ‘Mutual Obligation Failure’ is defined in the jobactive Deed and ParentsNext Deed by reference to the meaning of that term in the *Social Security (Administration) Act 1999* (see the definition of ‘mutual obligation failure’ in section 42AC of that Act). In summary, this means that a Participant will commit a Mutual Obligation Failure if they:

- fail to enter into a Job Plan
- fail to attend, or to be punctual for, an appointment that they are required to attend under their Job Plan
- fail to attend, to be punctual for, or to participate in, an activity that they are required to undertake under their Job Plan

- fail to undertake adequate Job Searches
- fail to comply with any other requirement in their Job Plan
- act in an inappropriate manner:
 - during an appointment that they are required to attend under their Job Plan, or
 - while participating in an activity that they are required to undertake under their Job Plan
- intentionally act in a manner that could result in an offer of employment not being made to the person
- fail to:
 - attend a job interview, or
 - act on a job opportunity when requested to do so by their Provider.

Fast-track Mutual Obligation Failures

Particular types of Mutual Obligation Failures are referred to as ‘fast-track’ Mutual Obligations Failures because they can result in a Participant having a Capability Interview or Capability Assessment more quickly than would otherwise be the case. See [The Warning Zone](#) section of this Guideline for more information on ‘fast-track’ Mutual Obligations Failures.

Prior notice and Acceptable Reasons

A Participant may notify the Provider, before the start time scheduled for a Mutual Obligation Requirement, that they are unable to comply with their Mutual Obligation Requirement. Providers must then assess whether the Participant’s reason for being unable to comply with the Mutual Obligation Requirement is an Acceptable Reason. If the Provider is satisfied that the Participant has an Acceptable Reason for being unable to comply with the Mutual Obligation Requirement, they have an obligation to reschedule or remove the Mutual Obligation Requirement from the Electronic Calendar. See the jobactive Deed or the ParentsNext Deed, as relevant, together with the definition of ‘Acceptable Reason’ in Annexure A1 in the relevant Deed.

For the purposes of the above, the Provider must determine that a Participant has an Acceptable Reason for being unable to satisfy a Mutual Obligation Requirement if:

- the Participant notified the Provider, before the start time scheduled for a Mutual Obligation Requirement, that the Participant is unable to satisfy the Mutual Obligation Requirement
- the Provider is satisfied that the Participant has a Valid Reason for being unable to satisfy the Mutual Obligation Requirement.

A Provider must determine that the Participant has a Valid Reason for a Mutual Obligation Failure when they are satisfied that the reason the Participant provides:

- would directly prevent the Participant from meeting the Mutual Obligation Requirement at the time that the Mutual Obligation Requirement is scheduled to occur;
- would be considered to be reasonable by a member of the general public; and
- aligns with the Participant’s personal circumstances as known by the Provider.

However, note the exception to the above discussed in the [Drug and alcohol dependency or misuse](#) section of this Guideline.

Where a Provider has an obligation to reschedule or remove a Mutual Obligation Requirement as per the jobactive Deed or the ParentsNext Deed, the Provider must select 'No Longer Required' or 'Rescheduled' (as appropriate) in relation to the Mutual Obligation Requirement in the Participant's Electronic Calendar. This will either remove the Mutual Obligation Requirement from the Participant's Electronic Calendar or allow the Mutual Obligation Requirement to be re-scheduled in the Participant's Electronic Calendar.

Despite the above, the Provider must select 'No Longer Required' in relation to the Mutual Obligation Requirement in the Participant's Electronic Calendar if the Mutual Obligation Requirement in question is a requirement to undertake Job Searches or a requirement to act on a job opportunity.

If the Provider selects 'No Longer Required' or 'Rescheduled' in relation to a Mutual Obligation Requirement in the Participant's Electronic Calendar as referred to above, the Provider must also select a description of the relevant Valid Reason from the drop-down menu that will appear. In selecting a Valid Reason option from the drop-down menu, the Provider must select the option that is most similar to the Participant's Valid Reason as they described it to the Provider. The Provider must not use the options in the drop-down menus to prompt or elicit responses from the Participant. A full list of these drop-down menu options can be found at [Attachment C](#).

If the Provider is **not** satisfied that the Participant has a Valid Reason for being unable to satisfy the Mutual Obligation Requirement, the Provider must tell the Participant why. The Provider must then remind the Participant that they are still expected to meet the Mutual Obligation Requirement and must remind them about the consequences of non-compliance.

(Deed references: jobactive Deed 2015–2022 clause 106B.1; ParentsNext Deed 2018–2024 clause 93.1; definition of 'Acceptable Reason' in Annexure A1 in the relevant Deed)

Misconduct—Acting in an inappropriate manner

Particular types of Mutual Obligations Failures are referred to as 'misconduct' in the Department's IT Systems. The circumstances in which the Provider must select 'misconduct' are described below in the [When the Participant does not have a Valid Reason](#) section of this Guideline.

Misconduct refers to:

- inappropriate behaviour by the Participant:
 - during an appointment that they are required to attend under their Job Plan, or
 - while participating in an activity that they are required to undertake under their Job Plan, or
- behaviour by a Participant, during a job interview, that could result in an offer of employment not being made to the Participant.

A Provider must determine that a Participant's behaviour involved 'misconduct' in the circumstances described above when the Participant's behaviour during the relevant appointment, activity or job interview:

- was within the Participant's control

- prevented the purpose of the relevant appointment, activity or job interview from being met
- would be judged by a reasonable person as being inappropriate in the circumstances.

This behaviour may include:

- dressing in a way that is clearly inappropriate for the relevant appointment, activity or job interview
- using offensive language during the relevant appointment, activity or job interview
- showing an obvious lack of interest in the relevant appointment, activity or job interview
- exaggerating the severity of an existing injury or illness to avoid fully participating in the relevant appointment, activity or job interview
- leaving the relevant appointment, activity or job interview before its completion.

Behaviour that appears to be inappropriate but is out of the Participant's control must not be determined by a Provider to be misconduct. For example, a Participant may act in an inappropriate manner because they:

- do not have appropriate clothes to wear to the relevant appointment, activity or job interview
- are affected by a major personal crisis
- are affected by a medical condition.

Mutual Obligation Failures

Participant contact

In most cases, if the Provider becomes aware that a Participant has apparently committed a Mutual Obligation Failure, the Provider must attempt to contact the Participant on the same Business Day on which the Provider becomes aware of the apparent Mutual Obligation Failure. If there is contact between the Provider and the Participant on that day, the Provider must:

- discuss with the Participant the circumstances of the apparent Mutual Obligation Failure so that the Provider can determine whether a Mutual Obligation Failure has actually been committed; and
- if the Provider considers that a Mutual Obligation Failure has been committed:
 - discuss with the Participant their reasons for the Mutual Obligation Failure, assess whether the Participant has a Valid Reason, and comply with the obligations set out below in the [Assessing Valid Reasons](#) section in this Guideline
 - set an appropriate Reconnection Requirement for the Participant (if they do not have a Valid Reason for the relevant Mutual Obligation Failure) in accordance with the [Reconnection Requirements](#) section in this Guideline; or
- if the Provider considers that a Mutual Obligation Failure has not been committed, not take any further action.
- if the Provider determines that the Participant has been non-compliant but the TCF cannot be applied, follow the TCF workflow at [Attachment D](#).

See the jobactive Deed or the ParentsNext Deed, as relevant.

See the [Assessing Valid Reasons](#) section in this Guideline for more information on Valid Reasons.

See the [Reconnection Requirements](#) section in this Guideline for more information on Reconnection Requirements.

(Deed references: jobactive Deed 2015–2022 clause 114; ParentsNext Deed 2018–2024 clause 100)

Contact attempt not required

The Provider is not required to attempt to contact the Participant if the Mutual Obligation Failure has occurred because the Participant:

- failed to undertake adequate Job Searches (this does not apply to participants in ParentsNext), or
- failed to enter into a Job Plan.

See the jobactive Deed or the ParentsNext Deed, as relevant.

In these instances, the Provider should wait for the Participant to make contact. Once the Participant has made contact, the Provider must:

- schedule a date and time for a Reconnection Requirement to occur (if the Participant does not have a Valid Reason for the relevant Mutual Obligation Failure) in accordance with the [Reconnection Requirements](#) section in this Guideline
- otherwise comply with the Deeds referred to above.

(Deed references: jobactive Deed 2015–2022 clause 114.2; ParentsNext Deed 2018–2024 clause 100.2)

Contact attempt not successful

As discussed above, in most cases, the Provider has an obligation to attempt to contact the Participant on the same Business Day on which the Provider becomes aware of an apparent Mutual Obligation Failure. When the Provider attempts to contact the Participant in accordance with that obligation and the attempt is not successful, the Provider must:

- record that they are not in contact with the Participant and select ‘Did Not Attend—Invalid’ in relation to the relevant Mutual Obligation Requirement in the Participant’s Electronic Calendar. Doing so will:
 - create a pending Demerit on the Participant’s record if the Participant is in the Warning Zone; or
 - create a pending Non-Compliance Report on the Participant’s record if the Participant is in the Penalty Zone; and
- comply with the jobactive Deed or the ParentsNext Deed, as relevant.

If the Participant is in the Green Zone or the Warning Zone, the Department’s IT Systems will automatically suspend the Participant’s Income Support Payment if, within two Business Days, the Participant does not make contact or does not meet a Reconnection Requirement (where the Participant does not have a Valid Reason).

If the Participant is in the Penalty Zone, Income Support Payment suspension will occur when the Provider has recorded ‘Did Not Attend—Invalid’ in the Department’s IT Systems.

If the Participant later contacts the Provider to discuss the Mutual Obligation Failure, the Provider must:

- schedule a date and time for a Reconnection Requirement to occur (if the Participant does not have a Valid Reason for the relevant Mutual Obligation Failure) in accordance with the Reconnection Requirements section in this Guideline; and
- otherwise comply with the jobactive Deed or the ParentsNext Deed, as relevant.

Where the TCF cannot be applied, but the Provider has determined that the Participant has been non-compliant, follow the TCF workflow at [Attachment D](#).

(Deed references: jobactive Deed 2015–2022 clause 114.5; ParentsNext Deed 2018–2024 clause 100.5)

When a Participant commits a Mutual Obligation Failure

When a Participant commits a Mutual Obligation Failure, it is intended that there are a few consequences:

- Their Income Support Payment is suspended:
 - If the Participant is in the Green Zone or the Warning Zone, payment suspension will occur if, within two Business Days of the date of the Mutual Obligation Failure, they do not provide a Valid Reason or meet a Re-connection Requirement.
 - If the Participant is in the Penalty Zone, payment suspension will occur at the time the Provider records that a Mutual Obligation Failure has occurred.
- They accrue a Demerit if they do not have a Valid Reason.

See [Attachment A](#) for information on the circumstances in which:

- a Participant's Income Support Payment is suspended
- the suspension of a Participant's Income Support Payment is lifted
- a Participant will accrue a Demerit.

Two Business Day delay of payment suspension: Green and Warning Zones

The purpose of delaying the suspension of an Income Support Payment is to allow Participants two Business Days to contact their Provider, and to discuss and—when possible—resolve the Mutual Obligation Failure before a Participant's payment is impacted. This will also reduce the number of payment suspensions Participants' experience in the course of their servicing.

In the Green Zone and the Warning Zone, a Participant's Income Support Payment is generally suspended two Business Days following the day a Mutual Obligation Failure is recorded in the Department's IT Systems.

Suspension of a Participant's Income Support Payment will not occur if, within those two Business Days, the Participant contacts the Provider and:

- the Provider records that the Participant has a Valid Reason, or
- the Participant meets a Reconnection Requirement.

See the [Reconnection Requirements](#) and [Assessing Valid Reasons](#) sections of this Guideline.

During the two Business Days that occur between:

- the recording of a Mutual Obligation Failure in the Department's IT Systems, and
- the suspension of a Participant's Income Support Payment

the Provider must be available to engage with Participants who make contact to discuss a Mutual Obligation Failure and the relevant delayed payment suspension.

During this discussion, the Provider must determine whether the Participant has a Valid Reason for the Mutual Obligation Failure and must immediately record this assessment in the Department's IT Systems. As a result of this assessment:

- If the Provider records that the Participant has a Valid Reason, the payment suspension will be avoided.
- If the Provider records that the Participant does not have a Valid Reason, the Participant must meet a Reconnection Requirement.
 - If the Participant meets the Reconnection Requirement before the two Business Day timeframe has expired, the payment suspension will be avoided.
 - If the Participant does not meet the Reconnection Requirement before the two Business Day timeframe has expired, the payment suspension will occur two Business Days following the day the Mutual Obligation Failure was recorded. This suspension will generally be maintained until the Participant meets the Reconnection Requirement.

If the Provider has discussed the Mutual Obligation Failure with the Participant and is satisfied that a Reconnection Requirement is not necessary, the Provider must record either 'Re-engagement Not Required' or 'Compliance Action No Longer Appropriate'.

See the [Reconnection Requirements](#) section of this Guideline.

Immediate payment suspension: Penalty Zone

In the Penalty Zone, a Participant's Income Support Payment is generally suspended at the time a Mutual Obligation Failure is recorded in the Department's IT Systems. This immediate suspension is intended to encourage the Participant to contact their Provider and discuss the Mutual Obligation Failure.

On the day the Provider records a Mutual Obligation Failure in the Department's IT Systems

The effects of recording a Mutual Obligation Failure in the Department's IT Systems differ depending on whether the Participant is in the Green Zone or Warning Zone, or whether they are in the Penalty Zone.

When the Provider records in the Department's IT Systems that a Participant has committed a Mutual Obligation Failure in the Green Zone or Warning Zone, the Department's IT Systems send the Participant a notification to advise them:

- that it appears they have failed to meet a Mutual Obligation Requirement
- to contact their Provider as soon as possible
- that their Income Support Payment may be suspended after two Business Days have passed if they take no further action.

When the Provider records in the Department's IT Systems that a Participant has committed a Mutual Obligation Failure in the Penalty Zone, the Department's IT Systems send the Participant a notification to advise them:

- that their Income Support Payment is suspended
- why their Income Support Payment is suspended
- what they must do to lift the Income Support Payment suspension
- to contact their Provider as soon as possible.

The automatic notifications described above only occur if the Participant has SMS or e-mail details recorded in the Department's IT Systems for automatic notification. If the Participant does not have SMS or e-mail details recorded in the Department's IT Systems for automated notification, the Provider must send the notice prepared by the Department's IT Systems in response to the Mutual Obligation Failure to the Participant's postal address.

If the Participant's Income Support Payment has been suspended as a result of recording the Mutual Obligation Failure, the payment will normally remain suspended until they meet a Reconnection Requirement or until the Provider records a Valid Reason in the Department's IT Systems. Failure to comply with a Reconnection Requirement within 28 days of notification will usually result in Services Australia cancelling the Participant's Income Support Payment. For more information on Reconnection Requirements, see the [Reconnection Requirements](#) section in this Guideline.

(Deed references: jobactive Deed 2015–2022 clauses 114.2(a)(iii), 114.5(a)(i), 114.5(c) and 115.4(a)(ii); ParentsNext Deed 2018–2024 clauses 100.5(a)(i) and 100.5(c))

After two Business Days have passed since the Provider recorded the Mutual Obligation Failure in the Department's IT Systems: in the Green and Warning Zones

If the Participant is in the Green Zone or the Warning Zone, the Department's IT Systems will automatically suspend the Participant's Income Support Payment once two Business Days have passed and:

- the Participant has not contacted their Provider, or
- the Provider has recorded that the Participant does not have a Valid Reason, and the Participant has not yet met a Reconnection Requirement.

When the Participant's Income Support Payment is suspended, the Department's IT Systems send them a payment suspension notification to notify them:

- that their Income Support Payment is suspended
- why their Income Support Payment is suspended
- what they must do to lift the Income Support Payment suspension
- to contact their Provider as soon as possible.

As noted above, if the Participant does not have SMS or e-mail details recorded in the Department's IT Systems for automated notification, the Provider must send the notice prepared by the Department's IT Systems in response to the Mutual Obligation Failure to the Participant's postal address.

A Participant's Income Support Payment will normally remain suspended until they meet a Reconnection Requirement or until the Provider records a Valid Reason in the Department's IT Systems, and an Income Support Payment will normally be cancelled by Services Australia if the Participant fails to meet a Reconnection Requirement within four weeks of notification. For more information on Reconnection Requirements, see the [Reconnection Requirements](#) section in this Guideline.

(Deed references: jobactive Deed 2015–2022 clauses 114.2(a)(iii), 114.5(a)(i), 115.4(a)(ii); ParentsNext Deed 2018–2024 clause 100.5(a)(i))

Assessing Valid Reasons

Providers have obligations to assess whether a Participant has a Valid Reason for a Mutual Obligation Failure in a number of specific circumstances. It is intended that if the Participant:

- has a Valid Reason for a Mutual Obligation Failure, any Demerit on their record relating to that Mutual Obligation Failure will be removed; or
- does not have a Valid Reason, the Demerit will be confirmed.

See [Attachment A](#) for information on the circumstances in which:

- a Demerit (pending confirmation) will be put on a Participant's record
- a Demerit (pending confirmation) will be confirmed or removed from the Participant's record.

For the purposes of the above, a Provider must determine that the Participant has a Valid Reason for a Mutual Obligation Failure when they are satisfied that:

- the reason the Participant provided:
 - directly prevented the Participant from meeting the Mutual Obligation Requirement at the relevant time that the Mutual Obligation Failure occurred
 - would be considered to be reasonable by a member of the general public
 - aligns with their personal circumstances as known by the Provider
- it would have been unreasonable to expect the Participant to give prior notice of their inability to meet the relevant Mutual Obligation Requirement.

However, note the exception to the above discussed below under the heading 'Drug and alcohol dependency or misuse'.

(Deed references: jobactive Deed 2015–2022 clauses 114.4, 114.6, 114.11; ParentsNext Deed 2018–2024 clauses 100.4, 100.6)

Drug and alcohol dependency or misuse

There are limits on the circumstances in which a Provider can determine that a Participant's drug or alcohol misuse or dependency is a Valid Reason for a Mutual Obligation Failure. Valid Reason determinations are discussed above in the [Prior notice and Acceptable Reasons](#) and [Assessing Valid Reasons](#) sections of this Guideline. Subject to what is stated in those sections, the first time a Participant cites drug or alcohol misuse or dependency as the reason they have committed a Mutual Obligation Failure, the Provider may determine that this is a Valid Reason. If the Participant does this, the Provider must identify and source an available and appropriate treatment program and must encourage the Participant to participate in that program. Participation in treatment services to address drug or alcohol misuse or dependency may reduce other Mutual Obligation Requirements. See the [Managing and Monitoring Mutual Obligation Requirements](#) Guideline for information on setting Mutual Obligation Requirements.

If a Participant cites drug or alcohol misuse or dependency as the reason they have committed a Mutual Obligation Failure, the Provider must not determine that this is a Valid Reason if:

- the Participant previously committed a Mutual Obligation Failure on or after 1 July 2018;
- the Provider determined that the Participant's drug or alcohol misuse or dependency was a Valid Reason for that previous Mutual Obligation Failure, so it did not result in a Demerit
- as a result of the Mutual Obligation Failure, the Provider referred to Participant to treatment to address the drug or alcohol misuse or dependency
- the Participant refused or failed to participate in the treatment.

The Provider must not determine that drug or alcohol misuse or dependency is a Valid Reason in the circumstances described above, unless one of the following applies:

- the treatment that the Participant was referred to was not available or appropriate for the Participant
- the Participant was genuinely unable to participate in the treatment
- the Participant agreed to participate in the treatment but, despite taking all reasonable steps to commence the treatment, the treatment did not commence, or
- before the Participant was referred to the treatment, the Participant had:
 - completed the same type of treatment as the treatment they were referred to, or
 - completed treatment that was substantially similar to the treatment they were referred to

and, in the opinion of an appropriately qualified medical professional, the Participant would not benefit from further treatment of the same kind as the type of treatment already completed by the person.

When the Participant has a Valid Reason

On the day that the Provider determines that a Participant has a Valid Reason for a Mutual Obligation Failure, they must record this assessment in the Department's IT Systems. The way to record this assessment can differ, depending on the type of Mutual Obligation Failure that the Participant has committed. The steps that the Provider must take, depending on the type of Mutual Obligation Failure, are described below.

When the Provider records that the Participant has a Valid Reason, the Provider must also select a description of the relevant Valid Reason from a drop-down menu that will appear. In selecting a Valid Reason option, the Provider must select the option that is most similar to the Participant's Valid Reason as they described it to the Provider. The Provider must not use the options in the drop-down menus to prompt or elicit responses from the Participant. By recording a reason that is Valid, the Provider is:

- finalising the Mutual Obligation Failure and preventing the payment suspension if the Participant's Income Support Payment has not yet been suspended
- lifting the Participant's payment suspension if the Participant's Income Support Payment is suspended, and
removing the relevant Demerit from the Participant's record.

A full list of these drop-down menu options can be found at [Attachment E](#). In the Department's IT Systems:

- 'reasons accepted' refers to reasons that the Provider determines are Valid Reasons; and
- 'reasons not accepted' refers to reasons that the Provider determines are not Valid Reasons.

[Failures against requirements that are in the Participant's Electronic Calendar](#)

On the day that the Provider determines that a Participant has a Valid Reason for a Mutual Obligation Failure:

- If the Provider has not already recorded an attendance result in relation to the relevant Mutual Obligation Requirement—the Provider must select 'Did Not Attend—Valid'.
- If the Provider has already recorded 'Did Not Attend—Invalid' or 'Misconduct' in relation to the relevant Mutual Obligation Requirement—the Provider must select 'Yes' in response to the question of whether they accept the job seeker's given reason.

[Failures to undertake adequate Job Searches](#)

For failures to undertake adequate Job Searches, on the day that the Provider determines that a Participant has a Valid Reason for a Mutual Obligation Failure, the Provider must select 'Yes' on the Provider Re-engagement page in the Department's IT Systems to indicate that the job seeker's reason for not meeting their Job Search requirement has been accepted.

[Failures to enter into a Job Plan](#)

For failures to enter into a Job Plan, on the day that the Provider determines that a Participant has a Valid Reason for the Mutual Obligation Failure, the Provider must select 'Yes' on the Provider Re-engagement Page in the Department's IT Systems to indicate that the job seeker's reason for failing to enter into a Job Plan has been accepted.

Once the Provider has recorded that the Participant has a Valid Reason, the Provider must then create a Provider Appointment for the Participant to attend within two Business Days after the day the Provider has recorded their assessment. If the Participant attends the Provider Appointment, the Provider must discuss the Job Plan with the Participant. If the Participant does not attend the Provider Appointment to discuss the Job Plan, this is a Mutual Obligation Failure, and the Provider must comply with their usual obligations regarding Mutual Obligation Failures.

[Failures to act on a job opportunity](#)

For failures to act on a job opportunity, on the day that the Provider determines that a Participant has a Valid Reason for a Mutual Obligation Failure, the Provider must select 'Unsatisfactory—Valid' on the Provider Re-engagement page in the Department's IT Systems to indicate that the job seeker's reason for failing to act on a job opportunity has been accepted.

When the Participant does not have a Valid Reason

On the day that the Provider determines that a Participant does not have a Valid Reason for failing to meet a Mutual Obligation Requirement, the Provider must record this assessment in the Department's IT Systems. The way to record this assessment can differ, depending on the type of Mutual Obligation Failure the Participant has committed. The steps that the Provider must take, depending on the type of Mutual Obligation Failure, are described below.

When they do this, the Provider must also select a description of the Participant's reason that was not a Valid Reason from a drop-down menu that will appear. In selecting a reason option, the Provider must select the option that is most similar to the reason that the Participant gave as they described it to the Provider. By recording that the Participant's reason is not a Valid Reason, the Provider is confirming the relevant Demerit on the Participant's record.

A full list of these drop-down menu options can be found at [Attachment E](#). In the Department's IT Systems:

- 'reasons accepted' refers to reasons that the Provider determines are Valid Reasons
- 'reasons not accepted' refers to reasons that the Provider determines are not Valid Reasons.

On the day that the Provider determines that a Participant does not have a Valid Reason for failing to meet a Mutual Obligation Requirement, the Provider must explain the following to the Participant, depending on whether they are in the Green Zone or Warning Zone, or in the Penalty Zone.

If the Participant is in the Green Zone or Warning Zone, the Provider must inform them that:

- their Income Support Payment will be suspended in two Business Days as a result of a Mutual Obligation Failure, unless the Participant is able to meet a Reconnection Requirement before those two Business Days lapse, and
- if the Participant does not meet a Reconnection Requirement within two Business Days, their Income Support Payment will remain suspended until they do so.

If the Participant is in the Penalty Zone, the Provider must inform them that:

- their Income Support Payment has been suspended as a result of a Mutual Obligation Failure, and
- they must meet a Reconnection Requirement to have their Income Support Payment suspension lifted.

Regardless of what Zone the Participant is in, the Provider must then also explain to the Participant:

- why their given reason was not a Valid Reason and what the consequences of this are
- how this decision will be recorded on the 'Participant's Participation (Compliance) History' page in the Department's IT Systems and displayed on the 'Participant's Compliance Status Indicator' on the online Dashboard
- whether the Mutual Obligation Failure is considered a 'fast-track' Mutual Obligation Failure and, if so, what that means and what the next steps are
- the number of Demerits the Participant has accrued so far
- the importance of meeting all Mutual Obligation Requirements

- the consequences of persistent non-compliance, including financial penalties and Income Support Payment cancellation, what and when the Participant's Reconnection Requirement will be.

By reinforcing the consequences of failing to meet Mutual Obligation Requirements, Participants are encouraged to meet their Mutual Obligation Requirements in the future and remain engaged with their Providers.

Failures against requirements that are in the Participant's Electronic Calendar

On the day that the Provider determines that a Participant does not have a Valid Reason for a Mutual Obligation Failure:

- If the Provider has not already recorded an attendance result in relation to the relevant Mutual Obligation Requirement—the Provider must select 'Did Not Attend—Invalid' or 'Misconduct'.
- If the Provider has already recorded 'Did Not Attend—Invalid' or 'Misconduct' in relation to the relevant Mutual Obligation Requirement—the Provider must select 'No' in response to the question of whether they accept the job seeker's given reason.

Failures to undertake adequate Job Searches

For failures to undertake adequate Job Searches, on the day that the Provider determines that a Participant does not have a Valid Reason for a Mutual Obligation Failure, the Provider must select 'No' on the Provider Re-engagement page in the Department's IT Systems to indicate that the job seeker's reason for not meeting their Job Search requirement has not been accepted.

Failures to enter into a Job Plan

For failures to enter into a Job Plan, on the day that the Provider determines that a Participant does not have a Valid Reason for the Mutual Obligation Failure, the Provider must select 'No' on the Provider Re-engagement page in the Department's IT Systems to indicate that the job seeker's reason for failing to enter into a Job Plan has not been accepted.

Failures to act on a job opportunity

For failures to act on a job opportunity, on the day that the Provider determines that a Participant does not have a Valid Reason for a Mutual Obligation Failure, the Provider must select 'Unsatisfactory—Invalid' on the Provider Re-engagement page in the Department's IT Systems to indicate that the job seeker's reason for failing to act on a job opportunity has not been accepted.

Employer Reporting Line

The Department has a dedicated Employer Reporting Line for employers to report suspected non-compliance by a Participant. The Employer Reporting Line will review reports received from employers, and if appropriate email an Employer Report Referral for action to the relevant Provider. The report will include information about the job interview or job, the employer and the job seeker.

Providers must review the information provided in the Employer Report Referral and action in accordance with the relevant [Targeted Compliance Framework: Mutual Obligation Failures](#) Guideline and the [Work Refusal Failures and Unemployment Failures](#) Guideline.

Providers must respond to the Employer Reporting Line within the specified timeframes in the Employer Report Referral, outlining details of any actions and outcomes, relevant to the referral.

Manually removing Demerits

Providers have obligations to remove Demerits in certain circumstances. If the Participant is in the Penalty Zone when the Provider assesses that a Demerit should be removed in accordance with the jobactive Deed or the ParentsNext Deed, as relevant, the Provider should contact their Account Manager for advice before removing the Demerit.

When removing the Demerit, the Provider must record the reason for the removal in the Department's IT Systems. A full list of these drop-down menu options can be found at [Attachment F](#).

(Deed references: jobactive Deed 2015–2022 clauses 114.11, 114.12; ParentsNext Deed 2018–2024 clause 102)

Participants cannot appeal Demerit decisions under Social Security Law

All Participants have the right to ask for a review of a decision made under Social Security Law, and, in most cases, appeal the decision to a court or tribunal. This includes decisions to suspend a Participant's Income Support Payment as a result of non-compliance and decisions made by Services Australia to reduce or cancel their Income Support Payment.

Demerit decisions are not decisions under Social Security Law and so Participants cannot appeal or ask for a formal review of any decision to confirm a Demerit using the same processes as those that apply for decisions under Social Security Law. However, Participants may dispute Demerit decisions.

Disputing a Demerit decision with the National Customer Service Line

If a Participant is dissatisfied with a Demerit decision, they must first discuss the decision with their Provider. If they still wish to dispute the decision after this discussion, they can contact the Department of Education, Skills and Employment National Customer Service Line (NCSL).

By contacting the NCSL to dispute a Demerit decision, the Participant will in effect make a jobactive servicing-related complaint. If required and appropriate, Providers must action complaints that are referred back to them by the NCSL. This may include reviewing the Demerit decision-making process, any Valid Reason assessments, or information that has been recorded on the Department's IT Systems.

(Deed references: jobactive Deed 2015–2022 clause 114.12 and ParentsNext Deed 2018–2021 clause 102.2)

4. Reconnection Requirements

A Participant must generally meet a Reconnection Requirement following a Mutual Obligation Failure when they do not have a Valid Reason.

If the Provider has discussed the Mutual Obligation Failure with the Participant and is satisfied that a Reconnection Requirement is not necessary, the Provider must record either 'Re-engagement Not Required' or 'Compliance Action No Longer Appropriate'.

If the Participant's Income Support Payment has been suspended, they must meet a Reconnection Requirement in order to have their Income Support Payment suspension lifted.

See [Attachment A](#) for information on the circumstances in which:

- a Participant's Income Support Payment is suspended
- the suspension of a Participant's Income Support Payment is lifted.

'Reconnection Requirements' are referred to as 're-engagement requirements' in the Department's IT Systems.

Note that a Reconnection Requirement is a Mutual Obligation Requirement. This means that, among other things:

- the Provider must comply with the jobactive Deed or the ParentsNext Deed, as relevant, when recording Reconnection Requirements in a Participant's Electronic Calendar
- the Provider must comply with the jobactive Deed or the ParentsNext Deed, as relevant, in relation to rescheduling or removing a Reconnection Requirement from a Participant's Electronic Calendar.

(Deed references: jobactive Deed 2015–2022 clauses 83A, 106B; ParentsNext Deed 2018–2024 clauses 72, 93)

Setting a Reconnection Requirement

For the purposes of the jobactive Deed and ParentsNext Deed and this Guideline, a Participant will be taken to have complied with a Reconnection Requirement where the Provider has, in accordance with the relevant Deed and this Guideline:

- discussed with the Participant their reasons for the relevant Mutual Obligation Failure
- then determined that the Participant has a Valid Reason for the Mutual Obligation Failure.

All the obligations discussed below in relation to setting Reconnection Requirements only apply where the Participant does not have a Valid Reason for the relevant Mutual Obligation Failure.

Subject to this Guideline (including the above provisions in particular), Providers have obligations to set Reconnection Requirements in certain circumstances following a Mutual Obligation Failure. When setting a Reconnection Requirement, the Provider must follow the prompts in the Department's IT Systems and notify the Participant of the Reconnection Requirement. The Department's IT Systems will specify the type of Reconnection Requirement that the Provider must set for the purposes of complying with their Deed obligation referred to above.

Note that, when a Provider sets a Reconnection Requirement as discussed above, they are imposing a Reconnection Requirement for the purposes of subsection 42AM of the *Social Security (Administration) Act 1999*.

Providers have obligations to schedule Reconnection Requirements in the timeframes specified in this Guideline. The Provider must schedule the Reconnection Requirement in the

Participant's Electronic Calendar to occur within two Business Days following the day of the contact between the Participant and their Provider to discuss the relevant Mutual Obligation Failure. Exceptions to this two Business Day requirement are:

- the Department's IT Systems automatically sets the date and time of the Reconnection Requirement as discussed below under the heading 'Reconnection Requirements that have times and dates automatically set by the Department's IT Systems', or
- the Participant has a Valid Reason for not being able to meet the Reconnection Requirement within the two Business Day timeframe as discussed below under the heading 'Valid Reason to not meet Reconnection Requirement within two Business Days'.

Reconnection Requirements must be scheduled to occur within two Business Days of Participant contact to try and ensure that a Participant's Income Support Payment is not suspended for more than two Business Days following contact with their Provider.

(Deed references: jobactive Deed 2015–2022 clauses 114.2(a)(ii), 114.4(b), 114.6(b)(ii); ParentsNext Deed 2018–2024 clauses 100.4(b), 100.5(a)(i))

Multiple Mutual Obligation Failures before contact

When a Participant commits multiple Mutual Obligation Failures before there is a contact with their Provider to discuss those Mutual Obligation Failures:

- only one Reconnection Requirement can be set
- the Provider must advise Participants that they only have to meet one Reconnection Requirement.

Reconnection Requirements that have times and dates automatically set by the Department's IT Systems

For some Mutual Obligation Failures, the Department's IT Systems will automatically set the Reconnection Requirement. This happens when:

- in jobactive, the Participant has failed to undertake adequate Job Searches by the end of their Job Search Period as referred to in the jobactive Deed, or
- the Participant has failed to enter into a Job Plan as referred to in the jobactive Deed or the ParentsNext Deed.

Where the Department's IT Systems automatically sets a Reconnection Requirement for a Participant as described above, the Provider does not need to do this.

(Deed references: jobactive Deed 2015–2022 clause 114.2(a), 114.2(b); ParentsNext Deed 2018–2024 clause 100.2)

Job Search failures in the Penalty Zone

If a Participant fails to undertake adequate Job Searches and the Participant is in the Penalty Zone, the Participant's Reconnection Requirement is to contact their Provider (this is as opposed to the usual Reconnection Requirement, which is to undertake adequate job searches). The Department's IT Systems automatically sets this Reconnection Requirement. If the Participant's Income Support Payment is suspended, the suspension is lifted when the Provider records that they are in contact with the Participant.

Valid Reason to not meet Reconnection Requirement within two Business Days

When the Provider contacts the Participant to discuss the relevant Mutual Obligation Failure(s), they must consider whether the Participant has a Valid Reason for being unable to meet their Reconnection Requirement within two Business Days following that contact. If the Provider considers that the Participant does have such a Valid Reason, the Provider must select 'Unable to Re-engage Within two Business Days' on the Provider Re-engagement page in the Department's IT Systems. If the Participant's Income Support Payment is suspended, this will lift the Participant's Income Support Payment suspension and remove the need for a Reconnection Requirement.

For the purposes of the above, a Provider must determine that the Participant has a Valid Reason for being unable to meet their Reconnection Requirement within two Business Days when they are satisfied that the reason the Participant is unable to do this:

- directly prevents the Participant from meeting meet their Reconnection Requirement within two Business Days following the contact with their Provider to discuss the relevant Mutual Obligation Failure(s)
- would be considered to be reasonable by a member of the general public
- aligns with the Participant's personal circumstances as known by the Provider.

If the Provider selects 'Unable to Re-engage Within two Business Days' as described above, the Provider must also select a description of the relevant Valid Reason from the drop-down menu that will appear. In selecting a Valid Reason option from the drop-down menu, the Provider must select the option that is most similar to the Participant's Valid Reason as they described it to the Provider. Providers must not use the options in the drop-down menus to prompt or elicit responses from the Participant.

A full list of these drop-down menu options can be found at [Attachment G](#).

Provider not able to arrange or deliver the Reconnection Requirement within two Business Days

In some circumstances, a Provider is not be able to arrange or deliver the Reconnection Requirement within two Business Days following the contact between the Participant and the Provider to discuss the relevant Mutual Obligation Failure(s). If that is the case, and only if that is the case, the Provider must select 'Re-engagement Not Required' on the Provider Re-engagement page. If the Participant's Income Support Payment is suspended, this will lift the payment suspension and remove the need for a Reconnection Requirement. When selecting 'Re-engagement Not Required' as described above, the Provider must also select a description of the relevant reason from the drop-down menu that will appear when they make that selection. In selecting a reason option from the drop-down menu, the Provider must select the option that is most similar to the actual reason.

A full list of these drop-down menu options can be found at [Attachment H](#).

Compliance action no longer appropriate

Once a Participant's Reconnection Requirement has been set, unexpected circumstances may make it inappropriate to expect them to meet a Reconnection Requirement and/or to maintain their payment suspension. If that is the case, the Provider must record 'Compliance action no longer appropriate' on the Provider Re-engagement page. If the Participant's

Income Support Payment is suspended, this will lift the payment suspension and remove the need for a Reconnection Requirement.

When selecting 'Compliance action no longer appropriate' as described above, the Provider must also select a description of the relevant reason from the drop-down menu that will appear when they make that selection. In selecting a reason option from the drop-down menu, the Provider must select the option that is most similar to the actual reason.

A full list of these drop-down menu options can be found at [Attachment I](#).

Failure to meet a Reconnection Requirement

If the Provider becomes aware that a Participant has failed to meet a Reconnection Requirement, the Provider must attempt to contact the Participant on the same Business Day. If the Provider:

- is not able to contact the Participant on that day, the Provider must record that they are not in contact with the Participant and select 'Did Not Attend—Invalid' in relation to the Reconnection Requirement in the Participant's Electronic Calendar. In this case:
 - if the Participant's Income Support Payment is not yet suspended, it will be suspended if the Participant does not meet another Reconnection Requirement within two Business Days following the date they failed to meet the original Reconnection Requirement, or
 - if the Participant's Income Support Payment is suspended, the payment will remain suspended, and the Provider must reschedule the Reconnection Requirement
- is able to contact the Participant on that day, the Provider must discuss the Participant's reasons for not meeting the Reconnection Requirement and assess if the Participant had a Valid Reason.

For the purposes of the above, a Provider must determine that the Participant had a Valid Reason for being unable to meet their Reconnection Requirement when they are satisfied that the Participant's reason:

- directly prevented the Participant from meeting meet their Reconnection Requirement
- would be considered to be reasonable by a member of the general public
- aligns with the Participant's personal circumstances as known by the Provider.

If the Participant had a Valid Reason, the Provider must select 'Did Not Attend—Valid' in relation to the Reconnection Requirement in the Participant's Electronic Calendar. If the Participant's Income Support Payment is suspended, this will lift the payment suspension as the Participant will be taken to have met the Reconnection Requirement (as they have a Valid Reason). The Provider must set a Mutual Obligation Requirement for the Participant:

- to occur within two Business Days after the day on which the Provider determines that the Participant has a Valid Reason for not meeting the Reconnection Requirement
- that is the same type as the Mutual Obligation Requirement the Participant failed to meet originally.

If the Participant did not have a Valid Reason, the Provider must select 'Did Not Attend—Invalid' in relation to the Reconnection Requirement in the Participant's Electronic Calendar. In this case:

- if the Participant's Income Support Payment is not yet suspended, it will be suspended if the Participant does not meet another Reconnection Requirement within two Business Days following the date of the original Reconnection Requirement, or
- if the Participant's Income Support Payment is suspended, the payment will remain suspended, and

the Provider must reschedule the Reconnection Requirement.

5. The Penalty Zone

As discussed in further detail above under the heading 'The Penalty Zone', the Department's IT Systems will determine whether the Participant will enter the Penalty Zone based on the information that Services Australia records in the Department's IT Systems regarding the outcome of a Capability Assessment.

Non-compliance reports

If a Participant is in the Penalty Zone, and the Provider records 'Did Not Attend—Invalid' or 'Misconduct' as discussed above under the heading [When the Participant does not have a Valid Reason](#), the Department's IT Systems creates a non-compliance report and submits it to Services Australia for investigation, instead of recording a Demerit. The Participant's Income Support Payment is suspended as a result of the creation of a non-compliance report.

If a Participant is in the Penalty Zone, and the Provider records 'Did Not Attend—Valid' as discussed above under the heading [When the Participant has a Valid Reason](#), any non-compliance report on their record relating to that Mutual Obligation Failure will be closed.

An open non-compliance report on a Participant's record will prevent the Participant from finalising their fortnightly reporting requirement, and it will prevent the Participant from receiving their Income Support Payment.

Summary of required Documentary Evidence

Depending on the Mutual Obligation Failure that the Participant has committed, in addition to the evidence recorded in the Department's IT Systems, the Provider must retain the following Documentary Evidence:

- where the Mutual Obligation Failure is a failure to attend a job interview or act on a job opportunity, a copy of the prior notification of the requirement to attend the job interview or act on the job opportunity;
- where the Mutual Obligation Failure is a failure to attend an appointment, a copy of the prior notification of the requirement to attend the appointment;
- where the Mutual Obligation Failure is a failure to undertake adequate Job Searches, a hard copy of any relevant fully or partially completed Job Searches; and
- where the Mutual Obligation Failure is acting in an inappropriate manner during an appointment or while participating in an activity, details of the job/employer and/or details of the relevant incident, including dates, the parties involved and what occurred.

Attachment A—System steps that affect: creation and confirmation of Demerits; potential suspension of Income Support Payment; lifting of Income Support Payment suspensions

Mutual Obligation Failure related Provider actions in the Department's IT Systems that result in a Participant's Income Support Payment being suspended, the suspension being lifted, or a Demerit being created on a Participant's record or accrued by the Participant (i.e. confirmed).

Type of potential Mutual Obligation Failures	When is a Participant's Income Support Payment suspended?	When is a Demerit created (pending confirmation) on a Participant's record?	When does a Participant accrue a Demerit (i.e. the Demerit is confirmed)?	When is a Participant's potential Income Support Payment suspension prevented? OR When is a Participant's Income Support Payment suspension lifted?
Non-attendance The Participant fails to: <ul style="list-style-type: none"> attend, or to be punctual for, an appointment that they are required to attend under their Job Plan; attend, to be punctual for, or to participate in, an activity that they are required to undertake under their Job Plan; or attend a job interview. The relevant Mutual Obligation Requirement	When the Provider selects 'Did Not Attend Invalid (DNAI)' in relation to a Mutual Obligation Requirement in the Participant's Electronic Calendar. See the discussion on page 15 of this Guideline regarding when a Provider must select 'Did Not Attend—Invalid'. When both the Participant and the Provider have failed to select 'Attended' by close of business on the day on which the Mutual Obligation	When the Provider selects 'Did Not Attend Invalid (DNAI)' in relation to a Mutual Obligation Requirement in the Participant's Electronic Calendar. See the discussion on page 15 of this Guideline regarding when a Provider must select 'Did Not Attend—Invalid'.	When the Provider records the reason they did not accept as a Valid Reason in the Department's IT Systems. See the discussion on page 17 of this Guideline regarding when a Provider must select a description of the Participant's reason that was not a Valid Reason.	When the Provider has already recorded 'Did Not Attend—Invalid': when the Provider selects 'Yes' in response to the question 'Do you accept the job seeker's reason?' and records the reason accepted as a Valid Reason on the Provider Re-engagement Page in the Department's IT Systems. OR When the Provider selects 'Attended' or 'Did Not Attend—Valid' in relation to a Reconnection Requirement in the Participant's Electronic Calendar. OR When the Provider reschedules a Reconnection Requirement in the Participant's Electronic Calendar. OR When the Provider selects 'Unable to Re-engage Within two Business Days' on the Provider Re-engagement page in the Department's IT Systems. See the discussion on page 24 of this Guideline regarding when a Provider must select 'Unable to Re-engage Within two Business Days'. OR When the Provider selects 'Re-engagement Not Required' on the Provider Re-engagement page in the Department's

Type of potential Mutual Obligation Failures	When is a Participant's Income Support Payment suspended?	When is a Demerit created (pending confirmation) on a Participant's record?	When does a Participant accrue a Demerit (i.e. the Demerit is confirmed)?	When is a Participant's potential Income Support Payment suspension prevented? OR When is a Participant's Income Support Payment suspension lifted?
<p>is shown in the Participant's Electronic Calendar as one of the following:</p> <ul style="list-style-type: none"> • 'Provider Appointment'; • 'Activity'; • 'Third Party Appointment' or • 'Job Interview'. 	<p>Requirement is Scheduled to occur in the Participant's Electronic Calendar (for all requirements indicated except Provider Appointment).</p>			<p>IT Systems. See discussion on page 24 of this Guideline regarding when a Provider must select 'Re-engagement Not Required'.</p> <p>OR</p> <p>If a Capability Assessment is the Reconnection Requirement, Services Australia will lift the Income Support Payment suspension once the Participant contacts them to participate in a Capability Assessment.</p> <p>OR</p> <p>When the Provider selects 'Compliance action no longer appropriate' on the Provider Re-engagement page. See the discussion on page 25 of this Guideline regarding when a Provider must select 'Compliance action no longer appropriate'.</p> <p>OR</p> <p>When the Provider selects 'Attended' or 'Did Not Attend—Valid' (where this was previously not selected by close of business on the day on which the Mutual Obligation Requirement is Scheduled to occur in the Participant's Electronic Calendar).</p>
<p>Non-attendance at Activity—Supervisor reported</p> <p>The Participant fails to attend, to be punctual for, or to participate in, an activity that they are</p>	<p>When the activity Supervisor records DNA via the Supervisor App.</p>	<p>N/A—No Demerit.</p>	<p>N/A—No Demerit.</p>	<p>When the Provider selects 'Yes' in response to the question 'Do you accept the job seeker's reason?' and records the reason accepted as Valid on the Provider Re-engagement Page in the Department's IT Systems.</p> <p>OR</p>

Type of potential Mutual Obligation Failures	When is a Participant's Income Support Payment suspended?	When is a Demerit created (pending confirmation) on a Participant's record?	When does a Participant accrue a Demerit (i.e. the Demerit is confirmed)?	When is a Participant's potential Income Support Payment suspension prevented? OR When is a Participant's Income Support Payment suspension lifted?
<p>required to undertake under their Job Plan.</p> <p>The relevant Mutual Obligation Requirement is shown in the Participant's Electronic Calendar as 'Activity'.</p>				<p>When the Provider selects 'Attended' or 'Did Not Attend — Valid' in relation to a Reconnection Requirement in the Participant's Electronic Calendar.</p> <p>OR</p> <p>When the Provider reschedules a Reconnection Requirement in the Participant's Electronic Calendar.</p> <p>OR</p> <p>When the Provider selects 'Unable to Re-engage Within two Business Days' on the Provider Re-engagement page in the Department's IT Systems. See the discussion on page 24 of this Guideline regarding when a Provider must select 'Unable to Re-engage Within two Business Days'.</p> <p>OR</p> <p>When the Provider selects 'Re-engagement Not Required' on the Provider Re-engagement page in the Department's IT Systems. See discussion on page 24 of this Guideline regarding when a Provider must select 'Re-engagement Not Required'.</p> <p>OR</p> <p>If a Capability Assessment is the Reconnection Requirement, Services Australia will lift the Income Support Payment suspension once the Participant contacts them to participate in a Capability Assessment.</p> <p>OR</p>

Type of potential Mutual Obligation Failures	When is a Participant's Income Support Payment suspended?	When is a Demerit created (pending confirmation) on a Participant's record?	When does a Participant accrue a Demerit (i.e. the Demerit is confirmed)?	When is a Participant's potential Income Support Payment suspension prevented? OR When is a Participant's Income Support Payment suspension lifted?
				When the Provider selects 'Compliance action no longer appropriate' on the Provider Re-engagement page. See the discussion on page 25 of this Guideline regarding when a Provider must select 'Compliance action no longer appropriate'.
Misconduct The Participant acted in an inappropriate manner: <ul style="list-style-type: none"> during an appointment that they are required to attend under their Job Plan; or while participating in an activity that they are required to undertake under their Job Plan. The relevant Mutual Obligation Requirement is shown in the Participant's Electronic	When the Provider selects 'Misconduct (MISC)' in relation to the relevant appointment or activity in the Participant's Electronic Calendar, along with the type of inappropriate behaviour. See the discussion on pages 12 and 17 of this Guideline regarding when a Provider must select 'Misconduct'.	When the Provider selects 'Misconduct (MISC)' in relation to the relevant appointment or activity in the Participant's Electronic Calendar, along with the type of inappropriate behaviour. See the discussion on pages 12 and 17 of this Guideline regarding when a Provider must select 'Misconduct'.	When the Provider records the reason they did not accept as a Valid Reason in the Department's IT Systems. See the discussion on page 17 of this Guideline regarding when a Provider must select a description of the Participant's reason that was not a Valid Reason.	When the Provider selects 'Yes' in response to the question 'Do you accept the job seeker's reason?' and records the reason accepted as a Valid Reason on the Provider Re-engagement Page in the Department's IT Systems. OR When the Provider selects 'Attended' or 'Did Not Attend—Valid' in relation to a Reconnection Requirement in the Participant's Electronic Calendar. OR When the Provider reschedules a Reconnection Requirement in the Participant's Electronic Calendar. OR When the Provider selects 'Unable to Re-engage Within two Business Days' on the Provider Re-engagement page in the Department's IT Systems. See the discussion on page 24 of this Guideline regarding when a Provider must select 'Unable to Re-engage Within two Business Days'. OR When the Provider selects 'Re-engagement Not Required' on the Provider Re-engagement page in the Department's

Type of potential Mutual Obligation Failures	When is a Participant's Income Support Payment suspended?	When is a Demerit created (pending confirmation) on a Participant's record?	When does a Participant accrue a Demerit (i.e. the Demerit is confirmed)?	When is a Participant's potential Income Support Payment suspension prevented? OR When is a Participant's Income Support Payment suspension lifted?
<p>Calendar as one of the following:</p> <ul style="list-style-type: none"> • 'Provider Appointment', which includes Reconnection Requirements; • 'Activity'; • 'Third Party Appointment'; or • 'Job Interview'. 				<p>IT Systems. See discussion on page 24 of this Guideline regarding when a Provider must select 'Re-engagement Not Required'.</p> <p>OR</p> <p>If a Capability Assessment is the Reconnection Requirement, Services Australia will lift the Income Support Payment suspension once the Participant contacts them to participate in a Capability Assessment.</p> <p>OR</p> <p>When the Provider selects 'Compliance action no longer appropriate' on the Provider Re-engagement page. See the discussion on page 25 of this Guideline regarding when a Provider must select 'Compliance action no longer appropriate'.</p>
<p>Job Plan Failure</p> <p>The Participant fails to enter into a Job Plan</p> <p>See the Job Plan and Scheduling Mutual Obligation Requirements Guideline for information on the process of entering into a Job Plan.</p>	<p><u>Job Plan sent Job Plan online</u>—when the 'think time' expires and the Participant has not agreed to their Job Plan online.</p>	<p>When the 'think time' expires and the Participant has not agreed to their Job Plan online.</p> <p>Demerit is automatically created and confirmed.</p>	<p>When the 'think time' expires and the Participant has not agreed to their Job Plan online.</p>	<p>When the Participant agrees to their Job Plan.</p> <p>OR</p> <p>When the Provider selects 'Yes' in response to the question 'Do you accept the job seeker's reason?' and records the reason accepted as a Valid Reason on the Provider Re-engagement Page in the Department's IT Systems.</p> <p>OR</p>
	<p><u>Job Plan sent Job Plan in hard copy</u>—when the 'think time' expires</p>	<p>When 'think time' expires.</p>	<p>When the Provider records the reason they did not accept as a Valid Reason in the</p>	<p>When the Provider selects 'Attended' or 'Did Not Attend—Valid' in relation to a Reconnection Requirement in the Participant's Electronic Calendar.</p>

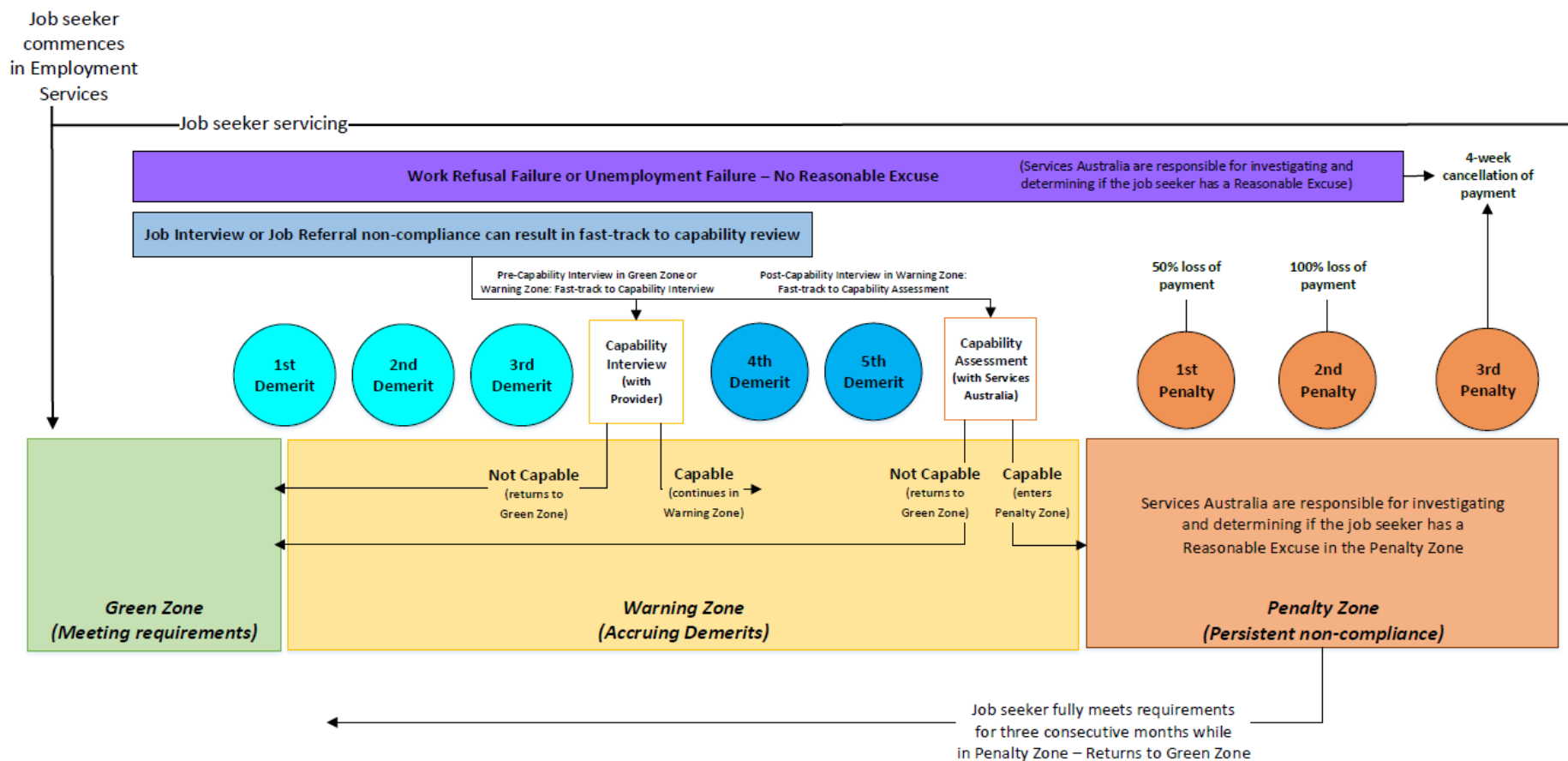
Type of potential Mutual Obligation Failures	When is a Participant's Income Support Payment suspended?	When is a Demerit created (pending confirmation) on a Participant's record?	When does a Participant accrue a Demerit (i.e. the Demerit is confirmed)?	When is a Participant's potential Income Support Payment suspension prevented? OR When is a Participant's Income Support Payment suspension lifted?
			<p>Department's IT Systems.</p> <p>See the discussion on page 17 of this Guideline regarding when a Provider must select a description of the Participant's reason that was not a Valid Reason.</p>	<p>OR</p> <p>When the Provider selects 'Unable to Re-engage Within two Business Days' in relation to a Reconnection Requirement on the Provider Re-engagement page in the Department's IT Systems. See the discussion on page 24 of this Guideline regarding when a Provider must select 'Unable to Re-engage Within two Business Days'.</p> <p>OR</p> <p>If a Capability Assessment is the Reconnection Requirement, Services Australia will lift the Income Support Payment suspension once the Participant contacts them to participate in a Capability Assessment.</p>
	<p><u>If a Participant refuses outright to agree to Job Plan:</u></p> <p>When the Provider selects 'Create Compliance' and selects 'submit' on the Job Plan screen in the Department's IT Systems.</p>	<p>When the Provider selects 'Create Compliance' and selects 'submit'.</p> <p>Demerit is automatically created and confirmed.</p>	<p>When the Provider selects 'Create Compliance' and selects 'submit'.</p> <p>Demerit is automatically created and confirmed.</p>	<p>OR</p> <p>When the Provider selects 'Compliance action no longer appropriate' on the Provider Re-engagement page. See the discussion on page 25 of this Guideline regarding when a Provider must select 'Compliance action no longer appropriate'.</p>
Failure to act on a job opportunity	When the Provider records 'Unsatisfactory—Invalid Reason' on the Job referrals page.	When the Provider records 'Unsatisfactory—Invalid Reason' on the Job referrals page.	When the Provider records 'Unsatisfactory—Invalid Reason' on the Job referrals page.	<p>When the Provider selects 'Unsatisfactory—Valid Reason' on the Provider Re-engagement page in the Department's IT Systems.</p> <p>OR</p>

Type of potential Mutual Obligation Failures	When is a Participant's Income Support Payment suspended?	When is a Demerit created (pending confirmation) on a Participant's record?	When does a Participant accrue a Demerit (i.e. the Demerit is confirmed)?	When is a Participant's potential Income Support Payment suspension prevented? OR When is a Participant's Income Support Payment suspension lifted?
				<p>When the Provider selects 'Satisfactory' in relation to a Reconnection Requirement on the Provider Re-engagement page in the Department's IT Systems.</p> <p>OR</p> <p>When the Provider selects 'When the Provider selects 'Unable to Re-engage Within two Business Days' on the Provider Re-engagement page in the Department's IT Systems. See the discussion on page 24 of this Guideline regarding when a Provider must select 'Unable to Re-engage Within two Business Days'.</p> <p>OR</p> <p>When the Provider selects 'Re-engagement Not Required' on the Provider Re-engagement page in the Department's IT Systems. See discussion on page 24 of this Guideline regarding when a Provider must select 'Re-engagement Not Required'.</p> <p>OR</p> <p>If a Capability Interview is the Reconnection Requirement, the Department's IT Systems will lift the Income Support Payment suspension once the Provider selects 'Attended' or 'Did Not Attend –Valid' in the Participant's Electronic Calendar in relation to the Capability Interview.</p> <p>OR</p> <p>If a Capability Assessment is the Reconnection Requirement, Services Australia will lift the Income Support Payment</p>

Type of potential Mutual Obligation Failures	When is a Participant's Income Support Payment suspended?	When is a Demerit created (pending confirmation) on a Participant's record?	When does a Participant accrue a Demerit (i.e. the Demerit is confirmed)?	When is a Participant's potential Income Support Payment suspension prevented? OR When is a Participant's Income Support Payment suspension lifted?
				suspension once the Participant contacts them to participate in a Capability Assessment. OR When the Provider selects 'Compliance action no longer appropriate' on the Provider Re-engagement page. See the discussion on page 19 of this Guideline regarding when a Provider must select 'Compliance action no longer appropriate'.
Job Search Failure The Participant failed to undertake adequate Job Searches.	When the Job Search Period ends and the number of Job Search efforts that are recorded by the Participant in the Department's IT Systems is not equal to the number of Job Search efforts that are required under the Participant's Job Plan.	When the Job Search Period ends and the number of Job Search efforts that are recorded by the Participant in the Department's IT Systems is not equal to the number of Job Search efforts that are required under the Participant's Job Plan. Demerit is automatically created and confirmed.	When the Job Search Period ends and the number of Job Search efforts that are recorded by the Participant in the Department's IT Systems is not equal to the number of Job Search efforts that are required under the Participant's Job Plan. Demerit is automatically confirmed.	When the Provider selects 'Yes' in response to the question 'Do you accept the job seeker's reason?' and records the reason accepted as a Valid Reason on the Provider Re-engagement Page in the Department's IT Systems. OR When the Provider selects 'Yes' in response to the question 'Has the job seeker now met their re-engagement requirement?' on the Provider Re-engagement Page in the Department's IT Systems. OR When the Provider selects 'Unable to Re-engage Within 2 Business Days' on the Provider Re-engagement page in the Department's IT Systems. See the discussion on page 21 of this Guideline regarding when a Provider must select 'Unable to Re-engage Within 2 Business Days'.
	If the Provider assesses that submitted Job Search efforts are not	When the Provider records an 'Unsatisfactory'	When the Provider records the reason they did not accept as	OR

Type of potential Mutual Obligation Failures	When is a Participant's Income Support Payment suspended?	When is a Demerit created (pending confirmation) on a Participant's record?	When does a Participant accrue a Demerit (i.e. the Demerit is confirmed)?	When is a Participant's potential Income Support Payment suspension prevented? OR When is a Participant's Income Support Payment suspension lifted?
	of satisfactory quality to have satisfactorily met their requirement, payment is suspended when the Provider records an 'Unsatisfactory' assessment result in the Job Search Reporting page.	assessment result in the Job Search Reporting page.	a Valid Reason in the Department's IT Systems. See the discussion on page 17 of this Guideline regarding when a Provider must select a description of the Participant's reason that was not a Valid Reason.	When the Provider selects 'Requirement no longer needs to be met' on the Provider Re-engagement page in the Department's IT Systems. OR If a Capability Assessment is the Reconnection Requirement, Services Australia will lift the Income Support Payment suspension once the Participant contacts them to participate in a Capability Assessment. OR When the Provider selects 'Compliance action no longer appropriate' on the Provider Re-engagement page. See the discussion on page 22 of this Guideline regarding when a Provider must select 'Compliance action no longer appropriate'. OR If the Participant is in the Penalty Zone, when the Provider records that the Participant is in contact.

Attachment B—Overview of the Targeted Compliance Framework



Attachment C—‘Rescheduled’, ‘No Longer Required’ and ‘Requirement no longer needs to be met’ reason options

‘Rescheduled’ or ‘No Longer Required’

<ul style="list-style-type: none"> • Acceptable Reason—Caring/family reasons • Acceptable Reason—Housing—instability issues/inspections • Acceptable Reason—Legal requirements • Acceptable Reason—Travel/transport—access/financial issues • Acceptable Reason—Local issue/natural disaster • Reason not acceptable—flexibility utilised 	<ul style="list-style-type: none"> • Acceptable Reason—Cultural business • Acceptable Reason—Major personal crisis affecting job seeker • Acceptable Reason—Medical/health reason • Acceptable Reason—Working on day of requirement • Provider Initiated—Requirement can’t be delivered
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‘Requirement no longer needs to be met’

Job Search	Job referrals
<ul style="list-style-type: none"> • Job Plan requires update to reflect new job search efforts • Paid work impacting level of job search • Major personal crisis impacting job seeker • Ongoing local issue/natural disaster impacts ongoing compliance • Cultural business for extended period • Significant and ongoing caring/family duties—no exemption • Significant and ongoing medical/health issues—no exemption 	<ul style="list-style-type: none"> • Applications closed/Vacancy withdrawn • Caring/family duties • Conditions or pay not suitable • Housing instability/emergency • Legal requirements • Local issue/natural disaster • Medical/health issue • Major personal crisis affecting job seeker* • Position no longer suitable • Referral created in error

Attachment D – Targeted Compliance Framework (TCF) workflow

The following table describes the TCF workflow Providers must undertake when the Provider considers that the TCF cannot be applied but the Participant has been non-compliant.

Reason	TCF is applicable	TCF is not applicable
Job seeker submitted a poor quality job search application	<ul style="list-style-type: none"> As per the Guideline, if job search is unsatisfactory in quality apply the TCF. <p>For details on how to report non-compliance due to unsatisfactory Job Search efforts, refer to:</p> <p><i>Task Card Guide – Monitoring Job Search Requirements.</i></p>	<ul style="list-style-type: none"> When the TCF cannot be applied, for example if the unsatisfactory job application was submitted in a previous reporting period that is now finalised and cannot be quality reviewed, attempt contact with the job seeker to discuss the matter. If contact is unsuccessful, schedule a Provider Appointment for the job seeker to attend (if there is not one already scheduled to occur within a reasonable timeframe). Discuss with the job seeker – over the phone or during the Provider Appointment – and where applicable, the information provided by the Employer Reporting Line (through the Employer Report Referral) - and provide guidance on how to improve the quality of the job seeker's job search applications. During this discussion Providers should also consider referring the job seeker to activities to build or improve employability skills or similar appropriate activities.
Job seeker did not attend or behave appropriately at a job interview	<ul style="list-style-type: none"> As per the Guideline, if a job seeker failed to attend or behaved inappropriately at a scheduled job interview that their Provider notified them of with no valid reason apply the TCF. <p>For details on how to report non-compliance refer to:</p> <p><i>Task Card Guide – Recording attendance results for Third Party Appointments, Job Interviews and Activities where the Provider is responsible for this.</i></p> <p><i>Task Card Guide – Actions following a no Result Entered (NRE) and Did Not Attend (DNA) result.</i></p>	<ul style="list-style-type: none"> Review the job seeker's calendar. If the interview was not scheduled in the job seeker's calendar the TCF is not applicable. However, Providers must discuss the information provided in the Employer Report Referral with the job seeker. Attempt contact with the job seeker to discuss the matter. If contact is unsuccessful, schedule a Provider Appointment for the job seeker to attend (if there is not one already scheduled to occur within a reasonable timeframe). Discuss with the job seeker – over the phone or during the Provider Appointment – and where applicable, the information provided by the Employer Reporting Line (through the Employer Report Referral) - and provide guidance on successful job interview techniques. During this discussion Providers should also consider referring the job seeker to activities to build or improve employability or similar appropriate activities.

<p>Job seeker was offered a suitable job by an employer but did not accept the job, or accepted a job offer but did not commence on the agreed start date</p>	<ul style="list-style-type: none"> • If not already assessed undertake a suitable work assessment. • As per the Work Refusal and Unemployment Failure Guideline, if no valid reason apply the TCF. • This must be reported to Services Australia as a Work Refusal Failure. <p>For details on how to create a Work Refusal Failure Report, refer to:</p> <p><i>Task Card Guide – Reporting Work Refusal Failures.</i></p>	<ul style="list-style-type: none"> • If not already assessed undertake a suitable work assessment. • If the assessment determines that the work is unsuitable, no further action required. • If the assessment determines that the work was suitable, review the date of the job offer. If it is more than 10 business days since this date the TCF is not applicable. However, Providers must discuss the information provided in the report with the job seeker. • Attempt contact with the job seeker to discuss the matter. • If contact is unsuccessful, schedule a Provider Appointment for the job seeker to attend (if there is not one already scheduled to occur within a reasonable timeframe). • Discuss with the job seeker – over the phone or during the Provider Appointment – and where applicable, the information provided by the Employer Reporting Line (through the Employer Report Referral) - and provide guidance on accepting and commencing suitable employment. During this discussion Providers should also consider referring the job seeker to activities to build or improve employability or similar appropriate activities.
<p>Job seeker voluntarily left a suitable job or was dismissed due to misconduct</p>	<ul style="list-style-type: none"> • As per the Work Refusal Failures and Unemployment Failures Guideline, if following a discussion with the job seeker, the Provider considers that the job seeker has committed an apparent Unemployment Failure, apply the TCF. • This must be reported to Services Australia as an Unemployment Failure. <p>For details on how to create an Unemployment Failure Report, refer to:</p> <p><i>Task Card Guide – Reporting Unemployment Failures.</i></p>	<ul style="list-style-type: none"> • As per the Work Refusal and Unemployment Failure Guideline, if following a discussion with the job seeker, the Provider considers that the job seeker has not committed an apparent Unemployment Failure, no further action is required. • However, if the Provider considers that the job seeker has committed an apparent Unemployment Failure but the TCF cannot be applied, as more than 20 business days have passed since the incident date, Providers must while in contact with the job seeker: <ul style="list-style-type: none"> ○ discuss the information provided by the Employer Reporting Line (through the Employer Report Referral) where applicable and provide guidance on sustaining employment. ○ during this discussion Providers should also consider referring the job seeker to activities to build or improve employability or similar appropriate activities.

Attachment E—Valid Reason assessment options

The following tables replicate the drop-down menus in the system. When recording a reason that is a Valid Reason or that is not a Valid Reason in the Department's IT Systems, the appropriate menu will appear. Reasons may appear in both columns and may be a Valid Reason or not a Valid Reason, depending on the Provider's determination (see the [Assessing Valid Reasons](#) section of this Guideline, above). In the Department's IT Systems, 'reasons accepted' refers to Reasons that the Provider determines are Valid Reasons, and 'reasons not accepted' refers to Reasons that the Provider determines are not Valid Reasons.

Failure to attend a Provider Appointment, Third Party Appointment, activity or job interview

Reasons accepted	Reasons not accepted
<ul style="list-style-type: none"> • Caring/family reasons that were unforeseeable—unable to advise prior • Conditions or pay not suitable⁺ • Conditions/skills beyond job seeker[*] capacity⁺ • Cultural business—unable to advise prior • Believe job seeker[*] thought they were exempt • Housing instability issues—unable to advise prior • Housing—landlord/property inspection—unable to advise prior • Legal requirements—unable to advise prior • Local issue/natural disaster—unable to advise prior • Major personal crisis affected job seeker[*]—unable to advise prior • Medical/health reason—unable to advise prior • Notification issue—not aware of requirement • Travel/transport, did not have money to pay—unable to advise prior • Travel/transport access issue—unable to advise prior • Working on day of requirement—unable to advise prior 	<ul style="list-style-type: none"> • Away from home/on holiday • Caring/family reasons • Caring—claims childcare will be too expensive if offered job⁺ • Conditions—claims job does not match skills⁺ • Conditions—claims not in preferred employment industry⁺ • Did not believe they had a requirement • Did not think they had to attend—thought exempt • Did not want to attend requirement • Forgot about requirement • Got lost/got time wrong • Housing instability issues • Medical/health reason • Slept in/missed requirement • Travel/transport—did not have money to pay • Travel/transport issue—did not have access • Travel/transport issue—claims distance too great • Undertaking other non-mutual obligation requirement • Prior notice not given and reasonable to expect: <ul style="list-style-type: none"> ▪ Caring/family reasons ▪ Housing—landlord/property inspection ▪ Legal requirement ▪ Medical/health reason

^{*} In this case, 'job seeker' refers to a 'Fully Eligible Participant (Mutual Obligation)' as defined in the jobactive Deed 2015–2022 or a 'Compulsory Participant' as defined in the ParentsNext Deed 2018–2021, as relevant

Failure to attend a Provider Appointment, Third Party Appointment, activity or job interview

Reasons accepted	Reasons not accepted
	<ul style="list-style-type: none"> ▪ Travel/transport—did not have money to pay ▪ Travel/transport issue—did not have access ▪ Working on day of requirement

*Applicable to Job Interviews only

Misconduct at a Provider Appointment, Third Party Appointment, activity or job interview

Behaviours that may be considered misconduct which prevent the purpose of the requirement from being met include:

<ul style="list-style-type: none"> • Appeared intoxicated/under the influence • Disingenuous • Disruptive/disengaged—unable to complete requirement • Inadequate presentation/attire at requirement • Left prior to completion of requirement 	<ul style="list-style-type: none"> • Physically abusive—unable to deliver requirement • Self-sabotage • Theft • Verbally abusive—unable to deliver requirement.
<ul style="list-style-type: none"> • Reasons accepted • Did not have appropriate attire to wear at requirement • Disability/condition presenting itself as misconduct • Major personal crisis affected job seeker* • Medical issue/condition contributed to behaviour 	<ul style="list-style-type: none"> • Reasons not accepted • Couldn't control behaviour/self • Denied nature of misconduct • Did not believe they were impacted by substances • Did not think they had to stay for the duration • Did not think they were dressed inappropriately • Did not want to participate/engage with requirement • Falsified disability/condition presenting itself as misconduct • Did not want that job+

*Applicable to Job Interviews only

*In this case, 'job seeker' refers to a 'Fully Eligible Participant (Mutual Obligation)' as defined in the jobactive Deed 2015–2022 or a 'Compulsory Participant' as defined in the ParentsNext Deed 2018–2024, as relevant.

Failure to agree to a Job Plan

Reasons accepted	Reasons not accepted
<ul style="list-style-type: none"> • Did not understand requirement to agree to Job Plan • Required further assistance to understand terms of Job Plan • Housing instability issues—unable to return Plan or advise prior • Local issue/natural disaster—unable to return Plan or advise prior • Legal requirements—unable to return Plan or advise prior • Medical/health reason—unable to return Plan or advise prior • Travel/transport access issue—unable to return Plan or advise prior 	<ul style="list-style-type: none"> • Away from home/on holiday • Caring/family reasons—claims no time to participate • Does not believe they have to meet requirements • Refuses to participate in employment services • Refuses to look for work—number or overall • Refuses to participate due to study • Refuses to participate in specific activity • Refuses to participate/claims to have no time due to paid work • Refuses to participate due to self-employment • Refuses to discuss requirements • Refuses to participate due to undertaking other, non-mutual obligation requirements • Does not want to enter into a Job Plan • Forgot about requirement • Medical/health reason—could not return Plan • Caring/family reasons—could not return Plan • Travel/transport issues—could not return Plan

Failure to satisfactorily meet a Job Search Requirement

Reasons accepted	Reasons not accepted
<ul style="list-style-type: none"> • Caring/family duties that were significant—no exemption • Cultural business for extended period • Housing instability issues • Legal requirements impacted job search • Local issue/natural disaster impacted job search • Medical/health reason—no exemption • Major personal crisis—no exemption 	<ul style="list-style-type: none"> • Away from home/on holidays • Caring/family requirements affected job search • Claims other requirements affected job search • Does not believe suitable jobs are available • Does not want to apply for jobs • Does not want to apply for jobs using different methods • Does not want to look for work in diverse industries • Does not want to tailor applications to industry • Forgot about job search/got due date wrong • Housing instability • Medical/health reasons • States not required to look for work • States too many job searches required • Technology issue—claims could not submit efforts online • Technology issue—reported job search efforts incorrectly • Thinks quality of applications is satisfactory

Failure to act on a job referral

Reasons accepted	Reasons not accepted
<ul style="list-style-type: none"> • Caring/family duties were significant—no exemption • Commute to/from workplace—distance too great/expensive • Conditions or pay not suitable • Conditions/skills for job beyond job seeker* capacity • Cultural business for extended period • Cultural—workplace unsuitable for cultural/religious reasons • Housing instability issues • Legal requirements prevented compliance • Local issue/natural disaster prevented compliance • Major personal crisis affected job seeker • Medical/health reason prevented compliance • Notification issue—not aware of requirement • PCP—job seeker Error! Bookmark not defined. not better off financially • Technology—no access to technology to complete requirement • Technology—no phone or credit to contact employer 	<ul style="list-style-type: none"> • Acted in a manner that did not result in a job offer/interview • Away from home/on holiday • Believes not required to look for work • Caring/family requirements • Caring—claims childcare will be too expensive if job offered • Conditions—claims job does not match skills • Conditions—claims not in preferred employment industry • Conditions—claims too many or too few hours • Conditions—pay not enough (within allowable policy) • Does not want job • Forgot about requirement • Housing instability • Medical/health reason • Résumé not acceptable standard • Technology—claims no access to technology to complete requirement • Technology—claims no phone or credit to contact employer • Travel/transport issue—claims distance too great/expensive

* In this case, 'job seeker' refers to a 'Fully Eligible Participant (Mutual Obligation)' as defined in the jobactive Deed 2015–2022 or a 'Compulsory Participant' as defined in the ParentsNext Deed 2018–2022, as relevant.

Attachment F—Manual Demerit removal options

All Demerit types

Reason	Description
Issue affected overall capability— requirements changed	The Participant’s personal circumstances would have likely affected their overall capability to meet requirements. Their Provider has updated their requirements to be more appropriate and to support the Participant to meet them.
New information disclosed— job seeker* in services to address	New information about the Participant has been disclosed which impacted their ability to meet requirements at the time they accrued the Demerit. The Provider has referred the Participant to services, or the Participant is in services, to address this issue.
New information disclosed—likely impacted compliance	New information about the Participant has been disclosed which impacted their ability to meet requirements at the time they accrued the Demerit, and should it have been known, would likely have meant the Participant had a Valid Reason.
Provider Error	An error occurred and the Participant should not have accrued a Demerit—for example, they had a Valid Reason or they should not have had the requirement.

* In this case, ‘job seeker’ refers to a ‘Fully Eligible Participant (Mutual Obligation)’ as defined in the jobactive Deed 2015–2022 or a ‘Compulsory Participant’ as defined in the ParentsNext Deed 2018–2021, as relevant.

Job Search Demerits

Reason	Description
Issue affected overall capability—requirements changed	The Participant's personal circumstances would have likely affected their overall capability to meet requirements. Their Provider has updated their requirements to be more appropriate and to support the Participant to meet them.
Job Search efforts submitted after end of Job Search Period—Valid Reason identified	The Participant has submitted their outstanding Job Search efforts online. Upon Participant contact, the Provider identified that the Participant had a Valid Reason for not submitting their efforts by the end of their Job Search Period.
Adjustment not made—paid work impacted number required	The Participant's declared earnings for that period mean that their Provider should have reduced their level of job search. Note: this is only applicable where paid work/self-employment is not included in the Job Plan as a requirement. Where it is included, the Department's IT Systems will automatically make this adjustment based on hours committed to per fortnight (regardless of actual earnings).
Adjustment not made—exemption impacted number required	The Participant had an Exemption during the Job Search Period. Although the system re calculated their required efforts based on the exemption period, the Provider should have made further adjustment due to the nature of the Exemption.
Adjustment not made to number of Job Search efforts required	The Provider failed to adjust the Participant's required Job Search efforts for the Job Search Period. The result was that the number of required efforts was too high, and the Provider will makes the adjustment in the Job Plan for the next Job Search Period.
Job Search efforts were reported manually within Job Search Period	The Participant provided their Job Search efforts to their Provider during the Job Search Period; however, the Provider did not record them in the Department's IT Systems before the end of the Participant's Job Search Period.
Job Search efforts were satisfactory	The Provider had assessed that the Participant's Job Search efforts were unsatisfactory in quality. Upon review, the Provider identified that the efforts and quality were satisfactory.

Job Plan Demerits

Reason	Description	Type of failure
Job Plan accepted online— Valid Reason identified	The Participant accepted their Job Plan online, but only after the due date. Upon contact with the Participant, the Provider identified that they had a Valid Reason for not agreeing to the Job Plan within the required timeframe.	Job Plan
Job Plan terms unreasonable/inappropriate	Upon another review of the Job Plan and discussion with the Participant, the Provider identified that the requirements in the Plan are not suitable for Participant.	Job Plan
Signed Job Plan was returned	An error occurred and the Participant did return their signed hardcopy Job Plan within the required timeframe, however the Provider did not record this agreement in the Department's IT Systems.	Job Plan— where think time granted (hardcopy)
Job seeker* did agree to Job Plan at appointment	An error or misunderstanding occurred and the Participant did actually agree to their Job Plan onsite. However, the Provider did not record this agreement in the Department's IT Systems, and they used the compliance framework instead.	Job Plan— think time granted (hard copy) or refusal recorded
Job seeker** did not refuse to sign Job Plan	An error or misunderstanding occurred and the Participant had not refused to agree to their Job Plan onsite. However, the Provider did not record their agreement or their request for think time, and they used the compliance framework instead.	Job Plan— refusal

* In this case, 'job seeker' refers to a 'Fully Eligible Participant (Mutual Obligation)' as defined in the jobactive Deed 2015–2022 or a 'Compulsory Participant' as defined in the ParentsNext Deed 2018–2024, as relevant.

Attachment G—‘Unable to Re-engage Within 2 Business Days’ reason options

‘Unable to Re-engage within 2 Business Days’











<ul style="list-style-type: none"> • Caring/family duties that were unexpected impacts attendance • Cultural business over next two business days impacts attendance • Full-Time Activity/Training impacts attendance • Housing instability/emergency impacts attendance • Legal requirements impact attendance 	<ul style="list-style-type: none"> • Local issue/natural disaster impacts attendance • Major personal crisis affecting job seeker* impacts attendance • Medical/health issue over next two days impacts attendance • Travel/transport—exceptional issue impacts attendance • Working over next two business days
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Attachment H—‘Re-engagement Not Required’ reason options

The following table describes the options Providers have to record the reason a Re-engagement is Not Required. The table also indicates which requirements each of the options can be recorded against.

Reason	Appointment (Provider or third party)	Activity	Job interview	Job Plan	Job referral
Re-engagement not required—non-compliance discussed	✓	✓	✓		✓
Outreach/Part-time site impacts re-engagement	✓	✓	✓		
Unable to be arranged in next two days		✓			
Applications closed/ Vacancy withdrawn					✓
Local issue/natural disaster impacts compliance	Record as ‘unable to re-engage within 2 business days’			Record ‘compliance action no longer appropriate’	✓
Major personal crisis impacts compliance					✓

* In this case, ‘job seeker’ refers to a ‘Fully Eligible Participant (Mutual Obligation)’ as defined in the jobactive Deed 2015–2022 or a ‘Compulsory Participant’ as defined in the ParentsNext Deed 2018–202, as relevant.

Reason	Appointment (Provider or third party)	Activity	Job interview	Job Plan	Job referral
Departmental Override [^]					
Exit/Transfer from services [^]					

[^] Departmental Users or the IT system (automatically) only

Attachment I—‘Compliance Action No Longer Appropriate’ reason options

The following table describes the options Providers have to record the reason Compliance Action is No Longer Appropriate. The table also indicates which requirements each of the options can be recorded against.

Reason	Appointment (Provider or third party)	Job Plan	Activity or job interview	Job Search	Job referral
Applications closed/ Vacancy withdrawn					✓
Local issue/natural disaster impacts compliance	✓		✓	✓	✓
Major personal crisis impacts compliance	✓	✓	✓	✓	✓
Significant and ongoing caring/family duties—no exemption				✓	
Significant and ongoing medical/health issues—no exemption				✓	
Job seeker* requirements changed—job search not applicable				✓	
Departmental Override^	✓	✓	✓	✓	✓
Exit/Transfer from services^	✓	✓	✓	✓	✓

^ Departmental Users or the IT system (automatically) only

* In this case, ‘job seeker’ refers to a ‘Fully Eligible Participant (Mutual Obligation)’ as defined in the jobactive Deed 2015–2022 or a ‘Compulsory Participant’ as defined in the ParentsNext Deed 2018–2024, as relevant.

All capitalised terms in this Guideline have the same meaning as in the jobactive Deed 2015–2022 (the Deed). This Guideline is not a stand-alone document and does not contain the entirety of Employment Services Providers' obligations. It must be read in conjunction with the relevant Deed and any relevant Guidelines or reference material issued by Department of Education, Skills and Employment under or in connection with the relevant Deed.

Guideline:

Eligibility, Referral and Commencement

This Guideline outlines who is Eligible for jobactive Services and arrangements for Participants to be Referred and Commenced in an appropriate Stream. Providers must provide Participants with appropriate Services, taking into account their individual circumstances, to assist them to find employment and move off Income Support Payments.

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Nil

Wording changes:

Update to section on Transfers from Online Employment Services (OES) (page 4).

Capitalisation of words on (page 9).

A full document history is available on the [Provider Portal](#)

Related documents and references

[Assessments Guideline – Job Seeker Classification Instrument \(JSCI\) and Employment Services Assessments \(ESAt\)](#)

[Direct Registration Guideline](#)

[Job Plan and Scheduling Mutual Obligation Requirements Guideline](#)

[Managing and Monitoring Mutual Obligation Requirements Guideline](#)

[Period of Service, Suspensions and Exits Guideline](#)

[Privacy Guideline](#)

[Transfer Guideline](#)

[Stronger Transitions Guideline](#)

[Volunteers Guideline](#)

[Time to Work Employment Services](#)

[TTW Eligibility, Referral, Commencement and Caseload Guideline](#)

[Structural Adjustment Programmes Guideline](#)

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1. Eligibility for jobactive Services

Eligibility for jobactive Services generally depends on the type of Income Support Payment a Participant is receiving. The [Eligibility Tables](#) identify the main categories of Participants based on their individual circumstances and their eligibility for jobactive Services.

The Department of Education, Skills and Employment (the Department) may amend the eligibility for jobactive Services at any time.

For Participants on income support, Eligibility is shown in the Department's IT Systems, based on information entered by Services Australia.

2. Eligible Participants Referred automatically through the Department's IT Systems

The majority of Participants will be automatically Referred through the Department's IT Systems, not via Services Australia. A Participant may be initially Referred to Online Employment Services (OES) or a Provider following the grant of income support and:

- the application of the Job Seeker Classification Instrument (JSCI) or
- an Employment Services Assessment (ESAt), where applicable.

Participants Referred to a jobactive Provider will generally be Referred to Stream A, Stream B or Stream C, based on the outcome of their JSCI or, where applicable, an ESAt. The exceptions are Time to Work Employment Service Participants, Early School Leavers and Structural Adjustment Program Participants who will be Referred to Stream B as a minimum or Stream C, dependent on the outcome of an ESAt. If a Vulnerable Youth Directly Registers with a jobactive provider, they will commence in Stream C - Refer to the [Direct Registration Guideline](#).

Participants automatically Referred will be randomly allocated to a Provider's caseload after taking into consideration provider site to postcode mapping and provider Referral tolerance. Participants who are randomly allocated to a provider will still have the opportunity to transfer to a provider of their choice – Refer to the [Transfer Guideline](#).

Participants in Online Employment Services (OES) who complete their period in Online Employment Services or opt out

Participants who are serviced in OES and who complete their period of assistance in OES, or who leave OES for other reasons (including opting out) but who remain Fully Eligible for jobactive, will be transferred to a jobactive Provider.

Most Participants will be provided the opportunity to choose their jobactive Provider before leaving OES, but will be automatically transferred to a departmentally nominated Provider should they not do so.

(Deed reference: Clause 82 – Transfer of Stream Participants to the Provider)

Providers must have [Electronic Diary timeslots](#) available.

Providers are responsible for booking an Initial Interview for Participants who have been Referred to them automatically through the Department's IT Systems.

Providers must also ensure that the Electronic Calendar has, at all times, capacity to receive Appointments within the next two Business Days for all other Referrals. Refer to the [Managing and Monitoring Mutual Obligation Requirements Guideline](#).

(Deed references: Clauses 77.2 and 83.1)

For Time to Work Employment Service (TWES) Participants Referred to jobactive, Providers will need to schedule/block out time in their Electronic Calendar for a facilitated transfer meeting with the Participant and TWES Provider, using the 'Provider Event' functionality.

(Deed reference: Clauses 82.4)

3. Eligible Participants Referred by Services Australia

Services Australia will Refer some eligible individuals to a jobactive Provider. This may include but is not limited to:

- DSP Recipients with participation Requirements
- Vulnerable Participants
- those who cannot complete the registration and assessment process online.

4. Other Referral Types for Eligible Participants

Some eligible individuals may elect to participate in jobactive Services and can Directly Register with a jobactive Provider. The jobactive Provider is responsible for determining a person's eligibility for Direct Registration and registering that person for Services. Refer to the [Direct Registration Guideline](#).

[Retrenched workers and their partners](#)

Retrenched Workers and their partners are eligible for immediate access to jobactive Services. These Participants receive services as a Fully Eligible Participant in the stream appropriate to their level of labour market disadvantage as determined by the Job Seeker Classification Instrument. Refer to the [Assessments Guideline](#).

Some retrenched workers and their partners may be eligible for additional assistance through Structural Adjustment Programmes, which enable recently retrenched workers from eligible companies or industries to access jobactive Services. Structural Adjustment Programme Participants are eligible for immediate access to jobactive Services as a Stream B Participant to assist them to find new employment. For information relating to Structural Adjustment Programmes including eligibility and registration, refer to the [Structural Adjustment Programme Guideline](#).

Providers must use the hierarchy of eligibility below to Directly Register any retrenched workers and/or their partners.

Retrenched workers and their partners - hierarchy of eligibility

Retrenched workers and their partners do not need to participate in the same program. Where a retrenched worker and their partner are eligible for a Structural Adjustment Programme this will take priority.

While a retrenched person and their partner may be eligible to register for jobactive under multiple retrenched worker programs, they can only be registered under **one** retrenched worker program each. (e.g. Structural Adjustment Programme Participant or a general retrenched worker/partner). This might mean that in some cases, the retrenched worker and their partner are registered in different retrenched worker programs.

Where the Structural Adjustment Programme provides Services for a retrenched worker but not their partner, then the worker should commence with the appropriate program and the partner can receive Services appropriate to their level of labour market disadvantage as determined by the Job Seeker Classification Instrument.

The programs are to be applied to retrenched workers and their partners with the following priority:

1. Structural Adjustment Programme
2. As a Fully Eligible Participant in the stream appropriate to their level of labour market disadvantage as determined by the Job Seeker Classification Instrument.

Transition to Work Participants nearing the end of TtW

Transition to Work (TtW) Providers will Refer Participants with Mutual Obligation Requirements to jobactive Services if they are nearing the end of their 18 months in TtW and are not tracking towards an outcome. A TtW Provider may also Refer a Participant if they are not fully engaging in TtW. The TtW Provider will identify jobactive Providers in the Employment Region and offer the Participant a choice of Provider, if applicable.

The TtW Provider must organise and attend an initial planning meeting with the jobactive Provider and the Participant, to be held in the first week of the Participant's eighteenth month in TtW. The purpose of this meeting is for the jobactive Provider to set out participation expectations and organise an assessment for the Participant.

At this point, the TtW Participant has not been Referred to the jobactive Provider. Therefore, a Participant appointment cannot be made in the jobactive Provider's calendar. The jobactive Provider will need to manually schedule/block out time for this meeting in their calendar.

The TtW Provider will organise the Participant's Initial Interview with a jobactive Provider to be held in the final week of the eighteenth month. This is where the Participant is Referred to the jobactive Provider by the TtW Provider and exited from TtW.

If the Transition to Work Participant is transferring to a jobactive Provider before 18 months of service then the TtW Provider must organise and attend one meeting with the Participant and the jobactive Provider. This should occur within one month of the decision to move to the jobactive Provider. The exception is if the Participant Exited shortly after Commencement in TtW.

5. Preparing for all Appointments

When preparing for all Appointments, including the Initial Interview, Providers must take into consideration whether the Participant has any special requirements.

For example, when a Participant requests or where the Provider considers it appropriate, Providers must use an interpreter to ensure that the Participant understands their requirements.

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 it is not the Case Manager's role to act as an interpreter).

Providers should also deliver services to Participants in a culturally sensitive way, based on details in the Participant's record in the Department's IT Systems. Cultural sensitivities may be particularly applicable where Participants identify as Indigenous Australians or as being from Culturally and Linguistically Diverse backgrounds. Sensitivities to consider may include, but are not limited to, language barriers, gender roles, potential misinterpretation of body language and suspicion of authorities.

Authorised Nominees

The Department's correspondence and notifications to a Participant are also provided to that Participant's authorised correspondence nominee/s. This includes information about their Mutual Obligation Requirements and the need to attend appointments and agreed activities. The nominee can, therefore, contact the Participant's Provider if and when required to reschedule their appointment.

When the nominee rebooks appointments for the Participant, the Provider should work with the nominee to ensure the Participant is aware of their Mutual Obligation Requirements and what may happen if he/she does not comply with them.

Best practice for the Provider is to record details of the conversation with the nominee in the comments screen in the Department's IT Systems. Providers should also regularly check with the Participant that nominee details are up to date and correct.

6. Initial Interviews and other meetings with Participants

All new Participants must have an Initial Interview

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

- were Referred automatically through the Department's IT Systems
- were Referred by Services Australia
- were Referred by a TtW Provider
- have Directly Registered for assistance (see [Direct Registration Guideline](#))
- have transferred to the Provider (see [Transfers Guideline](#)).

This includes:

- developing and approving a Job Plan (see [Job Plan and Scheduling Mutual Obligation Requirements Guideline](#)) and
- providing the Participant with the relevant Privacy Notification and Consent Form in the [Privacy Guideline](#) and seek the individual's express written consent to collect their sensitive information by asking the individual to sign and date the relevant form. The Provider **must** advise the individual that they are not required to give consent for the collection of their sensitive information and can withdraw their consent at any time (see the [Privacy Guideline](#)).

Initial Interview when a Participant changes Streams

Where a Participant becomes eligible for a new Stream as a result of a JSCI Change of Circumstances Reassessment, the Provider must conduct an Initial Interview.

Note: To ensure the currency of notification and consent, best practice is for Providers to provide and ask the Participant to sign and date the Privacy Notification and Consent form every time the JSCI Change of Circumstances is conducted. A Participant is not required to sign the Privacy Notification and Consent Form for an Initial Interview for a New Stream if they remain with the same Provider.

Facilitated Transfer meeting for Participants exiting from Time to Work Employment Services (TWES) to jobactive

A TWES Participant may be Referred to jobactive before the TWES Participant's release from prison, where they meet jobactive eligibility.

To assist the TWES Participant's move to jobactive, the TWES Provider must organise a facilitated transfer meeting with the post-release Provider and TWES Participant before the TWES Participant's release from prison. However, in some cases the Facilitated Transfer Meeting may need to happen after the Participant's release from Prison.

The purpose of the facilitated transfer meeting is to introduce the TWES Participant to their post-release employment services provider and to discuss the TWES Participant's Transition Plan and their transition to jobactive following their release from prison. The post-release Provider must attend the facilitated transfer meeting, in person or by telephone, and explain the

Services that will be available to the TWES Participant when they Commence in jobactive.

The Transition Plan will be developed by the TWES Provider in consultation with the TWES Participant and will outline actions to help address any barriers that the Participant will face following their release from prison and detail their plan for employment. The post-release Provider should use the Transition Plan to identify any support or services that the Participant may require to address these barriers and assist the Participant to move into employment. The post-release Provider must consider any comments or recommendations that are contained in the Transition Plan when setting the terms of a Job Plan.

Where possible, the staff member who will be providing Services to the Participant upon their release from prison should attend the meeting.

Where a TWES Participant Commences in jobactive and the TWES Provider has not attended a facilitated transfer meeting, the Provider should contact the TWES Provider to discuss the TWES Participant's participation in the TWES program and their Transition Plan.

Where a Participant is Referred to a post-release Provider which is the same organisation that delivered Time to Work Employment Services to the Participant, the TWES Provider must still arrange a Facilitated Transfer Meeting. This will ensure that the Participant has the opportunity to meet the jobactive staff who will service them post-release and understand the post-release services they will receive.

(Deed references: Clauses 82.4)

Participants exiting from TtW to jobactive

In the first week of the Participant's eighteenth month in TtW, the TtW Provider will organise and attend an initial planning meeting with the jobactive Provider and the Participant. The purpose of this meeting is for the jobactive Provider to set out the expectations of participation in jobactive Services and identify what type of activities are most appropriate for the Participant in the Work for the Dole (WfD) phase. Noting, the TtW Provider will not be able to make this appointment directly to the jobactive Provider's calendar and timing should be negotiated between all parties.

In the final week of the eighteenth month in TtW, the TtW Provider will Refer the Participant to jobactive and organise the Participant's Initial Interview with the jobactive Provider.

If the TtW Participant is transferring to a jobactive Provider **before** 18 months of service then the TtW Provider must organise and attend one meeting with the Participant and the jobactive Provider. This should occur within one month of the decision to move to the jobactive Provider. The exception is if the Participant Exited shortly after Commencement in TtW.

Please note: TtW Participants exiting from TtW after six months and transitioning to jobactive will Commence in the WfD Phase of jobactive.

(Deed references: Clauses 82.3)

Vulnerable Youth or Vulnerable Youth (Student)s

Following the immediate Direct Registration of a Vulnerable Youth or Vulnerable Youth (Student) who presents in crisis, Providers must immediately provide or Refer the young person to relevant crisis assistance. The support provided will depend on the nature of the crisis but could include assistance with emergency accommodation, counselling or other non-vocational support. Refer to the [Direct Registration Guideline](#).

(Deed references: Clauses 78.3)

7. Participants must be commenced in a timely manner

Providers must Commence Participants in a timely manner.

- Participants who are referred to the provider on or after 12 April 2021 must be commenced within 10 Business Days of the referral. This provides sufficient time for providers to review their caseloads, schedule and conduct an Initial Interview (including re-scheduling if required), and think-time for participants to agree to their Job Plan.
- Participants referred to the provider prior to 12 April must be commenced as outlined below, with efforts focussing on those referred for the longest period:
 - Participants referred before 12 October 2020 (6+ months), must be commenced within 10 Business Days
 - Participants referred before 12 November 2020 (5+ months), must be commenced within 15 Business Days
 - Participants referred before 12 December 2020 (4+ months), must be commenced within 20 Business Days
 - Participants referred before 12 January 2021 (3+ months), must be commenced within 25 Business Days
 - Participants referred before 12 February 2021 (2+ months), must be commenced within 30 Business Days
 - Participants referred before 12 March 2021 (1+ month), must be commenced within 35 Business Days
 - Participants referred before 12 April 2021 (less than 1 month), must be commenced within 40 Business Days

(Deed references: Clauses 83.1 and 84.1(a))

8. Participants are automatically Commenced in the Department's IT Systems

A Participant is automatically Commenced in the Department's IT Systems when the Provider records attendance at the Initial Interview and the Participant has an approved Job Plan.

A Participant who changes Stream due to a Change of Circumstances Reassessment remains commenced in their previous Stream until the Provider has undertaken an Initial Interview for the new Stream.

The Provider must deliver Services in accordance with the Deed, Guidelines, Service Delivery Plan, Job Plan and Participant's circumstances once the Participant is Commenced.

9. Administration Fees are calculated and paid automatically by the Department's IT Systems

Administration Fees are calculated and paid automatically by the Department's IT Systems once the Participant is Commenced and at the start of each Administration Fee Period thereafter. This system calculation includes all pro-rata adjustments and 25 per cent regional loading for administration of Services to Participants in Regional Locations.

Providers are not required to submit a claim for payment. Administration Fee Tax Invoices will be automatically generated in the Department's IT Systems and do not require acceptance before payment is made.

(Deed references: Clause 123, Annexure B2)

10. Referral to another program as a result of Change of Circumstances Reassessment

In some instances, a Participant may be Referred to an ESAt after a JSCI Change of Circumstances Reassessment. If, as a result of the ESAt, the Participant is Referred to DES or TtW, the Provider must continue to deliver Services to the Participant until they have commenced in that program. Once the Participant has commenced in the new program, they will be Exited from jobactive Services. Refer to the [Assessments Guideline](#).

(Deed references: Clauses 79, 82, 85, 87)

Referral of a Participant to TtW

A Provider may Refer Stream C Participants to TtW if they meet eligibility requirements and would benefit from the service.

The eligibility requirements are:

- aged 15-24 years on Commencement in the TtW Service, and
- a Stream C Participant, and
- identified by their jobactive Provider as having a capacity to benefit from TtW Services: for example, a young Participant who has addressed their unstable housing or mental health issues, and
- an Australian citizen, or
- the holder of a permanent visa, or
- New Zealand Special Category Visa holders (a protected Special Category Visa holder; or non-protected Special Category Visa holder), or
- nominated Visa Holders (including Temporary Protection Visa Holders and Safe Haven Visa Holders).

11. Services must be delivered to Participants who return after Exiting

Where a Participant Exits and returns to Services within 13 consecutive weeks of Exit, the Provider must resume providing Services to a Participant in accordance with the Deed. When a Participant returns to Services at 13 consecutive weeks or more from their date of Exit, their Period of Service will re-set and they will need to be Commenced into Service as a new Referral.

A new JSCI will need to be conducted prior to the Provider delivering Services to the Participant, as their previous JSCI will be inactive as a result of the Exit.

(Deed references: Clauses 95.3 and 95.4)

12. Summary of required Documentary Evidence

Retrenched Workers



Documentary Evidence: Please refer to the [Direct Registration Guideline](#).

Job Plan



Documentary Evidence: Where the Participant has agreed to a Job Plan by signing a hard copy version, a copy must be retained by the Provider.

13. Eligibility in jobactive

The sections below are not mutually exclusive and sections of this table should be considered in combination according to Participant individual circumstances.

For example, Participants may be in receipt of JobSeeker Payment, be Mature Age (55+) and have a Partial Capacity to Work; or be in receipt of Disability Support Pension, be a Vulnerable Youth and a Parent.

Please Note:

- People with a Partial Capacity to Work who are fully meeting their requirements through part-time paid employment or study and who do not have a requirement to remain connected to their Employment Provider may elect to participate in Employment Provider Services.
- Volunteer Participants on Norfolk Island and in the Yarrabah community will continue to be eligible for Stream A Volunteer services and will not be Referred to the Volunteer Online Employment Services Trial (VOEST).

	Fully Eligible	Eligible for Volunteer Online Employment Services (VOEST) for 12 months	Not Eligible
JobSeeker Payment	JobSeeker Payment recipient		
Parents	<p>Parenting Payment recipient with participation requirements.</p> <p>Principal Carer parents who are fully meeting their requirements through part-time paid employment or study and who do not have a requirement to remain connected to their Employment Provider but may elect to participate in Employment Provider Services.</p> <p>Note: Fully Eligible Participants who are fully meeting their part-time Mutual Obligation Requirements or are currently subject to a Services Australia -granted Exemption may voluntarily elect to participate in Employment Provider Services. If they choose to do so, they continue to be serviced as a Fully Eligible Participant.</p>	<p>Parenting Payment recipients without participation requirements</p> <p>Parents (with a youngest child under six years old) in receipt of Parenting Payment (Partnered)/Parenting Payment (Single).</p> <p>ParentsNext volunteers and ParentsNext compulsory participants.</p>	
Disability Support Pension	<p>Disability Support Pension recipient with compulsory requirements</p> <p>Disability Support Pension recipients aged under 35 years with a work capacity of eight or more hours per week (without a youngest child under six years) will have compulsory activity requirements.</p> <p>Disability Support Pension applicants and recipients subject to review (without compulsory requirements) undertaking a Program of Support (not eligible for Disability Employment Services or Community Development Programme)</p> <p>Fully eligible for assistance while they undertake their Program of Support requirement provided they remain connected or do not Exit for more than 13 weeks.</p> <p>Note: Fully Eligible Participants who do not remain connected or who complete their Program of Support may be eligible for the VOEST in the future.</p>	<p>Disability Support Pension applicants and recipients subject to review (without compulsory requirements) undertaking a Program of Support (not eligible for Disability Employment Services or Community Development Programme) who do not remain connected or Exit for more than 13 weeks.</p> <p>Disability Support Pension recipients without compulsory requirements</p> <p>Australian Disability Enterprises Participant</p> <p>Disability Pensioner (DVA)</p>	
Youth and students	<p>Youth Allowance (other) recipient</p> <p>Vulnerable Youth and Vulnerable Youth (Student)</p> <p>Young people who are not in receipt of Income Support Payments aged 15 to 21 who are not working 15 hours or more per week, who are not in Full-time Study and who have at least one serious Non-vocational Barrier are eligible for immediate Stream C Services as a Vulnerable Youth. Ongoing assistance is subject to confirmation through an ESAt. If they are not eligible for Stream C and are not otherwise determined to be Fully Eligible, they must be Exited by the Provider and may be Referred to the VOEST by Services Australia should they require assistance as a Volunteer.</p> <p>Full-Time students aged 15 to 21 years who present in crisis and have at least one Non-vocational Barrier are eligible for immediate Stream C services as Vulnerable Youth</p>	<p>Full-time students seeking an apprenticeship or traineeship</p> <p>Young people who are not in receipt of Income Support Payments who are under school-leaving age, including those under 17 years, are Eligible only if they have permission to leave school.</p>	<p>Youth Allowance (full-time Student) recipient</p> <p>ABSTUDY recipient</p> <p>Austudy recipient</p>

	Fully Eligible	Eligible for Volunteer Online Employment Services (VOEST) for 12 months	Not Eligible
	(Student) if no appropriate youth services are available in the local area. Ongoing assistance is subject to having their eligibility for Stream C confirmed by an ESAt.		
Visa holders and migrants	<p>Visa holders with working rights attached, on income support To be a Fully Eligible Participant, Visa holders with working rights attached, must be in receipt of an Income Support Payment type that would otherwise enable an individual to access services as a Fully Eligible Participant. Other rows in this table specify Income Support Payment types that enable people to access services as a Fully Eligible Participant.</p> <p>New Zealand non-protected Special Category Visa holders in receipt of JobSeeker Payment or Youth Allowance (Other)</p>	<p>Visa holders with working rights attached, not on income support, including temporary residents With the exception of working holiday visas.</p> <p>Visa holders with working rights attached, who are on an Income Support Payment listed in the section of this table titled Other income support without Participation requirements</p> <p>Migrants serving a Newly Arrived Residents Waiting Period</p> <p>Status Resolution Support Services (SRSS) program recipients - people who are actively engaged with the Department of Home Affairs in resolving their immigration status.</p>	<p>Visa holders without working rights (including temporary residents)</p> <p>Overseas visitors on working holiday visas are Eligible for Harvest Trail Services only</p>
Newly Arrived Refugees	Newly arrived refugees are able to voluntarily participate in the appropriate level of service based on their assessment (i.e. Stream A, Stream B or Stream C) for 12 months after they have started on income support following arrival. During this time they are not required to participate in jobactive. Standard eligibility and Mutual Obligation rules would apply after the end of this period.		
Special Benefit	<p>Special Benefit recipients Special Benefit recipients who are Nominated Visa Holders have the same mutual obligation requirements, and consequences for non-compliance as Job Seeker Payment and Youth Allowance (Other) recipients.</p> <p>Special Benefit recipients, who are not Nominated Visa Holders, but are capable of looking for and undertaking work must be connected to employment services and have voluntary requirements with their employment services Provider.</p>		
Mature Age	<p>Mature age (aged 55 years and over) Participants in receipt of income support with participation requirements who are meeting their Mutual Obligation Requirements may elect to participate in Employment Provider Services.</p> <p>Note: Fully Eligible Participants who are fully meeting their part-time Mutual Obligation Requirements or are currently subject to a Services Australia -granted Exemption may voluntarily elect to participate in Employment Provider Services. If they choose to do so, they continue to be serviced as a Fully Eligible Participant.</p>		
Pre-release Prisoners	<p>Pre-release Prisoners Prisoners or detainees must be in the final 12 months of their sentence and be approved by corrective services or youth justice case managers. They must be prisoners or detainees aged 15 years and over (including those not in receipt of income support) who have been Referred to an Employment Provider by state or territory corrective or youth justice services and Directly Registered by the Employment Provider.</p>		

	Fully Eligible	Eligible for Volunteer Online Employment Services (VOEST) for 12 months	Not Eligible
Retrenched worker or partner of a retrenched worker	<p>Retrenched workers and their partners People who have been retrenched in the last six months or who have received notification from their employer in the three months prior to their retrenchment date and their partners are eligible for immediate access to jobactive Services.</p> <p>Retrenched workers and their partners may be eligible for assistance through the programs in the following hierarchy. Providers must use this hierarchy to Directly Register any retrenched workers and/or their partners.</p> <ol style="list-style-type: none"> 1. Structural Adjustment Programme. 2. As a Fully Eligible Participant in the stream appropriate to their level of labour market disadvantage as determined by the Job Seeker Classification Instrument. <p>Where a Structural Adjustment Programme provides Services for a retrenched worker but not their partner, then the worker should commence with the appropriate program and the partner can receive Services appropriate to their level of labour market disadvantage as determined by the Job Seeker Classification Instrument.</p> <p>A retrenched worker and their partner must only be registered in one of the above retrenched worker programs each.</p> <p>A special placement flag will identify whether a Participant is registered as a Fully Eligible Retrenched Worker/Partner or as a Structural Adjustment Programme Participant. Eligibility requirements are outlined in the relevant Structural Adjustment Programme Guidelines.</p>		
Other income support without Participation requirements		<p>Participants in receipt of Income Support Payments without participation requirements</p> <p>Carer Payment recipient, Carer Allowance recipient, Aged Pension recipient, Low Income Card holder, Widow Allowance recipient, Farm Household Allowance recipient, Service Pensioner (DVA), Partner Service Pensioners (DVA), War Widow(er)s Pensioner (DVA), Rehabilitation Allowance recipient, Widows B Pensioner, Partner Allowance recipient, Assistance for Isolated Children recipient, Child Care Assistance recipient, Double Orphan Pension recipient, Family Payment recipient, Mobility Allowance recipient, Special Benefit (without participation requirements)</p>	
Early School Leavers	<p>Early School Leavers</p> <p>Early School Leavers unable to access Transition to Work will be Referred by Services Australia to jobactive and will be referred as Stream B, unless identified eligible for Stream C via an ESAt.</p>		

Not in receipt of income support	Retrenched workers and their partners and Structural Adjustment Programme Participants may be eligible for jobactive services without being in receipt of income support. Eligibility requirements are outlined in the Structural Adjustment Programme Guidelines .	Participants not in receipt of Income Support Payments Subject to them not being: <ul style="list-style-type: none"> • full-time students • working in paid employment for 15 hours or more per week and not on an Income Support Payment • overseas visitors on working holiday visas or overseas students studying in Australia, or • prohibited by law from working in Australia. 	
Australian Government Disaster Recovery payment			Australian Government Disaster Recovery Payment recipient: except if they fall into any of the Fully Eligible or Volunteer categories
Workers Compensation			People receiving workers compensation

All capitalised terms in this guideline have the same meaning as in the jobactive Deed 2015–2022 (the Deed).

In this guideline, references to Provider mean an Employment Provider, as defined in the Deed.

This Guideline is not a stand-alone document and does not contain the entirety of Employment Services Providers' obligations. It must be read in conjunction with the Deed and any relevant Guidelines or reference material issued by Department of Education, Skills and Employment under or in connection with the Deed.

Guideline:

Performance Framework

jobactive is underpinned by a sound Performance Framework based on the principles of efficiency, effectiveness, quality and assurance. This Guideline contains detailed information on the Performance Frameworks for each of the services delivered under the jobactive Deed 2015–2022 (hereafter the Deed). Performance Framework elements common to all programs are outlined in this section.

The following programs are outlined in stand-alone chapters:

- Employment Provider Services
- New Business Assistance with New Enterprise Incentive Scheme (NEIS)

Version: 3.8

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Changes from the previous version (Version 3.7)

Policy changes:

Nil

Wording changes:

Quality Assurance Framework – Removal of Employment Services Industry Standards as a Department approved Quality Standard.

Performance Reviews – Changes to the text reflect minor changes to the methodology for the Non-payment integrity component. Additional information included regarding how the Compliance Indicator will be used with the removal of Star Ratings, and further streamlining of unnecessary information.

Document Change History:

A full document history is available on the [Provider Portal](#).

Related documents and references:

[Program policy Guidelines on Provider Portal](#)

[Learning Centre website](#)

[Employment Services Reporting](#) and [Qlik](#)

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1. Star Ratings

After the September 2020 Star Ratings release, the calculations were suspended and have now been discontinued. The following describes the Star Ratings methodology that was used – for reference purposes. Provider performance will continue to be assessed against the underlying performance measures for the remainder of the Deed.

This section describes the methodology used to calculate the jobactive Star Ratings which assess the relative performance levels of Providers. Historically, Star Ratings informed Participant and employer choice and the Department's performance review, business review and reallocation processes.

Star Ratings were calculated at both Employment Region (contract) level and site level. All ratings were released for the information of all Providers on the Provider Portal while the public release on the jobactive and Department websites included only the site level ratings.

The information following outlines the Star Ratings methodologies as at September 2020.

Star Ratings Methodology

The Star Ratings assess Providers against Key Performance Indicator 1 (efficiency) and Key Performance Indicator 2 (effectiveness) via the six performance measures in Table 1. The methodology has eight major steps.

Table 1 – Performance Measures and Weightings

Performance Measure	Weighting
26 Week Outcomes – All Participants	50%
26 Week Outcomes – Indigenous Participants	10%
26 Week Outcomes – Time to Placement	10%
12 Week Outcomes	10%
Work for the Dole Phase – Participation	10%
Time to Commence in Work for the Dole / Activity	10%

Step 1: Calculate Actual Performance

Actual performance is calculated for each performance measure in each Stream.

Step 2: Calculate Expected Performance

For each performance measure (except Time to Commence in Work for the Dole / Activity) regression analysis determines the performance levels which could reasonably have been expected given Participants' individual characteristics and the characteristics of the local labour market.

Step 3: Calculate Actual to Expected Ratios

Actual performance is divided by expected performance (or national average performance in the case of the Time to Commence measure).

Step 4: Standardise Actual to Expected Ratios

The Actual to Expected Ratios are standardised to performance measure scores between zero and four which are similarly distributed on the same scale, allowing them to be aggregated in line with their respective weightings.

Step 5: Calculate Stream Level and Overall Star Percentages

Stream level performance scores are calculated by aggregating the performance measure scores according to their weightings. The Stream scores are compared with national average scores of two to calculate the Stream Star Percentage.

The Overall Star Percentages are calculated by aggregating the Stream Star Percentages with the following weightings:

- Stream A: 25 per cent
- Stream B: 35 per cent
- Stream C: 40 per cent.

Step 6: Apply Indigenous Outcomes Incentive

For each Stream within a contract, the Indigenous Outcomes Incentive can result in a bonus, a demerit or no change. These are calculated and applied to the respective Stream Star Percentages. The Overall Star Percentages are recalculated.

The Stream bonuses or demerits for a contract are also applied to the respective Stream Star Percentages of each site belonging to that contract.

Step 7: Apply Compliance Indicator Penalties

In cases where a Provider's Employment Region Compliance Indicator Score is below 83, a penalty is applied to the Overall Star Percentages in that region at both contract and site level. This may also lead to lower Overall Star Ratings.

Step 8: Allocate Star Ratings

Star Ratings are allocated using the Star Percentage bandwidths shown in Table 2.

Table 2 – Star Percentage Bandwidths

Star Rating	Star Percentage Bandwidth
5-Star	30 per cent or more above the national average
4-Star	Between 15 and 29 per cent above the national average
3-Star	Between 14 per cent above and 14 per cent below the national average
2-Star	Between 15 and 39 per cent below the national average
1-Star	40 per cent or more below the national average

Performance Reports

Spreadsheet-based reports can be accessed from Employment Services Reporting by selecting reports, jobactive and performance. They are updated weekly and monthly and provide data on the six Star Ratings performance measures and the Indigenous Outcomes Incentive. There is data for both the two-year assessment period and the contract period to date, including:

- numerators, denominators and rates at contract and site level.
- Employment Region and national averages.

Two Star Ratings Qlik Apps are available on the 'Qlik Data Analysis' site. User Guides for these Apps are available from the 'About Qlik' site.

The Star Ratings Analysis App is updated monthly and provides visual analysis and discovery tools to assess performance levels against the six Star Rating performance measures over time.

The Star Ratings Performance Measures App is updated weekly and provides detailed information on the six performance measures, the Indigenous Outcomes Incentive and the impact of the two-year assessment period.

Star Ratings Definitions

Rolling Assessment Period and Timing

Star Ratings are calculated quarterly and use a two-year rolling assessment period. Table 3 details the assessment periods (the start and end dates) and the months of publication from the June 2020 release. The end dates for the December quarter releases account for the Department shutdown period. Any extensions to the end dates will be advised in news items on the Provider Portal and are most likely to occur in response to natural disasters or technical systems issues.

Table 3 – Assessment Periods for Star Ratings Releases

Star Ratings Release	Assessment Period	Month of Publication
June 2020	1 July 2018 – 30 June 2020	September 2020
September 2020	1 October 2018 – 30 September 2020	December 2020
December 2020	1 January 2019 – 8 January 2021	*
March 2021	1 April 2019 – 31 March 2021	*
June 2021	1 July 2019 – 30 June 2021	*
September 2021	1 October 2019 – 30 September 2021	*
December 2021	1 January 2020 – 7 January 2022	*
March 2022	1 April 2020 – 31 March 2022	*
June 2022	1 July 2020 – 30 June 2022	*

* Star Rating calculations have been discontinued.

Performance Measure Definitions

26 Week Outcomes - All Participants

The 26 Week Outcome rate for all eligible Participants.

Numerator: 26 Week Outcomes for eligible Participants that were lodged during the assessment period plus Transition to Work Sustainability Employment Outcomes for Participants who were referred from jobactive plus 26 Week Harvest Trail Services (HTS) jobactive outcomes.

Denominator (Stream A): Participants who reached three months' period of service in Employment Services at least 28 weeks before the end of the assessment period.

Denominator (Streams B & C): Participants who commenced at least 28 weeks before the end of the assessment period.

Denominator (Exclusions): The following groups of Participants are excluded from the denominator to reflect the two-year rolling assessment period.

- Participants who exited at least 26 weeks before the assessment period start date.
- Participants who exited up to 26 weeks before the assessment period start date with a 26 Week Outcome lodged prior to the assessment period start date.

Two-Year Rolling Assessment Period Case Study

A Participant exits Stream C assistance with a Provider site on 1 February 2018 and a 26 Week Outcome is lodged on 1 June 2018.

For the June 2020 Stream C Star Ratings, the two-year assessment period start date is 1 July 2018. As the outcome was lodged prior to 1 July 2018 it is excluded from the numerator in the calculation of the rating. The commencement record is also excluded from the denominator as the Participant exited within 26 weeks of 1 July 2018 and a 26 Week Outcome was lodged prior to 1 July 2018.

26 Week Outcomes - Indigenous Participants

The 26 Week Outcome rate for all eligible Indigenous Participants. This has the same definition as the 26 Week Outcomes – All Participants measure except that it assesses Indigenous Participants only and Transition to Work Outcomes are not included in the numerator.

26 Week Outcomes – Time to Placement

The average number of days taken to achieve 26 Week Outcomes.

Numerator (Stream A): Total period of service days between Participants' commencement dates or passing three months in Employment Services (whichever is the latest) and their job placement dates that led to the 26 Week Outcome.

Numerator (Streams B & C): Total period of service days between Participants' commencement dates and their job placement dates that led to the 26 Week Outcome.

Denominator: 26 Week Outcomes for eligible Participants that were lodged during the assessment period.

Two-Year Rolling Assessment Period Case Study

A Provider site lodged a Stream C 26 Week Outcome on 1 June 2018. The Participant had a period of service of 100 days between their commencement date with the site and the date of placement in the job that led to the outcome.

For the June 2020 Stream C Star Ratings, the two-year assessment period start date is 1 July 2018. As the outcome was lodged prior to the rolling period start date, it is excluded from the denominator and the 100 period of service days is excluded from the numerator.

12 Week Outcomes - All Participants

The 12 Week Outcome rate for all eligible Participants.

Numerator: 12 Week Full and Partial Outcomes for eligible Participants which were lodged during the assessment period plus Transition to Work 12 Week Employment Outcomes for Participants who were referred from jobactive plus 12 Week HTS jobactive outcomes.

Denominator (Stream A): Participants who reached three months' period of service in Employment Services at least 14 weeks before the end of the assessment period.

Denominator (Streams B & C): Participants who commenced at least 14 weeks before the end of the assessment period.

Denominator (Exclusions): The following groups of Participants are excluded from the denominator to reflect the two-year rolling assessment period.

- Participants who exited at least 12 weeks before the assessment period start date.
- Participants who exited up to 12 weeks before the assessment period start date with a 12 Week Outcome lodged prior to the assessment period start date.

Work for the Dole Phase - Participation

The average proportion of Annual Activity Requirement hours achieved by Participants while in the Work for the Dole Phase. For information on approved activities, refer to the [Activity Management](#) Section of the jobactive Guidelines page on the Provider Portal.

Numerator: Aggregate proportions of Annual Activity Requirement hours met during the Work for the Dole Phase for eligible Participants.

For Participants who commenced the phase up to 13 March 2020 and exited after this date, their required hours are reduced to reflect the period between their phase start date and 13 March 2020, while still using total recorded hours to calculate the proportions achieved.

Participants who are placed in a job during the Work for the Dole Phase and achieve a 12 Week Full Outcome from that placement during the same phase are counted as having met the entirety of their Annual Activity Requirement.

Denominator: Participants with an Annual Activity Requirement who completed or exited the Work for the Dole Phase during the assessment period.

Denominator (Exclusions): For the June 2020, September 2020 and December 2020 Star Ratings, participants with Work for the Dole Phase start dates after 13 March 2020 are excluded.

Two-Year Rolling Assessment Period Case Study

A Stream C Participant exited the Work for the Dole Phase on 1 June 2018. This Participant is excluded from the June 2020 and subsequent Stream C Star Rating calculations having exited prior to the assessment period start date of 1 July 2018.

Time to Commence in Work for the Dole / Activity

The average numerator value (see Table 4) achieved by Participants who commenced in the Work for the Dole Phase.

Numerator: Aggregate values for time taken to commence Participants (who are in the denominator) in a Work for the Dole or other Approved Activity.

Denominator: Participants with an Annual Activity Requirement who commenced in the Work for the Dole Phase on or after the assessment period start date.

Denominator (Exclusions):

- Participants who commenced within 15 business days of the end of the assessment period and who had not yet achieved a numerator value.
- For the June 2020, September 2020 and December 2020 Star Ratings, participants with Work for the Dole Phase start dates after 13 March 2020 are excluded.

Table 4 – Numerator Values for Time to Commence in Work for the Dole / Activity

Time taken to Commence Approved Activity after Commencing in the Work for the Dole Phase	Numerator Value
<= 5 business days (1 week)	1

jobactive Guideline	Performance Framework
6 to 10 business days (2 weeks)	0.66
11 to 15 business days (3 weeks)	0.33
Did not commence Activity within 3 weeks	0

Two-Year Rolling Assessment Period Case Study

A Stream C Participant commenced in the Work for the Dole Phase on 20 June 2018 and commenced an approved activity eight business days later on 30 June 2018. This earns a numerator value of 0.66 for the June 2018 to March 2020 ratings. For the June 2020 (and subsequent) ratings, this Participant is excluded having commenced the phase prior to the assessment period start date of 1 July 2018. This reduces the numerator by 0.66 and the denominator by 1.

Additional Notes on Performance Measure Definitions

The denominator conditions for the 12 Week and 26 Week Outcome performance measures include an additional two weeks to allow for cases where the outcome start date is moved forward to align with Services Australia fortnightly payment periods.

Stream A Participants who are exited from assistance before reaching three months in Employment Services are not eligible for Employment Outcomes and are excluded from the relevant denominators.

Commencement records for which the 'Days Available' Participant characteristic reflects less than two weeks of assistance are excluded.

Commencement records which otherwise would not meet the criteria for inclusion in the denominator are included if an outcome for the measure has been achieved.

The 12 Week and 26 Week Outcome claims submitted by Providers count towards Star Rating calculations if they:

- were lodged within the period being assessed
- have a status of approved, pending, or acquitted on the final day of the period being assessed (this means that Pay Slip Verified Outcome Payments need to be finalised by the final day of the period and Outcomes which have since been recovered are not included)
- are not a multiple outcome for a single Participant commencement record for the same performance measure (e.g. if a Stream A Participant has a 12 Week Partial Outcome followed by a 12 Week Full Outcome, only the first Outcome counts towards the Stream A 12 Week Outcomes measure).

Regression

The Star Ratings methodology recognises that Providers operate in disparate labour markets and work with diverse Participants. To control for differences in Participant and labour market characteristics, the Star Ratings methodology uses regression analysis—a standard statistical technique that accounts for different relationships among variables. The use of regression analysis allows for fair comparison of Providers' performances across Australia.

A separate regression model is run for five of the six performance measures for each Stream, resulting in 'expected' outcome rates for each Provider. These 'expected' rates represent what Providers could reasonably be expected to have achieved given the unique set of Participants they assisted under local labour market conditions. The actual Outcome rate is divided by the expected Outcome rate to derive an actual-

versus-expected ratio. Higher ratios contribute to higher Star Percentages and Star Ratings.

The Time to Commence in Work for the Dole / Activity performance measure is not subject to regression analysis as performance is a function of individual Provider's level of organisation and ability to activate Participants, as opposed to external factors such as local labour market conditions. Providers should plan ahead of Participants commencing in the Work for the Dole Phase in order to perform well against the measure.

The Participant and labour market characteristics which are accounted for in the jobactive Star Ratings model are set out in Table 5. Additional characteristics may be included for one or more of the six performance measures.

Table 5 – Labour Market and Participant Characteristics

Labour Market Characteristics	Description
State Final Demand Change ¹	Change in per capita State Final Demand.
Income Support	The proportion of the population on income support for the Participant's Australian Bureau of Statistics (ABS) Statistical Area 2 level.
Low Skilled Vacancy Rate	Low skilled vacancies proportion for Participant's Internet Vacancy Index region.
Metro Employment Region	Participant is being assisted by a Metropolitan located site.
Unemployment Rate ²	The unemployment rate of the Participant's ABS Statistical Area 4 level spatial unit.
Unemployment Rate Change ²	Change in unemployment rate over 12 months at Greater Capital City Statistical Area ³ level (since the March 2017 release).
Participant Characteristics	Description
Access to transport	Type of transport available as recorded in the Job Seeker Classification Instrument (JSCI).
Age	Age at commencement.
Age Youngest Child	The age of the youngest dependent child.
Allowance Type	Allowance type at commencement.
Commencement Month	The year and month that the Participant commenced assistance.
Contactability	Has access to a phone as recorded in the JSCI.
Culturally and Linguistically Diverse	Country of birth – grouped into main English-speaking countries, and other countries classified into geographical regions reflecting the ABS' Australian Standard Classification of Countries.
Days Available	Number of days provider has had to place the Participant.
Disability	Identification of any disability as recorded in the JSCI.
Drug / Alcohol	Identified as having drug or alcohol issues through an ESAt.
Early School Leaver	Identified as subject to the Early School Leavers policy.
Education Level	Highest education level as recorded in the JSCI.
Ex-Offender	Identified as having had a custodial sentence in JSCI.
English Language Proficiency	Participant is recorded as being proficient in English in the JSCI.
Flow	Identified as an active Participant at the start of jobactive.
Gender	Gender.
Indigenous	Participant is Indigenous.
JSCI Score	JSCI Score.
Long Term Income Support	Proportion of the preceding 10 years the Participant was on income support (or from the age of 15 if under 25).
Previous Work Experience	Work experience type over the previous two years prior to JSCI interview.
Transient	Participant's postcode changed one or more times during period of assistance.
Unemployment Duration	Unemployment duration at commencement.

Labour Market Characteristics	Description
Unstable Accommodation	Identified as having unstable accommodation in JSCL.
Vocational Qualifications	Participant has a useful vocational qualification as identified in their JSCL.
Work Capacity Hours	Hours per week available for work from the Employment Services Assessment.

Table notes:

¹ <http://www.abs.gov.au/ausstats/abs@.nsf/mf/5206.0> Final Demand statistics with particular reference to the table - 5206.0 - Australian National Accounts - Table 17.

² <http://www.abs.gov.au/ausstats/abs@.nsf/mf/6291.0.55.001> has Unemployment Rate and Unemployment Rate Change statistics with particular reference to the tables - 6291.0.55.001 - Labour Force, Australia, Detailed - Electronic Delivery – Table 02 and RM1.

³

<http://www.abs.gov.au/ausstats/abs@.nsf/PrimaryMainFeatures/1270.0.55.001?OpenDocument> has information and maps on the Greater Capital City Statistical Areas with particular reference to:

- 1270.0.55.001 - Australian Statistical Geography Standard (ASGS): Volume 1 - Main Structure and Greater Capital City Statistical Areas
- 1270.0.55.001 - GCCSA ASGS Edition 2011 pdf maps

Standardisation

Standardisation is applied to each Star Ratings performance measure which results in a final performance measure score. Standardisation is used to ensure that above average performance is properly credited. This enables the Star Ratings model to treat performance measures with different means and standard deviations equally. In this way, the Star Ratings compensates for differing distributions of performance measure results without advantaging or disadvantaging Providers.

The standardised performance measure scores for any Provider will have the same rank as the equivalent pre-standardised performance measure score. Additionally, standardisation preserves relative difference in results between any two performance measure star scores.

Indigenous Outcomes Incentive

The Indigenous Outcomes Incentive (IOI) is an adjustment to the Stream level Star Percentages based on comparisons of outcome rates for Indigenous Participants with the rates for non-Indigenous Participants on a like-for-like basis. This is achieved via the use of regression to calculate 'expected' rates which account for the personal and labour market factors which have been identified as affecting the likelihood of each Participant achieving outcomes.

- Bonuses are applied when Providers have achieved higher actual to expected rate ratios for their Indigenous Participants in comparison with their non-Indigenous Participants.
- Demerits are applied when Providers have achieved lower actual to expected rate ratios for their Indigenous Participants in comparison with their non-Indigenous Participants.
- If, in a given Stream, a Provider achieved exactly the same actual to expected rate ratio for their Indigenous and non-Indigenous Participants, the Stream will receive neither a bonus nor a demerit.

- No bonuses or demerits are applied for contracts which have assisted fewer than 20 Indigenous Participants in the two-year assessment period.

The steps undertaken to calculate the IOI are:

1. For each Stream within a contract, calculate the actual 4, 12 and 26 Week Outcome rates achieved over the two-year assessment period, for Indigenous Participants and for non-Indigenous Participants separately.
2. Using regression, calculate the respective expected outcome rates. The regression uses the same set of Star Rating characteristics with the exception of the Indigenous flag.
3. Calculate the actual to expected rate ratios for Indigenous and non-Indigenous Participants for each outcome type.
4. IOI Ratios are calculated for each outcome type by dividing the Indigenous ratios by the non-Indigenous ratios.
5. An IOI Score is calculated by aggregating the ratios using these weightings:
 - 26 Week Outcomes 60 per cent
 - 12 Week Outcomes 30 per cent
 - 4 Week Outcomes 10 per cent
6. The IOI Score is applied to adjust the Stream Star Score (SSC) which results in an adjusted Stream Star Percentage. The formula includes a five per cent weighting and is scaled so that contracts with higher ratings receive higher bonuses and lesser demerits than contracts with lower ratings and vice versa. This is because higher rated contracts will have achieved higher than expected outcome rates for their non-Indigenous Participants and have therefore set higher standards to achieve for their Indigenous Participants than lower rated contracts. The formula which is applied is as follows:
 - **Bonus:** $SSC + ((IOI \text{ Score} - 1) \times (SSC + 5) \times 5 \text{ per cent})$
 - **Demerit:** $SSC + ((IOI \text{ Score} - 1) \times (5 - SSC) \times 5 \text{ per cent})$
7. The adjusted SSCs are used to determine the Star Percentages and then the Star Ratings for each Stream, and for the contract overall.
8. The calculated SSC adjustments for a contract are then applied to all sites belonging to that contract.

Star Ratings for New and Ceased Contracts and Sites

New Contracts and Their Sites

From the time a Provider commences delivering jobactive services in an Employment Region, all performance data which meet the criteria for individual performance measures will be included in the statistical regression calculations of the Star Ratings model. However, around 12 months of performance data is required before its contract and site level ratings are publicly released.

An exception to this occurs with contract novations, where new Providers take over the operations of existing contracts. The new Provider has a new contract and new sites but inherits the past performance data of the ceased contract and its sites. The Star Ratings model aggregates the performance data of both the new and original contracts and sites. This means that Star Ratings for the new contracts and sites can be calculated from the very next release following the novations.

New Sites with Existing Contracts

In the immediate release following their commencement of service, these sites receive ratings which have been imputed from their contract level ratings. Actual ratings will be calculated and published after around 12 months of operation. However regardless of whether an actual rating is calculated for a new site, from the time the site commences, all performance data which meet the criteria for individual performance measures will contribute to the Provider's contract level ratings.

Ceased Sites with Continuing Contracts

While Star Ratings are not calculated for ceased sites, their performance data will continue to contribute to their respective contract level ratings.

Ceased Contracts

While Star Ratings are not calculated for ceased contracts and their associated sites, their performance data (within the two-year assessment period) is retained in the regression analysis. New contracts do not inherit the past performance data of ceased contracts, with the exception of contract novations as described above.

Treatment of Participants referred to the Community Development Programme

The Star Ratings model accounts for Participants who are transferred to the Community Development Programme but are not immediately exited. For these Participants, their Community Development Programme referral dates are deemed to be their exit dates.

Treatment of Participants supported by Structural Adjustment Programmes

Participants being supported under a Structural Adjustment Programme (SAP) may commence with a jobactive Provider while still employed by the company they are being retrenched from. Providers can enter a 'Redundancy Due Date' on the Department's Employment Services System (ESS) which recognises the date on which Participants actually cease their employment with the company. While the Redundancy Due Date field is not mandatory, it is required for the Star Ratings calculations to account for SAP Participants.

In cases for which the Redundancy Due Date is later than the jobactive Commencement Date, the Star Ratings will treat the Participant as having commenced on the Redundancy Due Date. This properly recognises the date from which Participants are actually available for new employment.

Treatment of Participants participating in the Online Employment Service Trial

Commencement records related to participation in the Online Employment Service Trial from July 2018 are excluded from the Star Ratings Model. Participants who leave the trial and commence with a jobactive provider are included in the rating calculations from the date of commencement with the provider.

Treatment of New Employment Services Trial (NEST) Participants and NEST Providers

Commencement records related to the participation of Participants in the NEST from July 2019 are excluded from the Star Ratings Model. From the December 2019 release onwards, the NEST contracts have been treated as ceased contracts.

Imputed Stream Star Ratings and imputed Performance Measure Scores

Contracts and sites with 26 Week Outcomes – All Participants performance measure denominators of less than 20 are given imputed Stream Star Ratings.

- Contract ratings are imputed by calculating the average Star Percentage of those Streams that did have sufficient data.
- Site ratings are imputed from their contract level Stream Star Percentages.

Actual Stream Star Ratings are calculated for contracts and sites with denominators of 20 or more for the 26 Week Outcomes – All Participants performance measure. Where the denominator for any other measure is less than 20, the following business rules are applied to impute a performance score.

- Contract performance scores are imputed from the 26 Week Outcomes – All Participants measure score.
- Site performance scores are imputed from the contract performance score.

Star Ratings Worked Examples

This section demonstrates important elements of the Star Ratings Methodology.

Worked Example: Calculate Stream Star Scores

Stream Star Scores are calculated by aggregating the final performance measure scores together using the measure weightings as set out in Table 6.

Table 6 – Stream Star Score Calculation Worked Example

Performance Measure	Final Score	Weighting	Weighted Score
26 Week Outcomes – All Participants	2.2	50%	1.10
26 Week Outcomes – Indigenous Participants	1.0	10%	0.10
26 Week Outcomes – Time to Placement	1.5	10%	0.15
12 Week Outcomes	2.3	10%	0.23
Work for the Dole Phase Participation	1.9	10%	0.19
Time to Commence in Work for the Dole / Activity	1.7	10%	0.17
Stream Star Score			1.94

Worked Example: Calculate Overall Star Scores

Overall Star Scores are calculated by aggregating the Stream Star Scores using the Stream level weightings as shown in Table 7.

Table 7 – Overall Star Score Worked Example

Stream	Final Stream Score	Weighting	Weighted Star Score
Stream A	1.53	25%	0.383
Stream B	1.94	35%	0.679
Stream C	2.97	40%	1.188
Overall Star Score			2.250

Worked Example: Calculate Stream and Overall Star Percentages and Star Ratings

Star Percentages are calculated by comparing the Star Score with the national average of 2. A positive Star Percentage indicates the distance above the national average while a negative Star Percentage indicates the distance below the national average. Star Percentages are rounded down to the nearest whole number.

The formula for determining the Star Percentage is:

$$(\text{Star Score} - \text{National Average}) / \text{National Average} \times 100$$

Consider the Star Scores from Table 7. The calculation of the Star Percentages is shown in Table 8. The Star Ratings are allocated by mapping the Star Percentages to the Star Percentage bandwidths detailed in Table 2.

Table 8: Stream and Overall Star Percentages and Star Ratings Worked Example

Stream	Star Score	National Average	Comparison	Star Percentage	Star Rating
Stream A	1.53	2.00	-23.5%	-23	2-Stars
Stream B	1.94	2.00	-3.0%	-3	3-Stars
Stream C	2.97	2.00	+48.5%	+48	5-Stars
Overall	2.25	2.00	+12.5%	+12	3-Stars

Worked Example: Calculating the Indigenous Outcomes Incentive Bonus/Demerit

Table 9 details how a Stream IOI Score is calculated for a contract. In this case it is a positive IOI Score of 1.23. This contract had higher actual to expected ratios for Indigenous Participants than non-Indigenous Participants for 12 and 26 Week Outcome rates but a lower ratio for 4-Week Outcome rates.

Table 9: Stream IOI Score Worked Example

Outcome
Type

	Indigenous Participants			Non-Indigenous			IOI	Weight	IOI
	Actual	Expected	Ratio	Actual	Expected	Ratio	Ratio		Score
	a	b	c (a/b)	d	e	f (d/e)	g (c/f)	h	i=g*h
26 Week	6.8	5.4	1.27	7.5	8.0	0.94	1.35	60%	0.81
12 Week	10.2	9.5	1.08	13.1	13.1	1.00	1.08	30%	0.32
4 Week	10.8	11.5	0.94	15.1	15.2	0.99	0.95	10%	0.09
							IOI	Score:	1.23

Given that the IOI Score is greater than one, an IOI bonus is applied. If this contract has a Stream Star Ratings Score of 2.25 (giving a Star Percentage of +12 and a rating of 3-Stars) then it is adjusted using the following formula:

Adjusted Stream Star Ratings Score = $2.25 + [(1.23 - 1) \times (2.25 + 5) \times 5\%] = 2.33$

The adjusted score of 2.33 increases the Stream Star Percentage by 4 percentage points to +16 which is also enough in this case to improve the rating to 4-Stars.

A site belonging to this contract has a Stream Star Percentage of -16 and a Star Rating of 2-Stars. Its Star Percentage is also adjusted by 4 percentage points to -12 and the rating increases to 3-Stars.

Worked Example: Stream Imputation - Site

Table 10 is a worked example of how site Star Percentages are imputed if one or more Streams do not meet the thresholds for calculating ratings.

Table 10 – Stream Imputation

Star Percentage	Overall	Stream A	Stream B	Stream C
Contract	+12	-22	-3	+48
Site A	+16	-26	-10	+66
Site B		-10	Insufficient Data	+31
Site C		Insufficient Data	Insufficient Data	Insufficient Data

Site B has insufficient data in Stream B. It is given the contract level Star Percentage of -3 which contributes to an Overall Star Percentage of +8.

Site C has insufficient data in all three Streams. It is given the same Overall and Stream level Star Percentages as were achieved at contract level.

2. Quality Assurance Framework

Introduction

All organisations contracted to deliver jobactive services under the Deed must achieve and maintain certification under the Department's Quality Assurance Framework (QAF).

The QAF sets the minimum standards of quality for Providers, ensuring their policies and processes support continuous improvement and quality service delivery.

Certification under the QAF requires:

- demonstrated adherence to the Department's [Quality Principles](#)

- Certification against one of the Department's approved [Quality Standards](#)

Both are assessed via on-site audits, conducted by an approved Quality Auditor.

Providers delivering services under the NEST must maintain QAF Certification under the Deed. The Provider's conformance with the Quality Principles will not be assessed in the NEST Employment Regions.

Administrative Considerations

Roles and Responsibilities

- **The Department** – is responsible for supporting Providers and Quality Auditors through the Certification process, granting QAF Certification and ensuring Providers under the Deed continue to meet QAF requirements. The Department also manages the QAF Auditor List and associated Deed.
- **Employment Provider** – is responsible for preparing for its Certification, engaging a Conformity Assessment Body (CAB) from the QAF Auditor List for this purpose, and obtaining its Audit Plan template from the Department. Following the Audit, the Provider approves any documentation (such as a Corrective Actions Plan) before submitting to the Department.
- **Conformity Assessment Body (CAB)** – is responsible for following the conditions set out in the QAF Auditor List Deed, including approving documents prepared by their Quality Auditors.
- **Quality Auditor** – is responsible for conducting Audits on behalf of CABs and providing recommendations on the Provider's conformance with QAF requirements.

Tendering Groups

Where the Provider is a collection of organisations delivering Services as a Tendering Group, the lead member of the Tendering Group must achieve and maintain Certification against the QAF. All Sites listed in the Tendering Group's Deed schedule are within the scope for the Site sample. When auditing against the Quality Principles, the lead member's head office must be audited as part of the Site sample.

Change of membership

If there is a change in membership of the Tendering Group the new Tendering Group must gain or maintain QAF Certification in accordance with this Guideline or as otherwise advised by the Department.

Novations, transfers and new Employment Providers

If an organisation becomes a Provider following the execution of a Deed of Novation, or if a new Provider is awarded a Deed, the organisation must demonstrate adherence to the Quality Principles through a Certification Audit, or as otherwise specified in the Deed of Novation. The organisation must also achieve certification against an approved Quality Standard within the timeframe advised by the Department.

If business is transferred to an organisation that is an existing Provider, and this organisation has achieved QAF Certification, the organisation must maintain its QAF Certification in accordance with this Guideline, or as otherwise specified in the business transfer deed.

The Quality Principles

The Quality Principles cover the minimum requirements for delivering Employment Services and promote a strong focus on continuous organisational improvement.

The Quality Principles audit criteria are comprised of [Key Performance Measures \(KPMs\)](#) and corresponding [Practice Requirements](#), supported by [Minimum Evidence Requirements](#) (see Attachment A).

Key Performance Measures

Each of the seven Quality Principles are underpinned by a set of Key Performance Measures (KPMs).

Practice Requirements and Minimum Evidence Requirements

Each KPM contains Practice Requirements. The Provider must meet each Practice Requirement within the KPM to demonstrate conformance with the KPM.

In order to demonstrate conformance with each Practice Requirement, the Provider must address each of the Minimum Evidence Requirements during its audit.

[Attachment A](#) sets out the evidentiary requirements.

The Quality Standards

The Quality Standards set the foundation of quality management, and support an organisation to achieve consistent business processes and drive measurable performance improvements.

The Quality Standards approved by the Department under the QAF are:

- **ISO 9001** – Internationally recognised standard that promotes a quality management system as an integral part of an organisation's operations.
- **National Standards for Disability Services (NSDS)** – Provides the basis for the Disability Employment Services (DES) Quality Framework.

A Provider must choose one of these Quality Standards to be certified against as part of its QAF Certification. If the Provider changes to a different approved Quality Standard, it must achieve certification against the new Standard prior to the expiry date of its previous certification.

For QAF purposes, the scope of Quality Standard certification must include a Provider's jobactive business.

A Provider must be delivering DES if using NSDS for QAF Certification. A Provider who ceases to deliver DES during the term of the Deed, and any Extended Service Periods, must transition to an alternate approved Quality Standard prior to the expiry of their NSDS Quality Standard.

A Provider using NSDS for QAF purposes must have its NSDS audit plan endorsed by the Department prior to audit commencement to ensure the audit sample is representative of its jobactive business.

Quality Standards Certification

A Provider must achieve and maintain certification against a Quality Standard by fulfilling all the requirements of the relevant Quality Standard, including following the

relevant audit schedule. A Provider should discuss its Quality Standards auditing requirements with its [CAB](#).

Following each Quality Standards Audit, the Provider must submit the resulting Quality Standards Report to the Department, along with copies of new or updated Quality Standard Certificates as evidence of Quality Standard Certification. The Provider must notify the Department immediately if its certification lapses or is suspended as this may affect its QAF Certification.

Any Non-conformance identified during a Quality Standard Audit must be addressed in accordance with the requirements of the relevant Quality Standard and with this Guideline. Refer to [Quality Standard Non-conformance](#) for further information.

CABs and Quality Auditors

The Department maintains a list of approved CABs on the [Provider Portal](#). These CABs, and their Quality Auditors, must participate and pass all the Department's required training to conduct QAF audits. A Provider must engage a CAB for QAF purposes that is on this list, including for Quality Standards Audits.

Quality Principles Audits and Reports

There are three types of Quality Principles Audits under the QAF:

- Certification Audit – conducted when initially gaining QAF Certification and when seeking recertification. Certification is valid for four years.
- Surveillance Audit – conducted within two years of achieving QAF Certification or recertification.
- Extraordinary Audit – conducted if directed by the Department.

All Quality Principles Audits are conducted by the Quality Auditor on site, unless otherwise agreed by the Department, and in accordance with this Guideline and the approved [QAF Audit Plan](#).

During the audit, the Quality Auditor will determine whether a Provider adheres to the Quality Principles by gathering evidence and conducting interviews with staff and Participants at each Site before preparing Site findings. The Provider must work with the Quality Auditor to ensure all Practice Requirements are appropriately addressed.

The Quality Auditor must prepare the [Quality Principles Report](#) addressing all KPMs outlined in the Audit Plan and indicating whether conformance has been demonstrated against each Practice Requirement.

The Quality Auditor must hold an [Audit Close Meeting](#) with the Provider, following which the Provider must review the Quality Principles Report and submit it to the Department within six weeks of the Audit Close Meeting.

The Provider is responsible for its audit costs, including the [close out](#) of Non-conformances.

Certification Audits

A Provider must undergo a Certification Audit to gain initial QAF Certification and again to achieve recertification prior to the Certification expiry, or as otherwise advised by the Department.

Quality Auditors must assess the Provider's adherence to all seven Quality Principles by auditing a sample of the Provider's Sites and its head office (see [Quality Principles Audit Sampling](#) for further detail).

A Provider seeking recertification will be considered for a scope reduction, based on its performance against selected measures detailed in the table in [Attachment A](#). A Provider's eligibility for scope reduction will be determined at the time it requests its Audit Plan template.

Surveillance Audits

The Surveillance Audit ensures the Provider has maintained the systems, policies and processes that led to its initial Certification. Surveillance Audits must be completed within two years of Certification or recertification, or as otherwise advised by the Department.

Surveillance Audits involve auditing the head office plus a smaller sample of the Provider's Sites than for a Certification Audit (see [Quality Principles Audit Sampling](#)).

A Provider undertaking a Surveillance Audit will be considered for a scope reduction, based on its performance against selected measures detailed in the table at [Attachment A](#). A Provider's eligibility for scope reduction will be determined at the time it requests its Audit Plan template. Quality Principles 1-3 are generally not in scope for Surveillance Audits but may be included at the Department's discretion, particularly where the most recent Quality Audits (Quality Standards and Quality Principles) identified a relevant Non-conformance. The Department reserves the right to include any KPM, regardless of a Provider's performance against it.

Failing to undergo a Surveillance Audit in accordance with the requirements of this Guideline may result in the suspension of the Provider's QAF Certification.

Extraordinary Audits

An Extraordinary Audit is conducted at the direction of the Department by a Quality Auditor. The Provider is required to cover the audit costs.

The scope is determined by the Department on a case-by-case basis and is usually targeted to a specific aspect of the QAF. Quality Auditors may also recommend additional auditing requirements for the Department's consideration.

Preparing for your Audit

Audit timeframes

When scheduling Audits, the Provider should be mindful of the key dates to ensure it meets the required timeframes. The Department strongly recommends a Provider begins preparing for scheduled QAF Audits nine months prior to the relevant anniversary dates (see QAF Reporting Schedule below).

A Provider must complete its Quality Principles Audit and submit its audit report to the Department, along with a copy of its latest Quality Standards Report, at least four months prior to the relevant anniversary date, and within six weeks of the Audit Close Meeting.

Engaging a Conformity Assessment Body

The Provider must engage a CAB from the QAF Auditor List to conduct a Quality Principles Audit. Any agreement entered into by a Provider with a CAB must:

- be in writing
- require the CAB to provide any information (including working papers) and assistance relating to QAF Audits to the Department when requested
- reserve the right of termination to take into account the Department's right to remove the CAB from the QAF Auditor List.

Requesting and Completing your Audit Plan

The QAF Audit Plan (Audit Plan) provides the basis on which the Quality Principles Audit will be conducted. It outlines the Sites to be included in the sample and the relevant Claims Sampling and Participant Sampling to be conducted at each Site.

When preparing for the audit, the Provider must request the Audit Plan template from the Department. The Audit Plan template assists the Quality Auditor and the Provider ensure the relevant sampling requirements will be met.

The Provider must complete the Audit Plan in conjunction with its Quality Auditor and submit it to the Department for approval no later than two months (40 business days) before the commencement of its Quality Principles Audit.

The Quality Principles Audit must be conducted in accordance with the approved Audit Plan. The Department will consider requests to change the Audit Plan on a case-by-case basis. However, the Department must approve any changes before the Quality Principles Audit starts.

Audit Intelligence

At the time the Audit Plan is requested (from the Department), the Department may supply the Provider with information to assist with the Quality Principles Audit, such as programme assurance activity results. The Provider must provide this Audit Intelligence to the Quality Auditor to assist in the planning of the audit.

Quality Principles Audit Sampling

The sampling methodology outlined in this Guideline is for Quality Principles Audits only. The sampling requirements for the Quality Standards are governed by the Standards themselves. The Provider should discuss the sampling requirements of the Quality Standards with its CAB.

The sampling numbers provided in this document are the minimum numbers required. If a Quality Auditor considers that additional sampling is required to determine conformance with the audit criteria, they may increase the sampling numbers.

For Quality Principles Audits, sampling falls into the following three categories:

- Site sampling
- Claims sampling
- Participant sampling.

Site sampling

Quality Auditors must ensure that the Site sample is representative of the Provider's business. As most Providers operate more than one Site, multiple Sites must be

audited to ensure adequate representation of its business. Table 11 explains the method for determining the number of Sites to be included in the sample for each type of Quality Principles Audit.

The Provider's head office must be audited at each Quality Principles Audit. If the Provider has a jobactive delivery Site co-located with its head office, this may be included in the audit sample, however, will be subject to the same considerations listed below (i.e. no repetition, geographical coverage). Sites in the NEST Employment Regions are out of scope for site sampling.

Table 11 – Calculating Site Sample Sizes

Audit Type	Number Of Sites
Certification Audit	The square root of Site count (\sqrt{n}) rounded to the next whole number, plus the head office.
Surveillance Audit	60 per cent of the square root of the Site count ($\sqrt{n} \times 0.6$) rounded to the next whole number, plus the head office.
Extraordinary Audit	The Department will determine the number of Sites in an Extraordinary Audit on a case-by-case basis.

Table 11 Note:

The Site Count is equal to the sum of the Full-time and Part-time Sites listed in the Provider's Deed Schedule.

The Quality Auditor will determine the Sites that make up the Site sample. When determining the Site sample, consideration should be given to the following:

- No repetition—It is expected that over the duration of the Deed, Quality Principles Audits would sample as many Sites as possible. Generally, Sites that have been audited previously would not be included in future Quality Principles Audits unless it is considered relevant. For example, following the identification of Non-conformance, or when the Site count is too small, requiring Sites to be audited multiple times.
- Geographical coverage—Where the Provider operates in more than one Employment Region, Quality Auditors should aim to select Sites from different Employment Regions. Where the calculated Site sample is larger than the total number of Employment Regions in which the Provider operates, the Quality Auditor may choose multiple Sites within Employment Regions.
- Varying Site types—Quality Auditors should consider the range of service Sites (Full-time, Part-time and Outreach) operated by the Provider.
- Changes in servicing arrangements—Whether the Provider has established any new Sites or received additional Business Share since the last Quality Principles Audit.
- Subcontractor Sites—Sites operated by Subcontractors are included in the scope of the Quality Principles Audit. Quality Auditors should give consideration to the amount of Subcontractors delivering services on behalf of the Provider. Quality Auditors should seek to include Sites from different Subcontractors where relevant.

Please note that the above considerations are provided as guidance only and are not mandatory requirements. They are intended to assist in ensuring the Site sample is reflective of the Provider's business.

Claims sampling

Quality Auditors must select and review enough claims for payment or claims for reimbursement (Claims) to determine the level of conformance with the Provider's claims processing procedures.

A minimum of 10 Claims per Site, capped at a total of 50 Claims across the organisation, must be reviewed by the Quality Auditor. However, Quality Auditors

may review further Claims if they consider additional checking is required to determine the Provider's level of conformance.

Where the Provider's Site sample is greater than five Sites, the number of Claims checked must be evenly distributed across each of the Sites in the sample. If the Provider processes its Claims through a central claims processing unit, the Quality Auditor must ensure that the Claims reviewed during the audit are linked to the Sites included in the Site sample.

The Department may request that Quality Auditors focus on particular Claim types. Quality Auditors may refer to relevant guidelines when considering a Provider's approach to Claims processing. Please note, Quality Auditors must check Claims to ensure the Provider's adherence to its policies and processes. However, they are not expected to check Claims for validity against the Deed.

While it is not expected that every Claim type be checked by the Quality Auditor, all Claim types made by the Provider are within the scope for checking.

Participant sampling

While assessing adherence to the Quality Principles, Quality Auditors must collect evidence to demonstrate the Provider's delivery of quality Services to Participants.

Participant sampling is conducted in two ways. The first is through a selection and review of Participant files. This involves an audit review of all documentation associated with providing Services to the Participant. This can include, but is not limited to:

- file notes (both electronic and hard copy)
- copies of Job Plans
- Employment Fund reimbursements and receipts
- the Participant's résumé
- Training referrals and certificates
- Job Seeker Classification Instrument (JSCI) and other Participant assessments
- reviews and participation reporting information.

The second method of Participant sampling is through conducting interviews directly with Participants. Acceptable methods for interviewing Participants include one-on-one sessions, group interviews, phone interviews as well as video conference tools such as Skype. Quality Auditors may choose to review the files of those Participants they interview in advance, to help develop questions for the interview.

The number of Participant interviews and file reviews to be conducted at each Site depends on the Site's caseload. The file review and Participant interview sampling requirements are set out in Table 12.

Table 12 – File review and Participant interview sampling requirements

SITE SIZE (Stream Participants on Site's active caseload)	File review sample	Participant interview sample
Small (0–600)	4	4
Medium (601–1200)	8	8
Large (1201+)	12	12

If the Quality Auditor is unable to interview the minimum number of Participants at a given Site, the Quality Auditor must state this in the Quality Principles Report and explain why these interviews were not conducted. The Department may require additional interviews to be conducted if there is a significant gap between the number of interviews conducted during the audit and the minimum sampling requirements.

Selecting the sample

The Quality Auditor will be responsible for selecting and reviewing Site, Claim and Participant samples. However, for Participant sampling, the Quality Auditor may seek assistance from the Provider to better understand the Participant. Participants selected for the sample should be representative of the organisation and include Participants from a range of cohorts.

Finalising your Audit

Audit Close Meeting

Following the completion of a Quality Principle Audit, the Quality Auditor must discuss the outcomes of the Audit and conduct an Audit Close Meeting with the Provider. The date of the Audit Close Meeting must be recorded in the Quality Principles Report before it is submitted to the Department.

Quality Principles Reports

Following a Quality Principles Audit, Quality Auditors are required to complete a Quality Principles Report, providing justification statements against each Practice Requirement being audited, and raising Non-conformances where required. The Department's electronic Quality Principles Report template must be used.

The Quality Principles Report must be submitted to the Department within 30 business days (six weeks) from the Audit Close Meeting, together with a [Corrective Action Plan](#), if Non-conformances have been identified.

Providers and Quality Auditors should discuss any corrective actions required, including how and when any Non-conformances should be downgraded or closed out.

Quality Principles Reports must be clear, accurate and evidence based. It must contain sufficient detail to demonstrate how the recommendations for Conformance or Non-conformance were determined for a Practice Requirement. This will assist the Department in determining whether a Provider has met the requirements for QAF Certification.

Evidence can be presented in many forms, including:

- hard copy—signed forms or records of attendance
- electronic—comments recorded in the Department's Employment Services System or the Provider's third-party IT System
- observed—staff meeting with Participants or staff demonstrating a process
- interviews—staff and/or Participant's confirmation of ability or service delivery and satisfaction.

The Department conducts a thorough review of the Quality Principles Report to assess how effectively the justification statements:

- address the Minimum Evidence Requirements for each Practice Requirement audited

- support the conformance ratings recorded.

During this process, the Department may request further information to clarify any issues or request changes to the report in consultation with the Quality Auditor. The Department may reject Quality Principles Reports if Practice Requirements are not appropriately addressed, which could impact on the Provider's QAF Certification.

The Department endeavours to complete these reviews within 20 business days.

Addressing Non-conformance

When auditing against the Quality Principles, any issues identified by a Quality Auditor are raised in the form of a Non-conformance. Non-conformances are issued when a Quality Auditor determines that a certain aspect of the system being audited does not conform to the Quality Principles.

Non-conformance Classifications

There are two Non-conformance classifications, which are defined in Table 13.

Table 13 – Non-conformance classifications

Major Non-conformance	Minor Non-conformance
<p>A Major Non-conformance is defined as:</p> <ul style="list-style-type: none"> • a failure to satisfy 50 per cent of the Practice Requirements across a Quality Principle, regardless of which KPM they fall under or • a failure to satisfy any of the Practice Requirements within a KPM or • a failure to close out a Minor Non-conformance within six months or • a Major Non-conformance identified against a Quality Standard during a Quality Standard Audit. 	<p>A Minor Non-conformance is defined as:</p> <ul style="list-style-type: none"> • failure to meet a Practice Requirement or • a Minor Non-conformance identified against a Quality Standard during a Quality Standard Audit.

Impact on QAF Certification

Major Non-conformance

QAF Certification is not granted or renewed until all the Major Non-conformances are downgraded to a Minor Non-conformance or closed out. Major Non-conformances must be closed out or downgraded within three months of the Audit Close Meeting, or, in the case of Department-identified Major Non-conformances, within three months of the date the Provider is advised of the Department-identified Non-conformance. Failure to address Major Non-Conformances within the required timeframes may result in QAF Certification being suspended and remedial action being taken against the Provider (see clause 52.2 and 98.11 of the Deed).

Minor Non-conformance

QAF Certification may be granted if Minor Non-conformances are issued. Minor Non-conformances must be closed out within six months of the Audit Close Meeting, or, in the case of Department-identified Major Non-conformances, within six months of the date the Provider is advised of the Department-identified Non-conformance.

Any Minor Non-conformance will be upgraded to Major Non-conformance if it has not been addressed within the required timeframe and may result in QAF Certification being suspended.

Quality Standard Non-conformance

If a Non-conformance raised in a Provider's Quality Standard audit is relevant to the Quality Principles, the Quality Auditors must include the Non-conformance in the Audit Report under the relevant Quality Principle.

Any Non-conformance raised against a Quality Standard that results in the suspension or cancellation of certification against that Quality Standard may result in the Provider's QAF Certification being suspended.

Department-identified Non-conformance

The Department may issue a Non-conformance where it is not satisfied that the evidence included in the Quality Principles Audit Report addresses the requirements, or indicates a Non-conformance. The Department reserves the right to raise Non-conformances where it has received information contrary to that provided in the Quality Principles Report, including information provided through its assurance activities.

Quality Principles Corrective Action Plan

A Corrective Action Plan (CAP) must be submitted to the Department within 30 business days (six weeks) of the Audit Close Meeting. The Quality Auditor may use the Department's CAP template or its own template. The CAP must contain:

- the proposed action to be taken to address the Non-conformance (that is to close the Non-conformance, or to downgrade a Major Non-conformance to a Minor Non-conformance)
- the timeframes for progress milestones
- the endorsement from the Quality Auditor and a determination as to whether the Non-conformance can be closed out remotely or if further on-site audit activity is required.

Department-identified Non-conformances should be added to the Provider's CAP submitted to the Department within 30 business days (six weeks) of the Department notifying the Provider of the Department-identified Non-conformances.

Closing out Non-conformances

The Department must receive confirmation from the Quality Auditor that the Non-conformances have been addressed within the required timeframes. This is done through submission of an updated CAP to the Department by the Provider, that includes the Quality Auditor's agreement to the close out of the relevant Non-conformances.

Closing out Major Non-conformances can be achieved by downgrading it to a Minor Non-conformance, which must also be agreed through a Quality Auditor and may be demonstrated remotely or at the Site. If the Major Non-conformance has been downgraded, the Provider must completely close out the Minor Non-conformance within three months (that is, a maximum timeframe of six months from the [Audit Close Meeting](#) date, or, for Department-identified Non-conformance, a maximum

timeframe of six months from the date the Department advised the Provider of the Department-identified Non-conformance).

Department identified Non-conformances are subject to the same requirements as Quality Auditor raised Non-conformances and must be closed out by the Quality Auditor.

All Non-conformances must be checked during the next Quality Principles Audit.

3. Compliance Indicator

Introduction

The Compliance Indicator is a measure of each Provider's compliance with the Deed and Guidelines in submitting claims for payment and other relevant processes.

It is used by the Department to assist in the evaluation of Providers' compliance performance including to acknowledge Providers who comply with the Deed and determine future Program Assurance Activities.

While the Department no longer produces Star Ratings, the Compliance Indicator will continue to be released on a quarterly basis to assist Providers and the Department in monitoring and managing compliance.

The Compliance Indicator is calculated as a value between zero and one hundred at the National, State and Employment Region levels. It is based on reviews finalised¹ in the 18-month period prior to the date of calculation e.g. transactions assessed during 1 October 2019 to 31 March 2021 contribute to the March 2021 score.

The Compliance Indicator Methodology

All Programme Assurance Activities are included in the calculation of the Compliance Indicator. Activities may, however, be excluded on a case-by-case basis where:

- the result of the activity identifies deficiencies, ambiguity or inconsistencies within the Deed, Guidelines or advice provided by the Department that materially contributed to any non-compliance observed
- the objective of the Programme Assurance Activity is information-gathering
- the Department has taken an extended length of time to deliberate or finalise a particular activity
- the activity is out of scope for the Compliance Indicator
- or for any other reason determined by the Department.

Providers, as part of their quarterly Compliance Indicator release, will be given details of each of the Programme Assurance Activities that contribute to the Compliance Indicator score.

The Compliance Indicator uses a number of variables in its calculation:

- Claim Value Weighting: value of the claim or activity
- Review result score: assessment result for each claim or activity
- Review type weighting: type of Programme Assurance Activity.

¹ The Finalisation date is when each activity is completed in its entirety.

Claim Value Weighting

For payment integrity related reviews, the Claim Value Weighting is the square root of the claim value and divided by 10. The minimum and maximum values attributed to the Claim Value Weighting are capped between one and eight respectively.² For Non-Payment Integrity activities commenced prior to 1 July 2018, a fixed Claim Value Weighting was applied for JSCI Change of Circumstance Reassessments and Work for the Dole reviews.

Table 14, outlines the Claim Value Weightings for Non-Payment Integrity Programme Assurance Activities commenced from 1 July 2018. They are included in the calculation of the Compliance Indicator as a separate component.

Table 14—Non-Payment Integrity Claim Value Weightings – July 2018 onwards

Non-Payment Integrity assurance activity	Claim Value Weighting
JSCI Change of Circumstance Reassessments	3.0
Risk Assessment (job seeker) – Administration (Work for the Dole)	4.0
Risk Assessment (place) – Administration (Work for the Dole, Voluntary Work Activities, National Work Experience Programme Placements, Work Experience (Other) Placements, PaTH Internships and Launch into Work Placements)	4.0
Host Agreements (Work for the Dole, (Voluntary Work Activities, National Work Experience Programme Placements, Work Experience (Other) Placements and PaTH Internships.	5.0
Job Seeker Compliance – Procedural Error	5.0
Work for the Dole Acquittals – Group Based Activities	5.0
Mandatory Employability Skills Training participants – In Activities	6.0
Incident Reports	6.0
Job Plan Appropriateness (Department of Education, Skills and Employment Review)	6.0
Targeted Compliance Framework (Education, Skills and Employment Review)	6.0
Targeted Compliance Framework (Services Australia Review)	6.0
Work for the Dole bona fides	6.0
Competent Person	8.0
Risk Assessment (job seeker) – Content (Work for the Dole)	8.0
Risk Assessment (place) – Content (Work for the Dole, Voluntary Work Activities, National Work Experience Programme Placements, Work Experience (Other) Placements, PaTH Internships and Launch into Work Placements)	8.0
Work health and safety (WHS) audits	8.0

Review Result Scores

The Department allocates a score for each review undertaken through a Programme Assurance Activity (see Table 15).

² Claims worth \$100 or less have a value of one and any claim with a value of \$6,400 or more is capped at a value of eight.

Table 15—Review result scores

Review result	Review result score
Satisfies requirements	1.0
Requirements mostly satisfied	1.0
Requirements partially met	0.6
Requirements not met	0.0

Payment Integrity Review calculation

The Claim Value Weighting for each transaction is multiplied by the Review Result Score to give the Weighted Review Score. These are summed to give the numerator value. The sum of the Claim Value Weightings for the same transactions provides the denominator.

For example, an Employment Fund Claim was worth \$220 result in a Claim Value Weighting of 1.48. If the review result for this claim was 'Requirements partially met' the individual weighted review score for this claim is 0.89 (1.48×0.6), which is the contribution of this transaction to the numerator. The denominator contribution is the Claim Value Weighting of 1.48.

Non-Payment Integrity review calculation

The calculation of the Non-Payment Integrity component is the same as for the payment-integrity reviews with one exception. The difference is that the calculation is undertaken at the Programme Assurance Activity level as opposed to individual transaction level.

A Non-Payment Integrity Programme Assurance Activity looking at JSCI Change of Circumstance Reassessments is given a Claim Value Weighting of three. It involves the review of 500 records, with 30 records assessed as 'Requirements partially met' and 20 assessed as 'Requirements not met' with the remaining 450 records either fully or mostly satisfying requirements. The score for this activity is therefore equal to 93.6 ($((450 \times 1 + 30 \times 0.6 + 20 \times 0)/500)$). This score of 0.936 is then multiplied by the Claim Value Weighting of three applied to this activity to determine this project's relative contribution to the Compliance Indicator. Given the Claim Value Weighting of this activity was three, then this value is added to the denominator.

Review Type Weightings

There are four separate review types contributing different weightings to the final score: Rolling Random Sample (60 per cent); Non-Risk Based (20 per cent); Risk Based (10 per cent) and Non-Payment Integrity (10 per cent).

The methodology imposes a condition that if less than 25 reviews are undertaken for each of these components³, then that component will contribute only a proportion (of 25) of the review type weighting. For example, if only 10 reviews are conducted on Risk Based activities, then a proportion of the 10 per cent weighting for that component would be applied. In this case, it would be $(10 \div 25) \times 10$ per cent.

³ For the Non-payment integrity component, this condition was introduced in March 2021 to be consistent with the other components.

An additional condition is applied to the weighting that the Non-Payment Integrity component contributes to the final score. The sum of the Claim Value Weighting of the Programme Assurance Activities is assessed, and if it sums to less than 10, then the relative contribution will be reduced to that percentage. For example, the two Non-Payment Integrity Programme Assurance Activities included in the calculation are:

- JSCI Change of Circumstance Reassessments - Claim Value Weighting = 3
- Work for the Dole bona fides – Claim Value Weighting = 6

The sum of the Claim Value Weightings for these activities is nine, therefore the Non-Payment Integrity weighting will drop to nine per cent (or 0.09).

Out of Scope Reviews

Transactions 'out of scope' include:

- Provider identified claims – claims where the provider has identified a claim made in error
- hand selected claims – claims that are known to be non-compliant for various reasons and are recovered
- related claims – claims that are deemed non-compliant resulting from the assessment of different claim.

Final Compliance Indicator Score

For each component, a score, as defined in the Payment Integrity Review calculation and Non-Payment Integrity review calculation sections above are calculated, which are then multiplied by their respective Review Type Weightings. The sum of these four values forms the final Compliance Indicator score.

Given that the Department reviews only a sample of all claims processed, the Compliance Indicator results are subject to a margin of error. In consultation with an external actuary advisor, and based on historical compliance results, a margin of error of 12 per cent is applied. In cases where at the Employment Region level the margin of error is larger than 12 per cent, then, the following imputation rules are used:

- the Provider's State level Compliance Indicator Score is applied
- if the margin of error at the State level is also greater than 12 per cent then the organisation level Compliance Indicator Score is applied
- if the margin of error at the organisation level is also greater than 12 per cent, then neither the Provider or its regions will have a Compliance Indicator Score.

Star Ratings Interaction

The decision has been taken to formally discontinue the Star Ratings after September 2020. Prior to this a Provider's Compliance Indicator score may have, at the Employment Region level, impacted upon their Star Percentage. Compliance Indicator Scores below 83 reduced Star Percentages which may have led to a reduced Star Rating. For every two points a Compliance Indicator Score was below 83, one Star Percentage would be lost.

4. Service Guarantees and Service Delivery Plans

Service Guarantee

As part of the Australian Government's commitment to deliver high-quality employment services for Stream Participants and Employers, a key component of the Employment Services Performance Framework is to ensure that stakeholders are receiving quality services.

Common to all Providers, the Service Guarantee reflects the government's expectations of how Providers will interact with Stream Participants and specifies the minimum level of service each Stream Participant or volunteer Stream Participant can expect to receive, as well as the requirements a Stream Participant needs to meet while looking for a job.



Documentary Evidence: The provider must prominently display the Service Guarantees and Service Delivery Plan(s) in its offices and all Sites, and make these available to Stream Participants, potential Stream Participants, Volunteers and Employers.

(Deed References: Clauses 1.6, 28.1, 30.1, 73.1, 99.1(c), Annexure B3)

Service Delivery Plan

Each Provider's Service Delivery Plan(s) is published on the Provider's page of the jobactive website and given to Stream Participants and potential Stream Participants at their initial appointment with their Provider. The Provider's Service Delivery Plan(s) captures the commitments made by the Provider in its tender response and outlines the specific services an Employer or Stream Participant can expect from them.



Documentary Evidence: The provider must:

- prominently display the Service Guarantees and Service Delivery Plan(s) in its offices and all Sites, and make these available to Stream Participants, potential Stream Participants and Employers
- upload the Service Delivery Plan(s) on the Provider's page of the jobactive website.

(Deed References: Clause 73.1(b and c))

Assessment of Service Delivery Plans

The Department will monitor Service Guarantees, Service Delivery Plan(s) and representations in the Provider's response to tender (service offer) on an ongoing basis to assess the Provider's performance.

The Department's assessment of service delivery against the Service Guarantees and the Provider's Service Delivery Plan(s) will be undertaken as part of the measurement of a Provider's performance against KPI 3. This will involve the Department making an assessment of whether Providers are meeting the service delivery standards outlined in the Service Guarantees, their service offer and their Service Delivery Plan(s) through a range of activities, including direct demonstration by the Provider to the Department.

Where the Department determines that a Provider is not delivering services as outlined in their Service Delivery Plan or the Service Guarantees, the Department reserves the right to apply remedial actions to that Provider, with the type of actions

applied dependant on the nature of the non-compliance. Providers not meeting the service delivery standards may also be in scope for business reallocation.

(Deed References: Clauses 28.1, 30.1(a), 73.1, 73.2, 84.1(e), 99.1(c)(iii), 102.1(b), 103.1, 104.1, Annexure B3)

5. Performance Reviews

Approach

The Department will provide timely and regular feedback to Providers regarding their performance and will work proactively with Providers to address performance management issues.

Formal performance feedback will be provided at least once every 12 months, but feedback may be provided, at the discretion of the Department, following each Performance Period. This feedback will generally be provided in writing but may also include face-to-face discussions.



Documentary Evidence: Without limiting any other provisions of this Deed, the Provider must provide, as required by the Department specific reports on the Services, including on the results of internal and external audits of Payment claims and claim processes, action taken to address performance issues raised by the Department, and training provided to Personnel and Subcontractors.

(Deed References: Clauses 4.1(C), 24.1(a)(i), 26, 28, 29.2, Annexure A2, 99.1(c)(iii), 101)

6. Business Reallocation

Approach

There have been two performance-based business reallocations for Providers: at the 18 and 36 months points of the Deed. The Department may conduct performance-based business reallocations for Providers at other points of the Deed. Providers assessed at a Star Rating of 2-Stars or below at the Employment Region or Site level at these points in the Deed may be in scope for business reallocation. Where performance against other measures of performance and operation, such as the service offer or Compliance Indicator score is not to the Department's satisfaction, Providers may also be in scope for business reallocation.

Consistent with past practice, the Department's approach to adjusting Providers' Business Shares will be communicated to Providers before the business reallocation process.

(Deed references: Clauses 26-29, 52, 99, 100, 101)

7. New Business Assistance with NEIS Performance Framework

Introduction

The Department will provide timely and regular feedback to NEIS Providers about their performance at the completion of each performance period. This feedback may be face to face and/or in writing. Informal performance feedback may also be provided at the Department's discretion. The Department will work proactively with NEIS Providers to address performance management issues.

NEIS Provider performance will be measured in relation to usage of NEIS places, achievement of Post-Programme Outcomes and the delivery of quality services that are compliant with the deed. This section of the Guideline outlines the methodology and approach that will be used by the Department to measure performance.

(Deed reference: Clause 28)

NEIS Performance Assessment

The Department will measure NEIS Provider performance using a single NEIS performance score. The single performance score will provide a simple and transparent mechanism for measuring performance at an Employment Region level.

Weightings and single performance score

The single performance score will incorporate performance from three NEIS Key Performance Indicators. Performance against these Key Performance Indicators will be weighted to produce the single overarching score. The weightings for each Key Performance Indicator will be:

- | | |
|--|---------------|
| • KPI 1a – Place Utilisation | • 45 per cent |
| • KPI 2 – Post-Programme Outcomes Achieved | • 45 per cent |
| • KPI 3 – Quality | • 10 per cent |

The Department will review these weightings periodically to ensure they remain appropriate.

KPI 1b (exits) will be excluded from the single performance score.

Highly Disadvantaged (HD) Trial performance will also be excluded from the single performance score. HD Trial performance will be discussed as part of regular performance discussions.

The methodology for measuring performance against each Key Performance Indicator is outlined in Table 17. NEIS Providers can also refer to the NEIS Performance Framework Industry Information Paper and NEIS Quality Assessment Matrix (available on Provider Portal) for further information.

NEIS Business reallocation

The Department will undertake NEIS business reallocation on an annual basis following the end of the financial year (performance as at 30 June).

The NEIS business reallocation process may result in NEIS places being reallocated from poorer performing NEIS Providers.

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

(Deed reference: Clause 132)

Benchmarks

NEIS Provider performance will be measured against an overarching benchmark of 77 per cent at an Employment Region level.

The Department set this overarching benchmark by considering the weightings of each Key Performance Indicator and setting individual Key Performance Indicator benchmarks.

Table 16— Key performance indicator weightings and set benchmarks

KPI	Weighting	Benchmark
KPI 1a—Place utilisation	45%	85%
KPI 2—Outcomes	45%	68%
KPI 3—Quality	10%	80%
Total	100%	77%

The overarching benchmark at an Employment Region level will be the basis for determining which providers are in scope for business reallocation.

The individual Key Performance Indicator benchmarks will assist NEIS Providers to identify where they are performing well, as well as any areas for improvement. The Department may also consider performance in relation to individual Key Performance Indicators during business reallocation and in regular performance discussions.

Right of reply

The Department will formally notify NEIS Providers subject to a reduction in NEIS places and they will have the opportunity to submit a 'right of reply'. The 'right of reply' may describe:

- labour market or geographical factors that affected performance, or
- extenuating circumstances⁴ that may have affected their ability to use their NEIS places.

NEIS Providers will need to include strategies for responding to these challenges in their 'right of reply'.

Providers will have five business days from notification to submit a 'right of reply' for the Department's consideration.

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

(Deed reference: Clause 28, 30.5, Clause 131)

⁴ Extenuating circumstances are circumstances that are outside the NEIS Provider's control, have not affected other providers (such as policy changes, the transition to jobactive), and are not situations internal to the NEIS Provider's organisation.

Table 17 — Measuring NEIS Key Performance Indicators**KPI 1 — Efficiency**

Key Performance Measure	Practice Requirement	Evidence
The NEIS Provider utilises allocated NEIS Places within the Employment Region(s).	The NEIS Provider has in place appropriate strategic and operational planning practices to fully utilise all NEIS Places allocated to them within their Employment Region during each financial year.	The Department's IT Systems will identify the number of NEIS Places allocated to a NEIS Provider at a specific point in time, and the number of NEIS Places used during the same period.
Reasons for NEIS Participants exiting NEIS Assistance early.	The NEIS Provider must discuss the reason a NEIS Participant wants to exit NEIS Assistance prior to completion, and work with the NEIS Participant to resolve any issues.	A NEIS Provider must enter the reason why a NEIS Participant exits NEIS Assistance in the Department's IT Systems. The Department's IT Systems will identify those NEIS Participants who exit NEIS Assistance at or before completion (52 weeks).

KPI 2 — Effectiveness

Key Performance Measure	Practice Requirement	Evidence
<p>The percentage of NEIS Post-Programme Outcomes achieved.</p> <p>Note: participants who exit as a result of personal/medical reasons will be excluded from the measure if they do not achieve a Post-Programme Outcome.</p>	The NEIS Provider delivers NEIS Services that result in a NEIS Post-Programme Outcome for contract to date.	<p>The Department's IT Systems will identify the number of NEIS Participants who:</p> <ul style="list-style-type: none"> exited 15 weeks or more ago (those participants who could have achieved a Post-Programme Outcome) who have not exited for personal/medical reasons have achieved a Post-Programme Outcome.

KPI 3 — Quality and Assurance

The Department will use the evidence outlined below to assess NEIS Provider performance against KPI 3. An assessment matrix will be used by Account Managers to ensure a consistent approach is applied when assessing quality and Deed compliance.

Key Performance Measure	Practice Requirement	Evidence
The NEIS Provider's procedures and practices support the delivery of NEIS Services in accordance with the Deed.	The NEIS Provider has strategies and practices in place to ensure compliance with the Deed and NEIS Guidelines.	<p>The NEIS Provider has documented policies and procedures that reflect their servicing strategies and compliance with the Deed and NEIS Guidelines.</p> <p>These policies and procedures have been implemented wholly and consistently across the organisation:</p> <ul style="list-style-type: none"> • staff are consistently applying the policies and procedures when servicing NEIS Participants • all NEIS Participant records maintained by the provider in the Department's IT Systems and/or in third party systems are accurate, align with documentary evidence requirements and are in accordance with the Deed • NEIS Participants are provided with the services outlined in the Deed within the required timeframes • NEIS Participant commencement paperwork is accurate and provided within the required timeframes.
<p>The number of validated complaints for the relevant Performance Period received via:</p> <ul style="list-style-type: none"> • the Department's National Customer Service Line • the Department's Employment Services Tip Off Line • the Departments Post-Program Monitoring Survey • ministerial correspondence • the Ombudsman. 	The NEIS Provider has in place strategies for monitoring NEIS Participant satisfaction of the NEIS Services delivered and addressing complaints when raised.	<p>The Provider has in place documented policies and procedures to support the raising of complaints and feedback. The policies detail:</p> <ol style="list-style-type: none"> how complaints and feedback are used to improve service delivery how the outcome of a complaint is communicated to the complainant escalation procedures. <p>The complaints and feedback process is implemented consistently across the organisation:</p> <ol style="list-style-type: none"> Staff can readily access the complaints procedure and can articulate the process Complaints are referred to the Department when required Complaints are investigated by an appropriately senior staff member. <p>Records of complaints are maintained and include:</p>

Key Performance Measure	Practice Requirement	Evidence
		<ul style="list-style-type: none"> i. detailed information relating to the complaint, including the date of the complaint and who the complaint relates to ii. steps taken to resolve the complaint iii. the outcome of any investigation iv. any follow-up action required. <p>The Provider's feedback mechanism is open and transparent:</p> <ul style="list-style-type: none"> i. NEIS Participants are aware of feedback and complaints procedures and feel comfortable to raise a complaint without fear of retribution. ii. Feedback from NEIS Participants indicates that complaints lodged have, or are being, resolved.
NEIS Providers delivering NEIS Training are a Registered Training Organisation (RTO) certified against the Australian Skills Quality Authority (ASQA) Standards.	NEIS Providers ensure that NEIS Training is delivered by accredited trainers employed by RTOs in line with ASQA requirements.	NEIS Providers delivering NEIS Training are subject to the ASQA compliance and accreditation regime. Those NEIS Providers who do not deliver NEIS Training must ensure NEIS Prospective Participants are referred to an RTO for NEIS Training.

Attachment A: jobactive Quality Assurance Framework Evidence Requirements

Principle 1 - Governance

Key Performance Measure	Practice Requirement	Minimum Evidence Requirements
1.1 Corporate governance and management systems satisfy legal and contractual requirements that withstand public scrutiny. Scope Reduction Principles 1-3 are not included in Surveillance Audits.	1.1.1. The Provider's corporate governance arrangements promote confidence that Employment Services are being delivered effectively.	a) There are processes in place supporting the ongoing operation of the Provider's governing body. These processes: <ul style="list-style-type: none"> i. ensure that members or directors have an understanding of their responsibilities and accountabilities, including ethical, legal and contractual requirements, ii. specify how the governing body operates and records its governance function—for example, processes cover escalation of matters to the governing body, frequency of meetings, recording of minutes and management of conflicts of interest. b) Corporate planning includes integrating internal business services and systems to support the delivery of Employment Services. This includes having in place: <ul style="list-style-type: none"> i. organisational charts that outline how business services interlink, ii. corporate or business plans that ensure that staffing levels and expertise are commensurate with caseload levels.
	1.1.2. The Provider has in place appropriate processes for decision making that outline the authority or delegations within the Provider that support staff in carrying out their roles and responsibilities.	a) The Provider has decision-making processes in place that include decision-making matrices (financial and administrative). b) The Provider can demonstrate that these processes have been implemented, are used and adhered to in day to day operations.
1.2 The Provider has appropriate policies and processes in place that manage operational and strategic risks, including disaster recovery, as well as practices to ensure effective document control and record keeping practices.	1.2.1. The Provider has in place corporate governance arrangements that manage risk, including fraud and cyber security.	a) The Provider has a documented, enterprise-wide risk management framework in place that includes: <ul style="list-style-type: none"> i. processes for identifying and managing risk, including incident management and disaster recovery plans, ii. organisational and Site risk management plans, and iii. evidence of regular review of risk management plans. b) To manage the risk of fraud the Provider has a documented fraud control plan, which refers to: <ul style="list-style-type: none"> i. clear processes for staff to notify management of potential fraud, ii. the Department's tip-off line contact details, and iii. ensuring staff awareness of fraud prevention iv. considering what risks exist as they relate to cyber security.

Key Performance Measure	Practice Requirement	Minimum Evidence Requirements
		c) Appropriate treatment for any alleged or actual instances of fraud or misconduct that has been identified, including the documentation of treatment plans.
	1.2.2 The Provider has in place effective records management and document control processes.	a) The Provider has in place processes to ensure that there is accurate record keeping and document control and that processes are understood by all staff, who can detail how they access information. This includes demonstrating that: <ul style="list-style-type: none"> i. there is accurate record keeping that aligns with defined processes, Deed and guideline requirements, including Documentary Evidence requirements in guidelines where relevant, ii. all forms and documents use version control and are kept up to date, with current versions being readily identifiable and accessible, and iii. out-of-date material is not used by staff.

Principle 2 - Leadership

Key Performance Measure	Practice Requirement	Minimum Evidence Requirements
2.1 All employees have a shared understanding of the Provider's direction, including the vision and purpose that directs the Provider's conduct.	2.1.1. The Provider has a clear purpose and a vision.	a) The Provider has a vision statement that outlines its mission and values. b) Staff can demonstrate that they understand the vision and how their individual and team roles link to the objectives of the Provider.
	2.1.2. The Provider's code of conduct is promoted, easily located, followed, and upheld, by the Provider.	a) The Provider has in place a code of conduct that includes: <ul style="list-style-type: none"> i. a set of values that outline the expectations placed on staff within the Provider, and ii. a requirement that staff act in a manner that withstands public scrutiny. b) The code of conduct is promoted effectively throughout the Provider and: <ul style="list-style-type: none"> i. the Provider can demonstrate how it communicates the requirements of the code of conduct to staff, ii. staff can accurately describe the requirements of the code of conduct, and iii. where a breach of the code of conduct occurs, it is appropriately managed and action is taken to prevent it from reoccurring.
2.2 Internal planning and communication ensures understanding, consistent messaging and encompasses people at all levels.	2.2.1. The Provider has in place appropriate strategic and operational planning practices that facilitate quality management and improve its effectiveness.	a) There are strategic and operational plans that are aligned to and support the Provider's purpose and vision, and include: <ul style="list-style-type: none"> i. performance objectives and reporting mechanisms, and ii. strategies for achieving Employment program outcomes. b) Staff are involved, where appropriate, in the development of strategic and operational plans.
	2.2.2. Communication and sharing of information occurs systematically throughout the Provider.	a) The Provider has in place systematic internal communication processes and ensures that knowledge and information is shared throughout the Provider. This includes the Provider demonstrating that: <ul style="list-style-type: none"> i. processes ensure a regular flow of accurate and timely information, and ii. communication processes are followed to ensure all Sites are provided with consistent information.

Principle 3 - Staff

Key Performance Measure	Practice Requirement	Minimum Evidence Requirements
3.1 The Provider's human resource policies ensure that there are systems in place to support staff in the delivery of Employment Services.	3.1.1. The Provider has in place merit-based recruitment and selection processes.	a) Recruitment and selection processes: <ul style="list-style-type: none"> i. reflect the core competencies and skill attributes of the job description, ii. encourage workplace diversity and cultural competency, and iii. require police checks and Working with Children Checks (as required by relevant legislation).
	3.1.2. Staff understand the skills and competency requirements needed to successfully undertake their role.	a) The Provider has documented job descriptions that include statements of the skills and competencies required for the position, including cultural competency skills.
3.2 The Provider has a structured approach to developing staff and an effective performance management system.	3.2.1. The Provider has staff training and development policies and processes in place.	a) The Provider has an induction process outlining what is required of inductees, supporting staff and managers, and conducts induction training for all staff. b) The staff development policy and processes: <ul style="list-style-type: none"> i. incorporate details of the Provider's plan for the ongoing training and development of all staff, ii. is informed by internal and external audits and/or reviews, and iii. contains strategies for identifying skill gaps. c) Staff are appropriately trained to deliver Employment Services on an ongoing basis and individual training records are maintained.
	3.2.2. The Provider's performance management framework supports the ongoing development of staff.	a) The Provider has a performance management framework in place that outlines the methods and timing for providing ongoing individual feedback to staff, particularly where there is skill or competency deficiency identified. b) The Provider can demonstrate that performance management processes are followed consistently. This includes demonstrating that: <ul style="list-style-type: none"> i. all staff are given timely and relevant performance feedback, and ii. action has been taken when skills or competency deficiencies, or underperformance, has been identified.

Principle 4 - Participants

Key Performance Measure	Practice Requirement	Minimum Evidence Requirements
4.1 The Provider has strategies in place that result in effective engagement with Stream Participants. This KPM is a minimum requirement for all Providers.	4.1.1. The Provider has a communication policy in place to engage with Stream Participants.	a) The Provider's communication policies and processes include: <ul style="list-style-type: none"> i. a variety of communication methods, and ii. the frequency of contact between the Provider and Stream Participants, that is line with the Service Guarantee and Service Delivery Plans.
	4.1.2. The Provider regularly reviews its caseload to ensure Stream Participant engagement.	a) The Provider has processes in place to conduct regular caseload monitoring across all sites and address emerging issues. These processes support the consistent review of caseloads to ensure: <ul style="list-style-type: none"> i. timely activation of Stream Participants from date of referral, ii. the timely commencement and ongoing participation of Stream Participants into Work for the Dole and other relevant activities, and iii. prompt re-engagement of Stream Participants following Suspension and exemption periods or who fall out of employment. The Provider has a process in place to maintain engagement with Stream Participants to ensure they remain in Employment for the length of the payment period.
4.2 Employment Services are delivered to Stream Participants, assisting them to become work ready and gain sustainable Employment, in line with individual program eligibility and the Provider's service delivery model. Scope Reduction	4.2.1. The Provider delivers services in line with the Service Guarantee, its Service Delivery Plans and the Joint Charter of Deed Management (Joint Charter).	a) The Provider has policies and processes that reflect the servicing strategies outlined in the Service Guarantee and its Service Delivery Plans. b) Staff can describe the obligations outlined in the Service Guarantee and its Service Delivery Plans and correctly apply them to individual Stream Participants.
	4.2.2. Staff understand the eligibility criteria for individual Employment Services programs and can identify the Mutual Obligation Requirements and compliance requirements for individual Stream Participants.	a) Staff are able to describe the various programs and eligibility requirements. b) Staff can demonstrate that they are able to identify the varying circumstances and Mutual Obligation Requirements of individual Stream Participants.

Key Performance Measure	Practice Requirement	Minimum Evidence Requirements
<p>80 per cent of commitments measured by the Department during the monitoring period (two years or contract to date, whichever is less) are assessed as 'Met'</p> <p>NOTE: Those commitments assessed as partially met will not count as 'Met'.</p>	<p>4.2.3. Staff undertake assessments of Stream Participant's circumstances and implement strategies that focus on assisting them to become work ready and gain sustainable Employment.</p>	<p>a) The Provider's Stream Participant assessment is used to implement strategies and includes:</p> <ul style="list-style-type: none"> i. complex issue identification and treatment, ii. identification of employment goals, and iii. identification of skill and development needs.
	<p>4.2.4. The Provider has a variety of strategies in place for promoting a wide range of Employment opportunities to Stream Participants.</p>	<p>a) Staff can describe the strategies they use to provide Stream Participants with advice on:</p> <ul style="list-style-type: none"> i. job searching methods, ii. government incentives such as Wage Subsidies, iii. available vacancies, local labour market opportunities and employer needs and preferences, and iv. selecting and applying for suitable jobs.
<p>4.3 Job Plans set out an individualised Employment-orientated action plan for each Stream Participant.</p>	<p>4.3.1. Plans are tailored to the Stream Participant. They contain activities that will satisfy the Stream Participant's Mutual Obligation Requirements (where relevant) and assist them to become work ready and gain sustainable Employment.</p>	<p>a) All Stream Participants have an individualised and up-to-date Job Plan, which has been signed and agreed to by the Stream Participant and recorded on the Department's IT Systems. There is evidence of regular review and modification in accordance with internal processes.</p> <p>b) The Job Plan contains:</p> <ul style="list-style-type: none"> i. the number of job searches that must be undertaken by the Stream Participant each month, ii. current, time-specific activities for the Stream Participant to complete, iii. activities focused on securing and maintaining Employment, and iv. hours of participation that do not exceed the Stream Participant's Mutual Obligation Requirements. <p>c) The Provider has a systematic approach to ensuring that Stream Participants fulfil the requirements of their individual Job Plans, including:</p> <ul style="list-style-type: none"> i. ensuring that Stream Participants apply for and accept suitable roles, ii. ensuring that Stream Participant mutual obligations, including monthly job search requirements, are being met iii. placing Participants into suitable activities to meet their Annual Activity Requirements in a timely fashion, and correctly recording their hours of participation in activities.

Key Performance Measure	Practice Requirement	Minimum Evidence Requirements
	4.3.2. The Provider has processes in place to ensure Stream Participants fulfil their Mutual Obligation Requirements and staff effectively undertake action under the Targeted Compliance Framework.	<ul style="list-style-type: none"> a) The Provider's compliance processes outline when the reporting of non-attendance or non-compliance in relation to Mutual Obligation Requirements should occur and include: <ul style="list-style-type: none"> i. the need to consider complex issues and Acceptable and Valid Reasons before reporting incidents of non-compliance, and ii. the provision of full Formal Notification of the Stream Participant's requirements in accordance with the Notification Timeframes and using the templates and/or scripts specified by the Department. b) Where a Stream Participant has failed to comply with their Mutual Obligation Requirements: <ul style="list-style-type: none"> i. considering appropriate strategies for engagement and, as appropriate, ii. ensuring timely re-engagement, and iii. taking timely action under the Targeted Compliance Framework including submission of compliance recommendations with sufficient evidence to inform the decision by Services Australia.
4.4 The Provider's service delivery strategy incorporates policies and processes that measure Stream Participant satisfaction, support Stream Participants in the raising of complaints, and are in line with the Deed and guidelines.	4.4.1. The Provider has policies and processes in place for proactively monitoring Stream Participant satisfaction with the Employment Services delivered.	<ul style="list-style-type: none"> a) The Provider has processes in place for proactively monitoring Stream Participant satisfaction with the Employment Services delivered, which are applied consistently and as planned. b) Stream Participants confirm that they have received tailored services from the Provider, that are in line with the Service Guarantee and Service Delivery Plan, and which meet their individual needs.
	4.4.2. The Provider's policies and processes support the raising of complaints and feedback, with no fear of retribution, and facilitate complaints resolution.	<ul style="list-style-type: none"> a) The Provider has in place policies and processes to support the raising of complaints and feedback. The policies detail: <ul style="list-style-type: none"> i. how the outcome of a complaint is communicated to the complainant, and ii. escalation processes, including relevant delegations. b) The Provider can demonstrate that the complaints and feedback process is implemented consistently across the Provider, and that: <ul style="list-style-type: none"> i. staff can articulate the process, ii. complaints are referred to the Department when required, and iii. records of complaints indicate appropriate escalation consistent with processes. c) The Provider's feedback mechanism is open and transparent and: <ul style="list-style-type: none"> i. Stream Participants are aware of feedback and complaints processes and feel comfortable to raise a complaint without fear of retribution, and ii. feedback from Stream Participants indicates that complaints lodged have or are being resolved.

Principle 5 – Labour market, Employers and community

Key Performance Measure	Practice Requirement	Minimum Evidence Requirements
5.1 The Provider identifies and incorporates local labour market knowledge into service delivery.	5.1.1. The Provider has policies in place to incorporate labour market knowledge to assist staff to achieve Employment outcomes.	a) The Provider has documented labour market plans that demonstrate how local, regional and national labour market information is used to determine areas of current and future job opportunities.
	5.1.2. The Provider identifies the cohort groups it services and implements specific policies that assist these Stream Participants into Employment.	b) The Provider has in place policies that assist staff in tailoring Employment Services to different cohort groups. c) The Provider can demonstrate that staff consistently apply policies for engaging and servicing different cohort groups in their respective Employment Regions.
	5.1.3. The Provider has in place policies and processes that assure the cultural competence of staff in dealing with Stream Participants.	a) The Provider's policies and processes demonstrate a commitment to culturally appropriate service delivery. b) The Provider has in place policies and processes for accessing interpreting services, and: i. staff can accurately describe these processes and how they are used, and ii. there is evidence of professional interpreters being engaged, where appropriate, to address Stream Participants' needs.

Key Performance Measure	Practice Requirement	Minimum Evidence Requirements
<p>5.2 The Provider has a systematic approach to servicing the needs of Employers including evidence of ongoing relationships that deliver Employment outcomes for Stream Participants.</p> <p>Scope Reduction 80 per cent of the Provider's contracts have a Star Rating of 3 or above based on the last published results</p>	<p>5.2.1. The Provider has in place proactive policies for meeting the needs of Employers.</p>	<p>a) The Provider can demonstrate how they develop and maintain relationships with Employers and Employer groups. This includes demonstrating that there is:</p> <ul style="list-style-type: none"> i. ongoing marketing to Employers both of Provider Services and of individual Stream Participants, and ii. evidence of Employer networks and/or databases. <p>b) The Provider can describe how they supply information to Employers about government incentives available to the Employer, including Wage Subsidies.</p> <p>c) The Provider can describe how they participate, facilitate and contribute to industry strategies including collaboration with other Providers, which improve the quality of services to Employers.</p>
	<p>5.2.2 The Provider has in place proactive processes for sourcing and matching Stream Participants with vacancies.</p>	<p>a) The Provider's staff can describe how they source vacancies and match and place Stream Participants into Employment, including any related strategies outlined in Service Delivery Plans. This involves staff:</p> <ul style="list-style-type: none"> i. assessing the needs of Employers, ii. matching the needs of Employers with skills of the Stream Participants on their caseload, and iii. providing ongoing assistance to Employers, for eligible Stream Participants post placement, to improve Employment outcomes.
<p>5.3 - There are effective relationships developed and maintained with Activity Host Organisations, other Providers and organisations that deliver complementary services.</p>	<p>5.3.1 This Practice Requirement no longer needs to be met.</p>	<p>This Minimum Evidence Requirement no longer needs to be met.</p>
	<p>5.3.2. The Provider can demonstrate linkages with Activity Host Organisations.</p>	<p>a) The Provider can demonstrate the approach taken to promote the Work for the Dole program to potential Host Organisations.</p> <p>b) The Provider has policies in place to develop and maintain relationships with Activity Host Organisations for all relevant programs, including, but not limited to, Work for the Dole, the National Work Experience Programme, PaTH Internships and staff can describe these policies.</p> <p>c) The Provider can demonstrate collaboration with other Providers to meet the needs of Activity Host Organisations for all relevant programs, and to deliver the Work for the Dole program.</p>

Key Performance Measure	Practice Requirement	Minimum Evidence Requirements
	5.3.3. The Provider can demonstrate linkages between the services that the Provider delivers and appropriate referral to and from other agencies.	a) The Provider has established networks, where relevant, with other services, including but not limited to the New Business Assistance with NEIS, Employability Skills Training and Career Transition Assistance. b) Information is maintained, at Site level, about complementary programs or services that may be available to Stream Participants.

Principle 6 – Operational effectiveness

Key Performance Measure	Practice Requirement	Minimum Evidence Requirements
6.1 Provider's policies and processes support the delivery of services that comply with the Deed and guidelines.	6.1.1. The Provider's policies and processes ensure compliance with the Deed, and changes in the Deed and guidelines are promptly and accurately reflected in the Provider's systems, processes and practices.	<ul style="list-style-type: none"> a) The Provider's policies and processes ensure that the requirements of the Deed and guidelines are being met. b) The Provider can demonstrate that it has in place processes for accurately and promptly updating the Provider's systems, policies and processes following Deed and guideline updates. c) The Provider's staff can describe the importance of complying with the Deed and guidelines, and how they are notified of updated processes.
	6.1.2. The Provider has policies and processes in place to ensure staff awareness of probity and accountability issues.	<ul style="list-style-type: none"> a) The Provider has policies and processes in place to address probity and accountability issues.
6.2 The Provider has arrangements in place to monitor and comply with the Privacy Act, Work Health and Safety Act and other relevant legislation.	6.2.1. The Provider has policies and processes in place to ensure that personal information is handled in a manner consistent with the Privacy Act and other legislation.	<ul style="list-style-type: none"> a) The Provider has privacy and confidentiality policies and processes in place to comply with all relevant legislative and Departmental requirements (including those outlined in the Department's Records Management Instructions). b) The Provider can demonstrate how it has implemented its privacy and confidentiality processes. This includes demonstrating that: <ul style="list-style-type: none"> i. staff can accurately describe how these processes are used and how they are implemented in their daily work, ii. information is stored securely including electronically, and iii. there are facilities, such as private interview rooms, that accommodate private discussion with Stream Participants.
	6.2.2. The Provider has arrangements in place to promote their privacy and confidentiality policies to Stream Participants and Employers.	<ul style="list-style-type: none"> a) The Provider has in place processes to ensure Stream Participants are informed of how their personal information may be used. This must incorporate: <ul style="list-style-type: none"> i. relevant information about protecting Stream Participants' privacy and the handling of confidential issues is shared with Stream Participants at their first interview with the Provider, and ii. where relevant, additional considerations for managing issues of privacy, where these are required by local communities. b) The Provider can demonstrate that they inform Employers about how their disclosed information is managed.

Key Performance Measure	Practice Requirement	Minimum Evidence Requirements
	6.2.3 The Provider has policies and processes in place to ensure that Work Health and Safety requirements are handled in a manner consistent with relevant legislation.	<ul style="list-style-type: none"> a) The Provider has policies and processes in place to comply with all relevant work health and safety legislation, including reporting of Notifiable Incidents. b) There are policies in place to ensure changes to Work Health and Safety legislation generate a review of the Provider's processes. c) The Provider has policies and processes in place to regularly monitor all Activities to ensure the ongoing work health and safety of Stream Participants. d) The Provider can demonstrate effective implementation of these policies and processes.
6.3 Claiming processes used by the Provider are systematic and ensure claiming practices align with the Deed and relevant guidelines. Scope Reduction At an organisation level the Compliance Indicator result was 83 or more (based on the data available to providers as at the time the Audit Plan is requested).	6.3.1. The Provider ensures reimbursement and claiming policies and processes are in place and align with the Deed and relevant guidelines.	<ul style="list-style-type: none"> a) The Provider's claiming policies and processes: <ul style="list-style-type: none"> i. support compliance with relevant guidelines, including relevant Documentary Evidence requirements of those guidelines, ii. specify the internal and external (where required) approval processes for expenditure, reimbursements and claims, and iii. clearly identify accountability and delegation arrangements.
	6.3.2. The Provider ensures that reimbursements and claims policies and processes are systematically applied by the Provider.	<ul style="list-style-type: none"> a) The Provider can demonstrate that the policies and processes for reimbursements and claims are systematically applied including that when submitting reimbursements and claims to the Department the staff responsible: <ul style="list-style-type: none"> i. process reimbursements and claims in accordance with the Provider's processes, and ii. ensure the application of the Deed and relevant guidelines.

Principle 7 – Continual improvement

Key Performance Measure	Practice Requirement	Minimum Evidence Requirements
7.1 The Provider has an effective internal audit system in place.	7.1.1. The Provider has formally defined internal audit processes in place.	a) The Provider has an internal audit function that supports the Provider's overall effectiveness. An internal audit process is approved by the Provider's governing body and outlines the purpose, authority and responsibility of the internal audit function. The audit processes detail: <ul style="list-style-type: none"> i. how the Provider ensures that the internal audit function remains an independent process, free of operational interference, ii. how the Provider's internal audit activity mitigates fraud and how this activity interlinks with its risk management strategies. b) The Provider's staff responsible for conducting internal audits are independent, objective and impartial and have a clear separation of duties, particularly where audits are conducted by Employment Service staff.
	7.1.2. The Provider ensures that internal audit activity is effectively planned and undertaken as scheduled.	a) The Provider effectively plans internal audit activity by: <ul style="list-style-type: none"> i. preparing an internal audit schedule that is approved by directors and board members ii. ensuring that internal audit activities are appropriate to the size and structure, for the services being delivered, of the Provider, and iii. adopting a risk-based approach to determining internal audit priorities b) The Provider's internal audit plan includes activities targeted at its internal quality management system as well as Deed and guideline related compliance. c) The Provider undertakes internal audit activities as outlined in the Provider's audit schedule, and can demonstrate that: <ul style="list-style-type: none"> i. all scheduled audits have been conducted, and ii. reasons that audits are undertaken outside the audit schedule are documented.
7.2 The Provider has in place a systematic approach to identifying and implementing continual improvement activities.	7.2.1. The Provider has in place processes for the systematic monitoring and reporting of Site, Employment Region and Provider performance.	a) The Provider has in place processes to measure and review performance at a Site, Employment Region and Provider level. These reviews include specific monitoring of placement and Outcome data in relation to Aboriginal and Torres Strait Islander peoples. b) The Provider can demonstrate that ongoing performance monitoring is conducted as planned and how this monitoring has informed specific performance improvement policies. c) The Provider monitors and reviews its Employment placement strategies to ensure they continue to be effective in securing Employment outcomes for Stream Participants.

Key Performance Measure	Practice Requirement	Minimum Evidence Requirements
	7.2.2. The Provider can demonstrate how feedback received from a variety of sources informs the implementation of continual improvement activities.	<ul style="list-style-type: none"> a) The Provider collates Provider-wide information on feedback and complaints received from Employers, Stream Participants, Auditors and the Department and can demonstrate how feedback received informs continual improvement. b) Records of complaints and feedback are maintained and include: <ul style="list-style-type: none"> i. detailed information relating to the complaint, including the date of the complaint and the Site to which the complaint relates, ii. steps taken to resolve the complaint, iii. the outcome of any investigation, and iv. any follow-up action required. c) The Provider can demonstrate how it uses observations, recommendations and Opportunities for Improvement from QAF and Quality Standard audits, to improve the Provider's effectiveness.
	7.2.3. The Provider has in place a continual improvement register that is used to monitor continual improvement proposals and the activities that address them.	<ul style="list-style-type: none"> a) The Provider can demonstrate that there is a continual improvement register and that it is effectively utilised, including demonstrating that: <ul style="list-style-type: none"> i. there is a systematic process to updating and monitoring the continual improvement register, ii. the register contains all corrective action, iii. the register contains all current and completed improvement activities, iv. the register contains issues and opportunities that have been informed by a variety of sources, v. the register demonstrates the Provider's timely response to identified issues and opportunities, and vi. the governing body regularly reviews the continual improvement register and contributes to its ongoing development. b) The Provider can demonstrate that non-conformity against either the Provider's chosen Quality Standard or the Department's Quality Principles, is reflected in its continual improvement register and timely corrective action has been completed.

All capitalised terms in this Guideline have the same meaning as in the jobactive Deed 2015–2022 (the Deed).

In this Guideline, references to Provider mean an Employment Provider, and references to Participants mean Stream Participants as defined in the Deed.

In this Guideline, references to NEST Provider means a New Employment Services Trial Provider, and references to NEST Participants means Enhanced Services Participants as defined in the New Employment Services Trial Deed 2019–2022.

This Guideline is not a stand-alone document and does not contain the entirety of Employment Services Providers' obligations. It must be read in conjunction with the Deed and any relevant Guidelines or reference material issued by Department of Education, Skills and Employment under or in connection with the Deed.

Guideline:

Activity Management

Participating in Activities helps Participants to improve their skills and motivation so they can find and keep a job. Activities can also develop a Participant's ability to take directions from a Supervisor, work independently, communicate effectively, and work as part of a team.

This Guideline outlines the requirements for jobactive Providers when setting up and managing Activities. Requirements for Work for the Dole Activities, PaTH Internships and National Work Experience Programme Activities are set out in full in their respective Activity specific Program Guidelines.

Version: 9.0

Published on: 3 September 2021

Effective from: 1 October 2021

Changes from the previous version (Version 8.2)

Policy changes:

From 1 October 2021, Participants who have participated in Online Employment Services (OES) or jobactive for six months will be required to undertake work, study or training, or an approved activity to meet a new Six Month Activity Requirement. Changes to this guideline outline the Activities that can be used to meet the Six Month Activity Requirement.

Local Jobs Program has been extended to cover all 51 employment regions, to support Australia's recovery from COVID-19.

Removal of PaTH Industry Pilots as the program ceased on 30 June 2021.

Skills for Education and Employment program (SEE) changes from 1 January 2022.

Wording changes:

Page 21: Adult Migrant English Program (AMEP) description.

Page 24: Updates to Exploring Being My Own Boss Workshops description.

Page 38: Digital Literacy added to Skills for Education and Employment service description

A full document history is available at the [Provider Portal](#).

Related documents and references

[Job Seeker Calendar and AAR Details IT Supporting Document](#)

[Using the Employment Fund General Account Guideline](#)

[Exploring Being My Own Boss Additional Services](#)

[Insurance Reader's Guide](#)

[Managing and Monitoring Mutual Obligation Requirements Guideline](#)

[Managing PaTH Internships](#)

[How people access NEIS and participate in NEIS Training Guideline](#)

[Privacy Guideline](#)

[Work for the Dole Guideline](#)

[Local Jobs Program Guideline](#)

[SEE Program Referral Task cards](#)

[Differentiating between AMEP and SEE](#)

Employment Services Reporting:

AM001 - jobactive Activity Management

AM002 - jobactive Activity Placement

AM003 - WfD Phase Caseload Management

AM004 - WfD Phase Forecasting

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1. Identifying suitable Activities for Participants

Activities can generally be undertaken at any time where the Provider thinks it will be of benefit to the Participant, help support the Participant to progress towards employment, and is appropriate for the Participants individual circumstances and capacity. A broad range of Activities designed to improve a Participant's employment prospects can be included within a Participant's Job Plan at any time.

The types of Activities which can be undertaken include:

- Adult Migrant English Program (AMEP) – refer to information on the [Department of Home Affairs Website](#)
- Australian Defence Force Reserves – refer to information on the [Defence Reserves Support Website](#)
- Career Transition Assistance (CTA)
- Launch into Work program pre-employment projects
- Local Jobs Program – refer to the [Local Jobs Program Guideline](#)
- National Work Experience Programme (NWEPP) – refer to the [Managing National Work Experience Programme Activities Guideline](#)
- New Business Assistance with NEIS – see [New Business Assistance with NEIS](#) information on the Provider Portal
- non-government programs and other Activities designed to improve a Participant's employment prospects
- non-vocational interventions or assistance including drug or alcohol treatments
- non-vocational preventative health interventions and assistance
- other government programs – including state government programs and 'Exploring Being My Own Boss' Workshops
- Part-time employment
- Industry Workforce Solutions available through PaTH Business Placement Partnerships– see [Youth Jobs PaTH](#) information on the Provider Portal
- PaTH Employability Skills Training (EST)
- PaTH Internships – refer to the [Managing PaTH Internships Guideline](#)
- Skills for Education and Employment (SEE) program – see the [Department of Education, Skills and Employment Website](#)
- Study or training
- Voluntary Work
- Work Experience (Other)
- Work for the Dole – refer to the [Work for the Dole Guideline](#)

More information on these Activities is provided in the [Activity-specific information](#) of this Guideline.

When placing Participants into Activities, Providers must give priority to Fully Eligible Participants (those with Mutual Obligation Requirements) and to Participants with an Annual Activity Requirement (AAR) in the Work for the Dole Phase or with a Six Month Activity Requirement over other Participants.

All eligible Participants in the Work for the Dole Phase must participate in one or more Activities, from a suite of approved Activities to meet their AAR.

For information on the suite of approved Activities to meet the AAR see section 6, 'Approved Activity Specific Information' of this Guideline and the [Managing and Monitoring Mutual Obligation Requirements Guideline](#).

All eligible Participants must undertake an approved Activity to meet their SMAR. For more information see the [Managing and Monitoring Mutual Obligation Requirements Guideline](#).

(Deed references: Clauses 87, 106, 107, 108, 109, 109D)

2. Sourcing Activities for Participants

Providers can provide the Activities themselves or Broker or Purchase Activities from an Activity Host Organisation.

Brokering occurs when an Activity is sourced through an Activity Host Organisation without any payment.

In the case of PaTH Business Placement Partnerships, Providers may arrange (not provide, Purchase or Broker) placement in an Industry Workforce Solution hosted by a Business Partnerships Provider.

In the case of Launch into Work Placements, Providers may arrange (not provide, Purchase or Broker) Launch into Work Placements hosted by a Launch into Work Organisation.

In the case of the Local Jobs Program (LJP), Providers may arrange (not provide, Purchase or Broker) Placements in an LJP Activity.

Providers remain responsible for ensuring that all Activities are delivered in accordance with the Deed regardless of whether the Provider delivers the Activity itself or the Activity is externally hosted by an Activity Host Organisation, an LJP Activity Host, a Business Partnerships Provider or a Launch into Work Organisation.

Activity Host Organisations must not:

- have engaged in illegal operations or promote or condone any form of unlawful conduct
- be associated with the sex industry
- promote or condone gambling that the Department deems inappropriate
- promote or condone any form of violence, self-harm or suicide
- promote or condone any form of discrimination, including on the grounds of race, ethnic group, language, sex, religion or disability
- provide any other service that is likely to bring the Participant, the Provider or the Department into disrepute.

If the Provider Purchases an Activity it must do so under a Subcontract compliant with clause 48 of the Deed, or an Activity Host Organisation Agreement.

Providers must have a formal Activity Host Organisation Agreement or Subcontract (where appropriate) in place for NWEF Placements, Work Experience (Other), Voluntary Work, and Work for the Dole Activities. Other Activities do not require an Activity Host Agreement or Subcontract.

Activity Host Organisation agreements

This section applies to Voluntary Work Activities, NWEF Placements and Work Experience (Other) Placements. Work for the Dole and PaTH Internship arrangements are specified in their separate Guidelines.

Providers can deliver Voluntary Work Activities, NWEF Placements or Work Experience (Other) Placements themselves or they can Broker or Purchase Activities from an Activity Host Organisation.

If the Provider Brokers or Purchases the Activity it must do so under an Activity Host Organisation Agreement or Subcontract (where appropriate), even where there is a pre-existing relationship between Provider and Activity Host Organisation, or the Participant has a pre-existing placement outside jobactive.

Activity Host Organisation Agreements between Providers and Activity Host Organisations ensure that both parties understand their rights and obligations. The Activity Host Organisation Agreement must be signed by the Participant, Provider and Activity Host Organisation prior to the Participant commencing in the Activity.

Providers and Activity Host Organisations must discuss and document the Activity Host Organisation obligations, including:

- details of the proposed Activity and its associated tasks
- the Participant's needs and capabilities
- details of the Supervision being provided
- details of the contact person for daily evidence to be sent to, for example QR codes and passcodes will be sent to the activity supervisor so Participants can self-report their attendance
- how attendance will be reported for Participants who have been assessed as not being capable of recording their own attendance, and what support should be provided if a Participant requests their supervisor to record attendance on their behalf
- stakeholders and their roles—in particular those who are best placed to manage associated risk
- work health and safety and incident reporting.

The [Work Experience Activity Agreement template](#) for NWEF Placements and Work Experience (Other) Placements can be found on the Provider Portal. This template must be used for any NWEF Placement or Work Experience (Other) Placement.

The [Voluntary Work Activity Host Organisation Agreement template](#) can be found on the Provider Portal. While Providers may use their own agreement for Voluntary Work Activities, they must ensure that the topics in the Department's template agreement are covered in their agreement and must include, word for word, any clauses specified by the Department, for example on displacement and work health and safety.

(Deed references: Clauses 48, 107, 108, 110, 111, and 112).

3. Commencing and managing a Participant in an Activity

When identifying appropriate Activities for Participants, Providers must ensure the Activity benefits the Participant, assists in helping the Participant progress towards

employment, and takes into account the Participant's individual circumstances and capacity. Before commencing a Participant into an Activity Providers should:

- identify and appropriately take into account the Participant's Stream, Phase, and any Mutual Obligation Requirements (including AAR and SMAR).
- identify and appropriately take into account the individual needs of the Participant, including:
 - education, experience, skills, and age
 - capacity to undertake an Activity
 - strengths as well as any barriers they have to participating
 - the impact of any disability, illness, physical or mental health condition or other non-vocational issue, including drug and alcohol dependency, affecting ability to participate in Activities
 - preferences and employment goals, where possible
 - any other matters that the Provider considers relevant to the Participant's circumstances.
- ensure activities do not place unreasonable demands on the Participant
- consider and seek out Activities that will help Participants overcome or manage any vocational and non-vocational barriers.
- identify if the Participant is eligible to participate in the Activity, where relevant
- explain to the Participant when to commence an Activity and the consequences of not commencing an Activity on time
- identify the frequency of Contact with the Participant while they are participating in the Activity. The frequency, timing and duration of this Contact will be negotiated between the Provider and the Participant and should match the Participant's needs.

A Provider must, in consultation with the Participant, update a Participant's Job Plan with information about the selected Activity. Providers can refer to Activity Specific Information for each Activity's Job Plan Code.

Where required, the Job Plan must also include the number of hours each fortnight a Participant is required to undertake in an Activity. This applies to any compulsory Activity, both during and outside of the Work for the Dole Phase. See the [Managing and Monitoring Mutual Obligation Requirements Guideline](#) and [Job Plan and Scheduling Mutual Obligation Requirements Guideline](#).

Once a Participant has commenced an Activity, the Provider must support them to meet the terms of their Job Plan by:

- meeting with or contacting Participants to obtain feedback on their progress and resolving issues that may arise
- providing or ensuring adequate supervision of the Activity to maintain the general health and welfare of all Participants
- ensuring that work health and safety standards are upheld, where relevant
- ensuring that Participants have adequate safety equipment and clothing for the Activity, where relevant
- ensuring that Participants are provided with all things necessary for participation in Activities, including materials, equipment, on-site services and facilities (such as toilets) and training

- ensuring that Participants are benefiting from the Activity, enhancing their Employment prospects and are not being exploited
- minimising disruptions where a Participant is attending an Activity (e.g. arranging Provider appointments outside Activity times where possible)
- monitoring the Participants' progress, attendance, behaviour and satisfaction with the Activity
- ensuring that Participants understand their requirement to record or report their own attendance at Activities (or if they are unable to report their own attendance—such as in the case of participation in the SEE or AMEP programs—that there are arrangements in place for the training provider to report on the Participants' behalf)
- keeping an accurate record of attendance for approved Activities.
- accurately recording exit reasons and completion of activities.

Participants will generally be required to source their own transport to and from an Activity. In some instances, Providers will be required to, or may choose to, arrange transport for Participants to and from an Activity in cases where:

- a Participant does not have access to a vehicle or does not have a driver's licence, or 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
- the Activity has a residential or overnight accommodation component.

If Providers are transporting Participants to and/or from an Activity, this must be included in the risk assessment of the Activity.

Setting up Activities in the Department's IT Systems



System step: Providers must identify and create all of their Activities in the Activity Management component of the Department's IT Systems, with the exception of the creation of Non-Government Program, PaTH Business Placement Partnerships run Industry Workforce Solutions and Launch into Work Activities, which are created by the Department, and the creation of EST, CTA and LJP Activities, which are created by CTA and EST Providers, and LJP Partner Providers. Providers can refer to the Activity Specific Information for relevant Activity Codes.

When creating Activities, Providers must identify if there is any evidence required from the Participant to verify attendance at the Activity. Where evidence is required, this will be a QR code or passcode the Participant must scan using the Job Seeker App or record in the jobactive website (Please note, a number of Activities are not scheduled in the Calendar in the Department's IT Systems. For example, attendance of Participants placed in the SEE program will be verified by attendance reports supplied by the SEE training provider). This is mandatory for Work for the Dole Activities.

Providers will need to enter recipient details when creating the Activity so the evidence is automatically sent to the Self-Reporting Evidence Recipient to be made available for the Participant. The Department's IT Systems will create unique passcodes or QR codes for each Activity each day. The Activity Supervisor or

Provider will need to make these details available to Participants who participate in the Activity as they will need to input the code to have their attendance marked off.

Providers must create schedules of daily Activity participation when creating Activities to identify the start and end dates, and days and times, an Activity will run for groups of Participants. Schedules can exist for different locations for the same Activity and multiple schedules at different times for different groups. Providers place a Participant's details against an Activity when the Participant is referred to the Activity. Providers must also include Activity Host Organisation details when setting up Activities and course identifiers (for study or training placements). Providers can link a Participant to a schedule which will populate their Calendar with the daily Activity requirements they must meet.

This will give each Activity a unique Activity ID and assist Providers in identifying and managing a Participant's placement.

Where there are multiple Participants undertaking Activities for the same organisation, Providers should create a single Activity record and place the Participants with the same organisation into that single Activity.

A separate Activity should be created for each unique Activity that is being undertaken by a Provider's Participants. An Activity is considered unique where the tasks being undertaken are not the same as an existing Activity, or are undertaken under different circumstances.

For example, Participants doing similar Voluntary Work with different organisations would be considered to be doing different Activities and each should have a separate activity created in the Department's IT Systems. Correspondingly, a single Work for the Dole project being completed across multiple host organisations would be considered to be a single Activity and separate records would not need to be created.

For Participants doing part-time work Activities, the Department's IT System automatically creates a part-time work Activity and places the Participant into that Activity when the Participant declares hours of employment to Services Australia. However, if the Provider has already manually placed the Participant into a part-time work Activity, the Department's IT Systems will not create the Activity automatically. When a Provider manually places a Participant into a part-time work Activity, this will be the activity recorded in the Activity Management component of the Department's IT Systems.

Because paid employment is not scheduled in the Calendar, the Participant or the Provider should enter paid employment as a Personal Event so that any conflict is avoided.

For more information see the [Job Seeker Calendar and AAR IT Supporting Document](#).

Scheduling Activity Participation in the Calendar

Providers must schedule Participant Activity requirements in the Job Seeker Calendar in the Department's IT Systems. This includes all:

- Activities, except

- Education and Training where the course is delivered online, or that portion of the course delivered online.
 - where it is a requirement that the Participant resides with the host organisation, either as part of a residential program or Drug and Alcohol Treatment or as part of Defence Reserves.
 - Employment and work experience activities where the hours are irregular and are organised directly between the Participant and the employer or host.
 - Where the Department's IT Systems does not support scheduling of the activity (for example, SEE program). For more information see the [Job Seeker Calendar and Annual Activity Requirement IT Supporting Document](#) and [SMAR IT and Override Guidance Document](#).
- Workshops, training, and other activities delivered by the Provider to Participants

Providers must schedule the individual dates, days, start and end times and breaks of Activities. For paid Employment, Providers must use Participant Personal Events to schedule the days and times of paid Employment, unless the Participant has created Personal Events for paid employment.

Requirements cannot be scheduled unless the corresponding Job Plan code is in the Participant's Job Plan and within the recorded date range.

Where requirements are scheduled, these will be visible to Participants in their Calendar to allow them to record their own attendance.

See the [Job Plan and Scheduling Mutual Obligation Requirements Guideline](#) for more information.

Recording and Monitoring Attendance at Activities

Participants have responsibility for recording and/or reporting their own attendance at Activities if they are found capable of doing so. Providers will assess a Participant's capability to record their own attendance at Activities; where the Participant is capable, they will have the 'Personal Responsibility to Report and Record Attendance' Job Plan code in their Job Plan.

Participants will scan a QR code via the Job Seeker App or record a passcode through the jobactive website to record their attendance at an Activity. If an Activity runs for more than four hours, two codes will be generated: one for each four-hour block. The Participant will need to record both codes to record their attendance for the whole requirement.

Where evidence is not required, such as at individually based Activities, Participants are still required to record and verify their attendance using the Job Seeker App or jobactive website by confirming they have attended and participated for the duration.

Where hours are not required to be scheduled (see [Scheduling Activity Participation in the Calendar](#)), providers must manually record the hours completed each month.

Where Participants are not capable of recording their own attendance using technologies, they are still responsible for reporting their attendance. This may involve a Participant calling their Provider to request they record their attendance or

asking the Activity Supervisor at their requirement to ensure their attendance is recorded on their behalf.

If attendance is not recorded by the end of the day, the Participant's Income Support Payment will be automatically suspended.

Note that under the SEE contract, SEE training providers are only required to report hours of attendance fortnightly to the program. They will discuss with referring Providers how regularly they must supply the attendance records.

There will be some Activities where there is no Documentary Evidence for recording attendance required to be kept by Providers.



System step: For Participants unable to record attendance at Activities, Providers **must** use the Calendar to record the Participant's attendance in the Department's IT Systems by the end of the day. This **must** be done for every day that the Participant is required to participate.

Providers must record the hours completed by Participants within 20 Business Days of a Participant exiting the Work for the Dole Phase or when they exit the Provider's caseload (e.g. exiting from jobactive or transferring to another Provider) to enter hours of participation in the Phase or set the AAR Flag to 'met', if appropriate. If nothing has been entered into the system after the 20 Business Day timeframe, the Participant's required hours will be recorded as not met.

Assistance with Non-Work for the Dole Activity Costs

Some costs associated with Activities may be reimbursed through the Employment Fund. See the [Using the Employment Fund General Account Guideline](#).

For non-Work for the Dole Activity costs claimed through the Employment Fund, the Activity identifier for which the claim is being made must be recorded in the Department's IT Systems.

(Deed reference: Clause 88)

Record keeping



Documentary Evidence: The Provider must keep records of attendance for each Participant who participates in relevant Activities in accordance with the Deed.

Where Participants record their own attendance at Activities via the Job Seeker App or the jobactive website, this will count as Documentary Evidence for Participant attendance.

Where Activity attendance information has been entered by the Activity Host Organisation into the Supervisor App or directly into the Department's IT Systems, Documentary Evidence is not required to be kept.

The Provider must make sure that Supervisors are aware that they are required to notify the Provider of any misconduct that has occurred at Activities on the day of the event.

Providers need to record Participants' attendance at Activities where the Participant has reported their attendance to them, there are issues with on-line dashboard or

app for the Participant to record their attendance directly or the Provider has taken responsibility for monitoring and recording attendance on the day of the Activity.



Documentary Evidence: jobactive Providers **must** retain evidence (either hard copy or soft copy) of statements of attainment or similar (for accredited education).



Documentary Evidence: For both self-employment and part-time/casual paid work, income reported by the Participant to Services Australia is acceptable Documentary Evidence. If the Participant is in the Work for the Dole Phase, this information will automatically populate into the AAR Details screen and is also available from the Case Summary Screen (Job Seeker Information – View Declared Earnings).



Documentary Evidence: jobactive Providers **must** retain evidence (either hard copy or soft copy) of payslips or Employer payroll summaries (for part-time work), if the Provider is not using the employment hours declared to Services Australia.

Additionally, Documentary Evidence for self-employment can include:

- a Profit and Loss Statement
- a signed and dated written statement from an accountant and/or registered bookkeeper
- copies of records from the Australian Taxation Office and/or a tax return statement
- a Business Activity Statement.



Documentary Evidence: jobactive Providers **must** retain evidence (either hard copy or soft copy) of signed training notice or signal notice (for Defence Force Reserves).



Documentary Evidence: jobactive Providers **must** retain evidence (either hard copy or soft copy) of invoices for services or a letter of acceptance into a program (for non-vocational interventions).



Documentary Evidence: jobactive Providers **must** retain evidence (either hard copy or soft copy) of Activity Host Organisation Agreements for Work for the Dole (which must be uploaded to the Department's IT Systems), and Voluntary Work.



Documentary Evidence: jobactive Providers **must** retain evidence (either hard copy or soft copy) of Activity Host Organisation Agreements for the NWEF and Work Experience (Other) Placements.



Documentary Evidence: jobactive Providers **must** retain evidence (either hard copy or soft copy) of risk assessment documentation for the NWEF, Work Experience (Other) and Voluntary Work which details that all Deed and relevant guideline requirements have been considered for both the Participant and the Activity.

Completing Activities

Once an Activity has ended Providers **must** complete the Activity in the Department's IT Systems. For CTA, this step will be performed by CTA Providers.



System step: Providers must input the relevant details into the Activity Management screen, including:

- an Activity placement end reason and end date for Participant placement records

- final attendance information (including hours completed on Activities) for Participants where relevant
- for EST only, an assessment of the impact the EST Course had on the Participant's employability skills.



System step: For study or training activities, Providers need to record the outcomes of the training course upon completion (for example, whether a certificate or statement of attainment was achieved).

For information on additional Documentary Evidence that needs to be retained for a Participant's AAR and SMAR, refer to the [Managing and Monitoring Mutual Obligation Requirements Guideline](#).



Documentary Evidence: jobactive Providers **must** retain evidence (either hard copy or soft copy) of statements of attainment or similar (for accredited education).

For Participants who have participated in and completed a CTA Course, jobactive Providers will receive an individually tailored Career Pathway Plan and an up to date résumé at the Warm Handover Meeting with a CTA Provider. The CTA Provider will upload the Career Pathway Plan and Résumé against the relevant Activity Placement in the Department's IT Systems.

4. Managing risks with Activities

Insurance coverage for Participants

The Department purchases personal accident insurance and combined public and/or product liability insurance to cover Participants undertaking approved Activities. The Department's insurance policy covers injury only. It does not provide cover for Participants who contract illnesses, including COVID-19.

For further exclusions, see the [Insurance Reader's Guide](#) and insurance policies on the Provider Portal.

(Deed references: Clauses 42, 107, 109, 109A, 109D).

Sourcing additional insurance coverage

If alternative insurance is in place, Providers can still deliver Activities where tasks are excluded under the Department's policies.

Providers can confirm the Activity Host Organisation, CTA Provider, Business Partnerships Provider, LJP Activity Host or Launch into Work Organisation has appropriate insurance coverage, or where coverage is insufficient, the Provider can decide to purchase additional insurance.

For information on using the Employment Fund to purchase additional insurance, please refer to the [Using the Employment Fund General Account Guideline](#).

As an alternative to purchasing insurance, the Provider could 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 references: Clause 42, 107, 109)

Ensuring Work Health and Safety measures are in place

This section applies to Voluntary Work Activities, NWEF Placements, Work Experience (Other) Placements, PaTH Internships, PaTH Business Placement Partnerships run Industry Workforce Solutions, LJP Activities and Launch into Work Placements.



Work Health and Safety content: The Provider must ensure that there is a safe system of work in place and ensure that the Activity Host Organisation, Business Partnerships Provider, LJP Activity Host or Launch into Work Organisation is aware of and understands the need to comply with relevant work health and safety requirements.



Work Health & Safety content: Prior to placing any participants in an approved activity, Providers must ensure a number of requirements are met, including that the delivery of the Activity is permitted by the relevant state and territory and is in line with the advice provided by local health authorities. Host Organisations must have COVID-Safe plans (or similar) in place in accordance with the requirements specified by the relevant state and territory, before an Activity can proceed. It is important for Providers to also consider individual circumstances in relation to COVID-19 when conducting risk assessments to determine whether the Activity is suitable before making any referrals.

Providers must take all reasonable steps to minimise the likelihood of injury to Participants and any other people at the Activity location. Participants are to be provided with all things necessary to undertake their Activity safely, including but not limited to, appropriate and adequate:

- training and supervision
- personal protection equipment and clothing
- on-site facilities (for example, access to drinking water and toilets)
- processes for reporting any work health and safety issues and any other concerns.

Providers must consult, coordinate and cooperate as appropriate with Activity Host Organisations, Business Partnerships Providers, Launch into Work Organisations, LJP Activity Host and the Department, to ensure that any work health and safety issues in relation to an Activity are appropriately managed.

(Deed references: Clause 8, 42, 69, 107, 109, 109A, 109D, 110, 111, 112, 113)

Conducting risk assessments

This section applies to Voluntary Work Activities, NWEF Placements, Work Experience (Other) Placements, PaTH Internships, LJP Activities and Launch into Work Placements.

The Provider must ensure a Competent Person conducts and documents a risk assessment before an Activity commences. It is a requirement that COVID-19 safety requirements be addressed as part of any risk assessment. If the Provider does not itself have a Competent Person, it must engage a Competent Person for this purpose.

The risk assessment is to:

- identify potential risks and hazards associated with the tasks that will be undertaken during the Activity
- identify if the Activity is suitable for the relevant Participant/s, including identifying any risks that may arise from a Participant's personal circumstances.

The risk assessment should take into account the role of the Activity Host Organisation, LJP Activity Host or Launch into Work Organisation and the tasks the Participants will be undertaking, with regard to the following factors:

- the nature of the tasks to be undertaken
- the Participant's personal circumstances (that is, working capabilities, any health or other personal issues and level of experience)
- the level of supervision
- the nature of the risk
- the cause of the risk
- consequences of an incident.

In undertaking the risk assessment, the Provider must consider the working environment, including whether the placement is:

- in a non-public area (such as a private residence worksite with a trades person)
- with a sole trader (such as a butcher or hairdresser who operates from a small shop or private residence)
- working alone with another person
- with alternative hours of work (for example, early starts, night work)
- working in a labour hire environment in one or more different workplaces.

For example, the Provider will need to consider the risks of placing a Participant with medical needs in a remote location Activity and ensure this is a suitable placement for the Participant.

Providers must review risks regularly and take appropriate action on those risks where required. The Provider and Activity Host Organisation or Launch into Work Organisation must determine and implement appropriate methods to mitigate the identified risks after conducting the risk assessment.

Where a 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 Activity Host Organisation, LJP Activity Host or Launch into Work Organisation, referral to the Activity must not proceed.

[Further information on conducting Risk Assessments is available on the Provider Portal.](#)



Documentary Evidence: Providers have the discretion to determine how they document their risk assessments.



Documentary Evidence: 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 on request.

(Deed references: Clauses 42, 88, 110, and 111)

Supervision requirements

This section applies to Voluntary Work Activities, NWEF Placements and Work Experience (Other) Placements.



Work Health and Safety content: Providers must make sure the Activity is well supervised to protect the health, welfare and safety of Participants and others.

There must be a higher level of Supervision where contact with Children, the elderly, or other people from vulnerable groups are involved. This may mean there needs to be a higher ratio of Supervisors to Participants.

The Provider must ensure that all relevant Personnel and Supervisors:

- are fit and proper persons to be involved in the Activities
- have a high level of skill or knowledge and training or experience for the Activity in which they are engaged
- have a high level of skill or knowledge and training or experience working with, training and supervising people in such Activities
- have relevant work health and safety training
- have had checks as specified in clause 8 of the Deed and have met any additional statutory requirements before being given responsibility for the Supervision of Participants

Supervisors (whether engaged by the Provider or an Activity Host Organisation) must notify the Provider of Participants' non-compliance at Activities no later than at the end of the relevant day.

The Employment Fund can be used to pay for Supervisor costs, if the costs are associated with the literal supervision of Participants on the Activity and not for any other tasks or services already paid for under the Deed. See the [Using the Employment Fund General Account Guideline](#) for further information on what can be claimed through the Employment Fund.

(Deed references: Clauses 42, 88, 110, and 111).

Conducting background checks

This section applies to Voluntary Work Activities, NWEF Placements, Work Experience (Other) Placements, PaTH Internships, PaTH Employability Skills Training, PaTH Business Placement Partnerships run Industry Workforce Solutions, Launch into Work Placements, LJP Activities and the New Enterprise Incentive Scheme.

For the purpose of this Guideline, 'checks' refers to criminal records checks, Working with Children checks and/or Working with Vulnerable People checks.

Providers must establish whether the nature of an Activity requires Participants and/or Supervisors to have checks. Activities that require checks include those where:

- legislation requires checks to be conducted
- the Activity is subject to industry standards or legal requirements that an Activity can only be carried out by people who have not been convicted of particular crimes

- the Activity is specified by the Department or the Activity description in the Department's IT Systems as requiring checks
- the Participant or Supervisor will have regular or unsupervised contact with Children, the elderly or other classes of vulnerable people.

Unless notified otherwise by the Department, the Provider must arrange for any checks to be completed before allowing the Participant to participate in the Activity. With the exception of EST, PaTH Business Placement Partnerships run Industry Workforce Solutions, Launch into Work Placements, and LJP Activities the Provider must also arrange for any necessary checks before allowing a Supervisor to participate in the Activity. EST Providers, Business Partnerships Providers, Launch into Work Organisations, and LJP Activity Hosts are responsible for arranging checks for Supervisors on these programs.

Providers should contact the relevant organisation 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 Activities for Participants awaiting the outcomes of the checks.

Providers should take appropriate action once the checks are completed. Where checks show that Participants or Supervisors must not do particular Activities, alternative Activities should be undertaken.

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. Check results must be handled in accordance with the requirements outlined in clauses 35 and 38 of the Deed. Additional information regarding disclosure of information and privacy considerations can be found in the [Privacy Guideline](#).

If checks are required for Activities 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.

Providers can seek Reimbursement through the Employment Fund for costs associated with Participant checks for Activities. Costs associated with checks for Supervisors cannot be claimed through the Employment Fund. See the [Using the Employment Fund General Account Guideline](#).

(Deed references: Clauses 8, 35, 38, 88, 112, and 124)

5. Managing incidents that occur on Activities



Work Health and Safety content: If a Participant or member of the public is injured during an Activity, the Provider should, first and foremost, encourage the injured person to seek appropriate medical attention or call emergency services depending on the nature of the incident. The Supervisor must try and protect other Participants from unnecessary trauma where possible.

When must an Incident be reported?



Work Health and Safety content: As outlined in the [Insurance Reader's Guide](#), if an incident results in the death or serious injury of a Participant, the Supervisor must immediately notify the work health and safety regulator of the incident in accordance with laws of the relevant state or territory.

The Provider must notify the Department, as outlined in the [Insurance Reader's Guide](#), within 24 hours, and as soon as possible, of any incident and/or near miss that occurs during an Activity, including those that result in accident, injury or death of:

- any Participant (including where the incident occurred while the Participant was travelling to or from an Activity)
- any Personnel involved in the delivery or supervision of the Activity
- members of the general public.

All Incidents – both Personal Accident and Public and Products Liability



Documentary Evidence: Providers must advise the department of any incident that occurs in the method outlined in the [Insurance Reader's Guide](#), giving full details of the incident (irrespective of whether a claim is being made at the time). Forms for host organisations to notify providers of WHS Incidents are available on the Insurance page of the Provider Portal. Forms for providers to complete to notify the department of any public and products liability incidents are also available on the Insurance page of the Provider Portal.

- A WHS Employment Assistance Program Incident Report must be completed by the Host when an incident involves a Participant's accident, injury or death and submitted as outlined in the Insurance Reader's Guide. A public and products liability claim form/incident report is used when a third party alleges a Participant has been negligent and caused accident, injury or death, or property damage.

The incident report must identify if the incident was caused by an instance of misconduct by a Participant. Misconduct is defined as being something that would, if the Participant was a paid employee, normally result in the paid employee being terminated from paid employment. Any misconduct by Participants may require the Provider to lodge a non-compliance report.

It is important that Participants have access to reporting mechanisms in the event they wish to report an incident, lodge a complaint or provide positive/constructive feedback confidentially. The Provider needs to 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.

For further information in relation to the process for reporting incidents and completing incident forms refer to the [Insurance Reader's Guide](#).

(Deed references: Clause 110)

Incident Recording Requirements in ESS Web



System step: The provider must complete the 'Job Seeker - WHS Incident' screen in ESS Web, giving full details of the incident (irrespective of whether a claim is being made at the time).

Following submission, the provider will receive confirmation of successful submission of the incident and a copy of the information will be sent to the relevant areas of the Department.

The Provider is able to report any instances of misconduct or threatening behaviour on the 'Job Seeker Incident Report' screen of ESS Web, whether or not the incident is associated with a police report.

For further information on the incident reporting process, see the [Insurance Reader's Guide](#) and [Servicing Participants with Challenging Behaviour Guideline](#).

6. Approved Activity-specific information

When determining whether an Activity is appropriate for a Participant, Providers need to consider whether the Activity:

- benefits the Participant
- will assist in progressing the Participant towards employment
- takes into account the Participants individual circumstances and capacity.

For additional information on managing Approved Activities, see sections 1-5, and 7 of this Guideline. For additional information relating to Work for the Dole Activities, see the [Work for the Dole Guideline](#). For information relating to PaTH Internships, see the [Managing PaTH Internships Guideline](#). For information relating to the NWEF, see the [Managing NWEF Activities Guideline](#). For information relating to LJP Activities see the [Local Jobs Program Guideline](#).

Adult Migrant English Program (AMEP)

The AMEP provides unaccredited and accredited English language tuition to eligible migrants and humanitarian entrants. The AMEP helps Participants to learn foundation English language skills to enable them to settle and confidently participate in Australian society.

AAR and SMAR Yes.	Eligibility Participant must be 18 years or over (15-17 years in specific circumstances), a permanent resident of Australia or hold an eligible temporary visa or be a citizen who previously held an eligible visa.	Duration Unlimited hours of tuition 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, however a five year completion timeframe applies. This can be extended to 10 years in certain circumstances. Time limits for registration and commencement also apply to this cohort, including registration within six months for 18 years and over; and 12 months for under 18 years of age; and commencement in the AMEP within 12 months for under 18 and over 18 years old. Visa commencement date is the first day a person is in Australia, on or after the day when their eligible visa came into effect.
Participant Payment Nil.	Host Incentive/Fee Nil.	Referring Provider Fee or Reimbursement Nil.
Job Plan Code ET52 - Adult Migrant English.	Activity Code OAPG: AMEP - Cwth Adult Migrant English Programme	

For more information on the AMEP, please visit the [Department of Home Affairs Website](#).

Australian Defence Force Reserves

AAR and SMAR Yes.	Eligibility Defence Force Reserves is only available to Participants who can meet the enlistment and ongoing standards required by the Defence Reserves.	Duration Ongoing, hours dependent on commitment.
Participant Payment For information on pay and benefits refer to the Defence Reserves website .	Host Incentive/Fee N/a	Referring Provider Fee or Reimbursement N/a
Job Plan Code WE15 - Defence Force Reserves	Activity Code MDF- Defence Reserves	

Further information on Defence Reserves is available by calling Defence Reserves Support - General Enquiries on 1800 803 485 or from the [Defence Reserves Support website](#).



Documentary Evidence: jobactive Providers **must** retain evidence (either hard copy or soft copy) of signed training notice or signal notice (for Defence Force Reserves).

Career Transition Assistance (CTA)

The Career Transition Assistance program is designed to help mature-age job seekers, aged 45 years and over, to build their confidence and skills to become more competitive in the local labour market.

AAR Yes, meets AAR for the duration of participation. Participation is Voluntary. SMAR Completing CTA meets the Six Month Activity Requirement.	Participant Eligibility Participants aged 45 years and older, registered with jobactive/ NEST provider or the Digital Services Contact Centre. Participant does not have to be in receipt of income support.	Duration Participation in CTA is for 75 hours (including a minimum of 50 hours in small group settings) over an eight-week period.
Participant Payment N/a	Host Incentive / Fee N/a	Referring Provider Fee or Reimbursement N/a
Job Plan Code PA05 - Career Transition Assistance	Activity Code <u>CTA Providers</u> create Activities in ESS Web for jobactive Providers to refer Participants into.	

Activity Overview

CTA is an Activity for mature-age people, aged 45 years and over, to help them identify and articulate transferable skills, increase job readiness and target job search to local industries and available jobs. CTA will also help to address a Participants' functional IT skill, so that they can confidently apply for jobs online, and develop the basic IT skills required in many workplaces.

Annual Activity Requirement

For Participants in the Work for the Dole Phase, participation in CTA will fully meet their AAR for the duration of the placement. Participants will not need to complete other Activities while participating in CTA.

If the Participant stops attending CTA they must be referred to another Activity in order to complete their AAR hours for the remaining weeks of their Work for the Dole Phase.

Provider Responsibilities

Referring Participants to CTA

Where an eligible Participant elects to participate in CTA they are to be considered suitable for referral unless one or more of the below factors is present:

- a significant non-vocational issue that needs to be addressed as a priority before they can benefit from CTA, or
- the Participant has already commenced a CTA Course during their current Period of Service and the Participant is being serviced by the same Provider.



System step: The Department's IT Systems will identify if a Participant is CTA Eligible. jobactive Providers will be able to view a list of CTA Eligible Participants via the CTA Eligibility Widget in the Department's IT Systems.

jobactive Providers should determine if the CTA Eligible Participant would benefit from referral to CTA. Where it is identified that a Participant would benefit from CTA, jobactive Providers should make every effort to refer the Participant to an available CTA Course as quickly as possible.

jobactive Providers should consider discussing a Referral to CTA with those Participants who feel they would benefit from it. Participants electing to participate in CTA will be able to choose their CTA Provider from those delivering services in their Employment Region. jobactive Providers are required to refer Participants to the CTA Provider chosen by the Participant.

To make a referral to CTA, jobactive Providers must search for CTA Activities and refer the CTA Eligible Participant/s into these activities through Activity Management.

jobactive providers should not placement confirm participants in CTA. It is the responsibility of the CTA Provider to placement confirm participants in the Department's IT Systems.



System step: To refer a Participant into a CTA Course, jobactive Providers must search for and view CTA Courses, and must refer CTA Eligible Participants into the CTA Course through Activity Management.



System step: When referring a Participant into a CTA Course, the jobactive Provider must include a schedule for the Participant's attendance in the activity. The CTA Provider will have included a schedule(s) against the CTA Course. The jobactive Provider should select and modify the schedule in the Participant's calendar as necessary to meet the Participant's needs.



System step: For Participants participating in CTA, any hours scheduled for CTA that are marked as attended by the CTA provider or participant in the Participant's calendar will automatically accrue towards the Participant's AAR. For Participants who are in the Work for the Dole Phase and who have an AAR, jobactive Providers must manually record additional monthly hours so that the Participant fully meets their AAR requirement for the period of participation in CTA.

Working with the CTA Provider

jobactive Providers will need to work with CTA Providers to facilitate referrals and receive information about the Participant throughout their time in the program.

jobactive Providers will need to be available for a Warm Handover Meeting with the Participant and CTA Provider within five Business Days of the Participant's completion of CTA.

The purpose of the Warm Handover Meeting is to discuss the Participant's next steps following completion of CTA, including pursuing employment and work experience opportunities. As part of this meeting, the CTA Provider must have uploaded on the Department's IT Systems a copy of the Participant's updated résumé and Career Pathway Plan. The CTA Provider will also offer the Participant two future Contacts to occur within three months of the completion of CTA.

jobactive providers should not exit participants from CTA. It is the responsibility of the CTA Provider to exit participants in the Department's IT Systems.



System step: At the Warm Handover Meeting, the CTA Provider will be required to specify the details of the two future Contacts with the Participant. jobactive Providers should use these details to book Third Party Appointments for the Participant and issue formal notification of the appointment/s.

Exploring Being My Own Boss Workshop

Exploring Being My Own Boss Workshop gives people a taste of what self-employment means for them.

AAR and SMAR Yes.	Eligibility Participants must: <ul style="list-style-type: none"> • be 18 years and over • not be in employment or accredited full time education/training for more than 25 hours per week, and • be available to participate in the full workshop. 	Duration 50 hours over two weeks.
Participant Payment N/a	Host Incentive/Fee N/a	Referring Provider Fee or Reimbursement N/a
Job Plan Code Free Text	Activity Code EBMB-Exploring Being My Own Boss Workshop	

Provider Responsibilities

Participants who participate in an [Exploring Being My Own Boss Workshop](#) with their NEIS Provider may be able to undertake a Complementary Placement to help them determine if self-employment is for them.

A 'complementary placement' is a:

- NWEF Placement
- Work Experience (Other) Placement.

A jobactive Provider may be asked by a NEIS Provider to place an eligible Participant into a Complementary Placement.

The Participant must meet the eligibility requirements for the Activity and the jobactive Provider must meet the requirements outlined in relevant Guidelines and the Deed for placing a Participant into the Activity.

Launch into Work Placements

A pre-employment program providing training, work experience and mentoring, tailored to a specific job and business.

AAR Yes. Fully meets AAR for the duration of participation. SMAR Yes. Participation is always Voluntary.	Participant Eligibility Participants must be 15 and older and registered with jobactive, Transition to Work or ParentsNext.	Duration Up to 12 weeks.
Participant Payment N/a	Host Incentive/Fee N/a	Referring Provider Fee or Reimbursement Employment Outcome Payments
Job Plan Code ET64 Work Preparation. Must be Voluntary.	Activity Code Unlike other Activity types, Providers are not required to create a separate Activity record for a Launch into Work Activity but must instead use a Launch into Work Activity that has been pre-created by the Department. Details will be sent directly to providers prior to project commencement.	

Host Organisation Eligibility

A Launch into Work Organisation is required to commit to employing all suitable Participants who successfully complete the Placement.

Annual Activity Requirement

For Participants in the Work for the Dole Phase, participation in Launch into Work Placements will fully meet their AAR for the duration of the Placement. Participants will not have to complete other Activities whilst participating in a Launch into Work Placement. If the Participant stops attending the Placement, or does not commence employment with the Launch into Work Organisation at the end of the Placement, they need to be referred to another AAR Activity in order to complete their AAR hours for the remaining weeks of their Work for the Dole Phase.

Responsibilities of Providers

Placing a Participant into a pre-employment project

The Department will notify Providers when there is a Launch into Work pre-employment project planned in their Employment Region and invite them to a project briefing session with the Launch into Work Organisation.

The briefing session will involve the Launch into Work Organisation providing an overview of the employment opportunities to be filled by the project, the screening and selection process and the pre-employment project. Following the briefing session, Providers will screen their caseload for candidates who may be suitable for

the project and working for the employer and refer them to an information session with the Launch into Work Organisation.

Providers should send a list of potentially suitable and interested candidates (in keeping with the Launch into Work Organisation's requirements) to the contact person by the designated referral cut-off date. Providers must ensure candidates have the details of the information session, know what they need to take with them, and have a basic understanding of the employer and positions available. The Launch into Work Organisation will use further screening and selection activities to identify their preferred Participants and invite them to commence a Launch into Work Placement.

If it is a requirement of the Launch into Work project, Providers must ensure that any employer-required checks (e.g. police check, drug and alcohol screening, working with children checks etc.) are conducted prior to the pre-employment project commencing. Risk assessments must also be finalised prior to the Placement commencing.



System step: A Launch into Work Activity Type has been created in the Department's IT Systems. The Department will provide the relevant Activity ID to those Providers with a Participant in a Launch into Work Placement. Providers can then place an eligible Participant into the Launch into Work Placement using current processes for placing a Participant into any other Activity.



System step: For Participants undertaking a Launch into Work Placement, Providers are encouraged to use the Calendar to ensure conflicting appointments aren't scheduled, by creating a personal event for the Participant using the 'working casual / regular' event type (note: even though participation in a project is not employment this is the only available event type).

(Deed references: Clause 109D)

Activity management

Providers are expected to support Participants to successfully participate in and complete their Launch into Work Placement.

Providers should ensure that appointments, interviews, job search or other Activities are not scheduled for Participants whilst they are participating in a project. If it is absolutely necessary for a Participant to attend an appointment, Providers should discuss this with the Launch into Work Organisation and Participant.

Providers are expected to support Participants with transport costs to attend the project and for their first month of employment.

Expectations for other financial contributions will be outlined at the project briefing session. Providers should make themselves aware of any financial contribution required and ensure that this is coordinated in a timely manner. Referral of a Participant to a Launch into Work Placement is contingent on the Provider's agreement to make the financial contributions specified at the briefing session.

Local Jobs Program

Upskilling, reskilling and establishing local employment pathways.

AAR and SMAR Yes.	Eligibility Participants with an employment service provider.	Duration Varies depending on project.
Participant Fees N/a	Host Fees/ Fees Providers manage N/a	Referring Provider Fee or Reimbursement N/a
Job Plan Code ET64-Work Preparation.	Activity Code <u>LJP Partner Providers</u> create Activities in ESS Web for jobactive Providers to refer Participants into.	

For more information on the Local Jobs Program, refer to the [Local Jobs Program Guideline](#).

Activity Overview

The Local Jobs Program (LJP) aims to support Australia's economic recovery from the COVID-19 pandemic by focussing on upskilling, reskilling and establishing employment pathways for those looking for work, in order to help them re-enter the labour market as quickly as possible. Participation in a Local Jobs Program Activity is voluntary, and providers should record participation in a Local Jobs Program Activity as a voluntary activity in the Participant's Job Plan.

Annual Activity Requirement

Participation will fully meet the Participant's fortnightly AAR based on their participation in the Activity, regardless of their hours of participation.

The Provider will use the Monthly AAR Hours field in the Department's IT Systems to record the Participant as having met their AAR requirement for the respective period relating to their participation in a Local Jobs Program Activity.

Providers are, however, able to combine participation in a Local Jobs Program Activity with other supporting Activities if this would benefit the Participant.

Provider Responsibilities

The Department will be monitoring Local Jobs Program Activity attendance.

Providers should update Local Jobs Program Activity Referrals in the Department's IT Systems when a Participant leaves or completes a Local Jobs Program Activity.

See the Local Jobs Program Guideline for further information, including on the role of the Local Jobs Program Partnering Provider and management of Participants.

National Work Experience Programme (NWEP)

Opportunity to gain experience and confidence, while demonstrating skills to potential employers.

AAR and SMAR Yes.	Participant Eligibility Participant must be 17 years and older, registered with a Provider, on income support payment and have a MOR.	Duration Up to 4 weeks, up to 25 hours per week. Maximum of eight hours per day.
Participant Payment Eligible Participants receive \$20.80 APWS per fortnight on top of Income Support Payment.	Host Incentive/ Fee \$300 Incentive Payment by invoicing the jobactive Provider.	Referring Provider Fee or Reimbursement \$400 Completion Payment if participant completes at least two weeks of an NWEP Placement.
Job Plan Code WE18-NWEP	Activity Code NWEP: NWEP-NWEP Placement	

For more information on managing NWEP Activities, see the [Managing National Work Experience Programme Activities Guideline](#).

New Business Assistance with NEIS

NEIS supports people with a business idea to start and run a viable small business.

AAR and SMAR Yes.	Participant Eligibility Participant must be 18 years and older and have a valid business idea.	Duration Up to 3 months of business training, followed by 52 weeks of mentoring post-business commencement.
Participant Payment Participants can transfer to NEIS Allowance, which is not affected by any business income they earn.	Host Incentive/ Fee Nil.	Referring Provider Fee or Reimbursement Partial 4 and 12 week outcome for Participants who participate in NEIS Assistance for those durations.
Job Plan Code ET58 - NEIS Training EM52 - NEIS	Activity Code NTRN: HDTR-Highly Disadvantaged Training NTR3-Certificate 3 in Micro Business Mgt NTR4- Certificate 4 New Small Business	

For more information on NEIS, see the [New Business Assistance with NEIS](#) information on the Provider Portal.

Non-government programs

Community or private sector activities which increase participants' employability.

AAR and SMAR Yes.	Participant Eligibility Dependent on specific activity.	Duration Programs are approved by the department for an initial 12 months but have rolling intakes and varying durations.
Participant Payment N/a	Host Incentive/Fee Employment Fund, subject to negotiation with the host	Referring Provider Fee or Reimbursement N/a
Job Plan Code ET64-Work Preparation	Activity Code/s For Activity Codes refer to List of Non-Government Programs Approved Activities .	

Activity Overview

Participants can undertake non-government programs or other Activities designed to improve their Employment prospects at any time if the Provider agrees.

Annual Activity Requirement

Some non-government programs have been approved by the Department for AAR and SMAR purposes, using the following principles:

- the program must have a demonstrated ability to, or high likelihood of, assisting Participants to move into sustainable work during the program or upon completion
- the program must comprise of more than just the delivery of a training course and any training must be vocational (preferably accredited) or directed at increasing Participant employability
- the program must not be undertaken by a Provider or an entity related to a Provider
- the program must not duplicate services Providers are contracted to deliver under jobactive.

A Participant's hours undertaken in approved non-government programs may be counted towards the AAR during the Work for the Dole Phase, as outlined in the [Managing and Monitoring Mutual Obligation Requirements Guideline](#).

Approval information

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.

Approval of a non-government program does not constitute approval of any costs associated with the operation of the program. Providers are responsible for determining whether any costs involved with Participants participating in the program meet Employment Fund principles. Refer to the [Using the Employment Fund General Account Guideline](#).



Work Health and Safety content: Before referring a Participant to an approved non-government program, Providers should be satisfied that there is a safe system of work in place, including that the relevant program is complying with work health and safety requirements relevant to the jurisdiction in which the program occurs. Providers must take all reasonable steps to minimise the likelihood of injury to Participants and any other people at the program location.



System step: When claiming approved non-government program costs through the Employment Fund, the Activity ID for which the claim is being made must be recorded in the comments field of the Employment Fund commitment in the Department's IT Systems.

Further information to support this policy and the application form, can be found on the [non-government program page](#) of the Department's website, or on the [Participation and Compliance Framework page](#) of the Provider Portal.

Non-vocational assistance and Interventions

Activities to assist Participants manage or overcome non-vocational barriers to employment. Includes; parenting courses, career counselling, cultural services and personal development courses, drug or alcohol addiction treatments (including rehabilitation), counselling services, disability Intervention, and medical or health-related services. Participation is Voluntary.

AAR and SMAR Generally, only for Stream C Participants. However, voluntary drug and alcohol treatment may be used to meet AAR and SMAR for Participants from all streams.	Eligibility Non-vocational assistance and Interventions can be undertaken where a Provider determines it is in the best interests of the Participant.	Duration As considered appropriate by the Provider. Note, Participants may participate in any of these programs at any time.
Participant Payment N/a	Host Incentive/ Fee N/a	Referring Provider Fee or Reimbursement N/a
Job Plan Code NV02-Counselling NV04-Non-Vocational Training NV05-Parenting Skills Program NV07-Drug and Alcohol Rehabilitation NV09-Self-help Group or Support Group NV10-Undertake an Assessment NV12-Child Care NV13-Intervention-Non Specific NV14-Health Maintenance Program.	Activity Code INTV: CONC-Counselling Services AINV-Addiction Treatment (other than for drug/alcohol) DINV-Disability Intervention HINV-Homelessness Intervention IMHS-Indigenous Medical/Health Related Services MHNV-Mental Health Interventions, MSNV-Medical/Health Related Services REHB-Drug or alcohol detox/ rehabilitation	

Non-vocational assistance and Interventions can be undertaken where a Provider determines it is in the best interests of the Participant.

Examples of non-vocational assistance include:

- parenting courses
- career counselling
- cultural services and
- personal development courses.

Examples of Interventions include:

- drug or alcohol addiction treatments (including rehabilitation)
- counselling services
- disability Intervention
- medical or health-related services.

A Participant may participate in any of the above programs at any time.

Annual Activity Requirement

For Stream A and B Participants, only participation in drug or alcohol addiction treatments (including rehabilitation) will count towards the Participant's AAR.

For Stream C Participants, participation in any of the above Activities will count towards the Participants AAR. Where the Participant is in drug or alcohol treatment, Providers must update the Participant's Job Plan with the NV07 code as a voluntary activity.

For Indigenous Participants and Participants in Stream C, participation in preventative health treatments will count towards the Participant's AAR. Where the Participant is in drug or alcohol treatment, Providers must update the Participant's Job Plan with the NV14 code as a voluntary activity.



Documentary Evidence: jobactive Providers **must** retain evidence (either hard copy or soft copy) of invoices for services or a letter of acceptance into a program (for non-vocational interventions).

Funding of any of the above Activities through the Employment Fund is subject to the Using the [Employment Fund General Account Guideline](#). Please see the [Managing and Monitoring Mutual Obligation Requirements Guideline](#) for further information.

Other government programs

Australian, State or Territory, or local government program that will assist a job seeker.

AAR and SMAR Yes.	Eligibility Participant must be 15 years and over. Eligibility dependant on specific activity.	Duration Placements vary in length and participation is at the discretion of providers.
Participant Payment N/a	Host Incentive/Fee N/a	Referring Provider Fee or Reimbursement N/a
Job Plan Code Free Text	Activity Code OAPG: OGP - Other Government Programmes	

Activity Overview

Participants can undertake other government programs or other Activities, including other Australian Government, state or territory, or local government programs, if the Provider agrees.

Other government programs should not duplicate services Providers are contracted to deliver under jobactive.

For example, Participants may undertake programs such as Exploring Being My Own Boss Workshops, NEIS Assistance, NEIS Training and Defence Reserves.

NEIS Participants in receipt of Parenting Payment (Single) or the Disability Support Pension are able to choose to remain on their current payment or move to NEIS Allowance. NEIS participants exit jobactive to begin NEIS Assistance. For those NEIS participants who choose to remain on their current payment, their participation in NEIS Assistance will fully meet their Mutual Obligation Requirements.

Other government programs Participants can participate in vary between jurisdictions. Providers can contact their relevant state, territory or local government for up-to-date information on their range of programs available.

Annual Activity Requirement

Some government programs undertaken will count towards a Participant's AAR in the Work for the Dole Phase, see the [Managing and Monitoring Mutual Obligation Requirements Guideline](#).



Work Health and Safety content: Before referring a Participant to an Other Government Program, Providers should be satisfied that there is a safe system of work in place, including that the relevant program is complying with work health and safety requirements relevant to the jurisdiction in which the program occurs. Providers must take all reasonable steps to minimise the likelihood of injury to Participants and any other people at the program location.

Vocational Training and Employment Centres

Vocational Training and Employment Centres (VTEC) support Indigenous Participants into sustainable employment. VTEC is an opt-in program that connects Indigenous Participants with guaranteed jobs and brings together the support services necessary to prepare Participants for long term employment.

VTECs need to ensure that Participants have a genuine interest in working in the field of the job and will be offered employment based around their skillsets and interests. Participants who are actively participating in VTECs will be fully meeting their Mutual Obligation Requirements.

VTEC is open to all Indigenous Participants, and Providers should contact their nearest VTEC and work together to undertake an informal assessment of the Participant's suitability for the available jobs.



System step: To record a VTEC placement, Providers should use the 'Vocational Training and Employment Centres' Activity Sub Type, available under the 'Other Government Programs' Activity in the Activity section of the Department's IT

Systems. When the participation schedule in VTEC is not known, Providers are not required to use the Calendar.

The Try, Test and Learn Fund

The Try, Test and Learn (TTL) Fund is administered by the Department of Social Services (DSS) and trials new or innovative approaches to assist vulnerable people into stable, sustainable employment. Each TTL Fund project primarily targets individuals in one or more priority groups, which generally includes people receiving income support. A Participant's participation in an employment-focused TTL Fund project can count towards their AAR or SMAR as another government program Activity.

Providers are encouraged to familiarise themselves with locally run projects that may assist their Participants to improve their employability. As eligibility requirements for each project may differ, providers should discuss any potential Participants with the relevant delivery organisation prior to referral.

The DSS has published a [factsheet for jobactive providers](#) which lists the projects available across regions and more information is available on the [DSS website](#).

Part-Time Employment

Part-time employment is work that is not on a permanent, full-time basis and can include work on a casual or temporary basis and self-employment.

AAR Yes. SMAR Yes. Undertaking 40 hours per fortnight of paid work will meet the SMAR.	Eligibility Available to all Participants	Duration No set limits
Participant Payment Income from part-time employment	Host Incentive/ Fee Nil.	Referring Provider Fee or Reimbursement Employment Outcome Payments
Job Plan Code EM56 - Paid work	Activity Code Unlike other Activity types, Providers are not required to create a separate Activity record for part-time employment and can instead use a paid work Activity that has been pre-created by the Department. For more information refer to Setting up Activities in the Department's IT Systems .	

Annual Activity Requirement

Where hours undertaken in part-time employment during the Work for the Dole Phase do not fully satisfy the hours required to meet the Participant's AAR the Participant must be placed into additional Activities.

Six Month Activity Requirement



To meet the SMAR a Participant must be undertaking 40 hours per fortnight of paid work. Providers should ensure that Paid work is recorded in the Participant's Job Plan. **Documentary Evidence:** For both self-employment and part-time/casual paid

work, income reported by the Participant to Services Australia is acceptable Documentary Evidence. If the Participant is in the Work for the Dole Phase, this information will automatically populate into the AAR Details screen and is also available from the Case Summary Screen (Job Seeker Information – View Declared Earnings).



Documentary Evidence: jobactive Providers **must** retain evidence (either hard copy or soft copy) of payslips or Employer payroll summaries (for part-time work), if the Provider is not using the employment hours declared to Services Australia.

Additionally, Documentary Evidence for self-employment can include:

- a Profit and Loss Statement
- a signed and dated written statement from an accountant and/or registered bookkeeper
- copies of records from the Australian Taxation Office and/or a tax return statement
- a Business Activity Statement.

PaTH Business Placement Partnerships

Connecting job seekers to employers with workforce needs using Youth Jobs PaTH and existing programs.

AAR and SMAR Yes. Participation is always Voluntary.	Participant Eligibility Participants aged 15 to 24 years (subject to program elements in use. For example, if an Industry Workforce Solution includes internships, eligibility for the pathway would be 17-24 years). Job seekers must meet eligibility requirements for any elements of Youth Jobs PaTH or other activities that are included in the Industry Workforce Solution they are participating in.	Duration No set time limits.
Participant Payment In line with elements included in pathway. For example: PaTH Internship payment of \$200 per fortnight on top of income support. NWEF participants would receive \$20.80 APWS per fortnight on top of their income support.	Host Incentive/Fee In line with elements in pathway: Youth Jobs PaTH Internship Host organisations - \$1000 Commencement payment. NWEF Host Organisations - \$300 Commencement payment.	Referring Provider Fee or Reimbursement Provider incentives linked to included activities, programs or employment and paid in accordance with the relevant guidelines and Deeds.
Job Plan Code Free Text code.	Activity Code/s Unlike other Activity types, Providers are not required to create a separate Activity record for a PaTH Business Placements Partnerships Activity and can instead use a PaTH Business Placements Partnerships Activity that has been pre-created by the Department.	

Industry Workforce Solutions

The Department has established a panel of industry associations with a national footprint that are Business Partnership Providers. The Department may co-design Industry Workforce Solutions, with Business Partnerships Providers, that respond to emerging employment opportunities. The Panel commenced in October 2020 and will cease on 30 June 2022.

Where an Industry Workforce Solution involves an NWEF placement or PaTH Internship, jobactive providers and the host business will be eligible to receive relevant payments associated with these placements, just as they would for any other eligible placement or internship.

Industry Workforce Solutions will provide tailored pathways to employment and may include elements of pre-employment training, Youth Jobs PaTH Internships or NWEF placements. For information on managing these specific elements of an Industry Workforce Solution, please also read the Managing PaTH Internship Guideline and Managing National Work Experience Programme Activities Guideline.

Annual Activity Requirement

For Participants in the Work for the Dole Phase, participation in an Industry Workforce Solution will fully meet their AAR for the duration of the Placement, regardless of their hours of attendance. Participants will not have to complete other Activities whilst participating in an Industry Workforce Solution. If the Participant stops attending or does not commence employment at the end of the Business Partnerships Industry Workforce Solution, before their Work for the Dole Phase is complete they need to be referred to another AAR Activity in order to complete their AAR for the remaining weeks of their Work for the Dole Phase.

Provider Responsibilities

Placing a Participant into a pre-employment project

Pre-screening

The Department will notify jobactive Providers of Industry Workforce Solutions, their locations and Activity codes. jobactive Providers are encouraged to connect with Business Partnerships Providers and screen their caseload for Participants who may be suitable and eligible to participate in an Industry Workforce Solution. Referrals to an Industry Workforce Solution must be made through the Business Partnerships Provider's relevant referral process.

jobactive Providers must ensure that all candidates they refer meet the relevant Industry Workforce Solution requirements outlined by the Business Partnerships Provider. jobactive Providers should ensure candidates are provided with details of the Industry Workforce Solution and requirements from the Business Partnerships Provider, including attendance at information sessions, interviews where required, and an understanding of the industry and positions available. The Business Partnerships Provider will use further screening and selection activities to identify preferred Participants, invite them to commence in the Industry Workforce Solution, and advise the jobactive Provider of their selection.

Acceptance and referral

After completing the pre-screening process, Business Partnerships Providers will advise jobactive Providers of the Participant's acceptance into the Industry Workforce Solution. Once Participants are accepted into the Industry Workforce Solution, Providers must refer the Participant to the Industry Workforce Solution using the relevant Activity ID. Each Industry Workforce Solution Activity ID is available on the Provider Portal.

If it is a requirement of the Industry Workforce Solution, jobactive Providers must ensure that any employer-required checks (e.g. police check, drug and alcohol screening, working with children checks etc.) are conducted prior to the Participant commencing in the Industry Workforce Solution. Risk assessments must also be finalised prior to any PaTH Internship or NWEF placements commencing as part of the Industry Workforce Solution.



System step: To refer to an Industry Workforce Solution go to the PaTH Industry Pilots Activity Type in the Department's IT Systems. Each Industry Workforce Solution has had an Activity ID created which can be found on the Provider Portal. Once the Participant has been accepted into an Industry Workforce Solution, jobactive Providers can refer the Participant into the Activity using the relevant Activity ID. jobactive Providers must also refer Participants to any programs that are included in the Industry Workforce Solution such as PaTH Internships, EST and NWEF.



System step: For Participants undertaking an Industry Workforce Solution, use of the Calendar is not required. However, Providers are encouraged to use the Calendar to ensure conflicting appointments aren't scheduled, by creating a personal event for the Participant using the 'working casual / regular' event type.

Activity management

jobactive Providers should ensure that appointments, interviews, job search or other Activities are not scheduled for Participants whilst they are participating in an Industry Workforce Solution. If it is absolutely necessary for a Participant to attend an appointment, jobactive Providers should discuss this with the Business Partnerships Provider and Participant.

jobactive Providers are expected to support Participants to successfully participate in and complete the Industry Workforce Solution.

Each Business Partnerships Provider will outline any additional requirements to support participation in an Industry Workforce Solution – e.g. transport costs; clothing etc. Referring Participants to an Industry Workforce Solution is contingent on accepting the terms and conditions of the Industry Workforce Solution and meeting these requirements must be managed in a timely manner by jobactive Providers, so Participants and employers are not adversely affected.



Documentary Evidence: where an Industry Workforce Solution includes other programs such as a PaTH Internship or NWEF Placement, jobactive Providers **must** complete and retain the relevant pieces of evidence (either hard copy or soft copy) in accordance with all requirements under the Deed and relevant Guidelines'.

PaTH Employability Skills Training (EST)

Targeted training to help young people understand the expectations of Employers in the recruitment process and in the workplace.

AAR Yes, meets AAR for the duration of participation. SMAR Completing at least one block of EST meets the Six Month Activity Requirement.	Participant Eligibility A Participant is EST Eligible if they are: <ul style="list-style-type: none"> aged between 15 and 24 years registered with a jobactive provider or participating in a New Employment Services Trial region receiving an Income Support Payment, and have Mutual Obligation Requirements (MOR). 25 year old Participants can remain EST eligible for up to six months so they can be referred to the remaining block of EST.	Duration Each EST Course consists of 75 hours of training. Participants with full-time MOR should be referred to EST Courses run for 25 hours per week over three weeks. Participants with part-time MOR should be referred to EST Courses run for 15 hours per week over five weeks, however they may volunteer to undertake a 25 hours per week EST Course.
Participant Payment N/a	Host Incentive/Fee N/a	Referring Provider Fee or Reimbursement The referring jobactive provider could choose to use the Employment Fund to help the job seeker participate - e.g. assistance with transport.
Job Plan Code ET68 - PaTH Employability Skills Training	Activity Code <u>EST Providers</u> create Activities in ESS Web for jobactive Providers to refer participants into.	

Activity Overview

EST consists of two training blocks with different content focuses:

- Training Block 1 EST Courses (workplace skills) equip Participants with pre-employment skills and prepare them to meet Employers' expectations in the workplace. This EST Course covers the 10 Core Skills for Work in the Core Skills for Work Developmental Framework (2013).
- Training Block 2 EST Courses (job search skills) focus on job preparation and equip young Participants with advanced job-hunting, career development and interview skills. Industry Awareness experiences will provide Participants with insight into the tasks and duties of different industries.

Job seekers can participate in one or both blocks, in any order, depending on their needs.

Responsibilities of Providers

Collaborating with EST Providers

Availability of EST Courses to meet job seekers' needs relies on Providers communicating any lack of suitable EST Courses (for example EST Courses in a

particular location, part-time EST Courses or EST Courses with industry specialisation) to EST Providers.

Referring Participants to EST Activities

EST Eligible Participants can be referred to an EST Course from day one in jobactive.

An EST eligible participant has a mandatory requirement to participate in EST once they have been in jobactive for 6 months (or where prior service in Online Employment Services followed by jobactive services reaches 6 months). An EST mandatory Participant must be immediately considered for both EST Courses.

Prior to making a referral to EST, Providers must discuss the training with Participants, and determine if the Participant should be referred to:

- a Training Block 1 EST Course, a Training Block 2 EST Course, or both types of EST Courses
- a generalist EST Course or, if it aligns with their aspirations, an EST Course with an industry specialisation.

When discussing EST referrals with Participants, Providers must communicate information about the EST Course content and benefits of attending. An EST Participant fact sheet is available on the Provider Portal.

Providers should refer Participants to EST Courses with sufficient lead time for the EST Course to meet the minimum referral numbers for the EST Course to proceed. Participants cannot commence after day three of the Course.

Providers should also ensure that the EST Course they are referring Participants to is designated for young people aged 15 to 24.

Providers must ensure Participant contact details are current in the Department's IT Systems at the time of referral so that EST Providers can contact Participants prior to the training.

Providers should only refer Participants to EST Courses outside their residing Employment Region if the Participant requests to attend an EST Course in an adjoining Employment Region (for example for better transport connections).

Participants should only undertake each type of EST Course once. If a Participant has participated but did not achieve the required learning outcomes the Provider can re-enrol the Participant once more, with a different EST Provider.

To assist EST Providers to manage attendance, a direct contact number for the referring jobactive site should be available in the Department's IT Systems.

Following Participants' participation in EST

Providers will receive a written assessment of each Participant's employability skills, as assessed by the EST Provider against the learning outcomes for the EST Course. The Participant also receives a copy of this assessment, and any certificates or statement of attainments for achieved units of competency, which they can use to promote themselves to Employers.

At the next meeting with the Participant following their completion of EST, Providers should assess the impact the EST Course had on the Participant's employability skills. If the exit reason 'successfully completed' is selected in the Department's IT

Systems, the Provider must enter their rating of the Participant's improvement in employability skills. Providers can update the assessment rating if required.



System step: Refer to ESS Web System Help > jobactive > Activities for information about creating and ending EST referrals.

Exempting EST Mandatory Participants from EST participation

If the Provider does not think the Participant would benefit from either type of EST Course, or there are no suitable EST Courses starting in the next 8 weeks, the Provider can record an EST exemption reason in the Department's IT Systems:

- The Participant already has the relevant skills or experience (such as through having relevant recent workforce experience or already having a part-time job) or has already completed similar training.
- The Participant has Non-Vocational Barriers, which should be addressed before they can benefit from the training.
- There are no suitable EST Courses available for the Participant – for example, a Participant requires a Training Block 1 EST Course and there are no Training Block 1 Courses starting in their Employment Region in the next 8 weeks.
- The Participant is referred to another suitable Activity – when there is an active referral or commencement to another Activity in the Job Plan.
- Only online EST Courses are available, and the Participant lacks suitable IT – for example, the Participant lives in a location with poor internet connectivity.

Using one of these exemption reasons removes the Participant from the EST mandatory caseload for 8 weeks. After 8 weeks, the Department's IT Systems removes the exemption reason, making the Participant EST mandatory again. Providers must then reassess the suitability of EST for the Participant.

Providers should note that exempting a Participant from EST does not exempt a Participant from their SMAR requirement. For further information see the [Managing and Monitoring Mutual Obligation Requirements Guideline](#).

PaTH Internships

Voluntary work trials for Participants aged 17-24 to gain and show skills to a potential employer, and for a business to see if the young person is the right fit.

AAR Yes – fully meets AAR while they are participating in the internship, regardless of hours of attendance. SMAR Yes – can be used to meet the Six Month Activity Requirement.	Participant Eligibility Participants aged 17-24 years (inclusive), on income support payment who have MOR, and meet stream requirements in guideline.	Duration 30 to 50 hours per fortnight over four to 12 weeks.
Participant Payment \$200 per fortnight incentive payment, on top of income support payment.	Host Incentive/ Fee Host businesses receive a \$1,000 Commencement payment.	Referring Provider Fee or Reimbursement Outcome payments between \$431.20 and \$2,695 dependent on location, stream and period of unemployment of participant.
Job Plan Code	Activity Code	

ET67 - PaTH Internship	Not Applicable. Providers create internship vacancies in ESS Web. For more information, refer to the Managing PaTH Internships IT Supporting Document .
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For more information on PaTH Internships, see the [Managing PaTH Internships Guideline](#).

Skills for Education and Employment program (SEE)

The SEE program provides accredited language, literacy, numeracy and digital literacy (LLND) training. Training can be delivered in classroom settings or remotely via Online Learning Systems, virtual classrooms or printed resources.

AAR and SMAR Yes.	Eligibility Participant must be of working age, have capacity to benefit, and be registered with Services Australia and have work rights. Training must be completed over no more than a two-year period	Duration Until 31 December 2021, up to 650 hours of accredited training. From 1 January 2022, completion of up to a certificate level foundation skills or VET qualification within a two year timeframe. Full time participation is 20-25 hours per week, part time is 10-19 hours per week.
Participant Payment \$20.80 Language, Literacy and Numeracy Supplement per fortnight on top of income support payment.	Host Incentive/Fee N/a	Referring Provider Fee or Reimbursement N/a
Job Plan Code ET56 - SEE or ESL course.	Activity Code OAPG: LN-Skills for Education and Employment	

For additional information on the SEE program and participant eligibility, refer to the [Department of Education, Skills and Employment Website](#).

Provider Responsibilities

Providers should refer to the job seeker's JSCI details in ESS Web to determine if SEE could be of benefit. Under the heading 'Skills for Education and Employment or Adult Migrant English Program', the word 'Yes' is displayed if a participant has self-identified low English speaking, reading or writing ability, requires an interpreter during appointments or has completed less than year 10 schooling.

SEE program placement information must be entered in the Activity Management component of ESS Web to ensure eligible Participants receive the fortnightly \$20.80 Language, Literacy and Numeracy Supplement.

Note: where a job seeker has been transferred from Online Employment Services or another Provider, and is already participating in the SEE program, the receiving Provider may not be able to view the existing SEE Activity in the Activity Management screen or Job Plan. If this occurs, please refer to the relevant Task Card in the [Learning Centre](#).



System step: To refer an eligible job seeker to the SEE Program, follow the steps set out in the relevant referral Task Card in the [Learning Centre](#).

Training and study

Training and study provides Participants with the opportunity to learn skills and gain qualifications that will improve their employment prospects.

AAR Yes. Participation is Voluntary An approved course must be included as a compulsory Activity in the Participant's Job Plan. SMAR Yes. SMAR can be met with study that is full time or at least 40 hours per fortnight in an approved course.	Participant Eligibility Participant must be 15 years and over. Training and study must be in the best interest of the participant. Providers should ensure that: <ul style="list-style-type: none"> the training is appropriate for the Participants the courses are under 12 months duration, and in areas of high skills demand 	Duration Less than 12 months in duration. Except in specific circumstances, Providers cannot approve full-time courses of 12 months (two semesters) or longer in duration, or Masters or Doctorate courses.
Participant Payment N/a	Host Incentive/Fee N/a	Referring Provider Fee or Reimbursement Study and training can be funded through the Employment Fund in accordance with the Using the Employment Fund General Account Guideline.
Job Plan Code ET59-Study-part-time or full-time.	Activity Code/s AETV: as per relevant study level. NETV: OTH-Other OTL-Other LLN OAPG: VTEC-Vocational, Training and Employment Centres PNSA: POTH-Indigenous Activity	

Provider Responsibilities

The Provider will need to determine whether training is in the best interest of the Participant, and identify an eligible course, before referring a Participant to training.

Annual Activity Requirement

Participants can undertake study or training at any time as long as it meets the requirements of an Approved Short Course. It can also meet a Participant's AAR. The [Managing and Monitoring Mutual Obligation Requirements Guideline](#) outlines the definition of an Approved Short Course and information on how training and study can count towards meeting a Participant's AAR.

Six Month Activity Requirement

Participants can use study or training to meet their SMAR, if the course is full time, as defined by the institution, or at least 40 hours per fortnight in an approved course. The [Managing and Monitoring Mutual Obligation Requirements Guideline](#) outlines the definition of an Approved Short Course.



Documentary Evidence: Where study is undertaken online, Providers can request Documentary Evidence from Participants of the online hours that they complete. Where the study hours are not sufficient to meet the Participant's AAR, other activities will need to be undertaken to meet the AAR.



Documentary Evidence: jobactive Providers must retain evidence (either hard copy or soft copy) of timesheets or other records of attendance. Where Participants are recording their own attendance, Documentary Evidence is not required to be kept.



Documentary Evidence: jobactive Providers must retain evidence (either hard copy or soft copy) of statements of attainment or similar (for accredited education).

Voluntary Work

Develops vocational and non-vocational skills in a not-for-profit community organisation.

AAR and SMAR Yes.	Participant Eligibility Participants aged 15 years and over regardless of whether or not they are in receipt of an Income Support Payment.	Duration Should not exceed 26 weeks' duration, unless the Provider determines this is the best participation option under the circumstances.
Participant Payment N/a	Host Incentive/Fee Eligible placement costs associated with Voluntary Work can be reimbursed using the Employment Fund, in line with the Using the Employment Fund General Account Guideline.	Referring Provider Fee or Reimbursement Eligible placement costs associated with Voluntary Work can be reimbursed using the Employment Fund, in line with the Using the Employment Fund General Account Guideline.
Job Plan Code WE11 – Voluntary Work	Activity Code VWRK- Voluntary Work in community/non-profit sector	

Placement Eligibility

Voluntary Work Placements must:

- only be undertaken in a not-for-profit community organisation.
- be of benefit to the Participant and the local community and offer no financial gain to the volunteer organisation (also referred to as an Activity Host Organisation)
- provide the Participant with the opportunity to gain vocational and non-vocational skills that will directly improve their Employment prospects

- provide opportunities that will develop or enhance a Participant's ability to work as part of a team, take directions from a Supervisor, work independently, communicate effectively, and become more motivated and dependable.

Voluntary Work must not:

- be undertaken in the Participant's own home
- involve working for the Participant's or a family member of the Participant's own organisation
- primarily promote a particular religious or political view
- involve violence towards people or property damage
- undertake tasks which would normally be done by a paid employee, including a casual or part-time paid employee
- reduce hours usually worked by a paid employee or reduce customary overtime of an existing worker.

Voluntary Work can be conducted in an Activity Host Organisation's place of business where all other requirements specified in the Deed have been met.

Voluntary Work options to meet Mutual Obligation Requirements

There are two options available for Participants to meet their Mutual Obligation requirements through Voluntary Work, depending on a Participant's age and circumstances:

Age	Services Australia	Jobactive Provider
54 or younger	n/a	Participants can undertake Voluntary Work to meet their AAR or SMAR with their Provider's approval, where this would benefit their employment prospects. While participating in Voluntary Work, Participants will still be required to undertake job search and other requirements as appropriate.
55 to 59 (First 12 months receiving payments)	A Participant can fully meet their MOR through 30 hours per fortnight of paid work or a combination of paid and voluntary work (of which at least 15 hours must be paid work)	
55 to 59 (Longer than 12 months receiving payment)	A Participant can fully meet their MOR through 30 hours per fortnight of paid or voluntary work, or any combination of the two	
60 to age pension age	A Participant can fully meet their MOR through 30 hours per fortnight of paid or voluntary work, or any combination of the two	

If Voluntary Work is undertaken as a means of meeting a Participant's AAR or SMAR, under jobactive, Services Australia is not required to approve the Activity Host Organisation.

Prior to commencing a Participant in a jobactive Voluntary Work placement, providers must ensure that:

- a Voluntary Work Activity Host Organisation Agreement has been signed by all parties, and a risk assessment, has been undertaken by a Competent Person. It is a requirement that COVID-19 safety requirements be addressed as part of any risk assessment.

- the Activity Host Organisation has a COVID-Safe plan (or similar) in place for each activity, in accordance with the requirements specified by the relevant state or territory government.

If a Participant aged 55 and over is undertaking Voluntary Work, or doing Voluntary Work combined with paid work to fully meet their Mutual Obligation Requirements, Services Australia will need to assess the Activity and organisation before commencement, as part of a separate approval process. Providers are not required to approve the Activity Host Organisation, or create/refer into a Voluntary Work Activity in the Departments IT system in this instance, as it is the responsibility of Services Australia.



Documentary Evidence: jobactive Providers **must** retain evidence (either hard copy or soft copy) of timesheets or other records of attendance. Where Activity attendance information has been recorded by the Participant, entered by the Activity Host Organisation into the Supervisor App or directly into the Department's IT Systems, offline records are not required to be kept.



Documentary Evidence: jobactive Providers **must** retain evidence (either hard copy or soft copy) of risk assessment documentation for the Voluntary Work which details that all Deed and relevant guideline requirements have been considered for both the Participant and the Activity.



Documentary Evidence: jobactive Providers **must** retain evidence (either hard copy or soft copy) of Activity Host Organisation Agreements for Voluntary Work.

Work Experience (Other) Placements

Work experience (Other) Placements allow Participants who may not be job-ready to undertake short term, unpaid, observational work experience placements to build soft skills and gain a better understanding of how workplaces operate.

AAR and SMAR For Stream C jobactive Participants only. Participation is Voluntary.	Participant Eligibility Participants aged 15 years and over, regardless of whether or not they are in receipt of an Income Support Payment.	Duration Must: <ul style="list-style-type: none"> only be up to a maximum of 50 hours a fortnight only involve a maximum duration of four (4) weeks total participation time not exceed eight (8) hours per day.
Participant Payment Nil. Does not attract the Approved Program of Work Supplement.	Host Incentive/Fee N/a.	Referring Provider Fee or Reimbursement jobactive Providers can access the Employment Fund for the cost of risk assessments for work experience placements and items to support the participant's placement in line with the Using the Employment Fund General Account Guideline.
Job Plan Code WE10 - Unpaid Work Experience		Activity Code/s UWEP – Work Experience (Other)

Placement Eligibility Criteria

Under Work Experience (Other) Placements, the Provider may provide or Broker up to a maximum of four (4) weeks of unpaid work experience.

Work Experience (Other) Placements:

- can occur in for-profit and not-for-profit organisations (referred to as Activity Host Organisations)
- do not need to have a likelihood of an outcome of paid Employment
- must not include attendance on a public holiday, and is observational only and cannot involve productive work
- are not Employment, and do not, in themselves, entail creating an Employment arrangement
- are not training, an apprenticeship, or other similar scheme
- must not be used as a stop-gap measure while an organisation is undertaking recruitment exercises, or as a way of meeting ad-hoc needs in lieu of creating paid Employment opportunities
- must not, in whole or in part, involve work which would have been undertaken by a paid worker if the Work Experience (Other) Placement had not taken place
- must be ended where the Activity Host Organisation offers a paid employment position to the Participant
- must be ended if an organisation downsizes its workforce at the time of hosting a Placement.

Responsibilities of Providers

Providers must ensure that each Work Experience (Other) Placement:

- is not an Employment relationship under the relevant Commonwealth, state or territory legislation
- meets Commonwealth, state or territory legislation including work, health and safety laws and anti-discrimination laws



Documentary Evidence: jobactive Providers must retain evidence (either hard copy or soft copy) of timesheets or other records of attendance. Where Activity attendance information has been recorded by the Participant, entered by the Activity Host Organisation into the Supervisor App or directly into the Department's IT Systems, offline records are not required to be kept.



Documentary Evidence: jobactive Providers must retain evidence (either hard copy or soft copy) of Activity Host Organisation Agreements for the NWEF and Work Experience (Other) Placements.



Documentary Evidence: jobactive Providers must retain evidence (either hard copy or soft copy) of risk assessment documentation for the NWEF, Work Experience (Other) and Voluntary Work which details that all Deed and relevant guideline requirements have been considered for both the Participant and the Activity.

Work for the Dole

Work for the Dole is designed to help job seekers gain the skills, experience and confidence to move from welfare to work while at the same time making a positive contribution to the community.

AAR and SMAR Yes.	Participant Eligibility Participants must be 18 years and older, on income support payment and have a MOR. Under jobactive, Participants can choose to undertake a Work for the Dole Activity after 6 months, but compulsory Work for the Dole Phase does not apply until 12 months.	Duration Job Seeker Placements - AAR Up to 26 week placements – between 10 and 50 hours per fortnight, depending on Annual Activity Requirements. Job Seeker Placements - SMAR Job seekers undertaking Work for the Dole to meet the Six Month Activity Requirement are required to participate in an activity for 8 weeks. Activity Priority should be given to securing six month Places. However, the length of the activities can vary and be up to 12 months. Note: more than one job seeker may fill a Place on an activity.
Job Plan Code WE12 - Work for the Dole		Activity Codes WFD: Work for the Dole GEN-General Work for the Dole Activities CSP - Community Support Projects

For information on Work for the Dole Activities, see the [Work for the Dole Guideline](#).

7. Summary of required Documentary Evidence



Documentary Evidence: Setting up Activities in the Department's IT Systems

- Providers must identify and create all of their Activities in the Activity Management component of the Department's IT Systems, with the exception of the creation of Non-Government Program, PaTH Business Placement Partnerships run Industry Workforce Solutions and Launch into Work Activities, which are created by the Department, and the creation of EST, CTA and LJP Activities, which are created by CTA and EST Providers, and LJP Partner Providers. Providers can refer to the Activity Specific Information for relevant Activity Codes.



Documentary Evidence: Record keeping

- The Provider must keep records of attendance for each Participant who participates in relevant Activities in accordance with the Deed.
- Where Participants record their own attendance at Activities via the Job Seeker App or the jobactive website, this will count as Documentary Evidence for Participant attendance.
- Where Activity attendance information has been entered by the Activity Host Organisation into the Supervisor App or directly into the Department's IT Systems, Documentary Evidence is not required to be kept.
- The Provider must make sure that Supervisors are aware that they are required to notify the Provider of any misconduct that has occurred at Activities on the day of the event.
- Providers need to record Participants' attendance at Activities where the Participant has reported their attendance to them, there are issues with on-line dashboard or app for the Participant to record their attendance directly or the

Provider has taken responsibility for monitoring and recording attendance on the day of the Activity.

- jobactive Providers **must** retain evidence (either hard copy or soft copy) of statements of attainment or similar (for accredited education).
- For both self-employment and part-time/casual paid work, income reported by the Participant to Services Australia is acceptable Documentary Evidence. If the Participant is in the Work for the Dole Phase, this information will automatically populate into the AAR Details screen, and is also available from the Case Summary Screen (Job Seeker Information – View Declared Earnings).
- jobactive Providers **must** retain evidence (either hard copy or soft copy) of payslips or Employer payroll summaries (for part-time work), if the Provider is not using the employment hours declared to Services Australia.
- Additionally, Documentary Evidence for self-employment can include:
 - a Profit and Loss Statement
 - a signed and dated written statement from an accountant and/or registered bookkeeper
 - copies of records from the Australian Taxation Office and/or a tax return statement
 - a Business Activity Statement.
- jobactive Providers **must** retain evidence (either hard copy or soft copy) of signed training notice or signal notice (for Defence Force Reserves).
- jobactive Providers **must** retain evidence (either hard copy or soft copy) of invoices for services or a letter of acceptance into a program (for non-vocational interventions).
- jobactive Providers **must** retain evidence (either hard copy or soft copy) of Activity Host Organisation Agreements for Work for the Dole (which must be uploaded to the Department's IT Systems), and Voluntary Work.
- jobactive Providers **must** retain evidence (either hard copy or soft copy) of Activity Host Organisation Agreements for the NWEF and Work Experience (Other) Placements.
- jobactive Providers **must** retain evidence (either hard copy or soft copy) of risk assessment documentation for the NWEF, Work Experience (Other) and Voluntary Work which details that all Deed and relevant guideline requirements have been considered for both the Participant and the Activity



Documentary Evidence: Completing Activities

- jobactive Providers **must** retain evidence (either hard copy or soft copy) of statements of attainment or similar (for accredited education).
- For Participants who have participated in and completed a CTA Course, jobactive Providers will receive an individually tailored Career Pathway Plan and an up to date résumé at the Warm Handover Meeting with a CTA Provider. The CTA Provider will upload the Career Pathway Plan and Résumé against the relevant Activity Placement in the Department's IT Systems.



Documentary Evidence: Conducting Risk Assessments

- Providers have the discretion to determine how they document their risk assessments.

- 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 on request.



Documentary Evidence: All Incidents – both Personal Accident and Public and Products Liability

- Providers must advise the department of any incident which occurs in the method outlined in the [Insurance Reader's Guide](#), giving full details of the incident (irrespective of whether a claim is being made at the time). Forms for host organisations to notify providers of WHS Incidents are available on the Insurance page of the Provider Portal. Forms for providers to notify the department of any public and products liability incidents are also available on the Insurance page of the Provider Portal.



Documentary Evidence: Activity Specific Information

[Work Experience \(other\):](#)

- jobactive Providers must retain evidence (either hard copy or soft copy) of timesheets or other records of attendance. Where Activity attendance information has been recorded by the Participant, entered by the Activity Host Organisation into the Supervisor App or directly into the Department's IT Systems, offline records are not required to be kept.
- jobactive Providers must retain evidence (either hard copy or soft copy) of Activity Host Organisation Agreements for the NWEF and Work Experience (Other) Placements.
- jobactive Providers must retain evidence (either hard copy or soft copy) of risk assessment documentation for the NWEF, Work Experience (Other) and Voluntary Work which details that all Deed and relevant guideline requirements have been considered for both the Participant and the Activity.

[PaTH Business Placement Partnerships:](#)

- where an Industry Workforce Solution includes other programs such as a PaTH Internship or NWEF Placement, jobactive Providers **must** complete and retain the relevant pieces of evidence (either hard copy or soft copy) in accordance with all requirements under the Deed and relevant Guidelines.

[Voluntary Work:](#)

- jobactive Providers **must** retain evidence (either hard copy or soft copy) of timesheets or other records of attendance. Where Activity attendance information has been recorded by the Participant, entered by the Activity Host Organisation into the Supervisor App or directly into the Department's IT Systems, offline records are not required to be kept.
- jobactive Providers **must** retain evidence (either hard copy or soft copy) of risk assessment documentation for the Voluntary Work which details that all Deed and relevant guideline requirements have been considered for both the Participant and the Activity.
- jobactive Providers **must** retain evidence (either hard copy or soft copy) of Activity Host Organisation Agreements for Voluntary Work.

[Part-time Employment:](#)

- For both self-employment and part-time/casual paid work, income reported by the Participant to Services Australia is acceptable Documentary Evidence. If the Participant is in the Work for the Dole Phase, this information will automatically populate into the AAR Details screen and is also available from the Case Summary Screen (Job Seeker Information – View Declared Earnings).

- jobactive Providers **must** retain evidence (either hard copy or soft copy) of payslips or Employer payroll summaries (for part-time work), if the Provider is not using the employment hours declared to Services Australia.

Additionally, Documentary Evidence for self-employment can include:

- a Profit and Loss Statement
- a signed and dated written statement from an accountant and/or registered bookkeeper
- copies of records from the Australian Taxation Office and/or a tax return statement
- a Business Activity Statement.

Training and study:

- Where study is undertaken online, Providers can request Documentary Evidence from Participants of the online hours that they complete. Where the study hours are not sufficient to meet the Participant's AAR or SMAR, other activities will need to be undertaken to meet the AAR or SMAR.
- jobactive Providers must retain evidence (either hard copy or soft copy) of timesheets or other records of attendance. Where Participants are recording their own attendance, Documentary Evidence is not required to be kept.
- jobactive Providers must retain evidence (either hard copy or soft copy) of statements of attainment or similar (for accredited education).

Defence Reserves:

- jobactive Providers **must** retain evidence (either hard copy or soft copy) of signed training notice or signal notice (for Defence Force Reserves).

Non-vocational assistance and Interventions:

- jobactive Providers **must** retain evidence (either hard copy or soft copy) of invoices for services or a letter of acceptance into a program (for non-vocational interventions).

Capitalised terms in this Guideline have the same meaning as in the jobactive Deed 2015–2022 (the Deed).

This Guideline is not a stand-alone document and does not contain the entirety of Employment Services Providers' obligations. It must be read in conjunction with the Deed and any relevant Guidelines or reference material issued by Department of Education, Skills and Employment under or in connection with the Deed.

Guideline:

Job Plan and Scheduling Mutual Obligation Requirements Guideline

A Participant's Mutual Obligation Requirements and any other items agreed to with their Employment Services Provider (Provider) are outlined in their Job Plan. It is necessary for Providers to ensure that each Participant, including Participants without compulsory Mutual Obligation Requirements, have a Job Plan in place at all times and that the requirements in the Job Plan are tailored to the Participant's individual circumstances and are appropriate to the level of their capability.

Version: 3.0

Published on: 21 September 2021

Effective from: 1 October 2021

Effective end: 18 October 2021

Changes from the previous version (Version 2.0)

Policy changes:

- From 1 October 2021 Participants who have participated in OES or jobactive for six months will be required to undertake work, study or training, or an approved activity to meet a new Six Month Activity Requirement. The requirement will apply to Participants who complete six months in service on or after 1 October 2021. The Activity used to meet the Six Month Activity Requirement must be recorded in the Participant's Job Plan.

Wording changes:

- Page 12-14: Section updates regarding identifying and setting Job Referral tasks.

A full document history is available at Provider Portal. Related documents and references

[Activity Management Guideline](#)

[Capability Interview Guideline](#)

[Capability Assessment Guideline](#)

[Managing and Monitoring Mutual Obligation Requirements Guideline](#)

[Privacy Guideline](#)

[Targeted Compliance Framework: Mutual Obligation Failures Guideline](#)

[Work Refusal and Unemployment Failures Guideline](#)

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1. What is a Job Plan?

For the purposes of Social Security Law, a 'Job Plan' is an 'Employment Pathway Plan' for job seekers receiving income support and a 'Participation Plan' for Disability Support Pension recipients, less than 35 years of age, with compulsory requirements.

Providers are required to work with Participants to keep Job Plans up to date and appropriate to Participants' individual needs.

Job Plan contents are discussed and agreed to based on each Participant's individual circumstances and the support they need to move from welfare to work. Usually a Job Plan includes Provider Appointments, Job Search, education and skills training and other Activities to improve the Participant's employability.

To support Participants to successfully meet their Mutual Obligation Requirements and receive the most from the services offered, Job Plans should be:

Meaningful—Every time the Job Plan is negotiated and updated. Providers need to take the time to discuss the requirements with the Participant. It is important that Participants understand any changes that have been made, the benefits of participation, and know and understand why they are required to participate in these activities.

Tailored and appropriate—Consideration needs to be given to the individual circumstances of the Participant. This includes their program or Stream, level of requirements, physical capacity, the location of any activities or other personal circumstances like caring and family responsibilities.

Clear and understood—Participants should know exactly what is required of them on each day; there should be no doubt or confusion of what is expected. This includes the potential consequences of not meeting any of their requirements. Participants having a clear understanding of their requirements means that:

- they understand the benefits of participation
- they understand their requirements support successful participation
- they feel empowered to make the right decision to meet their requirements the compliance framework can be utilised effectively and appropriately

The Department monitors the appropriateness and tailoring of Job Plans in line with key performance measures in the Performance Framework Guideline.

(Deed references: Clauses 87.1, 87.4, 117.1)

2. Creating and Approving a Participant's 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 a Participant's Job Plan.

Creating a Job Plan at the Initial Interview

A Job Plan is created at the Initial Interview with a Participant. Once the Participant attends the Initial Interview and the Job Plan is approved the Participant is automatically commenced in Services.

During the Initial Interview, a Provider negotiates a Job Plan with new Participants or Participants transferred from other Providers. Providers need to ensure that each requirement is tailored to meet the circumstances of the individual Participant and supports them in achieving their employment goals.

The Provider's role is to support the Participant and:

- ensure that each Job Plan contains all of the compulsory and voluntary Activities the Participant needs to undertake in order to meet their Mutual Obligation Requirements
- include the details of all Activities tailored to address the Participant's individual needs, reduced work capacity and barriers to employment
- ensure that the Activities do not place unreasonable demands on the Participant
- Note: Although Providers must create a Job Plan, Participants are not required to agree to the Job Plan at the Initial Interview and may have 2 Business Days 'think time'. For more information refer to the section, Participants requiring 'think time' to consider the terms of their Job Plan.

(Deed references: Clause 84.1, 85.1, 87.1, 87.2, 87.3, 87.4, 87.5, 117.1, Annexure A1)

Activities in the Job Plan must not place unreasonable demands on the Participant. The Participant must be capable of doing any Activity and meeting all requirements included in their Job Plan.

Providers are required to record the Activities and relevant details in the Participant's Job Plan, including: the names of education and training organisations and the type of training being undertaken; the names of employers and the type of work being undertaken; hours of participation the Participant needs to complete each fortnight and the hours of participation required for each Activity. If drug or alcohol dependency impacts on the Participant's ability to meet their requirements, providers should consider what non-vocational assistance may be appropriate to include in the Job Plan, where the Participant refuses treatment, or where there is a lack of treatment available in the local area, the Provider needs to record this in the Capability Management Tool, in the Department's IT Systems.

Providers are required to include approved Activities in the Participant's Job Plan that will enable the Participant to meet their Mutual Obligation Requirements. This includes the Activity that will meet the Participant's Six Month Activity Requirement. In the Work for the Dole Phase, the Job Plan must include appropriate hours of participation in approved Activities each fortnight during that phase.

At all times during a Participant's period of servicing the number of Job Searches a Participant is required to undertake each month must be specified in the Participant's Job Plan. The number of Job Searches required cannot exceed 20 per month.

Approved Activities include study and training. Please refer to the Managing and Monitoring Mutual Obligation Guideline for more information.

Including sufficient fortnightly hours in the Job Plan

Ensure that each Job Plan contains sufficient hours of Activities per fortnight for the Participant to meet their Mutual Obligation Requirements.

The Department's IT Systems will automatically calculate the fortnightly hours under each code that is included in the Job Plan. Depending on the hours scheduled for the Participant to meet their Mutual Obligation Requirements, the Department's IT Systems will display messages to guide Providers to ensure the number of hours are appropriate.

The Provider is unable to set more than reasonable hours of activities per fortnight in the Job Plan in any event, and the Department's IT Systems will restrict the Provider from doing so by displaying an error message.



System step: If a Participant is Employment Skills Training (EST) mandatory, ESS Web prevents the finalisation of their Job Plan when making a referral to other activities. When referring an EST mandatory Participant to another activity, the EST opt-out reason of 'referred to other activity' must be applied before updating the Job Plan with the other activity.

See the ['Setting Daily Requirements'](#) in this document for information on scheduling Daily Requirements (including activities, study or training and paid work).

Explaining a Job Plan to the Participant

Providers need to ensure that Participants understand their Mutual Obligation Requirements such as: attending Appointments; undertaking compulsory and voluntary Activities; fulfilling their Annual Activity Requirement (AAR) or Six Month Activity Requirement; and undertaking and completing Job Searches.

At the Participant's Initial Interview Providers need to explain:

- the purpose of the Job Plan
- the Mutual Obligation Requirements the Participant needs to undertake in return for income support payments, including the requirement to record their own attendance (where relevant)
- the Participant's rights and responsibilities under the Job Plan (including 'think time' to consider the Job Plan before agreeing to 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
- how to contact the Provider to give prior notice if unable to meet requirements and the consequences of not giving prior notice if the Participant is able to do so
- the consequences of failing to meet the requirements without a Reasonable Excuse, and any impact this may have on the Participant's income support payment

- the consequences of failing to give prior notice (with a Valid Reason) if they cannot attend compulsory Appointments or participate in compulsory Activities
- the Participant's right to appeal decisions and where they can find assistance to do this
- how the Provider intends to support the Participant
- the Provider's Service Guarantee and Service Delivery Plan
- the section entitled 'Information You Need to Know' in the Job Plan
- how information is protected under privacy legislation and Social Security law; and
- that all relevant contact details will need to be accurately recorded and updated in the Department's IT Systems including phone numbers, email address and postal address.

(Deed references: Clause 87.2, 87.5, 106.1, Annexure A1)

Interpreters, Support Persons and Nominees

When a Participant requests, or if the Provider considers it appropriate, the Participant can bring a support person with them to an Appointment to review their Job Plan. Similarly, when a Participant requests or if the Provider considers it appropriate, Providers are required to use an interpreter to ensure that the Participant understands their requirements before they agree to the Job Plan.

You may also need to work 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 that a Case Manager is not an interpreter).

Additionally, Participants in residential programs for drug and alcohol rehabilitation will not always inform their Provider of their change of circumstances. When in a residential program Participants should have an authorised correspondence nominee. The nominee will receive all of the correspondence and notifications sent from the Provider to the Participant. The nominee can advise the Provider that the Participant is in a residential program and may not have access to a phone or computer.

Staff of residential programs are able to act as nominees for Participants.

Please record details of any conversations with a nominee in the comments screen in the Department's IT Systems.

Participants requiring 'think time' to consider the terms of their Job Plan

Before signing or agreeing to the terms of a Job Plan, all Participants can have up to two Business Days 'think time' to consider the requirements set in their Job Plan. The Participant can use this time to discuss the terms of their Job Plan with a third party if they wish. The 'think time' is available to a Participant each time their Job Plan is created or updated.

If a Participant is offered and accepts 'think time', Providers need to arrange and book a Provider Appointment for the Participant to occur in two Business Days so that the Participant can agree to and sign the Job Plan.

Participants with a Compulsory Job Plan

For Participants with Mutual Obligation Requirements, including Disability Support Pension recipients under 35 years of age and Special Benefit recipients (who are not Nominated Visa Holders), there needs to be at least one compulsory requirement in the Job Plan and a record of the details in the Participant's Calendar.

Participants who are fully meeting their Mutual Obligation Requirements, but have chosen to access jobactive on a voluntary basis are Fully Eligible Participants (Voluntary). These Participants still need to have a compulsory Job Plan, which includes the Activities they are undertaking to fully meet their requirements. Any additional Activities they agree to undertake need to be included in their Job Plan as a voluntary requirement.

(Deed references: Clause 70.1, 87.2, 87.5)

Participants with a Suspension

Participants with Mutual Obligation Requirements who are Suspended from their Provider's caseload can choose to volunteer to participate in Activities. Providers must agree to the voluntary Activities the Participant will participate in and update the Participant's Job Plan to include the voluntary Activities. If the Provider becomes aware that a Participant is no longer suspended or not participating in voluntary Activities listed in the Job Plan, the Provider must update the Job Plan as appropriate.

A suspension from a Provider's caseload can occur when:

- a Participant is granted an Activity Test exemption by Services Australia
- a PCP or PCW (15-29 hours) Participant is fully meeting their requirements through part time work or other approved activities
- the Provider applies a 'Provisional Exit' from servicing on the expectation that the Participant's employment will lead to a full outcome; or
- the Participant has a partial or temporary reduced work capacity of less than 15 hours per week.

(Deed references: Clause 70.1, 87.2, 87.5)

Participants with a Voluntary Job Plan

Participants who are participating in jobactive without Mutual Obligation Requirements must have a Voluntary Job Plan. These Participants can be Volunteers receiving six months of service in Stream A or be Fully Eligible Participants who do not have Mutual Obligation Requirements and are participating voluntarily in jobactive such as:

- Structural Adjustment Program Participants not on income support
- Pre-Release Prisoners
- Participants with an Exemption from their Mutual Obligation Requirements

- Participants with an assessed Partial Capacity to Work or a temporary reduced work capacity of less than 15 hours per week
- Vulnerable Youth or Vulnerable Youth (Student)
- a person granted Newstart Allowance after 1 January 2018, or JobSeeker Payment, who would have otherwise been eligible for Widow Allowance prior to this date, and exempt from Mutual Obligation Requirements
- Special Benefit recipients who are not Nominated Visa Holders.

Voluntary Job Plans can only include voluntary Activities as these Participants do not have compulsory requirements and are not subject to compliance if they do not participate in these activities. Participants will not be at risk of incurring a penalty if they do not participate in voluntary items.

Participants in Time to Work Employment Service

If a Participant has participated in the Time to Work Employment Service the Provider needs to take into account any current Transition Plans identified in the Department's IT Systems.

Participants in ParentsNext

ParentsNext Volunteers can choose to volunteer into jobactive and they will already have a Participation Plan created by their ParentsNext Provider. A jobactive Provider must not create, update or otherwise edit a Job Plan for a ParentsNext Volunteer. If a Job Plan for a ParentsNext Volunteer needs changes, the Job Plan can only be updated by the ParentsNext Volunteer's ParentsNext Provider.

(Deed references: Clause 87.5, Annexure A1)

Participants in Career Transition Assistance (CTA)

Eligible Participants can volunteer to participate in CTA. Participation in CTA can only be included as a voluntary Activity in a Participant's Job Plan.

For Participants in the Work for the Dole phase, participation in CTA will fully meet their AAR. CTA is an approved activity for Participants with a Six Month Activity Requirement. At the conclusion of CTA, the CTA Provider will arrange a Warm Handover Meeting with the Participant's jobactive Provider. As part of this meeting, Participants will be offered two future contacts with the CTA Provider, to occur within three months of the completion of CTA. The CTA Provider will be required to specify the details of these contacts. jobactive Providers should again use these details to book Third Party appointments for the Participant and issue formal notification of the appointment/s.

Approving a Job Plan

Provider staff are delegates of the Secretary of the Department of Education, Skills and Employment and have the power to:

- require a Participant with Mutual Obligation Requirements to enter into a Job Plan
- approve a Job Plan, and

- vary the terms of a Job Plan.



Documentary Evidence: Once the terms of the Job Plan have been agreed to and the Job Plan is created in the Department's IT Systems, give the Job Plan to the Participant for their agreement. Job Plans can be agreed to online or by signing a hard copy.

(Deed references: Clause 87.4, 117.1, Annexure A1)

Participant agreeing to the Job Plan – online



Documentary Evidence: Providers may send a Job Plan to the Job Seeker Dashboard through the jobactive website or Job Seeker App for the Participant to review and agree to online. Before using this option check that the Participant has access to the Job Plan on their Dashboard and they know how to agree to it.



Documentary Evidence: Providers are required to formally notify the Participant (including those with voluntary requirements) that they must agree to their Job Plan and advise them of the consequences of failing to do so. The Provider should inform the Participant either face to face or over the phone that the Job Plan has been sent to their Job Seeker Dashboard for agreement. The Participant will have two Business Days to agree to their Job Plan. A verbal formal Notification script is available on the Department's IT Systems for the Provider to read to the Participant. The script includes a compliance warning that is required to be given to Participants (with Mutual Obligation Requirements) if they do not agree to the Job Plan within two Business Days.

When the Participant agrees to the Job Plan, the Job Plan status will automatically be set to 'approved' in the Department's IT Systems.

See the [Targeted Compliance Framework: Mutual Obligation Failures Guideline](#) and the [Managing and Monitoring Mutual Obligation Requirements Guideline](#) for further information on how to issue formal Notification.

Participant agreeing to the Job Plan – hard copy

The Participant and the Provider may sign a hard copy of the Job Plan. The Provider needs to give the Participant the signed copy and then approve the Job Plan in the Department's IT Systems.

When the Job Plan has been approved and entered in to the Department's IT Systems, the Participant will be able to access it from their Job Seeker Dashboard.

Participant not agreeing to the Job Plan

Participants who do not enter into a Job Plan without good reason after the two days 'think time' will have their payment suspended until a Job Plan is agreed to and signed by the Participant.

If the Participant refuses to enter into and sign a Job Plan (and does not wish to use their 'think time') contact the Participant and assess if the Participant has a Valid Reason for refusing.

For further information, see the [Targeted Compliance Framework: Mutual Obligation Failures Guideline](#).

(Deed references: Clause 114.1, 114.2, 114.5, 114.6, Annexure A1)

Recording a Job Plan



Documentary Evidence: The Job Plan is to be recorded in the Department's IT Systems as soon as possible, after it has been created. The contents of the Job Plan recorded in the Department's IT Systems must be exactly the same as the hard copy. If the Department's IT Systems are temporarily unavailable or there is no computer access, use the manual compulsory or voluntary Job Plan template available on the Provider Portal.

Using Job Plan codes

Providers are required to use the comprehensive list of Job Plan codes, at [Attachment A](#), so that Job Plan data can be pre-populated and linked through the Department's IT Systems to the Dashboard on the Job Seeker App, the jobactive website and the Services Australia IT system.

The following codes are pre-populated in Job Plans. Most can be removed if not appropriate to the Participant.

AI09 – Attend DES Appointments

AI12 – Attend Provider Appointments

AI13 – Attend DES Ongoing Support Appointments

AI15 – Attend Third Party Appointments

JS09 – Job Search Contacts – Monthly

JS10 – Job Interviews

PA03 – Personal Responsibility to Report and Record Attendance

PA04 – Actioning Job Referrals and Job Opportunities

AS02 – Health and Allied Services Assistance

AS20 – Ongoing Support Assistance

NV14 – Health Maintenance Program

AI15 – Attend Third Party Appointments and PA04 – Actioning Job Referrals and Job Opportunities cannot be removed. If either of these codes are not appropriate for a Participant, do not schedule any Activities against them.

Note: If the Participant is referred from Digital Services to a Provider, the Provider must remove any Digital Only Job Plan codes when negotiating the new Job Plan with the Participant. Please refer to the List of Job Plan Codes at Attachment A.

(Deed references: Clause 83A.3, 106A.1, 106A.2, 113.1)

Job Search Requirement

Job Search Requirements are determined by Providers based on what is appropriate for the Participant's circumstances. This may generally be set at a maximum of 20 efforts per month, but it may be reduced based on a Participant's capacity, the local labour market, and the Participant's individual circumstances. If applicable, Providers can use the JS05 or JS06 (Job Search with Disability) codes. These codes will trigger a higher rate of Mobility Allowance for eligible Participants.

The number and quality of Job Searches undertaken need to be monitored.

Providers need to review and confirm the quality of efforts submitted online or directly by no later than 5 Business Days after the end of each Job Search Period.

Providers should review the quality of job search efforts in line with the requirements detailed in the Managing and Monitoring Mutual Obligation Requirements Guideline.

Participants can report their Job Search activities on the Job Seeker App or jobactive website.

Participants should be given instructions on how to upload and record their Job Search efforts and related details, even if they indicate they will report their Job Search efforts directly to their Provider.

If the Participant reports efforts directly to their Provider by email or filling out a Job Search record and giving it directly, the Provider will need to record the number of efforts submitted to them by no later than close of business on that day.

Providers need to:

- ensure that the Participant is aware at all times of:
 - their current Job Search Requirement
 - when their Job Searches must be reported by
 - how to report their Job Search efforts using the jobactive website, or directly to the Provider.
 - ensure that the number of Job Search efforts undertaken, and the number yet to be undertaken by the Participant in each Job Search Period, are visible on the Job Seeker App or jobactive website

Please refer to [Job Aids at the Learning Centre](#) for information on recording results for Job Search.

(Deed references: Clauses 113.1, 113.2, 113.3)

Participants who do not have Job Search Requirements

The following Participants are not required to undertake Job Search while they are fully meeting their Mutual Obligation Requirement:

- Principal Carer Parents undertaking 30 hours of paid work, approved study or voluntary work or a combination of these
- Participants with a Partial Capacity to Work of 15 to 29 hours per week undertaking 30 hours of paid work, approved study or voluntary work or a combination of these

- Participants 55 years of age and over undertaking 30 hours of paid work, approved study or voluntary work or a combination of these
- Participants who combine declared paid work (including self-employment) and approved study/training for at least 70 hours per fortnight are not required to look for additional work or participate in other activities.
- Participants undertaking drug and alcohol rehabilitation in a residential program
- Pregnant Participants from three months before their due date.
- NEIS Participants and Prospective Participants while participating in NEIS Training
- NEIS Participants in receipt of Parenting Payment (Single) or the Disability Support Pension who remain on their current payment while participating in NEIS Assistance and actively working on their small business
- Early School Leavers who are meeting their Mutual Obligation Requirements through full-time education or a combination of part-time study and part-time work of 25 hours per week (15 hours for those with part-time Mutual Obligation Requirements)
- refugee Participants when undertaking activities to help adjust to life in Australia and increasing their chances of finding work.

Job Referrals and opportunities

Job Referrals can connect Participants with suitable work. Where the PA04 Actioning Job Referrals and Job Opportunities code is included a Participant's Job Plan, and the Provider identifies a job opportunity for the Participant, the Provider must set a Job Referral task for the Participant to action. Specific Job Referral tasks a Provider can set include:

Single referrals
Apply for a specific job
Accept a Job Interview
Contact an employer to arrange and accept a Job Interview
Update a resume appropriately
Provide personal details to support a job opportunity
Combination referrals
Update a resume appropriately AND provide personal details to support a job opportunity
Update a resume appropriately AND apply for a specific job
Provide personal details to support a job opportunity AND contact an employer to arrange and accept a Job Interview
Provide personal details to support a job opportunity AND accept a Job Interview

(Deed references: Clauses 83A.2, 83A.3 & 87.5)

Providers must ensure that all Job Referrals that a Participant is compelled to act on, are recorded in the Department's IT Systems. All information Providers enter in the Department's IT Systems in relation to the Job Referral must be accurate and complete. The Participant must be formally notified, with reasonable notice, of each Job Referral task that they have been set.

Providers are expected to use their best endeavours to ensure Participants are only set Job Referral tasks that they are able to successfully undertake by the due date.

The Department's IT Systems do not set a limit on the number of Job Referral tasks that can be set for a Participant. Providers must ensure they do not set a number that exceeds the Participant's monthly Job Search Requirement.

Please refer to the [Job Referral Interactive Module and Job Referral Task Card Guides on the Targeted Compliance Framework Learning Centre](#) page at <https://learningcentre.employment.gov.au/> for information on setting Job Referral tasks.

(Deed clauses 7.1(a) 11.1(b), 106.1(c) and 114)

Linking Job Plan Codes to Activity Placements and the Calendar

Activity placements can be linked to Job Plan codes in Activity Management in the Department's IT Systems. It is best practice that Providers link Activity placements to the appropriate code in the Job Plan. Job Plan codes need to be linked to the daily requirements scheduled in the Calendar, this will enable the details to be auto-populated into any formal Notification created from the Calendar. Providers will also be able to record attendance results in the Calendar.

(Deed references: Clause 83A.1, 83.A.2)

Personal Responsibility to record attendance code PA03

If a Provider determines that a Participant is capable of taking personal responsibility for recording their own attendance at Activities, the Participant will be required to record their attendance at:

- Activities
- Third Party Appointments, and
- Job Interviews.

The Personal Responsibility Code PA03 is included in every Participant's Job Plan by default. Providers are required to inform Participants if they are assessed as being capable of and that they are required to record their own attendance at Activities. If the Provider assesses the Participant as not capable of recording their own attendance, the Provider will need to remove the PA03 code from the Participant's Job Plan. Ensure that capable Participants understand the requirement to record their attendance by close of business on the day of the requirement and that their payment will be suspended if they do not do so. The Participant will be notified to contact their Provider if their payment is suspended. Providers will need to assess whether the Participant had a valid reason for not reporting and enter the result on

behalf of the Participant and consider whether the Participant is still capable of recording and reporting their own attendance.

(Deed references: Clause 87.5, 106.1, 106A.1, 106A.2)

Providing evidence of attendance for an Activity

For some Activities, the Participant will need to provide evidence when they are recording their own attendance.

Evidence for attendance will be a QR code or passcode (code) generated by the Department's IT Systems. The Participant will scan the code through their device while at the Activity to record their attendance via the Job Seeker App or by recording a passcode via the jobactive website.

If the duration of the Activity is four hours or more, two codes will be generated: one for the Participant's arrival at the Activity and one for the end of Activity. The code for the end of Activity should not be made available to the Participant until close to the finish time.

When creating an Activity that requires evidence of attendance, the Provider must ensure that they record the contact details of the relevant person/s who will provide the code to Participants, such as an Activity Supervisor. The person providing the code to Participants needs to be given the code before the Activity session commences. Providers should also ensure that the person providing the code for an afternoon session knows not to make the code available to the Participant until the afternoon session commences.

However, there will be instances where there isn't a supervisor or contact for activities, such as education and training. This is because it would be unreasonable, or not expected due to the relationship and past experience, for evidenced-based recording or to report non-attendance directly to the Provider. In these situations, Participants will record attendance directly on the day. By recording their own attendance, Participants will be acknowledging via a statement on the App or website that they have attended and the information they are providing is true and correct. No further evidence is required, therefore satisfying documentary evidence requirements. Providers will still be able to record non-attendance if they become aware that Participants have failed to attend or left early at education/training activities.

(Deed references: Clauses 87.5)

Assessing a Participant's capability to record attendance

To assess the Participant's capability to record their own attendance, Providers need to consider if the Participant has:

- daily, reliable access to technology that would allow them to record their attendance, such as a computer or smartphone, or the means to contact their Provider to report their attendance; and
- the ability, literacy and English skills required to record or report their own attendance, understanding:
 - what requirements they need to record attendance for

- how to record their own attendance
- that they must record or report attendance by close of business on the day of the requirement
- what to do and who to contact if they cannot record their own attendance on a given day
- the consequences of not recording or reporting their own attendance if they are required to do so.

(Deed references: Clause 106A.1, 106A.2)

Participant is capable of recording their own attendance

If the Participant has both the means and the ability to record and report their own attendance keep the personal responsibility code (PA03) in the Job Plan.

Monitor the Participant's capability to record their own attendance to ensure that the Participant is reporting their attendance accurately. If a Provider knows that a Participant has not accurately recorded their attendance, they can override the result entered by the Participant.

If the Participant contacts the Provider and asks them to record attendance on their behalf, the Provider will assess whether the Participant did attend and, if so, record the Participant's attendance.

(Deed references: Clause 106A.1, 106A.2)

Participant is not capable of recording their attendance

If the Participant is not capable of recording their own attendance, the Provider will need to remove the PA03 code when finalising the Participant's Job Plan.

Providers are encouraged to keep working with Participants to build capacity for reporting their attendance at requirements.

If a Participant can't record their attendance because they live in an area with unreliable connectivity or other similar reasons, the Provider needs to tell the Participant to report their attendance by contacting their Provider, who will record attendance on the Participant's behalf.

(Deed references: Clause 106A.1, 106A.2, 87.5)

3. Reviewing, Updating and Monitoring a Job Plan

Providers are required to review, update and monitor a Participant's Mutual Obligation Requirements in accordance with the Deed, this Guideline and Social Security Law.

Providers need to review the Job Plan and update it when the Participant:

- has a change in their circumstances
- enters into a new phase of their Stream
- enters in to a new Stream
- commences a new Activity
- completes an Activity that was in their Job Plan and/or

- has a Capability Interview or Capability Assessment where it is identified that the Job Plan contains errors, and/or
- is Commenced and has not had their Job Plan updated in the previous 6 months (thereby their Job Plan is reviewed and updated every 6 months).

For Services Australia managed Participants, Services Australia will update the Job Plan when required. If the Participant is managed by a Provider, Services Australia will consult with the relevant Provider before updating the Job Plan or may request that the Provider updates the Job Plan at the Participant's next Appointment. Providers should not remove any updates made to a Job Plan by Services Australia without consultation.

If a Participation Plan for ParentsNext Volunteers requires review or an update, then Providers must contact the participant's ParentsNext Provider and request they make the update to the Participation Plan.

(Deed references: Clauses 87.4, 87.5, 87.7, 113.1, 113.2, 114.1, Annexure A1)

Updating the Job Plan

Providers must review the Job Plan at each Provider Appointment to ensure that the Participant is still capable of meeting their Mutual Obligation Requirements. If the outcome of a Capability Interview or Capability Assessment is that the Job Plan requires updating, Providers are required to review and update the contents of the Job Plan within 10 Business Days. Ensure that the contents of the Job Plan is updated including details of any additional voluntary activities or if the Participant is subject to an Exemption.

In consultation with the Participant, the Job Plan can be updated and tailored to individual needs at any time—unless there is compliance outstanding. If compliance action is outstanding, the Department's IT Systems will not permit the Job Plan to be updated and the Provider will be redirected to the 'Compliance Screen' in the Department's IT Systems.

See the [Targeted Compliance Framework: Mutual Obligation Failures Guideline](#) for information on using the Targeted Compliance Framework.

(Deed references: Clauses 87.1, 87.2, 87.3, 87.5)

Updating Job Plan to include Voluntary activities

If a Participant is granted an exemption or is fully meeting their Mutual Obligation Requirements, they may wish to participate voluntarily and they can discuss this with the Provider. Voluntary activities should be included in the Job Plan and scheduled in the Calendar, and the Participant should be notified of where and when to attend each Activity.

(Deed references: Clauses 87.54)

Updating Job Plan following Participant advising change in circumstances

The Job Plan needs to be reviewed as soon as practicable after the Provider becomes aware or is informed of a change in the Participant's circumstances.

Newly disclosed or discovered information may be found on, and should be immediately recorded in, the Capability Management Tool (CMT) in the Department's IT Systems.

If the Job Plan is to be renegotiated in light of the new information, the Provider will refer to the CMT to ensure that the Job Plan requirements are appropriate for the Participant's capability, and that the Participant will receive enough assistance and support to address the circumstances recorded in the CMT.

See the [Capability Interview Guideline](#) and [Capability Assessment Guideline](#) for information on using the Capability Management Tool.

(Deed references: Clauses 84.2, 87.5)

Updating the Job Plan to include (previously removed) requirement to record own attendance

If the Provider is renegotiating a Job Plan and assesses that the Participant is now capable to record their own attendance (where the requirement was previously removed from the Job Plan), the Provider needs to re-enter Job Plan code PA03 in to the Participant's Job Plan. Ensure that the Participant understands that they are now recording their own attendance at requirements as well as the importance of entering results via the App or jobactive website by close of business on the day of the requirement as their payment will be automatically suspended the next day if no result has been entered.

(Deed references: Clauses 106.1, 106A.1, 106A.2)

Updating the Job Plan following a Capability Interview or Capability Assessment

See the [Capability Interview Guideline](#) and the [Capability Assessment Guideline](#) for information on updating the Job Plan following a Capability Interview or a Capability Assessment.

4. Scheduling Mutual Obligation Requirements in the Calendar

The Provider is required to record details of, and schedule each requirement in the Calendar, including:

- Provider Appointments
- Activities
- Job Interviews
- Education and Training
- Drug and alcohol rehabilitation
- Third Party Appointments
- Workshops, training and other activities delivered by the Provider and
- Employment, if the hours are regular and can reasonably be scheduled by the Provider or Participant.

To schedule a requirement in the Calendar, the Job Plan code that corresponds to that requirement must have been included in the Participant's current, signed Job Plan.

For example: if the Participant's Job Plan does not include the code for Compulsory participation in Work for the Dole (Code WE12), the Department's IT Systems will not allow a Provider to schedule Compulsory Work for the Dole in the Participant's Calendar.

(Deed references: Clauses 83A.1, 83A.2)

Scheduling Requirements

The Provider must ensure that each day of each Participant requirement is scheduled in the Calendar. Each day of each requirement scheduled in the Calendar must be populated with:

- the name or description of the requirement
- the start time
- break times, where relevant
- the end time
- the location of the requirement, including any special instructions to locate a venue (e.g. located on battle-axe block) and
- the name of any third party provider or training organisation

When the Provider schedules the requirement in the Calendar and formally notifies the Participant, the requirement will then appear in the Participant's Calendar.

(Deed references: Clauses 83A, 83A.1, 83A.2, 83A.3)

Scheduling a Provider Appointment

Providers need to ensure that the Provider's Electronic Calendar has the capacity to receive an Appointment within the next two business days. When booking a Provider Appointment for a Participant, Providers need to select the correct appointment type, schedule the appointment in the Calendar and formally notify the Participant. If a Participant has an Appointment with their Provider, the Provider must deliver a Contact on the date and time of the Appointment as recorded in the Participant's Calendar.

There are four types of appointments; Initial; Contact; Re-engagement and Capability Interview appointment.

Please refer to the [Job Aids at the Learning Centre](#) for information on recording results at Provider Appointments.

(Deed references: Clauses 83.1, 83.3)

Scheduling Activities and Third Party Appointments

Detailed information on scheduling Activities and Appointments is available in the Job Seeker [Calendar and AAR Requirements IT Supporting Document](#).

(Deed references: Clauses 83A.2)

Scheduling Job Interviews

All Job Interviews need to be scheduled in the Calendar and the Participant must be formally notified of the requirement to attend. Participants taking personal responsibility to record their own attendance must do so for Job Interviews.

When the Provider becomes aware that a Participant has an upcoming interview, the Provider must schedule it in the Participant's calendar. This is required where the Provider has the relevant information and details to schedule the interview and appropriate time to notify the job seeker prior to the interview.

(Deed references: Clauses 83A.2, 83A.3)

Scheduling drug or alcohol rehabilitation

If the Provider identifies or becomes aware that the Participant's ongoing capability to meet their requirements or search for work is compromised by drug or alcohol dependency, the Provider needs to discuss this with the Participant to identify rehabilitation options that would assist the Participant to overcome their dependence.

If the Participant chooses to undertake drug and alcohol rehabilitation or is already when they enter employment services or transfer Providers, schedule it in the Calendar and formally notify the Participant. Undertaking drug and alcohol rehabilitation counts towards the Participant's AAR and Six Month Activity Requirement.

(Deed references: Clauses 83A.2, 83A.3)

Scheduling Study or Training

Providers are responsible for identifying any appropriate study and training opportunities that will assist the Participant to gain skills or qualifications that will assist them to find work. Where practical, the Provider must ensure all study and training is scheduled in the Calendar.

(Deed references: Clauses 83A.2, 83A.3)

Scheduling hours of employment where reasonable to do so

If the Participant is employed for regular hours, the Provider should schedule the hours of employment in the Calendar when they can reasonably do so.

The Provider should encourage the Participant to take personal responsibility by scheduling their own hours of employment, and they should either provide assistance to the Participant to do so or tell them where they can find assistance to help them with this. If the Participant does not schedule their own regular hours of employment by creating Personal Events, the Provider must do so.

The Provider will create a Personal Event in the Participant's Calendar for each day of employment the Participant is undertaking. The Participant does not need to be formally notified of scheduled Personal Events, including paid work, and the TCF cannot be used to report non-compliance for failing to attend work.

(Deed references: Clauses 83A.2, 83A.3)

Participant may create Personal Events

Participants may create their own Personal Events in their Calendar between 6am and 9pm. Participants may only create Personal Events where a Mutual Obligation Requirement is not already scheduled at that time.

The Provider is able to create Personal Events on behalf of the Participant to assist the Participant in having full visibility of their schedule and their requirements. Providers must create Personal Events on behalf of the Participant to schedule regular hours of paid work if the Participant does not do so. Providers must advise the Participant that even though they have created a Personal Event, Mutual Obligation Requirements may still be scheduled.

(Deed references: Clauses 83A.2)

Confirmed Participant Personal Events

Providers are responsible for confirming Participant Personal Events and are encouraged to review and consider Personal Events created by the Participant. Providers should use their judgement and knowledge of the individual Participant to decide whether the Participant's Personal Event is appropriate prior to confirming it. When deciding to confirm a Personal Event, the Provider should also consider the nature of the Personal Event and the Participant's personal situation. A Personal Event is considered to be Prior Notice of a Participant being unable to attend a requirement at that time. By confirming the event, the system will not allow a conflicting requirement to then be set.

If the Provider confirms a Personal Event that should not have been confirmed, they cannot 'un-confirm' the event. The Provider must cancel the Personal Event, after discussing the reasons why the Personal Event was cancelled in the Calendar, which will notify the Participant via an inbox message.

Unconfirmed Participant Personal Events

If a Provider considers that a Personal Event entered by a Participant is not appropriate, the Provider can choose to leave it unconfirmed. If a Personal Event is not confirmed, the Provider can override the unconfirmed Personal Event and schedule a requirement at that time. The Provider must record the reason in the Department's IT Systems and must formally notify the Participant of the requirement and ensuring they can make other arrangements for the Personal Event that they had created.

(Deed references: Clauses 83A.2, 83A.3)

Scheduling a requirement over a confirmed Participant Personal Event

If the Provider needs to schedule a requirement for the same time as a Participant's confirmed Personal Event, the Provider will need to discuss this with the Participant. After confirming with the Participant that they are available to attend the requirement at the scheduled time, the Provider is required to record the reason in the Department's IT Systems and formally notify the Participant of their requirement. Providers need to manage the conflicting requirement in the Calendar

and record the reason you are scheduling the requirement at this day/time in the Department's IT Systems.

(Deed references: Clauses 83A.2, 83A.3)

5. Issuing Formal Notification to the Participant

Except for any paid work the Participant is undertaking, the Provider is required to formally notify the Participant of every compulsory requirement in their Job Plan. The Provider must explain how to meet each requirement, as well as the consequences of not doing so, including possible financial penalties.

When the Provider schedules requirements in the Calendar, the Department's IT Systems will automatically create and record the selected Notification type to be issued. If a Participant's requirements are re-scheduled Providers must formally notify the Participant of the new requirement.

Formal Notification always includes:

- the reason for the appointment, if the requirement is an appointment
- whether the requirement is for the purpose of Re-engagement
- the date and start time of the requirement
- the location or address of the requirement
- if the Participant is required to record their own attendance, and if so, the consequences of not doing so
- whether the Participant will require evidence to record their own attendance
- whether the requirement is compulsory or voluntary
- that the Participant must contact their Provider beforehand if they become aware of an Acceptable Reason preventing them from being able to attend or complete the requirement
- the possible consequences for the Participant if they do not meet their requirement
- a statement that the Notification is a notice under Social Security Law
- that the Participant must complete their requirement in return for their Income Support Payment.

(Deed references: Clauses 83A.3)

Legal authority to formally notify a Participant of their Mutual Obligation Requirements

Employment services provider employees are delegated powers by the Secretary of the Department of Education, Skills and Employment under Social Security Law to notify Participants of their Mutual Obligation Requirements.

(Social Security (Administration) Act 1999 (ss: 63); Social Security Act 1991 (ss 501,544,605,731L) Deed Clause 117).

Note: The requirement to formally notify a Participant receiving Income Support Payments also applies to Disability Support Recipients (Compulsory Requirements) and Stronger Participation Incentive Participants.

Notifying Participants within the appropriate timeframe

Providers must issue Participants Formal Notification within the appropriate timeframe before the requirement is scheduled to occur.

If reasonable notice timeframes are not met, the Calendar will not allow a requirement to be booked unless the Provider is in direct contact with the Participant and they have agreed to attend this requirement and the Provider records this.

Refer to the Learning Centre for more supporting materials relating to reasonable notice timeframes and Notification methods at

<https://learningcentre.employment.gov.au/>.

(Deed references: Clauses 83A.3)

6. Privacy and information sharing

Providers must comply with Social Security Law and Australian privacy legislation. A Participant's Personal Information must only be used or disclosed for the purpose it was collected, except in limited circumstances such as where the Participant gives permission, where Commonwealth laws allow or other special circumstances.

Providers should seek independent legal advice if they have any concerns regarding their obligations under any privacy or other legislation. For further information, refer to the [Privacy Guideline](#).

(Deed references: Clauses 53, 87, 106)

Sharing Job Plans with SEE or AMEP Providers

Providers should encourage Participants who are participating in the SEE program or AMEP to share their Job Plans with their SEE or AMEP Provider in order to make them aware of their full Mutual Obligation Requirements. This will assist SEE and AMEP Providers in ensuring that they place Participants in courses that will fully meet their AAR or Six Month Activity Requirement.

7. Summary of required Documentary Evidence

- Once the terms of the Job Plan have been agreed to and the Job Plan has been created in the Department's IT Systems, the Job Plan must be provided to the Participant for their agreement. Job Plans can be agreed to online or by signing a hard copy.
- Providers may send a Job Plan to the Job Seeker Dashboard through the jobactive website or Job Seeker App for the Participant to review and agree to online.
- Providers must formally notify the Participant (including those with voluntary requirements) that the Job Plan has been sent to their Job Seeker Dashboard for their agreement. This must be done either face to face or over the phone and within two Business Days of sending the Job Plan.
- The Job Plan must be recorded in the Department's IT Systems as soon as possible, after the Job Plan has been created. The contents of the Job Plan

recorded in the Department's IT Systems must be exactly the same as the hard copy.

- If the Department's IT Systems is temporarily unavailable or there is no computer access, Providers must use the manual compulsory or voluntary Job Plan template available on the Provider Portal.

Attachment A – List of Job Plan codes

Also see [ESS Web Activity Search](#): for Job Plan code search function

Job Plan Codes	
Appointment Codes	
AI12—Provider Appointment	C,V
AI15—Third Party Appointment	C,V
Services Australia Only Codes	
A102—Attend Quarterly Appointment	C,V
A108—Reduced Capacity Requirements	C,V
ET63—Youth Activities	C
ET69—Refugee Activities	C
WE16—Community Services Order	C,V
EM51—Disability Supported Employment	C,V
Digital Only Codes	
JS11—Job Search monthly (Digital)	C,V
JS12—Job Interviews (Digital)	C,V
PA06—Personal Responsibility to Report and Record Attendance (Digital)	C
PA08—Digital Service Foundation Training	
Personal Responsibility Codes	
PA03 – Personal Responsibility to Report and Record Attendance	C
PA04 – Actioning Job Referrals and Opportunities	C,V
PA05 – Career Transition Assistance	V
Non-Vocational Codes	
NV02—Counselling	V
NV04—Non-Vocational Training	C,V
NV05—Parenting Skills Program	V
NV07—Drug and Alcohol Rehabilitation	V
NV09—Self-help Group or Support Group	C,V
NV10—Undertake an Assessment	C,V
NV12—Child Care	C,V
NV13—Intervention – Non Specific	C,V
NV14—Health Maintenance Program	V
Job Search Codes	
JS04—Job Search Contacts Voluntary	V
JS05—Job Search with Disability - Activity Tested	C
JS06—Job Search with Disability - Non Activity tested	V
JS07—Research and Prepare Applications	C,V
JS09—Job Search monthly	C,V
JS10—Job Interviews	C,V
Employment Codes	

EM52—NEIS	C,V
EM54—Self Employment	C,V
EM56—Paid Work	C,V
Participation Activity Codes	
ET52—Adult Migrant English	C,V
ET53—Apprenticeship/Traineeship	C,V
ET56—SEE or ESL course	C,V
ET57—SEE and/or ESL assessment	C,V
ET58—NEIS Training	C,V
ET59—Study - Part-Time or Full-Time <i>This code now has an extra question when adding to a Job Plan: "is this an in-demand skills course"</i>	C,V
ET60—Updating work related licences/quals/m-ships	C,V
ET64—Work preparation	C,V
ET67—PaTH Internship	V
ET68—PaTH Employability Skills Training	C,V
ET69—Refugee Activities	C
WE08—Relocation to an Area of Higher Labour Demand	V
WE09—Temporary Relocation to Undertake an Activity	V
WE10—Unpaid Work Experience (for Work Experience (Other))	V
WE11—Voluntary Work	C,V
WE12— Work for the Dole	C,V
WE15—Defence Force Reserves	V
WE18—National Work Experience Programme	V
PA05—Career Transition Assistance	V
PA07—Employment Preparation Activity	C,V
PA10- Try a different approach to finding employment	V
Points Based Activation System	
PA09—Points Requirement	C
Assistance Codes	
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	
FTXT – Free Text	

All capitalised terms in this Guideline have the same meaning as in the jobactive Deed 2015–2022 (the Deed).

This Guideline is not a stand-alone document and does not contain the entirety of Employment Services Providers' obligations. It must be read in conjunction with the Deed and any relevant Guidelines or reference material issued by Department of Education, Skills and Employment under or in connection with the Deed.

Guideline:

Managing and Monitoring Mutual Obligation Requirements Guideline

Participants generally have Mutual Obligation Requirements, such as looking for work and participating in Activities that will improve their employment prospects, in return for receiving taxpayer-funded Income Support Payments paid by Services Australia.

The main aim of Mutual Obligation Requirements is to help a Participant into paid work and reduce reliance on Income Support Payments as quickly as possible. It also allows for Participants to contribute to the community that supports them while they are unemployed.

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Changes from the previous version (Version 5.0)

Policy changes:

- From 1 October 2021, Participants who have participated in Online Employment Services (OES) or jobactive for six months will be required to undertake work, study or training, or an approved activity to meet a new Six Month Activity Requirement. The requirement will apply to Participants who complete six months in service on or after 1 October 2021.
- The EST mandatory activation point for young people in jobactive will change from five months to six months to align with the Six Month Activity Requirement.
- Removal of references to the Regional Employment Trial which has ceased.

Wording changes:

- Page 18: Wording changes to clarify current Work for the Dole policy.
- Page 29: Section updates regarding Provider monitoring of Participant action on a Job Referral task, including recording an assessment result within the specified timeframe.
- Attachment A updated to clarify current policy settings and to include Six Month Activity Requirement.

A full document history is available on the [Provider Portal](#).

Related documents and references

[Activity Management Guideline](#)

[Disability Support Pension Recipients Compulsory Requirements Guideline](#)

[Using the Employment Fund General Account Guideline](#)

[Participation in a Program of Support for DSP Claimants – Fact Sheet](#)

[Learning Centre: Log in to the site](#)

[Targeted Compliance Framework: Mutual Obligation Failures Guideline](#)

[Exploring Being My Own Boss Additional Services Guideline](#)

[Support NEIS participants to start and run their small business](#)

[Managing PaTH Internships Guideline](#)

[Norfolk Island Guideline](#)

[Performance Framework Guideline](#)

[Period of Service, Suspensions and Exits Guideline](#)

[Privacy Guideline](#)

[Transition to Work Guidelines](#)

[Work for the Dole Guideline](#)

[Job Plan and Scheduling Mutual Obligation
Requirements Guideline](#)

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1. Defining Mutual Obligation Requirements

Participants on the following Income Support Payments must meet their Mutual Obligation Requirements to receive their payment:

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

Participants' Income Support Payments are generally paid in fortnightly instalments, therefore, job seekers need to have and satisfy sufficient Mutual Obligation Requirements for each fortnight they are receiving Income Support Payments.

A Participant's Mutual Obligation Requirements are generally determined by considering their:

- age
- assessed work capacity, and
- whether they have primary responsibility for the care of a child.

Participants with full-time requirements should be looking for work full-time and actively addressing the individual circumstances that affect their capacity to undertake paid work.

Participants with part-time Mutual Obligation Requirements are:

- Principal Carer Parents whose youngest child is between 6 to 15 years of age
- Participants with a Partial Capacity to Work or a temporary reduced work capacity of 15 to 29 hours per week.

Participants' Mutual Obligation Requirements include:

- entering into a Job Plan and fully complying with the plan's requirements
- attending all appointments with Services Australia and/or a Provider
- acting on Job Referrals and attending Job Interviews offered by employers
- undertaking Job Searches (up to 20 Job Searches per month)
- meeting their Annual Activity Requirement (AAR) (refer to the [Annual Activity Requirement \(AAR\) section](#) of this guideline)
- meeting their Six Month Activity Requirement (SMAR) (refer to the [Six Month Activity Requirement \(SMAR\) section](#) of this guideline)
- participating in any Activity that is relevant to their personal circumstances and will help the Participant to improve their employment prospects.

[Attachment A](#) provides a table summarising Mutual Obligation Requirements for different cohorts of Participants.

A broad range of Activities can be used to meet a Participant's Mutual Obligation Requirements. A list of Suitable Activities that can be used to meet a Participant's Mutual Obligation Requirements are available [here](#).

Also refer to [Job Plan and Scheduling Mutual Obligation Requirements Guideline](#) for information about Job Plan codes.

The Activities Participants are undertaking must be included in their Job Plan as either a compulsory or voluntary Activity. There must be at least one compulsory Activity included in a Job Plan for job seekers with Mutual Obligation Requirements.

Voluntary Activities are not subject to the Targeted Compliance Framework.

(Deed References: Clauses 82, 83, 85, 106, 114)

Determining Mutual Obligation Requirements

When determining Mutual Obligation Requirements it is important to identify both a Participant's strengths as well as any barriers they have to finding employment. Any vocational and non-vocational Activities are to be tailored to address the Participant's individual needs and work capacity.

Consider and seek out Activities that will help Participants overcome or manage any vocational and non-vocational barriers.

Activities or other requirements in the Job Plan must not place unreasonable demands on the Participant. The Participant must be capable of doing any Activity and meeting all requirements included in their Job Plan.

After consulting with the Participant, determine the Activities to meet the Participant's Mutual Obligation Requirements in accordance with the Deed, this Guideline and Social Security Law. Providers should take into account the Participant's preferences wherever possible. However, as the delegate of the Secretary of the Department of Education, Skills and Employment, Provider staff will ultimately determine what Activities the Participant must do to meet their Mutual Obligation Requirements under Social Security Law.

Record the Activities and other relevant items in the Participant's Job Plan, and schedule Activities in the Calendar. If drug or alcohol dependency is impacting on participation and appropriate treatment services are not available the Provider must record this information on the Job Seeker's Personal Summary Page ('What you need to know').

Under Social Security Law, Participants must be formally notified of the dates, times and locations for attending appointments and participating in Activities, along with any special requirements such as wearing work boots and other safety gear.

Considering a Participant's circumstances

When determining a Participant's Mutual Obligation Requirements and setting the terms of a Job Plan, consult with the Participant and consider:

- individual circumstances – in particular, their assessed work capacity (where relevant), their capacity to comply with requirements and their personal needs
- education, experience, skills and age
- the impact of any disability, illness, physical or mental health condition or other non-vocational issue, including drug and alcohol dependency, affecting a Participant's ability to work, look for work or participate in Activities
- the state of the local labour market and the transport options available to the Participant in accessing that market
- the participation opportunities and Activities available to the Participant

- their family and care responsibilities (including availability of child care)
- the length of travel time required to comply with the requirements (reasonable travel time is 90 minutes each way or, if the Participant is a Principal Carer Parent or has a Partial Capacity to Work, 60 minutes each way)
- the financial costs (such as travel costs) of complying with the requirements and the Participant's capacity to pay for such costs
- whether the Participant has any vulnerability indicators (as identified by Services Australia) such as homelessness, psychiatric problems or mental health conditions, severe drug or alcohol dependency, or traumatic relationship breakdown
- any history of the job seeker not complying with their Mutual Obligation Requirements (to ensure that they undertake appropriate requirements in return for tax-payer funded Income Support Payments)
- cultural factors
- if they are an Early School Leaver
- the number of hours a fortnight the Participant is required to undertake approved Activities in the Work for the Dole Phase
- if the Participant participated in Time to Work Employment Service, any comments and recommendations in the Time to Work Employment Service Transition Plan (Providers can find the Transition Plan in the Department's IT Systems)
- any other matters that the Provider considers relevant to the Participant's circumstances (including if the Participant discloses they are a victim of family violence).

When setting the Participant's Mutual Obligation Requirements, review any barriers identified through an Employment Services Assessment (ESAt) or Job Capacity Assessment (JCA) or other issues disclosed to the Provider. The Job Seeker Classification Instrument (JSCI) and Capability Management Tool may also help identify personal issues affecting a Participant's employability. These will help the Provider decide on the Activities required of a Participant to meet their fortnightly Mutual Obligation Requirements, including their SMAR or their AAR in the Work for the Dole Phase.

Information about a Participant's circumstances can be found on the Participation Profile screen of the Department's IT Systems.

Using the Capability Management Tool

The Capability Management Tool in Department's IT Systems needs to be updated when conducting a Capability Interview, or at any the Participant discloses new barriers. It should be used to review and manage a Participant's personal circumstances which may affect their capacity to participate in Activities or other requirements and can assist in identifying specific vocational or non-vocational barriers, including those disclosed by the Participant.

The Capability Management Tool can help to:

- ensure the Participant has requirements in their Job Plan appropriate to their circumstances
- include ESAt recommended Interventions in the Job Plan
- record additional vocational or non-vocational issues.

Providers should familiarise themselves with relevant Deed provisions in case Participants request access to their records in the Capability Management Tool.

See the [Capability Interview Guideline](#) for information on updating the Job Plan following a Capability Interview.

(Deed references: Clause 38, 87, Annexure A1)

Mutual Obligation Requirements for Principal Carer Parents

Consider a Principal Carer Parent's family and caring responsibilities, including the availability of suitable childcare, when setting Mutual Obligation Requirements. During school terms, face-to-face Provider Appointments and participation Activities should be scheduled during school hours (generally between 9.00 am to 3.00 pm) unless otherwise agreed to by the Principal Carer Parent.

The Department's IT Systems will automatically identify time outside of school hours in the Principal Carer Parent's Calendar. Providers will be able to set requirements at times outside school hours, including weekends. However, Providers will need to discuss this with the Principal Carer Parent to ensure they are available at that time and record the Principal Carer Parent's availability in the Department's IT Systems. This information will be attached to the requirement.

Principal Carer Parents have part-time Mutual Obligation Requirements and can fully meet their requirements through 30 hours per fortnight of:

- paid work (including self-employment)
- approved study (see the section on [Approval of Study and Training](#) in this Guideline)
- Voluntary Work (as described below), or
- a combination of the above.

Providers can approve Voluntary Work for the purposes of a Principal Carer Parent fully meeting their Mutual Obligation requirements if:

- the Provider determines that the Principal Carer Parent lives in a weak labour market
- limited training opportunities are locally available (online courses may be considered 'locally available' if they have access to a computer)
- there is a significant vocational aspect to the Voluntary Work.

The Voluntary Work must be in an organisation approved by Services Australia.

If the Principal Carer Parent fully meets their Mutual Obligation Requirements, through sufficient participation in the above Activities they cannot be required to complete Job Search or meet any other additional requirements.

A Principal Carer Parent who is fully meeting their Mutual Obligation Requirements through sufficient participation in paid work and/or study, may be eligible for a Provider Exit (which is processed manually by the Provider) if participation in the approved Activity is likely to be ongoing or last more than 13 weeks.

See the [Period of Service, Suspensions and Exits Guideline](#).

If a Principal Carer Parent is either 55 years of age or over or has a Partial Capacity to Work, the category of Mutual Obligation Requirement which gives the Participant a lesser work requirement should be applied.

Meeting Mutual Obligation Requirements for Principal Carer Parents during school holiday periods

If a Principal Carer Parent is unable to obtain suitable childcare during the school holiday period, the Provider will need to make alternative arrangements to support Participants to meet their Mutual Obligation Requirements. A Principal Carer Parent will not be required to attend Work for the Dole or another Activity during the school holidays if appropriate care and supervision of their children is not available or affordable.

For example, while Principal Carers Parents are not required to attend face-to-face appointments with their Provider during school holidays, they can engage with their Provider through other means, such as by telephone or via Skype/face-time etc. Job Search can also be conducted from home or the Provider may also decide to reduce Job Search requirements over the school holiday period, while the Principal Carer Parent is caring for children during school holidays.

Principal Carer Parents must continue to meet their part-time Mutual Obligation Requirements during the school holidays except for the fortnight in which the Christmas public holiday falls.

Employer initiated shut down period over the extended Christmas/New Year school holiday break

Principal Carer Parents who are fully meeting their Mutual Obligation Requirements by working 30 hours a fortnight (including instances when working is one of a combination of Activities) are considered to be meeting their requirements during the employer initiated shutdown period over the extended Christmas/New Year school holiday period. This only applies to Principal Carer Parents who reasonably expect to resume their employment when their employer resumes business in the New Year.

The employer initiated shut down period break can only be taken while the place of employment is closed, up to a maximum of eight weeks. After eight weeks the Principal Carer Parent will be required to participate in other Activities to meet Mutual Obligation Requirements while the employer is in the shutdown period.

Inability to obtain suitable childcare is an Acceptable or Valid Reason

If the Principal Carer Parent is required to undertake an Activity but is unable to obtain suitable childcare, they will have an Acceptable or Valid Reason to not undertake that requirement. If this occurs, alternative requirements must be set to enable the Participant to meet their Mutual Obligation Requirements.

Mutual Obligation Requirements for Participants with a Partial Capacity to Work

Participants have a Partial Capacity to Work if both their baseline work capacity and work capacity within two years of Intervention are less than 30 hours per week.

Mutual Obligation Requirements are based on a Participant's work capacity within two years with Intervention. However, Participants are not required to participate

immediately at the higher work capacity. Rather, the Participant's capacity to participate can be increased through participation in a suitable program of assistance or other appropriate Activity.

When a Participant'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.

Participants with an assessed Partial Capacity to Work of 15-29 hours per week can fully meet their part-time Mutual Obligation Requirements through 30 hours per fortnight of paid work including self-employment, approved study, or a combination of these Activities.

If they fully meet their Mutual Obligation Requirements through sufficient participation per fortnight in the above Activities these Participants cannot be required to undertake Job Search or meet other requirements. They also do not need to remain connected with a Provider and will be Suspended on a Provider's caseload.

Participants with an assessed Partial Capacity to Work who are fully meeting their Mutual Obligation Requirements through sufficient participation in paid work and/or study, may be eligible for a Provider Exit (which is processed manually by the Provider) if participation in the approved Activity is likely to be ongoing or last more than 13 weeks. See the [Period of Service, Suspensions and Exits Guideline](#).

Participants who have been assessed as having a Partial Capacity to Work of 0-14 hours per week can fully meet their Mutual Obligation Requirements by attending quarterly appointments with Services Australia.

Mutual Obligation Requirements for Participants with temporary reduced work capacity

Participants may have a temporary medical condition with a temporary reduced work capacity applied by Services Australia (which is identified through an Employment Services Assessment). Participants will have reduced requirements for the period of their temporary reduced work capacity. Providers must take this into account when setting suitable approved Activities and the level of participation in the Job Plan.

If a Provider considers that a Participant without an assessed temporary reduced work capacity is impacted by a medium or long-term medical condition, the Provider should take these personal circumstances into account when setting Mutual Obligation Requirements and record the information about the Participant's circumstances in the 'What you need to know' section of the Department's IT Systems. Providers should exercise judgement and take these personal circumstances into account when setting Mutual Obligation Requirements. Medium or long-term medical conditions are usually episodic or chronic in nature and include schizophrenia, psychosis, depression and anxiety. Where appropriate, Providers should advise Participants to contact Services Australia so that a reduction in their Mutual Obligation Requirements through a temporary reduced work capacity status or an exemption can be considered.

Participants who have been assessed as having a temporary reduced work capacity of 15-29 hours per week can fully meet their Mutual Obligation Requirements through 30 hours per fortnight of paid work (including self-employment) approved study or a combination of these Activities.

If the Participant is fully meeting their Mutual Obligation Requirements through sufficient participation per fortnight in the above Activities they cannot be required to undertake any Job Search or meet other requirements. They do not need to remain connected to a Provider and will be Suspended from the Provider's caseload.

Participants with an assessed temporary reduced work capacity who are fully meeting their Mutual Obligation Requirements through sufficient participation in paid work and/or study, may be eligible for a Provider Exit (which is processed manually by the Provider) if participation in the approved Activity is likely to be ongoing or last more than 13 weeks. See the [Period of Service, Suspensions and Exits Guideline](#).

Participants who have been assessed as having a temporary reduced work capacity of 0-14 hours per week can fully meet their Mutual Obligation Requirements through participation in a quarterly interview with Services Australia.

Mutual Obligation Requirements for mature-age Participants

Participants 55 years of age and over can meet their full-time Mutual Obligation Requirements through paid work (including self-employment), approved Voluntary Work or a combination of these Activities, depending on their age and circumstances, as follows:

- If the Participant is 55 - 59 years of age and in their first 12 months of receiving payment, they can fully meet their Mutual Obligation Requirements by completing 30 hours per fortnight of paid work. This can also be met by completing 30 hours per fortnight of a combination of approved study, Voluntary Work and paid work. However, this must include at least 15 hours per fortnight of paid work.
- If the Participant is 55 – 59 years of age and has been receiving payment for more than 12 months, they can fully meet their Mutual Obligation Requirements if they undertake at least 30 hours per fortnight of paid work, approved Voluntary Work or a combination of the two Activities.
- If the Participant is aged between 60 and the age pension age, they can fully meet their Mutual Obligation Requirements if they undertake at least 30 hours per fortnight of paid work, approved Voluntary Work or a combination of the two activities.

These Participants cannot be required to do Job Search or other requirements if they are meeting their Mutual Obligation Requirements in this way.

Participants should remain connected with a Provider but will be Suspended on a Provider's caseload. However, Providers can continue to refer them to job opportunities. Services Australia will make an initial Appointment with the Provider for Participants 55 years of age and over, even if they are already satisfying their Mutual Obligation Requirements (as above). Participants who fail to attend this Appointment or any other scheduled Provider Appointments or who fail to accept

referrals to jobs, may be subject to action under the Targeted Compliance Framework.

See the [Targeted Compliance Framework: Mutual Obligation Failures Guideline](#).

Mutual Obligation Requirements for some Ministers of Religion

Ministers of Religion who are either a Principal Carer Parent or have a Partial Capacity to Work will be regarded as fully meeting their part-time Mutual Obligation Requirements by undertaking at least 30 hours per fortnight of paid pastoral work for their religious organisation.

Monitoring by Services Australia for Participants fully meeting their requirements

For the above cohorts of Participants, Services Australia will determine whether a Participant is fully meeting their Mutual Obligation Requirements. If Services Australia establishes that they are participating sufficiently in appropriate Activities, they will update the Participant's Job Plan to include the Activities they are undertaking to fully meet their Mutual Obligation Requirements. Once Services Australia determines a Participant (other than a mature-age Participant) is fully meeting their Mutual Obligation Requirements, the Participant may be a Services Australia managed Participant and Exited from the Provider's caseload.

Continuing voluntarily in Employment Services

- A Participant fully meeting their Mutual Obligation Requirements may elect to participate voluntarily in services while they are Suspended after:
 - being contacted by their Provider to discuss and agree to voluntarily participate while Suspended from employment services
 - notifying Services Australia, who will either call their Provider or book an Appointment for them
 - contacting their Provider directly to request services.
- If a Participant who is Suspended from employment services elects to voluntarily participate in employment services, the Provider must provide services to the Participant.
- If a Participant who is fully meeting their Mutual Obligation Requirements participates voluntarily in employment services, Providers must not remove the relevant compulsory Activities that Services Australia has included in their Job Plan. Additional Activities included in the Job Plan must be added as voluntary.

Sufficient work test

The decision that a Participant is doing sufficient work would generally be restricted to cases where the person can fully meet their Mutual Obligation Requirements while still receiving some payment and a person can demonstrate a stable pattern of employment and earnings (e.g. permanent paid work). If there is significant variation in hours worked and earning from fortnight to fortnight, whether a Participant's work fully meets their Mutual Obligation Requirements must be determined fortnightly.

Self-employment will satisfy the sufficient work test if the Participant is working at least their required number of hours and the taxable income provides the equivalent

of the national minimum wage rate for the minimum required hours. If self-employment does not satisfy the sufficient work test, the Participant will generally be required to look for alternative work.



Documentary Evidence: Providers must document a Participant's satisfactory participation in self-employment as per the [Documentary Evidence for AAR and other Approved Activities section](#) of this guideline.

If a Participant's commitment to their business activities interferes with required Job Search or other Activities, the person will usually not be considered to be 'unemployed' for the purpose of qualifying for Income Support Payments.

Mutual Obligation Requirements for Early School Leavers

An Early School Leaver is a person who receives Youth Allowance (other), is under 22 years of age and has not completed Year 12, the final year of secondary school or an equivalent Australian Qualifications Framework Certificate III level or above.

Until they turn 22 years of age or attain Year 12 or an equivalent qualification, Early School Leavers are generally required to participate in:

- full-time education or training with no Job Search requirement, including Certificate I and II level courses
- a combination of part-time education or training and paid work for a total of 25 hours per week (15 hours for Principal Carer Parents and those with a Partial Capacity to Work of 15 to 29 hours per week) and no Job Search requirement
- other approved Activities for 25 hours per week (15 hours for Principal Carer Parents and those with a Partial Capacity to Work of 15 to 29 hours per week), including the requirement to do up to 20 Job Searches per month.

Early School Leavers who are eligible for Youth Jobs PaTH Employability Skills Training and PaTH Internship Placements must still undertake Job Search. For further information on these programs, refer to Youth Jobs PaTH Employability Skills Training (EST) section of this guideline.

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.

Verification of an Early School Leaver's qualifications

Only Services Australia can verify a Year 12 or equivalent qualification to determine whether a young person is no longer an Early School Leaver. Services Australia will accept any of the following:

- a Year 12 certificate issued by a Senior Secondary Board of Studies
- an Australian Qualification Framework Certificate III
- a higher qualification issued by a Registered Training Organisation or higher educational institution
- a Certificate III or IV of General Education for Adults
- the International Baccalaureate

- other higher education pre-entry course.



Documentary evidence: Providers must fax an Early School Leaver's qualifications to the Services Australia Business Hotline on 1300 786 102. Sight the original and send a copy of the completed qualification with the cover sheet at Attachment B. If the original qualification has been lost or destroyed, a certified copy of the qualification or a letter from the education institution formally verifying attainment of the qualification will be accepted. If none of these can be obtained, a statutory declaration from the Early School Leaver will be accepted. The statutory declaration must include the name of the course, date completed, name of institution and institution contact details, and must be appropriately certified. Do not send verification requests to Services Australia if the education level is below Year 12.

If Services Australia does not accept the qualification, they will contact the Provider. Providers must contact the Early School Leaver to advise them of the reason the qualification was not verified.



System step: Where accepted by Services Australia, update the education level information in the Participant's JSCI to reflect the Early School Leaver's advised higher level of educational attainment.

(Deed References: Clause 93, 105)

Mutual Obligation Requirements for pregnant Participants

Generally, Mutual Obligation Requirements for pregnant Participants will not change during the first two trimesters of pregnancy. However, Providers must take into account the Participant's personal circumstances when setting their Mutual Obligation Requirements. Pregnant Participants are exempt from Mutual Obligation Requirements from 6 weeks before the expected due date until six weeks following the birth of the child.

Pregnant Participants will not be required to undertake Job Search from three months before their due date. During this time, Providers cannot compel these Participants to accept job offers or referrals to job interviews.

Participants exempt from Mutual Obligation Requirements

If a Participant is temporarily unable to meet their Mutual Obligation Requirements, Services Australia may grant an Exemption from requirements for a specified period. This recognises the different family and personal situations that Participants face and that can prevent them from participating in Job Search, paid work, Work for the Dole, vocational training or a range of other Activities designed to improve their employment prospects.

The types of Exemptions that may be applied include but are not limited to the following situations:

- temporary medical incapacity
- serious illness
- pre and postnatal
- caring for children with a disability or other special family circumstances
- domestic violence

- other special family circumstances including:
 - if a Principal Carer Parent is a registered and active foster carer or providing foster care temporarily in an emergency, or on a respite, basis
 - if a parent is home schooling or facilitating distance education for one or more of the children or secondary pupil children for whom they are the principal carer or main supporter
 - if a Principal Carer Parent is caring for a family of four or more children aged 18 years or under
 - if a principal carer is a relative but not a parent of a child and the child is living with the principal carer in accordance with a family law order, or
 - if a principal carer is a relative but not a parent of a child (kin child) and the principal carer is caring for the wellbeing of that kin child in accordance with a document accepted by the state/territory that is responsible for the wellbeing of children.
- other special circumstances, including:
 - major personal disruption to the job seeker's home
 - major personal crisis (including homelessness)
 - affected by declared natural disaster, e.g. bushfire, flooding or cyclone
 - volunteering during a state or national emergency
 - temporary caring responsibilities
 - dad and partner leave
 - undertaking jury duty
 - being a newly protected witness
 - being a newly arrived refugee, or
 - undertaking Indigenous cultural business.

If a Provider believes that the Participant does not have the capacity to meet their Mutual Obligation Requirements, the Participant should be encouraged to contact Services Australia to test their eligibility for an Exemption. Participants will need to provide evidence to support their claim.

If applying for an Exemption due to a temporary medical condition, the Participant will need to submit appropriate evidence, for example an approved medical certificate.

However, Services Australia should wherever possible reduce a Participant's Mutual Obligation Requirements rather than exempting them completely.

Participants granted an Exemption will be Suspended from a Provider's caseload for the period of the Exemption. Some Participants with longer-term Exemptions may be Exited from a Provider's caseload. However, Participants may voluntarily choose to continue participating with employment services.

NOTE: Some Participants considering an application for a Disability Support Pension may need to demonstrate that they have actively participated in a Program of Support to be eligible for Disability Support Pension. You should advise these Participants that periods of exemption will not be counted as participation in a

Program of Support. More information for providers can be found in the [Participation in a Programme of Support for DSP Claimants Supporting Document](#).

Participants subject to domestic violence

If there is any suspicion of domestic violence (including family violence) then Providers must refer the Participant to a Services Australia social worker. Providers should also refer a Participant to one of the national or state-based organisations for advice and information about domestic violence.

Providers notified of domestic violence (including family violence) as the reason for not meeting Mutual Obligation Requirements, must consider this in their assessment of whether or not the Participant had a Valid Reason.

If a Participant applies to Services Australia for an Exemption because they are subject to domestic violence (including family violence), Services Australia will make an assessment on whether an Exemption is granted and the appropriate length of the Exemption from their Mutual Obligation Requirements.

If the Participant is a Principal Carer Parent and subject to domestic violence, Services Australia will generally grant an Exemption.

Suitable Activities to meet Mutual Obligation Requirements and the AAR and SMAR

Consider the Participant's Stream, Phase and individual circumstances when setting Mutual Obligation Requirements. In particular, consider whether the Participant has a SMAR or is in the Work for the Dole Phase and has an AAR.

Include approved Activities in the Participant's Job Plan that will enable them to meet their Mutual Obligation Requirements, using the correct Job Plan code linked to the Activity scheduled in the Calendar. If the Participant is in the Work for the Dole Phase, sufficient hours of Activities must be scheduled in the Calendar to allow the Participant to meet their AAR.

Depending on a Participant's circumstances, there is a range of Activities they may undertake to meet their Mutual Obligation Requirements (some of which are described below).

Approved Programs of Work

All Participants in an Approved Program of Work (whether they are receiving a full or part rate of Income Support Payment) are eligible for the Approved Program of Work Supplement of \$20.80 a fortnight (Social Security Law).

Approved Programs of Work for jobactive Participants include:

- the National Work Experience Programme – the NWEPP can only be included as a voluntary not compulsory Activity in the Job Plan
- Work for the Dole - Only Participants 18 years of age and older can take part in Work for the Dole

Work for the Dole

Work for the Dole cannot be included as a compulsory Activity (i.e. can only be included as voluntary) in the Job Plan if:

- the Participant is receiving less than the full rate of JobSeeker Payment, Youth Allowance (other), or Parenting Payment Single, where the rate is reduced due to the income test (combined income of the Participant and, if applicable, their partner)
- the Participant's Job Plan also includes the Paid Work Job Plan code EM56
- for Special Benefit- Nominated Visa Holders, the person or, if applicable, their partner has income
- the Activity is more than 50 hours per fortnight, or
- the Participant is 60 years of age and over.

In all other circumstances, except for Participants under 18 years of age (who are not eligible to participate), Work for the Dole can be included as a compulsory Activity in the Participant's Job Plan.

Work for the Dole may be included as a voluntary Activity in the Participant's Job Plan in the above circumstances. However, Participants in these circumstances can be compelled to participate in another Activity should they not be undertaking enough hours in Work for the Dole to meet their AAR.

If the Participant is receiving anything less than the full rate of Income Support Payment, then Work for the Dole may be included in combination with other approved Activities to meet their AAR. If they elect to do this, then Work for the Dole must be included as a voluntary Activity in their Job Plan.

Providers should regularly review if the Participant is receiving a full rate of Income Support Payment or a reduced rate due to the income test. Providers can view a Participant's previous four fortnights' Income Support Payment rate on the Department's IT Systems Notification screen. If a Participant returns to the full rate of Income Support Payment, the Provider can update the Participant's Job Plan to include Work for the Dole as a compulsory Activity.

Voluntary and compulsory participation in Work for the Dole will meet a Participant's SMAR. However, where eligible Participants have not chosen an alternative approved activity within four weeks of reaching their SMAR commencement date, they will be referred to Work for the Dole as the default activity. For more information see the Work for the Dole Guideline.



Documentary Evidence: Providers may also consider requesting Documentary Evidence from the Participant to determine if that Participant is declaring income to Services Australia or is on a reduced rate of Income Support Payment for other reasons.

If the Participant fails to actively participate in the voluntary Work for the Dole Activity, then a Provider should consider replacing it with an alternative Activity so that the job seeker can meet their AAR or SMAR. For example, the job seeker could be compelled to do some voluntary work to achieve the required hours each fortnight.

National Work Experience Programme

The National Work Experience Programme provides voluntary short-term placements for Participants 17 years of age or over, regardless of whether the Participant is receiving full or part rate of Income Support Payment.

Work Experience (Other) Placements

Work Experience (Other) Placements provide voluntary, short-term, observational unpaid work experience placements for Participant 15 years of age or over, regardless of whether the Participant is receiving an Income Support Payment. Participation in this Activity can contribute towards a Participant's Mutual Obligation Requirement, but is not approved for AAR or SMAR purposes except for Stream C jobactive Participants.

Youth Jobs PaTH Employability Skills Training (EST)

A jobactive Participant is Employability Skills Training (EST) Eligible if they are between 15 and 24 years of age, receiving Income Support Payment and have Mutual Obligation Requirements.

EST Courses consist of 75 hours of training, delivered at 25 hours per week over three weeks for Participants with full time Mutual Obligation Requirements and 15 hours per week over five weeks for Participants with part-time Mutual Obligation Requirements.

An EST Eligible Participant has a mandatory requirement to undertake EST once they have received services through jobactive for six months. An EST mandatory Participant must be considered for both types of EST courses.

Participating in one EST Course will meet a jobactive participant's SMAR (refer to the [Six Month Activity Requirement \(SMAR\)](#) section of this Guideline).

Reports are available in ESS Web and Qlik, which identify EST mandatory and eligible Participants, including those not in any Activity.

An EST mandatory Participant retains their mandatory status until they have completed both EST Courses. This is to encourage the development of employability skills. ESS Web recognises completion of an EST Course when a completion payment is claimed by the EST Provider.

Once a Participant has completed both types of EST Courses and the associated completion payments have been claimed by the EST Provider, the Participant will revert to and maintain an EST Eligible status for as long as they meet the eligibility criteria.

Providers have discretion not to refer a Participant (for whom EST would otherwise be mandatory) to an EST Course, or include EST as a compulsory Activity in the Job Plan if the Provider considers that the Participant:

- already has the relevant skills and experience (such as through having relevant recent workforce experience or already having a part time job)
- has recently completed similar training
- has Non-Vocational Barriers that must be addressed first as a priority before they can benefit from the training - this could include language issues, health issues or family problems
- would have to travel more than 90 minute each way to the training (60 minutes for Participants with part-time Mutual Obligation Requirements) or there are no suitable EST courses available
- is referred to another suitable Activity - this should only be used when there is an active referral or commencement to another Activity in ESS Web. Where another Activity referral is in place with an end date in the near future, Providers

should consider creating an EST referral for a future course. This provides an opportunity for the Participant to move from their current activity into EST

Choosing one of these reasons in ESS Web removes the Participant from the count of Participants who are EST Mandatory. After eight weeks the Department's IT Systems will override and unselect the reason, making the Participant EST Mandatory again. Providers must then reassess the suitability of EST for the Participant. Provider's use of these reasons will be monitored.

Note: If a Provider exempts an EST Mandatory Participant from EST participation, they are **not** exempt from meeting the SMAR, and must meet the SMAR through another approved Activity (refer to [Six Month Activity Requirement \(SMAR\)](#) section of this Guideline).

Participants who are EST eligible can be referred to an EST Course from day one in jobactive.

Providers will receive a notification in the Department's IT Systems when Participants have been serviced in jobactive for six months. The [Activity Management Guideline](#) provides details on EST, including how to record reasons for why a Participant will not be participating in EST Courses.

Participants with part-time Mutual Obligation Requirements such as Principal Carer Parents or others with a Partial Capacity to Work may volunteer to undertake more than 15 hours per week of EST. The additional hours will need to be recorded separately in the Job Plan as a voluntary Activity. These Participants are encouraged to participate for the duration of the Course but cannot be compelled to undertake additional hours. If the Participant is unable to meet the Course hours, the Provider should consider a more suitable Activity.



System step: If a Participant is EST mandatory, ESS Web prevents the finalisation of their Job Plan when making a referral to other activities. When referring an EST mandatory Participant to another activity, the EST opt-out reason of 'referred to other activity' must be applied before updating the Job Plan with the other activity.

PaTH Internship Placements

Young Participants 17–24 years of age, with Mutual Obligation Requirements, can participate in a PaTH Internship.

Eligible young Participants must:

- be in jobactive Stream A and have participated in either block one, or block two Employability Skills Training; or
- be in jobactive Stream A and have been continuously serviced in employment services from any jobactive provider, Transition to Work provider or Disability Employment Services provider for at least six months; or
- be in jobactive Stream B or C, Transition to Work or Disability Employment Services.

Early School Leavers can participate in a PaTH Internship. PaTH Internship placements are to be included in the Job Plan as a voluntary item. However, if the Participant fails to participate, then the Provider will need to place them in an alternative compulsory Activity.

See the [Managing PaTH Internships Guidelines](#) for further information.

Career Transition Assistance (CTA)

All Participants aged 45 years and over, and registered with a jobactive Provider, are eligible to participate in CTA. CTA provides opportunities for mature-age people to identify and articulate transferable skills, increase their job readiness and better target their Job Search to local industries and available jobs, and develop basic functional IT skills.

Participation in CTA is 75 hours over an eight-week period. Where a Participant with part-time Mutual Obligation Requirements is referred to CTA, the jobactive Provider should select and modify the schedule in the Participant's calendar as necessary to meet the Participant's needs.

CTA is an approved Activity for the purposes of meeting a Participant's AAR and will fully meet the Participant's AAR for the duration of their participation in CTA while in the Work for the Dole Phase. Completing CTA will meet the SMAR.

Participation in CTA is voluntary, and CTA can only be added to a Participant's Job Plan as a voluntary Activity. CTA Providers will advise the Participant's jobactive Provider if the Participant stops attending CTA. If the Participant is exited from CTA, the jobactive Provider must place them in an alternative approved Activity.

Launch into Work

Participation in Launch into Work program pre-employment projects should be included as a voluntary Activity in the Participant's Job Plan. Providers should record this Activity in the Job Plan using the ET64 Work Preparation activity code. Providers should include the relevant activity details, such as the Launch into Work organisation and dates and hours of participation.

Participation in Launch into Work program pre-employment projects will meet the SMAR and fully meet participants' AAR for the duration of the project. Participants will not have to complete other activities whilst participating in the project.

Local Jobs Program

Participation in a Local Jobs Program (LJP) Activity will meet the SMAR and fully meet the Participant's AAR for the duration of their participation in the LJP Activity.

Participation in a LJP Activity is voluntary, and providers should record participation in a LJP Activity as a voluntary activity in the Participant's Job Plan.

See the [Local Jobs Program Guideline](#) for further information.

Study and Training

As part of servicing and setting mutual obligation requirements, Providers should:

- encourage Participants to build on their existing skill sets and help them to access appropriate and targeted skills and training opportunities; and
- become familiar with, and promote, flexible study and training including courses subsidised by State and Territory governments, including and the JobTrainer Fund,
- ensure the training is appropriate for the Participant and that the courses are under 12 months duration and in areas of high skill demand (see below).

For Providers deciding to fund an education or training course, see the [Using the Employment Fund General Account Guideline](#).

What is an approved course of study or training

Participants can study in a course of high skill demand where the course is no more than 12 months in duration.

Courses considered in demand include:

- subsidised courses in the Vocational Education and Training system, including additional courses made available through the JobTrainer Fund or listed on www.myskills.gov.au as 'subsidies' in the relevant State or Territory.
- Higher Education short course listed on www.courseseeker.edu.au/courses, and
- courses approved by Providers as outlined below.

Additional Provider approved in-demand courses

Providers can also approve a Participant's participation in study or training under the following provisions:

- completing the course is likely to lead to an employment outcome for the Participant, or
- there is little chance of the Participant finding employment with their existing skills, or
- the course will lead to qualifications in an area of identified skill needs.

Approval of study and training

Providers must approve study and courses. An approved course must be included as a compulsory Activity in the Participant's Job Plan.

If a Provider approves a course and includes it in the Participant Job Plan then the Participant must generally still attend appointments with their Provider, look for work and accept suitable work as long as it does not conflict with the scheduled time of the course. Job search requirements can be reduced to reflect the Participant's study load ([see below section on Job Search](#)).

Job seekers who are working part time while studying are taken to be fully meeting their requirements when their combined work and study hours reach 70 per fortnight.

A Principal Carer Parent or Participant with a Partial Capacity to Work of 15 to 29 hours per week undertaking an approved study or training for at least 30 hours per fortnight is considered to be fully meeting their part-time Mutual Obligation Requirements. These recipients are managed by Services Australia and will be Suspended from the Provider's caseload.

Non-approved study or training

Participants can undertake other education or training under their own initiative at any time but, if the Activity is not approved (as outlined above) and included as a compulsory item in their Job Plan, this will not contribute towards their Mutual Obligation Requirements.

People undertaking a full time course that is longer than 12 months in duration should generally be placed on a student allowance. Providers should refer full time students to Services Australia for an Income Support Payment eligibility check.

Except in specific circumstances, Providers cannot approve full-time courses of 12 months (two semesters) or longer in duration, or Masters or Doctorate courses.

Note: Exceptions include:

- Participants in receipt of Special Benefit (NVH) who have not attained a Year 12 or equivalent qualification, may undertake full time study in a school institution up to Year 12. These Participants will still be required to attend Provider appointments and undertake up to 20 Job Searches per month.
- the Participant is a single Principal Carer Parent on JobSeeker Payment, has been granted Pensioner Education Supplement (PES) for an academic course or course longer than 12 months. Where an eligible course for which PES is granted is being undertaken full-time or for at least 30 hours per fortnight, this will fully meet requirements, and the single principal carer will not be required to undertake additional activities. Providers can include this as approved study in the Participant's job plan, or
- the Participant is in receipt of Parenting Payment Single (this study would usually be approved by Services Australia), or
- the Participant is a Parenting Payment recipient who transferred to JobSeeker Payment or Youth Allowance (other), or, in some limited instances where a Participant was granted the Disability Support Pension, and then transferred to JobSeeker Payment or Youth Allowance (other). They are able to continue their studies in the same course they commenced while receiving the previous Income Support Payment type (this would usually be approved by Services Australia) for which they receive PES.
- Services Australia has approved participation in a full-time course for Participants prior to entering employment services if the Participant has been identified as requiring training under the Skills for Education and Employment (SEE) or Adult Migrant English Program (AMEP).
- Services Australia can also approve participation in a full-time course for any Participant prior to entering employment services or another relevant Provider's program if:
 - the Participant has an offer of employment, confirmed by a letter from the potential employer, contingent upon their completing the course
 - the course has a clear vocational application, and
 - the Participant is prepared to meet any additional expenses involved.

Breaks in Activities

If a Participant has a break in an Activity which is required to satisfy their Mutual Obligation Requirements, the Provider must update the Participant's Job Plan with other Activities to meet their Mutual Obligation Requirements.

There is no need to adjust a Participant's requirements if they have a break of less than or equal to four weeks that is outside their control. If the break is greater than four weeks then the Participant must do other requirements, such as Job Search, for the period of the break. The Job Plan must be updated to include the new requirements.

2. Suitable work

Participants must actively look for work and be prepared to accept any offer of suitable work in a variety of fields. Any work can be considered suitable provided it meets certain safeguards set out in Social Security Law, such as minimum statutory conditions and related health and safety considerations.

‘Suitable work’ includes any work that a Participant is capable of doing, not just work the Participant prefers to do or is specifically qualified for. This can include casual or permanent, and part-time or full time work depending on the Participant’s assessed capacity. Participants are required to accept suitable work that may not be their first preference while they continue to look for work that better matches their qualifications, expertise and interest.

Work is unsuitable if it:

- involves skills, experience or qualifications that the person does not have and appropriate training will not be provided by the employer
- is above the Participant’s assessed work capacity within the next two years with intervention
- may aggravate a pre-existing illness, disability or injury and medical evidence has been provided
- involves health or safety risks and would contravene an occupational health and safety law
- has terms and conditions which are less generous than the applicable statutory conditions
- involves commuting from home to work that would be unreasonably difficult (more than 60 minutes one way for Principal Carer Parents and those with Partial Capacity to Work and more than 90 minutes one way for other Participants)
- is considered by the Participants to be unsuitable on moral, cultural or religious grounds
- is not consistent with prevailing community standards
- is the subject of industrial dispute
- involves enlistment in the Defence Force or the Reserve Forces
- requires the person to change residence.

Unsuitable work for Principal Carer Parents

In addition to the above ‘unsuitable work’, Principal Carer Parents cannot be required to accept employment of more than 25 hours a week. Additionally, Providers should consider whether:

- the Principal Carer Parent has access to appropriate care and supervision for their child/children during the times when they would be required to work
- the location of either the workplace or the child care facility would make the total travel time to and from work unreasonable
- the Principal Carer Parent will be at least \$50.00 a fortnight financially better off as result of working.

If a job offer to the Principal Carer Parent involves employment outside school hours or in school holidays, a job is generally considered suitable if there is appropriate care and supervision for a child during the hours of work (including the travel to and from work). Suitable care and supervision means:

- childcare provided by an approved childcare service (within the meaning of the Family Assistance Administration Act 1999).
- any other care or supervision arrangements that the parent deems suitable.

Unsuitable work for Participants with a Partial Capacity to Work

In addition to the list above of 'unsuitable work', work is unsuitable for Participants with a Partial Capacity to Work if:

- it does not provide appropriate support or facilities to take account of the illness, disability or injury
- the total cost of participating in employment means that the Participants would be financially worse off as a result of undertaking the work. Examples include personal care requirements incurred by the Participant to get ready for work or while on the job; disability aids required for participation in the job that are not covered by the Employer and the cost of travel to and from the job by the Participant's means of transport.

3. Job Search Requirements are an important part of Mutual Obligation Requirements

Providers will set the number of Job Searches a Participant is required to undertake per month in accordance with the Deed, this Guideline and Social Security Law. Record the number of Job Searches required in the Participant's Job Plan.

Participants with Mutual Obligation Requirements will usually have to look for work.

The number of Job Searches generally expected of Participants (including Principal Carer Parents and those with a Partial Capacity to Work of 15 to 29 hours per week) is:

- for Stream A and Stream B Participants – 20 Job Searches per month
- for Stream C Participants – Job Search depends on capacity
- for Participants aged 60 years and over (regardless of Stream) – Job Search depends on capacity.

Participants cannot be required to do more than 20 Job Searches per month.

When assessing the quality of the Participant's Job Search efforts, Providers should consider whether the jobs applied for were:

- at a variety of levels of seniority or remuneration that is suitable for the Participant; and
- in a variety of fields and occupations in which the Participant is suitably qualified or has experience, if that work is suitable for the Participant; unless the Participant is studying or participating in training and the Provider agrees the Participant can focus on job search relevant to their field of study if it will increase the likelihood of the Participant finding sustainable employment, and
- applied for using a variety of methods to contact potential employers.

While the above must be taken into account when assessing Job Search efforts, Providers should also consider the Job Search efforts of the Participant more holistically over time. A Participant is not required to meet each of these criteria in each separate Job Search period – therefore it is important to consider factors such as:

- labour market restrictions as the type and number of vacancies available in each Job Search period may differ; and
- the most appropriate pathway for the Participant to obtain sustainable employment. In considering this, providers could discuss and agree to a strategy for targeting Job Search efforts in advance with the Participant to increase their likelihood of securing employment.

(Deed references: Clause 113)

Participants who do not have Job Search Requirements

The following Participants will not be required to undertake Job Search while they are fully meeting their Mutual Obligation Requirements:

- Principal Carer Parents
- those with a Partial Capacity to Work of 15 to 29 hours per week
- Participants 55 years of age and over
- Participants undertaking Drug and Alcohol rehabilitation in a Residential Program
- refugee Participants undertaking activities to help adjust to life in Australia and to increase chances of finding work.
- Pregnant Participants are exempt from Job Search from six weeks before their expected due date until six weeks following the birth of their child.
- NEIS Prospective Participants who have been assessed as NEIS Eligible but have not yet signed a NEIS Participant Agreement will have their Job Search requirements reduced to zero while participating in NEIS Training.
- NEIS Participants in receipt of Parenting Payment (Single) or the Disability Support Pension are able to choose to remain on their current payment or move to NEIS Allowance. Where they remain on their current payment while participating in NEIS Assistance and actively working on their small business, they do not have Job Search or other Mutual Obligation Requirements.
- Early School Leavers who are meeting their Mutual Obligation Requirements through full-time education or a combination of part-time study and paid work of 25 hours per week (15 hours for those with part-time Mutual Obligation Requirements) must not have any Job Search requirements in their Job Plan.
- Participants participating in a total of 70 hours a fortnight of combined declared paid work (including self-employment) and approved study or training (see above).

Recording Job Search requirements in the Job Plan

When setting compulsory Job Searches, Providers must use the JS09 code. The Department is actively monitoring Job Plans and would expect that:

- for Stream A and Stream B Participants, all Job Plans should contain JS09.

- for Stream C Participants, most Job Plans should contain JS09. In some Exceptional Circumstances, Job Searches may not be required for a limited period while non-vocational issues are actively being addressed.

Circumstances that may reduce Job Search requirements

Do not reduce the number of Job Searches a Participant is required to undertake merely because the Participant is undertaking other Activities - in particular study or during the Work for the Dole Phase.

Providers may reduce the number of Job Searches as a result of a Participant's:

- participation in approved study or training
- physical, intellectual or psychiatric impairment
- non-residential treatments or counselling for drug and alcohol dependency (including Drug Court Orders)
- preventative health treatments and interventions – (for jobactive Indigenous Participants and Stream C Participants)
- substantially elevated level of family and caring responsibilities
- accommodation situation, where this is likely to impede Job Search
- education or skill level, where this is likely to substantially limit job opportunities
- current employment status (part-time or casual work)
- domestic violence (including family violence) or family relationship breakdown (Services Australia may grant an Exemption from Mutual Obligation Requirements in these circumstances)
- level of English language skills, if Participant is doing a course to improve these skills
- cultural factors
- the state of the labour market and the transport options available to the person in accessing that market, for example, taking into account travel time.

For example, a Stream A Participant either living in a metropolitan area or within 90 minutes travel time to metropolitan area would be expected to have 20 Job Searches per month. In a regional area with limited vacancies and where the travel time to more positive labour markets is more than 90 minutes, it might be appropriate that a Stream A Participant has a lower Job Search requirement, for example, 15 Job Searches per month.

Job Search requirements for those in approved study and training

Participants studying an approved course or can have their studies counted towards reducing Mutual Obligation Requirements, including:.

- Providers can reduce and tailor a Participant's requirements by taking into account their study/training
- Participants who are working and studying/training for at least 70 hours per fortnight will have no Job Search requirements, but will stay connected to a Provider.

Participants are still required to accept any suitable work that does not conflict with scheduled course times and Providers should consider what is an appropriate level of Job Search which will not interfere with Participants' ability to undertake their approved study/training.

Where studying an area of identified skill needs in a demand area which would be likely to improve a job seeker's employability, job seekers may initially restrict their Job Search to that skill area. For example, job seekers studying an aged care related qualification should be allowed to initially restrict their Job Search to that field. However, Providers have discretion to require job seekers to diversify their job search, particularly where previous searches in that area have been unsuccessful or there is little immediate likelihood of finding work in the area studied.

Participants who combine declared work and approved study/training for at least 70 hours per fortnight are not required to look for additional work or participate in other activities. However, they should remain connected to the Provider and may be referred to suitable work opportunities that do not conflict with their study or work.

Job Search requirements for Early School Leavers who are not meeting their requirements through study or paid work

Early School Leavers who are meeting their Mutual Obligation Requirements through approved Activities other than just paid work and study for 25 hours per week (15 hours for Principal Carer Parents and those with a Partial Capacity to Work of 15 to 29 hours per week) must have up to 20 Job Searches per month in their Job Plan.

Job Search requirements while studying Language, Literacy and Numeracy courses

If a Provider has identified that a Participant needs to improve their Language Literacy and Numeracy skills, the number of required Job Searches may be reduced (but not reduced to zero) while the Participant is actively participating in an accredited Language Literacy and Numeracy course. Approved courses include the Skills for Education and Employment program and the Adult Migrant English Program.

Job Search requirements for Stream C Participants and Participants 60 years of age and over

The number of Job Searches required by Stream C Participants and Participants 60 years of age and over depends on their capacity. Generally, 10 Job Searches per month are expected.

When setting an appropriate number of Job Searches, in addition to other considerations, Providers may also consider:

- other non-vocational issues or vocational issues that are being, or have been addressed
- if the Participant has undertaken re-skilling or re-training
- for Stream C Participants, it might be appropriate in some Exceptional Circumstances to have no Job Searches for a period while non-vocational issues are actively being addressed.

For Stream C Participants, the number of Job Searches required is expected to increase over time as they overcome or sufficiently manage personal or non-vocational issues.

Job Search requirements for those in paid work

For Participants with full-time Mutual Obligation Requirements:

- if doing at least 40 hours of declared paid work (including self-employment) per fortnight then the number of Job Searches should be halved. If the Participant is doing a significant number of hours of paid work per week and receiving only a residual amount of Income Support Payment, the number of Job Searches may be reduced further.
- if doing at least 70 hours of declared paid work (including self-employment)
- per fortnight then the Participant should have no Job Search requirement if doing at least 70 hours of combined declared paid work (including self-employment) and approved study or training per fortnight then the Participant should have no Job Search requirement.

For Participant with part-time Mutual Obligation Requirements (Principal Carer Parents and those with a Partial Capacity to Work of 15 to 29 hours per week):

- if doing 11 to 29 hours of declared paid work (including self-employment) per fortnight, the number of Job Searches should be halved
- if doing 30 hours or more of declared paid work (including self-employment) per fortnight, the Participant should have no Job Search requirement.

(Deed references: Clause 113)

4. Job Referrals and opportunities

Providers must identify, record and set appropriate Job Referral tasks for Participants to action in the Department's IT Systems. Providers must actively monitor Participants' completion of all Job Referral tasks, including assessing and recording in the Department's IT Systems an assessment result within 5 Business Days of the Job Referral task due date.

Where a Participant does not act on or satisfactorily complete a Job Referral task without a valid reason, Providers must report the non-compliance in the Department's IT Systems.

Please refer to the Job Referral Interactive Module and Job Referral Task Card Guides on the Targeted Compliance Framework Learning Centre page at <https://learningcentre.employment.gov.au/> for information on monitoring Participant action on a Job Referral task and recording assessment results.

(Deed references: Clauses 7.1(a), 11.1(b), 106.1(c) and 114)

5. Annual Activity Requirement (AAR)

The AAR is the set number of hours that a Participant must complete in approved Activities when in the Work for the Dole Phase.

Most Participants have an AAR when they enter into the Work for the Dole Phase and must participate in an approved Activity or combination of approved Activities to meet their AAR.

Providers must ensure that Participants in the Work for the Dole Phase fulfil their AAR. Work for the Dole Phase Activity commencement and participation are performance measures in Providers' Star Ratings. For more information on the Star Ratings, see the [Performance Framework Guideline](#).

(Deed references: Clauses 107, 108, 109)

Entering the Work for the Dole Phase

All Participants who are commencing in the Work for the Dole Phase for the first time start the phase after they have been in jobactive for 12 months. Following this, Participants will need to take part in the Work for Dole Phase for a continuous six months each year they remain in jobactive.

Determining the hours of participation to meet the AAR

The number of hours of participation in approved Activities that a Participant requires to meet their AAR depends on their age, their assessed capacity to work and whether they are a Principal Carer Parent.

Participants with no AAR:

- Participants who have reached Age Pension age.
- Participants who are fully meeting their part-time Mutual Obligation Requirements through participation in appropriate Activities for 30 hours per fortnight
- Participants 55 years of age and over during the period they are meeting their full-time Mutual Obligation Requirements through participation in appropriate Activities for 30 hours per fortnight
- Participants with a Partial Capacity to Work or temporary reduced work capacity of 0 to 14 hours per week
- Participants with Community Service Orders of 20 or more hours per week
- Early School Leavers with full-time Mutual Obligation Requirements already undertaking 25 hours a week of approved Activities or full-time study.

Using the AAR Calculator

The AAR Calculator on the Department's IT Systems provides information on how many hours of participation Participants need to complete to meet their AAR. See the Help. For more information on how to access the AAR Calculator.

Note: Under the Targeted Compliance Framework, where Activities are recorded in the Calendar, which contribute to a Participant's AAR, the Department's IT Systems will calculate hours. There are exceptions, however, where hours will still need to be manually calculated, when hours need to be adjusted.

Participation hours for Participants with full-time Mutual Obligation Requirements

- Up to 49 years of age: generally must participate for 650 hours over 26 weeks (50 hours per fortnight)
- Aged 50 to 59 years of age: generally must participate for 390 hours over 26 weeks (30 hours per fortnight).
- Aged 60 years to the aged pension age: generally must participate for 130 hours over 26 weeks (10 hours per fortnight)

Participation hours for Participants with part-time Mutual Obligation Requirements

- Under 30 years of age: generally must participate for 390 hours over 26 weeks (30 hours per fortnight)

- 30 to 59 years of age: in most circumstances must participate for 200 hours over 26 weeks (15 to 16 hours per fortnight).
- Aged 60 years to the aged pension age: Nil requirements

Participation hours for any Participation undertaking Defence Reserves

- For Participation undertaking Defence Reserves: 240 hours over 26 weeks (18 - 20 hours per fortnight).

Participation in the Launch into Work program

For Participation in the Work for the Dole phase, participation in Launch into Work program pre-employment projects will fully meet Participants' AAR for the project's duration. If the Participant stops attending the project, or does not commence employment with the Launch into Work Organisation at the end of the project, they need to be referred to another AAR Activity in order to complete their AAR hours for the remaining weeks of their Work for the Dole phase.

Participation in Local Jobs Program Activities

Participation in a LJP Activity will meet the job seeker's AAR for the duration of their participation in the LJP Activity. If the participant stops attending the activity they need to be referred to another AAR activity in order to complete their AAR hours for the remaining weeks of their Work for the Dole phase.

See the [Local Jobs Program](#) Guideline for further information.

Participation hours in approved study/training

Full-time load

If the training Provider considers the Participant has a full-time study load then the Participant will meet their fortnightly hour's requirement in the fortnights they are studying, regardless of actual contact hours.

For example, a Participant who has an AAR of 50 hours per fortnight and undertakes 44 contact hours per fortnight of full-time study does not have to complete any additional hours in another Activity while they are undertaking a full-time study load.

Non-contact hours

Published non-contact study hours for Participants undertaking part-time study/training will also count towards a Participant's AAR, as long as they do not exceed the course's face-to-face hours. Where a course's non-contact study hours are not published, up to a maximum of 10 non-contact study hours per fortnight can be counted towards part-time study. Any non-contact study can be reflected in the Job Plan by using the appropriate Job Plan code, with study recorded in the Participant's Calendar.

Online courses

For online courses, it is expected that the majority of course hours are non-contact. In these cases, study load (hours) and duration requirements as published by the training institution will count towards a Participant's AAR. If the total part-time study hours are not sufficient to meet a Participant's AAR, other Activities will also need to be undertaken.



System step: For study or training Activities, Providers must record the outcomes of the training course upon completion (for example, whether a certificate or statement of attainment was achieved).

Change of circumstances during the Work for the Dole Phase

If a Participant circumstances change during their Work for the Dole Phase, their AAR may also change. This may occur when a Participant becomes or ceases to be a Principal Carer Parent, where a Participant's capacity to work changes or when a Participant turns 30 years of age. In these instances, the Participant's participation must match their new requirement.

For example, if a Participant who is 49 years of age and has an overall requirement of 650 hours turns 50 years of age while in the Work for the Dole Phase, their requirement will reduce to 390 hours. If they have already completed 390 hours due to undertaking 25 hours per week over their first four months in the Work for the Dole Phase, they will have already met their AAR at this point in the Work for the Dole Phase.

Selecting Activities for a Participant to meet their AAR

After consultation with the Participant, Providers must determine and source the Activities that the Participant must undertake to meet their AAR in accordance with the Deed, this Guideline and Social Security Law.



System step: The Provider must record these in the Participant's Job Plan, including the relevant hours of participation the Participant needs to undertake each fortnight.

Providers placing Participants into Activities must prioritise Participants with Mutual Obligation Requirements over other Participants.



System step: When recording CTA Courses in the Job Plan, the minimum hours of participation required will automatically populate, along with the timeframe for participation.

Approved Activities to meet the AAR

- accredited language, literacy and numeracy courses, which can include:
 - the Skills for Education and Employment program, or
 - the Adult Migrant English Program
- Career Transition Assistance (CTA)
- Defence Reserves
- Launch into Work program pre-employment projects
- Local Jobs Program activities study/training (part-time or full-time)
- National Work Experience Programme
- non-government programs approved for AAR purposes (see the [Activity Management Guideline](#)).
- other government programs, including NEIS Training, state government programs and 'Exploring Being My Own Boss' Workshops

- other non-vocational assistance and Interventions for Stream C Participants
- Paid work (including self-employment)
- PaTH Internships
- PaTH Employability Skills Training (EST)
- preventative health related Activities for jobactive Indigenous Participants and Stream C Participants
- rehabilitation for drug or alcohol dependency
- Study/training must be approved by Providers (see the [Approval of Study and Training](#) section of this guideline) and must be a Certificate I course or higher (but not a Masters or Doctorate course).
- Voluntary Work
- Work Experience (Other)
- Work for the Dole

Further information on Activities suitable to meet a Participant's AAR can be found in the [Activity Management Guideline](#), [Work for the Dole Guideline](#), and [Managing PaTH Internships Guideline](#).

(Deed references: Clauses 107, 108, 109)

Activities that do not count towards a Participant's AAR

There are certain Activities that will not count towards meeting a Participant's AAR. These include:

- non-accredited education and training unless it is non-vocational assistance for Stream C Participants
- study outside of the approved short course conditions (including Masters and Doctorate courses)
- Non-vocational assistance and interventions. For example, careers counselling and personal development courses. Please note: For Stream A and B Participants, satisfactory participation in the relevant number of hours in drug or alcohol addiction treatments (including rehabilitation) will meet their AAR.

(Deed references: Clauses 107, 108, 109)

Considerations when selecting Activities to meet AAR

Participants under 18 years of age

Participants under 18 years of age with Mutual Obligation Requirements are not eligible to participate in Work for the Dole.

Participants under 17 years of age are not eligible to participate in the National Work Experience Programme.

(Deed references: Clauses 107, 108, 109)

Participants 15-24 years of age

Employability Skills Training (EST) is available to eligible Participants between 15 to 24 years of age who are receiving Income Support Payments and have compulsory Mutual Obligation Requirements.

Young Participants between 17–24 years of age, with Mutual Obligation Requirements, can participate in a PaTH Internship as a voluntary activity.

A Participant will meet their fortnightly hour's requirement in the fortnights they are participating in PaTH Internships or EST, regardless of the hours of participation.

See the [Activity Management Guideline](#) and [Managing PaTH Internships Guideline](#).

Participants 18-49 years of age

For Participants 18 - 49 years of age with full-time Mutual Obligation Requirements, Work for the Dole is the principal Activity to meet their AAR unless they have:

- arranged to meet their AAR through another approved Activity that will start at the time they become subject to the AAR, or
- are already undertaking other approved Activities at the time they enter the Work for the Dole Phase.

(Deed references: Clauses 107, 108, 109)

Participants 50-59 years of age

Participants 50 to 59 of age with full-time Mutual Obligation Requirements may select which approved Activity they will undertake to meet their AAR. Once chosen, this Activity should generally be entered as a compulsory requirement in their Job Plan.

(Deed references: Clauses 107, 108, 109)

Principal Carer Parents and Participants with a Partial Capacity to Work

Principal Carer Parents and those with a Partial Capacity to Work of 15 to 29 hours per week of any age may select which approved Activity they will undertake to meet their AAR. Once chosen, this Activity should generally be entered as a compulsory requirement in the Job Plan.

(Deed references: Clauses 107, 108, 109)

Participants with Community Service Orders

Participants with Community Service Orders of 20 hours or more a week do not have Mutual Obligation Requirements for the period of the Order.

If a Participant has a Community Service Order of less than 20 hours a week they still have Mutual Obligation Requirements, however, the Community Service Orders take precedence. If these Participants are in the Work for the Dole phase they will need to meet their AAR in addition to their Community Service Order.

(Deed references: Clauses 107, 108, 109)

Certain Participants undertaking non-vocational Activities/interventions

For Stream C job seekers, satisfactory participation for the relevant number of hours in non-vocational assistance or interventions (including preventative health treatments and drug or alcohol addiction rehabilitation) will meet their AAR i.e. the Participant will be deemed to be fully meeting their fortnightly AAR in the fortnights they are participating in that Activity, regardless of contact hours.

For Stream A and B Participants, satisfactory participation in the relevant number of hours in drug or alcohol addiction rehabilitation will meet their AAR i.e. the Participant will be deemed to be fully meeting their fortnightly AAR in the fortnights they are participating in that Activity, regardless of contact hours.

For jobactive participants who are Indigenous or in Stream C, participation in preventative health treatments and interventions can be counted towards their AAR.

Regardless of Stream, any Participants in residential drug or alcohol addiction rehabilitation are considered to be fully meeting their mutual obligation requirements while they are in residence.

Participants who undertake other types of drug and alcohol treatments or counselling should have these activities included in their Job Plan along with appointments, other appropriate activities and an appropriate number of Job Searches. If the Participant is unable to undertake other activities in addition to treatments or counselling, the treatments or counselling will fully meet their fortnightly AAR in the fortnights they are participating in that activity, regardless of contact hours.

Note: the relevant number of hours refers to the number of hours deemed suitable by the Provider, for the Participant, for that particular non-vocational assistance or intervention. While there is no fixed lower limit on the number of hours per fortnight of contact hours, a Participant must not be referred to reduced hours of participation for the sole purposes of meeting their AAR. The Participant's participation in these Activities must be sufficient enough to be treating their condition in order to meet the Participant's AAR.

Placing the Participant in Activities

Providers must commence Participants who have an AAR in an Activity immediately after entering the Work for the Dole Phase.

Participants may undertake a combination of Activities to meet an AAR where it is deemed suitable or necessary by the Provider.

The time taken to commence a Participant in an approved Activity at the start of the Work for the Dole Phase is a performance measure in Providers' Star Ratings. For more information on the Star Ratings, see the [Performance Framework Guideline](#).

For information on setting up and managing Activities, including important information on work health and safety, risk assessments and checks, refer to the [Activity Management Guideline](#) and [the Job Plan and Scheduling Mutual Obligation Requirements Guideline](#).

(Deed references: Clauses 107, 108, 109)

Setting the required hours in the Calendar



System step: For Participants undertaking Work for the Dole to meet their AAR, Providers must use the Calendar to schedule the Participant's required participation, start and finish times as notified to the Participant.



System step: For Participants undertaking other Approved Activities, Providers must use the Calendar to schedule the required hours for all Activities, except:

- for Education and Training where the course is delivered online, or that portion of the course delivered online.

- where it is a requirement that the Participant resides with the host organisation, either as part of a residential program or Drug and Alcohol Treatment or as part of Defence Reserves.
- for Employment and work experience activities where the hours are irregular and are organised directly between the Participant and the employer or host.
- Where the Department's IT Systems do not support scheduling of the activity. For more information see the [Job Seeker Calendar and Annual Activity Requirement IT Supporting Document](#).



System step: For Participants participating in CTA, scheduling this activity in the Calendar is required. Any hours marked as attended will automatically accrue towards Participant's AAR. Providers should manually record additional monthly AAR hours for Participants who are in the Work for the Dole Phase and who have an AAR so that the Participant fully meets their AAR for the period of participation in CTA .



System step: For Participants undertaking a Launch into Work program pre-employment project, scheduling these Activities in the Calendar is encouraged. Providers should manually record monthly AAR hours for Participants who are in the Work for the Dole Phase and who have an AAR.



System step: Providers are encouraged to use the Calendar to ensure conflicting appointments are not scheduled, by creating a personal event for the Participant using the 'working casual / regular' event type (note: even though participation in a project is not employment this is the only available event type).

For further information regarding how to set a Participant's required hours in the Calendar, refer to the Calendar user Guide on the [Learning Centre Website](#).

(Deed reference: Clause 107)

Recording Participant participation against the AAR



System step: Participants will be responsible for recording their attendance at Activities. However, for those Participants found not capable of recording attendance, Providers must record attendance in approved Activities using the Calendar. All results must be recorded by close of business on the day of participation in the activity

- for study or training Activities, Providers must record the outcomes of the training course upon completion (for example, whether a certificate or statement of attainment was achieved).

For all Activity types, the Provider must negotiate with the Supervisor the most appropriate reporting and recording mechanism to ensure that the Provider can record in the system the number of hours a Participant has participated in for each day (for Work for the Dole Activities) or month (for all other approved Activities). This should reflect the Host Organisation's normal business practices. For short breaks, these may form part of the Participant's normal hours of participation, and count toward their AAR.

Alternatively, when setting up the Activities in the Calendar, it is recommended that the Provider request evidence based attendance recording, which will include a QR code and passcode to be generated by the Department's IT Systems. They must

have the contact details of the Supervisor up to date so that the Supervisor can receive the QR code and passcode the day of the Activity. Participants will then be able to scan the QR code when they attend the Activity. If the Activity is longer than four hours, the Department's IT Systems will generate two codes: one for the start of the Activity and one for the end of the Activity.

For further information regarding how to record attendance in the Calendar, refer to the Department's [Job Seeker Calendar and Annual Activity Requirement Details IT Supporting Document](#) and the [IT System Online Help](#).

(Deed reference: Clause 107)

EST Providers will enter course details into the Calendar component of the Department's IT Systems. Providers will refer and place eligible Participants from their caseload into the courses; the Activity Diary is automatically updated with the course details.



System step: For CTA, satisfactory participation in the activity will meet the Participant's AAR. I.e. The Participant will be deemed to be fully meeting their fortnightly AAR in the fortnights they are participating in CTA, regardless of the contact hours. Any hours scheduled that are marked as attended will automatically accrue towards the Participant's AAR. jobactive Providers must manually record the relevant additional monthly hours as per the Participant's AAR, using the Monthly Hours section of the AAR Details screen of the Department's IT Systems so that the Participant fully meets their AAR for the period of participation in CTA.

Recording participation via the Supervisor App

Supervisors can use the Supervisor App to record a Participant's attendance in Work for the Dole and other approved Activities. However, they should be encouraged to only do so for Participant who:

- have been assessed as not being capable of recording or reporting their own attendance

or

- have been assessed as being capable of recording or reporting their own attendance but who are unable to do for themselves on the day.

In most cases it is expected that the Supervisor will receive a QR code or passcode that has been generated by the Department's IT Systems, and Participant will be able to scan it with their mobile devices to record their own attendance. If the activity is longer than four hours, the Supervisor will receive two QR codes or passcodes: one for the morning when the Participants arrive, and one for the afternoon when the Participants leave for the day.

For further information on the Supervisor App, refer to the [Work for the Dole IT Supporting Document](#).



System step: EST Providers will continue to have access to the Supervisor App to record Participants attendance at EST courses where appropriate.



Documentary evidence: Where Participants have used evidence to record their attendance directly into the Department's IT Systems, offline records are not required to be kept. The same applies where Activity attendance information has

been entered by the Activity Host Organisation into the Supervisor App or directly into the Department's IT Systems, offline records are not required to be kept.

(Deed reference: Clause 107)

Recording of Work for the Dole participation in the Calendar



System step: Participants will be able to record their own attendance at Work for the Dole Activities. Where Participants are not capable of recording their own attendance, or are unable to due to certain circumstances, Providers must record results against all required participation in the Calendar for every day that the Participant was required to participate, as per notification issued to the Participant by the close of business each day.

(Deed reference: Clause 107)

Recording participation in paid work in the AAR Details screen



System step: For participation in paid work Activities, ESS Web will automatically place the Participant into a 'Part Time/Casual Paid Employment' Activity when the Participant declares hours of paid work to Services Australia. If the Participant is in the Work for the Dole Phase, the system will automatically populate the AAR Details Screen with the hours declared to Services Australia.

Where necessary, Providers can override the hours received from Services Australia e.g. if they disagree with the Services Australia hours for a period and hold documentary evidence supporting the updated hours.

Recording other approved Activities either in the Activity Diary or AAR Details screen



System step: For all other Approved Activities, attendance results, to meet the AAR must be recorded through the Calendar (using the same process as for Work for the Dole activities).

For Participants doing on-line courses not required to be recorded in the Participants Calendar are encouraged to record the total hours completed for each month in the Work for the Dole Phase within 20 Business Days of each month of participation.

If a Participant is participating in an Activity that fully meets their AAR, the Calendar will only count those hours that are scheduled towards the Participant's AAR. The remaining hours should be credited by entering them in using the monthly hours section of the AAR Details screen.

Providers are to record the hours completed by the Participant in all Approved Activities during the Work for the Dole Phase by the deadline of 20 Business Days after a Participant exits the Work for the Dole Phase, or exits the Provider's caseload (for example, exiting from jobactive or transferring to another Provider).

If nothing is entered into the system by then, the Participant's required hours will be recorded as zero for that period.

If Providers are aware that duplicate hours have been created for AAR, Providers must reduce the number of hours within 20 Business Days. This may occur when a Participant is in paid work, a day of Activity is resulted as No Longer Required (NLR)

as the Participant is working on that day and declares the hours worked. The Participant would be created the Activity hours and the hours declared. The Participant should have credited the higher of the two hours for the individual day.

(Deed reference: Clause 107)

Completing the AAR

Recording requirements



System step: At the end of the Work for the Dole Phase, Providers must ensure the AAR Details screen correctly displays whether the Participant has met their AAR.



System step: Providers have up to 20 business days from when a Participant exits the Work for the Dole Phase or when they exit the Provider's caseload (e.g. exiting from jobactive or transferring to another Provider) to enter hours of participation the Participant undertook within the Phase that were not required to be entered daily in the Calendar.

The Provider is not required to take any further action if the total hours recorded is equal to or greater than the Participant's required AAR hours. In this case the AAR Details screen will display that the AAR has been met.

If the recorded hours are lower than the required AAR hours, but the Participant has nevertheless met their AAR (for example, the Participant's Mutual Obligation Requirements changed from part-time to full-time while they were in the Work for the Dole Phase), the Provider must within 20 Business Days of the end of the Work for the Dole Phase:

- select a reason in the system to indicate how the Participant has met their AAR
- record that the AAR has been met.

If the recorded hours are lower than the Participant's required AAR hours, no reason is selected and the AAR has not been recorded as met, the Participant will not have met their AAR.

For further information regarding how to record completion of the AAR, refer to the Department's [IT System Online Help](#).

(Deed reference: Clause 107)

Meeting the AAR early

Within the Work for the Dole Phase

Within the Work for the Dole Phase, Participants may be permitted to complete additional hours in an Activity every week or fortnight, either to allow them flexibility if their particular circumstances require it, or to assist a Host Organisation. These additional hours will count towards a Participant's AAR and, in effect, means that some Participants will satisfy their AAR early. However:

- any hours a Participant agrees to do in excess of 50 hours per fortnight in Work for the Dole must be created as a voluntary component of their Job Plan using the Job Plan code and recording Activities in the Calendar.

- Participants must not undertake more than 50 hours per fortnight in a National Work Experience Programme Placement or a Work Experience (Other) Placement.

Participants should not be allowed to choose to complete hours early of their own accord. Any additional hours in a week/fortnight can only occur when agreed upon between the Provider, the Host Organisation and the Participant, where there is an identified benefit to the Participant.

If the AAR is completed early, the Provider must ensure that the Participant's Job Plan continues to contain the other requirements that would enable the Participant to continue to meet their Mutual Obligation Requirements. This includes attending Provider Appointments, undertaking any other appropriate Activities, undertaking Job Searches and acting on referrals to jobs in the remaining part of the Work for the Dole Phase after the AAR for that year has already been met.

Early commencement of the Work for the Dole phase

The Work for the Dole Phase can be brought forward for all stream Participant after six months (but before 12 months) of jobactive services if the Provider considers the Participant is not benefiting from, or actively participating in services/interventions designed to improve their employment prospects.

AAR Record Keeping



Documentary Evidence: In addition to recording the relevant information in the Department's IT Systems, Providers must retain the following additional forms of evidence (either hard copy or soft copy):

- timesheets or other records of attendance, including information collected through the Supervisor App, where used
- a statement of attainment or similar (for accredited education)
- a signed training notice or signal notice (for Defence Force Reserves)
- an invoice for services or a letter of acceptance into a program (for non-vocational interventions including drug or alcohol rehabilitation programs and preventative health treatments and interventions)
- Activity Host Organisation Agreements for Work for the Dole, Voluntary Work, the National Work Experience Programme, Work Experience (Other) and PaTH Internships.
- CTA Agreement (for CTA Courses)
- risk assessment documentation which details that all Deed and relevant guideline requirements have been considered for both the Participant and the Activity (for Activities where risk assessments are required to be undertaken)



Documentary Evidence: For part-time/casual work or self-employment, the hours of paid work reported by the Participant to Services Australia to stimulate the Participant Income Support Payment is acceptable documentary evidence. This information is automatically populated into the 'Recording of Services Australia Part Time/Casual Paid Employment AAR Hours' section of the AAR Details screen and no further documentation is required if this information is accepted. See the [Job Seeker Calendar and Annual Activity Requirement Details IT Supporting Document](#) for more

information about how paid employment is counted towards the AAR. Details of the hours of paid work completed by the Participant can also be accessed from the Case Summary Screen of the Department's IT Systems (Job Seeker Information – View Declared Earnings) or through the SUB316 – Declared Hours report through ES Reporting. If the Provider chooses to override the hours declared to Services Australia, the Provider must keep:

- For paid work: payslips or Employer payroll summaries,
- For self-employment:
 - a Profit and Loss Statement, a signed and dated written statement from an accountant and/or registered bookkeeper, or copies of records from the Australian Taxation Office and/or a tax return statement.

6. Six Month Activity Requirement (SMAR)

From 1 October 2021, the Six Month Activity Requirement (SMAR) requires Participants that have completed six months in jobactive or Online Employment Services (OES) to undertake an approved Activity. The SMAR aims to engage Participants earlier and help them to build their skills, so that they are ready to fill jobs as they arise.

The SMAR will be met by undertaking an approved Activity and meeting the requirements for that Activity.

Providers will be responsible for sourcing appropriate Activities for Participants, monitoring participation, and ensuring appropriate recording of attendance and completion. Providers should consider the circumstances and goals of each job seeker in selecting an approved activity.

The Department will actively monitor Provider performance at ensuring Participants are meeting their SMAR.

(Deed Reference: 99.2(e), 103, 104, 107)

Timing of the SMAR

A Participant will have a SMAR after completing six months of service in OES or jobactive on or after 1 October 2021 (i.e. SMAR commences at the start of the Participant's seventh month). Time in either OES or jobactive will be combined to calculate this period in service.

Once a Participant has a SMAR, Providers will have four weeks to commence them in an approved Activity. If Participants have undertaken an approved Activity in the four weeks prior to their SMAR commencing (during their sixth month in service), or are still participating in an approved Activity when their SMAR commences, this Activity may be used to satisfy their SMAR.

Relocation Assistance to Take Up a Job

Providers may want to raise Participants' awareness of regional job opportunities and the financial assistance available if they choose to relocate for ongoing work. If a Participant is interested, Providers should assess their suitability to relocate and assist them with the costs of moving to take up new work in another location. For

further information see the [Managing Relocation Assistance to Take Up a Job Guideline](#).

Determining SMAR requirements

A Participant's Mutual Obligation Requirements depend on their age, their assessed capacity to work, the local labour market and whether they are a Principal Carer Parent. This will impact how a Participant engages with an approved Activity to meet their SMAR.

Participants not required to undertake a SMAR

- Participants who have reached Age Pension age.
- Participants who are fully meeting their part-time Mutual Obligation Requirements through participation in appropriate Activities for 30 hours per fortnight
- Participants 55 years of age and over and who are meeting their full-time Mutual Obligation Requirements during the period through participation in appropriate Activities for 30 hours per fortnight
- Participants with a Partial Capacity to Work or temporary reduced work capacity of 0 to 14 hours per week
- Participants with Community Service Orders of 20 or more hours per week
- Early School Leavers with full-time Mutual Obligation Requirements already undertaking 25 hours a week of approved Activities or full-time study.

Participants with part-time Mutual Obligation Requirements

Providers should assist Participants with part-time Mutual Obligation Requirements to engage in an approved Activity that can accommodate their part-time requirement, except in instances where they are fully meeting their Mutual Obligation Requirements as described above.

The Participant should undertake the hours and weeks appropriate to complete, or gain benefit from, the selected Activity. The part-time participation hours are set for some approved Activities (for example EST or SEE), where that is not the case Providers may wish to use the SMAR default Activity of Work for the Dole as a guide to participation expectations. For more information see the Work for the Dole Guideline.

(Deed Reference: 107.1(b)(ii))

Change of circumstances while undertaking a SMAR

If a Participant's circumstances change during their SMAR, providers should, where appropriate, assist the Participant to complete their approved Activity in line with their new circumstances and requirements.

Selecting an Activity for a Participant to meet their SMAR

After consultation with the Participant, Providers must determine and source an Activity that the Participant must undertake to meet their SMAR in accordance with the Deed, this Guideline and Social Security Law.

The SMAR is an Activity based requirement. In most instances the expectation is that Participants should undertake hours and weeks appropriate to complete, or gain

benefit from, the selected Activity. Work for the Dole, CTA, EST, Exploring Being My Own Boss Workshops, paid work and training or study have hour or completion requirements to meet the SMAR, which are outlined below. For all other Activities Providers may wish to use the SMAR default Activity of Work for the Dole as a guide to participation expectations; that is a placement of 25 hours a week for eight weeks for Participants with full-time Mutual Obligation Requirements.

(Deed References: 107, 103, 104) Approved Activities to meet the SMAR

- Adult Migrant English Program (AMEP)
- Career Transition Assistance (CTA)
- Defence Force Reserves
- Exploring Being My Own Boss Workshops
- Launch into Work
- Local Jobs Program
- National Work Experience Programme (NWEPP)
- New Business Assistance with NEIS (New Enterprise Incentive Scheme)
- Non-Government Programs
- Non-vocational assistance and intervention – will meet SMAR for Stream C Participants only. The exception is treatment for drug or alcohol dependency which will meet the SMAR for all Participants.
- Other Government Programs
- Paid work- see below section on [Paid Work](#) for conditions required to meet the SMAR.
- PaTH Business Placement Partnership
- PaTH Employability Skills Training (EST)
- PaTH Internships
- Skills for Education and Employment (SEE)
- Training and Study – see below section on [Training and Study](#) for conditions required to meet the SMAR.
- Voluntary Work
- Work Experience (Other) – will meet SMAR for Stream C Participants only.
- Work for the Dole – see below section on [Work for the Dole](#) for requirements.

Participants must complete a Career Transition Assistance course, an Exploring Being My Own Boss Workshop or at least one block of PaTH Employability Skills Training for these Activities to meet the SMAR.

Further information on the eligibility and participation requirements of SMAR approved Activities see the [Activity Management Guideline](#).

(Deed References: 107, 108, 109)

Work for the Dole

Participants may choose to participate in Work for the Dole for eight weeks, and up to 25 hours per week, to meet the SMAR. However, eligible Participants who have not chosen an alternate approved activity within four weeks of reaching the SMAR should be referred to Work for the Dole as the default activity.

For more information about how Participants will meet the SMAR through Work for the Dole, see the [Work for Dole Guideline](#).

For more information about the SMAR default activity see the [Participant does not select an Activity or does not participate in selected Activity](#) section of this Guideline.

(Deed References: 107, 108)

Paid work

To meet the SMAR a Participant must be undertaking 40 hours per fortnight of paid work. Providers should ensure that Paid work is recorded in the Participant's Job Plan.

Training or study

Participants can use study or training to meet their SMAR, if the course is full time, as defined by the institution, or at least 40 hours per fortnight in an approved course. Study must be approved by Providers (see the [Study and Training](#) section of this Guideline) and must be a Certificate I course or higher (but not a Masters or Doctorate course).

PaTH Employability Skills Training (EST)

As detailed above a Participant must complete one block of EST to meet their SMAR.

Note: While completing one course of EST will fulfill the SMAR, an EST Mandatory Participant retains their mandatory status until they have completed both EST Courses.

An EST Eligible Participant has a mandatory requirement to participate in EST once they have received employment services for six months. For more info regarding this requirement see the [Youth Jobs PaTH Employability Skills Training \(EST\)](#) section of this Guideline.

As the timing of the SMAR and the point at which young job seekers become EST mandatory align, jobactive providers may want to consider using EST for young people to meet their SMAR. For more information, see the [Timing of the SMAR](#) section of this Guideline.

If a Provider exempts an EST Mandatory Participant from EST participation, they are **not** exempt from meeting the SMAR, and must meet the SMAR through another approved Activity.

For more information about Exempting EST Mandatory Participants see the [Activity Management Guideline](#).

Activities that do not count toward the SMAR

There are certain Activities that will not meet a Participant's SMAR. These include:

- non-accredited education and training unless it is non-vocational assistance for Stream C Participants
- study outside of the approved short course conditions (including Masters and Doctorate courses)
- Non-vocational assistance and interventions, unless the Participant is Stream C. For example, careers counselling and personal development courses. Please

note: For Stream A, B and C Participants, satisfactory participation in drug or alcohol addiction treatments (including rehabilitation) will meet their SMAR.

Considerations when selecting Activities to meet the SMAR

- The Provider should consider the circumstances and goals of each Participant when selecting an approved Activity.
- Activity eligibility should be considered before referring a Participant. For example, Participants under 18 years of age are not eligible to participate in Work for the Dole. Eligibility for approved Activities is outlined in the [Activity Management Guideline](#).
- Young Participants between 15 to 24 years of age will be able to meet their SMAR by completing one EST Course. For more information see the [Youth Jobs PaTH Employability Skills Training \(EST\)](#) section of this Guideline.
- Participants who want to improve Language, Literacy and Numeracy skills should consider SEE or AMEP.
- Participants with Community Service Orders of 20 hours or more a week do not have Mutual Obligation Requirements for the period of the Order. If a Participant has a Community Service Order of less than 20 hours a week, they still have Mutual Obligation Requirements and must complete their SMAR. However, the Community Service Orders take precedence.

Participant does not select an Activity or does not participate in selected Activity

A Participant has four weeks from the start of their SMAR to commence in an approved Activity. If the Participant does not select an Activity to meet the SMAR they will, if eligible, be required to participate in Work for the Dole. If a Participant does not actively participate in an Activity they are undertaking to meet the SMAR, the Provider should refer the Participant to Work for the Dole.

For eligible full time activity tested Participants, participation in Work for the Dole will be for 25 hours per week, for eight weeks. For further information about participation in Work for the Dole to meet the SMAR see the Work for the Dole Guideline.

Failure to participate in a compulsory Work for the Dole Activity may result in compliance action in line with the Targeted Compliance Framework. See the [Targeted Compliance Framework: Mutual Obligation Failures Guideline](#).

Participants referred from Online Employment Services (OES) with a SMAR

Reasons OES job seekers will be referred to Providers

The SMAR applies to job seekers in the OES. Once OES job seekers have completed six months in service they will have four weeks to meet the SMAR through declaring work or study, or by opting to participate in an approved Activity. If job seekers do not meet the SMAR, they will be referred to, and commenced with, a Provider to assist them to undertake an approved Activity.

OES job seekers may opt to be referred to a Provider to meet their SMAR through an Activity that is not available to OES job seekers, such as those requiring risk assessments.

Identification of OES job seekers referred to a Provider with a SMAR

When an OES job seeker with a SMAR is referred to a Provider this will be indicated via a Noticeboard message in the Department's IT Systems.

Timely commencement and placement

An OES job seeker with a SMAR who is referred to a Provider should be commenced in a timely manner, and commenced in a SMAR approved Activity within four weeks.

Override

In acknowledgement that there may be circumstances in which a Participant has attempted to meet the SMAR but has genuinely been unable to do so, a SMAR "override" function will be available to Providers. Note that this should not be used where a Participant has not actively sought to meet this activation requirement. The use of the override will be actively monitored to ensure it is used appropriately and in line with guidance, and may be considered when assessing performance. For further information see the [SMAR IT and Override Guidance Document](#).

Where the override is used Participants will be considered to have met the SMAR. This will not prevent them undertaking Activities in the future.

Placing the Participant in an Activity

Providers must arrange SMAR approved Activities in accordance with each Activity's requirements under the Deed and Guidelines.

For information on setting up and managing Activities, including important information on work health and safety, risk assessments and checks, refer to the [Activity Management Guideline](#) and the [Job Plan and Scheduling Mutual Obligation Requirements Guideline](#).

(Deed references: Clauses 107, 108, 109)

Recording the Activity in the Job Plan, participation and completion



System step: Activities Participants undertake must be included in their Job Plan as either a compulsory or voluntary Activity. Providers must record the Activities in the Participant's Job Plan, and schedule Activities in the Calendar. For further information see the Job Plan and Scheduling Mutual Obligation Requirements Guideline.



System step: Participants will be responsible for recording their attendance at Activities. However, for those Participants found not capable of recording attendance, Providers must record attendance in approved Activities using the Calendar. All results must be recorded by close of business on the day of participation in the activity. For further information see the Recording and Monitoring Attendance at Activities section of the Activity Management Guideline.



System step: Once an Activity has ended Providers must complete the Activity in the Department's IT Systems. For CTA, this step will be performed by CTA providers. For further information see the Completing Activities section of the Activity Management Guideline.

These are existing requirements and important for the purposes of SMAR reporting and performance measurement.

Record Keeping



Documentary Evidence: Providers should ensure they adhere with Documentary Evidence requirements for each Activity, these are outlined in the Record Keeping section of the Activity Management Guideline and relevant program and Activity guidelines.

(Deed References: 107.12, 87.6)

7. Privacy and information sharing

Providers must comply with Social Security Law and Australian privacy legislation. A Participant's Personal Information must only be used or disclosed for the purpose it was collected, except in limited circumstances such as where the Participant gives permission or where Commonwealth laws allow or other special circumstances.

Providers should seek independent legal advice if they have any concerns regarding their obligations under any privacy or other legislation. For further information, refer to the [Privacy Guideline](#).

(Deed references: Clauses 53, 87, 106)

Sharing Job Plans with SEE or AMEP Providers

Participants participating in the Skills for Education and Employment (SEE) program or Adult Migrant English Program (AMEP) should be encouraged to share their Job Plans with their SEE or AMEP Providers in order to make them aware of their full Mutual Obligation Requirements. This will assist SEE and AMEP Providers in ensuring that they place Participants in courses with study to meet the SMAR or fully meet their AAR in the Work for the Dole Phase.

8. Summary of Required Documentary Evidence

Notification to Participants of their Mutual Obligation Requirements

- The Provider will notify Participants of their Mutual Obligation Requirements in accordance with the reasonable notice timeframes for the relevant method of notification.
- The Provider will create a notification record in the Department's IT Systems, identifying the method of notification used (i.e. SMS, email or letter).
- If the Provider is in direct contact with the Participant, the Provider must record as the notification method that the appointment was booked directly with the Participant.
- If an Activity or Appointment is rescheduled by the Provider, formal notification must be issued to the Participant of their new requirements.

Note: If the Provider chooses to record the Participant's Activity details in the Activity Diary, this will help them to issue notification of the specific details of participation in an Activity to the Participant.

(Deed reference: Clause 106)

AAR and other Approved Activities



Documentary Evidence: In addition to recording the relevant information in the Department's IT Systems, Providers must retain the following additional forms of evidence (either hard copy or soft copy):

- timesheets or other records of attendance, including information collected through the Supervisor App, where used
- a statement of attainment or similar (for accredited education)
- a signed training notice or signal notice (for Defence Force Reserves)
- an invoice for services or a letter of acceptance into a program (for non-vocational interventions)
- Activity Host Organisation Agreements for Work for the Dole, Voluntary Work, the National Work Experience Programme and Work Experience (Other) Placements
- CTA Agreement (for CTA Courses)
- risk assessment documentation which details that all Deed and relevant guideline requirements have been considered for both the Participant and the Activity (for Activities where risk assessments are required to be undertaken)
- payslips or Employer payroll summaries (for paid work)
 - For both self-employment and part-time/casual paid work, income reported by the Participant to Services Australia to stimulate a Participant's Income Support Payment is acceptable documentary evidence. This information is available from the Case Summary Screen of the Department's IT Systems (Job Seeker Information – View Declared Earnings). The information provided indicates both the earnings and the hours worked
 - Additionally, documentary evidence for self-employment can include:
 - a Profit and Loss Statement
 - a signed and dated written statement from an accountant and/or registered bookkeeper
 - copies of records from the Australian Taxation Office and/or a tax return statement
 - a Business Activity Statement.

If Activity attendance information has been entered by the Activity Host Organisation into the Mobile Supervisor's App or directly into the Department's IT Systems, or the Participant has used evidenced based recording of attendance, offline records are not required to be kept.

A Participant's attendance at their internship will be recorded to ensure the hours completed by the Participant end of each month are counted against the Participant's AAR.

(Deed reference: Section B4)

All capitalised terms in this Guideline have the same meaning as in the jobactive Deed 2015–2022 (the Deed).

This Guideline is not a stand-alone document and does not contain the entirety of Employment Services Providers' obligations. It must be read in conjunction with the Deed and any relevant Guidelines or reference material issued by Department of Education, Skills and Employment under or in connection with the Deed.

9. Attachments

Attachment A – Mutual Obligation Requirement summary tables

Mutual Obligation Requirements—Participants under 50 years of age (Full time requirements)			
Period of Service	Stream A & Stream B Participants	Stream C	Early School Leavers
	<u>Case Management</u>	<u>Case Management</u>	<u>Case Management</u>
<u>0–6 months</u>	<ul style="list-style-type: none"> • Appointments • Job Search—up to 20 per month • Other suitable Activities as appropriate 	<ul style="list-style-type: none"> • Appointments • Job Search—up to 10 per month • Other suitable Activities as appropriate 	<ul style="list-style-type: none"> • Appointments • Full time education or training • A combination of paid work and part time study • Other suitable Activities as appropriate and job search - up to 20 per month • EST Eligible Participants must be considered for EST Courses at six months
<u>6–12 months</u>	<ul style="list-style-type: none"> • Appointments • Job Search—up to 20 per month • Other suitable Activities as appropriate • SMAR (approved activity required after completing six months in OES or jobactive) 	<ul style="list-style-type: none"> • Appointments • Job Search—up to 10 per month • Other suitable Activities as appropriate • SMAR (approved activity required after completing six months in OES or jobactive) 	<ul style="list-style-type: none"> • Appointments • Full time education or training • A combination of paid work and part time study • Other suitable Activities as appropriate and job search – up to 20 per month • SMAR (if not engaged in other education and training or paid work activities for 25 hours per week)
<u>12 – 18 months</u>	<u>Work for the Dole Phase</u>	<u>Work for the Dole Phase</u>	<u>Work for the Dole Phase</u>
<u>24–30 months; etc</u>	<ul style="list-style-type: none"> • Appointments • Job Search— up to 20 per month • AAR—650 hours over 26 weeks (50 hours/fortnight), Work for the Dole as the principal Activity (that is the default Activity where another Activity is not undertaken for the 18-49 year old cohort) • AAR for PCP/PCW up to 30 years of age—390 over 26 weeks (30 hrs/fortnight), choice of activities • AAR for PCP/PCW 30 to 50 years of age—200 over 26 weeks (16 - 16 hrs/fortnight), choice of activities 	<ul style="list-style-type: none"> • Appointments • Job Search— up to 10 per month • Other suitable Activities as appropriate for the relevant number of hours depending on capacity • AAR—650 hours over 26 weeks (50 hours/fortnight), Work for the Dole as the principal Activity (that is the default Activity where another Activity is not undertaken for the 18-49 year old cohort) • AAR for PCP/PCW up to 30 years of age—390 over 26 weeks (30 hrs/fortnight), choice of activities • AAR for PCP/PCW 30 to 50 years of age—200 over 26 weeks (16 - 16 hrs/fortnight), choice of activities 	<ul style="list-style-type: none"> • Appointments • Other suitable Activities as appropriate and job search – up to 20 per month • AAR—650 hours over 26 weeks (50 hrs/fortnight), EST as the principal Activity (that is the default Activity where another Activity is not undertaken for the 17-24 year old cohort)

Mutual Obligation Requirements—Participants 50 - 59 years of age (Full time requirements)		
<u>Period of Service</u>	Stream A & Stream B Participants	Stream C
	<u>Case Management</u>	<u>Case Management</u>
<u>0–6 months</u>	<ul style="list-style-type: none"> • Appointments • Job Search—up to 20 per month • Other suitable Activities as appropriate 	<ul style="list-style-type: none"> • Appointments • Job Search—up to 10 per month • Other suitable Activities as appropriate
<u>6–12 months</u>	<ul style="list-style-type: none"> • Appointments • Job Search—up to 20 per month • Other suitable Activities as appropriate • SMAR (approved activity required after completing six months in OES or jobactive) 	<ul style="list-style-type: none"> • Appointments • Job Search—up to 10 per month • Other suitable Activities as appropriate • SMAR (approved activity required after completing six months in OES or jobactive)
<u>12 – 18 months</u>	<u>Work for the Dole Phase</u>	<u>Work for the Dole Phase</u>
<u>24–30 months; etc</u>	<ul style="list-style-type: none"> • Appointments • Job Search— up to 20 per month • AAR—390 hours over 26 weeks (30 hours/fortnight), choice of activities • AAR for PCP/PCW—200 over 26 weeks (16 - 16 hrs/fortnight), choice of activities 	<ul style="list-style-type: none"> • Appointments • Job Search— up to 10 per month • Other suitable Activities as appropriate for the relevant number of hours depending on capacity • AAR—390 hours over 26 weeks (30 hours/fortnight), choice of activities • AAR for PCP/PCW—200 over 26 weeks (16 - 16 hrs/fortnight), choice of activities

Mutual Obligation Requirements—Participants 60 years of age and over (Full time requirements)		
<u>Period of Service</u>	Stream A & Stream B Participants	Stream C
	<u>Case Management</u>	<u>Case Management</u>
<u>0–6 months</u>	<ul style="list-style-type: none"> • Appointments • Job Search—up to 10 per month • Other suitable Activities as appropriate 	<ul style="list-style-type: none"> • Appointments • Job Search—up to 10 per month • Other suitable Activities as appropriate
<u>6–12 months</u>	<ul style="list-style-type: none"> • Appointments • Job Search—up to 10 per month • Other suitable Activities as appropriate • SMAR (approved activity required after completing six months in OES or jobactive) 	<ul style="list-style-type: none"> • Appointments • Job Search—up to 10 per month • Other suitable Activities as appropriate • SMAR (approved activity required after completing six months in OES or jobactive)
<u>12 – 18 months</u>	<u>Work for the Dole Phase</u>	<u>Work for the Dole Phase</u>
24–30 months; etc	<ul style="list-style-type: none"> • Appointments • Job Search— up to 10 per month • AAR—130 hours over 26 weeks (10 hours/fortnight), choice of activities • No AAR for PCW/PCP 	<ul style="list-style-type: none"> • Appointments • Job Search— up to 10 per month • Other suitable Activities as appropriate for the relevant number of hours depending on capacity • AAR—130 hours over 26 weeks (10 hours/fortnight), choice of activities • No AAR for PCW/PCP

Notes:

- NEIS Prospective Participants who have been assessed as NEIS Eligible will meet their AAR for the period they are participating in NEIS Training.
- Participants in NEIS who have not transferred to NEIS Allowance when they commence NEIS Assistance will fully meet their Mutual Obligation Requirements.
- Volunteer Participants do not have a mandatory number of Job Searches.
- Outside the AAR, Providers can require Participants to participate in other Activities (in addition to Job Search and Provider Appointments).
- Participants can meet their AAR through full participation in the Defence Reserves (240 hours over 26 weeks or 18–20 hours per fortnight).

Attachment B – Early School Leaver Facsimile Cover Sheet

Fax to: Services Australia Business Hotline

1300 786 102



Verification of Year 12 or equivalent qualification

(Office use only: CBHESL)

Attached to this Verification Facsimile Cover Sheet is evidence of a completed Year 12 or equivalent qualification (i.e. Certificate III or higher) for:

Participant's name _____

CRN _____

Declaration by Provider

I have sighted:

(*tick as to which applies*)

- ☐ the original qualification
- ☐ a certified true copy of the qualification
- ☐ a letter from the relevant school or educational institution formally verifying attainment of the qualification
- ☐ a Statutory Declaration detailing the name of the course, date completed, institution and institution contact details.

Signed:

Name (Please print):

Organisation:

Office telephone & fax numbers:

Number of pages (including cover sheet):

Guideline:

Eligibility, Referral and Commencement

This Guideline outlines who is Eligible for jobactive Services and arrangements for Participants to be Referred and Commenced in an appropriate Stream. Providers must provide Participants with appropriate Services, taking into account their individual circumstances, to assist them to find employment and move off Income Support Payments.

Version: 9.6

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Effective end: 3 December 2021

Changes from the previous version (Version 9.5)

Policy changes:

Nil

Wording changes:

Page 6 – Section updated to clarify location of appointments

A full document history is available on the [Provider Portal](#)

Related documents and references

[Assessments Guideline – Job Seeker Classification Instrument \(JSCI\) and Employment Services Assessments \(ESAt\)](#)
[Direct Registration Guideline](#)
[Job Plan and Scheduling Mutual Obligation Requirements Guideline](#)
[Managing and Monitoring Mutual Obligation Requirements Guideline](#)
[Period of Service, Suspensions and Exits Guideline](#)

[Privacy Guideline](#)
[Transfer Guideline](#)
[Stronger Transitions Guideline](#)
[Volunteers Guideline](#)
[Time to Work Employment Services TTW Eligibility, Referral, Commencement and Caseload Guideline](#)
[Structural Adjustment Programmes Guideline](#)

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1. Eligibility for jobactive Services

Eligibility for jobactive Services generally depends on the type of Income Support Payment a Participant is receiving. The [Eligibility Tables](#) identify the main categories of Participants based on their individual circumstances and their eligibility for jobactive Services.

The Department of Education, Skills and Employment (the Department) may amend the eligibility for jobactive Services at any time.

For Participants on income support, Eligibility is shown in the Department's IT Systems, based on information entered by Services Australia.

2. Eligible Participants Referred automatically through the Department's IT Systems

The majority of Participants will be automatically Referred through the Department's IT Systems, not via Services Australia. A Participant may be initially Referred to Online Employment Services (OES) or a Provider following the grant of income support and:

- the application of the Job Seeker Classification Instrument (JSCI) or
- an Employment Services Assessment (ESAt), where applicable.

Participants Referred to a jobactive Provider will generally be Referred to Stream A, Stream B or Stream C, based on the outcome of their JSCI or, where applicable, an ESAt. The exceptions are Time to Work Employment Service Participants, Early School Leavers and Structural Adjustment Program Participants who will be Referred to Stream B as a minimum or Stream C, dependent on the outcome of an ESAt. If a Vulnerable Youth Directly Registers with a jobactive provider, they will commence in Stream C - Refer to the [Direct Registration Guideline](#).

Participants automatically Referred will be randomly allocated to a Provider's caseload after taking into consideration provider site to postcode mapping and provider Referral tolerance. Participants who are randomly allocated to a provider will still have the opportunity to transfer to a provider of their choice – Refer to the [Transfer Guideline](#).

Participants in Online Employment Services (OES) who complete their period in Online Employment Services or opt out

Participants who are serviced in OES and who complete their period of assistance in OES, or who leave OES for other reasons (including opting out) but who remain Fully Eligible for jobactive, will be transferred to a jobactive Provider.

Most Participants will be provided the opportunity to choose their jobactive Provider before leaving OES, but will be automatically transferred to a departmentally nominated Provider should they not do so.

(Deed reference: Clause 82 – Transfer of Stream Participants to the Provider)

Providers must have [Electronic Diary timeslots](#) available.

Providers are responsible for booking an Initial Interview for Participants who have been Referred to them automatically through the Department's IT Systems.

Providers must also ensure that the Electronic Calendar has, at all times, capacity to receive Appointments within the next two Business Days for all other Referrals. Refer to the [Managing and Monitoring Mutual Obligation Requirements Guideline](#).

(Deed references: Clauses 77.2 and 83.1)

For Time to Work Employment Service (TWES) Participants Referred to jobactive, Providers will need to schedule/block out time in their Electronic Calendar for a facilitated transfer meeting with the Participant and TWES Provider, using the 'Provider Event' functionality.

(Deed reference: Clauses 82.4)

3. Eligible Participants Referred by Services Australia

Services Australia will Refer some eligible individuals to a jobactive Provider. This may include but is not limited to:

- DSP Recipients with participation Requirements
- Vulnerable Participants
- those who cannot complete the registration and assessment process online.

4. Other Referral Types for Eligible Participants

Some eligible individuals may elect to participate in jobactive Services and can Directly Register with a jobactive Provider. The jobactive Provider is responsible for determining a person's eligibility for Direct Registration and registering that person for Services. Refer to the [Direct Registration Guideline](#).

[Retrenched workers and their partners](#)

Retrenched Workers and their partners are eligible for immediate access to jobactive Services. These Participants receive services as a Fully Eligible Participant in the stream appropriate to their level of labour market disadvantage as determined by the Job Seeker Classification Instrument. Refer to the [Assessments Guideline](#).

Some retrenched workers and their partners may be eligible for additional assistance through Structural Adjustment Programmes, which enable recently retrenched workers from eligible companies or industries to access jobactive Services. Structural Adjustment Programme Participants are eligible for immediate access to jobactive Services as a Stream B Participant to assist them to find new employment. For information relating to Structural Adjustment Programmes including eligibility and registration, refer to the [Structural Adjustment Programme Guideline](#).

Providers must use the hierarchy of eligibility below to Directly Register any retrenched workers and/or their partners.

Retrenched workers and their partners - hierarchy of eligibility

Retrenched workers and their partners do not need to participate in the same program. Where a retrenched worker and their partner are eligible for a Structural Adjustment Programme this will take priority.

While a retrenched person and their partner may be eligible to register for jobactive under multiple retrenched worker programs, they can only be registered under **one** retrenched worker program each. (e.g. Structural Adjustment Programme Participant or a general retrenched worker/partner). This might mean that in some cases, the retrenched worker and their partner are registered in different retrenched worker programs.

Where the Structural Adjustment Programme provides Services for a retrenched worker but not their partner, then the worker should commence with the appropriate program and the partner can receive Services appropriate to their level of labour market disadvantage as determined by the Job Seeker Classification Instrument.

The programs are to be applied to retrenched workers and their partners with the following priority:

1. Structural Adjustment Programme
2. As a Fully Eligible Participant in the stream appropriate to their level of labour market disadvantage as determined by the Job Seeker Classification Instrument.

Transition to Work Participants nearing the end of TtW

Transition to Work (TtW) Providers will Refer Participants with Mutual Obligation Requirements to jobactive Services if they are nearing the end of their 18 months in TtW and are not tracking towards an outcome. A TtW Provider may also Refer a Participant if they are not fully engaging in TtW. The TtW Provider will identify jobactive Providers in the Employment Region and offer the Participant a choice of Provider, if applicable.

The TtW Provider must organise and attend an initial planning meeting with the jobactive Provider and the Participant, to be held in the first week of the Participant's eighteenth month in TtW. The purpose of this meeting is for the jobactive Provider to set out participation expectations and organise an assessment for the Participant.

At this point, the TtW Participant has not been Referred to the jobactive Provider. Therefore, a Participant appointment cannot be made in the jobactive Provider's calendar. The jobactive Provider will need to manually schedule/block out time for this meeting in their calendar.

The TtW Provider will organise the Participant's Initial Interview with a jobactive Provider to be held in the final week of the eighteenth month. This is where the Participant is Referred to the jobactive Provider by the TtW Provider and exited from TtW.

If the Transition to Work Participant is transferring to a jobactive Provider before 18 months of service then the TtW Provider must organise and attend one meeting with the Participant and the jobactive Provider. This should occur within one month of the decision to move to the jobactive Provider. The exception is if the Participant Exited shortly after Commencement in TtW.

5. Preparing for all Appointments

When preparing for all Appointments, including the Initial Interview, Providers must take into consideration whether the Participant has any special requirements.

For example, when a Participant requests or where the Provider considers it appropriate, Providers must use an interpreter to ensure that the Participant understands their requirements.

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 it is not the Case Manager's role to act as an interpreter).

Providers should also deliver services to Participants in a culturally sensitive way, based on details in the Participant's record in the Department's IT Systems. Cultural sensitivities may be particularly applicable where Participants identify as Indigenous Australians or as being from Culturally and Linguistically Diverse backgrounds. Sensitivities to consider may include, but are not limited to, language barriers, gender roles, potential misinterpretation of body language and suspicion of authorities.

Location of Appointments

Appointments must be conducted at the Provider's premises or another agreed suitable location. Appointments must be held at locations that are accessible, appropriate and safe for Participants, children and Provider staff.

Providers must not conduct Appointments or other Contacts at a Participant's home in any circumstance.

Authorised Nominees

The Department's correspondence and notifications to a Participant are also provided to that Participant's authorised correspondence nominee/s. This includes information about their Mutual Obligation Requirements and the need to attend appointments and agreed activities. The nominee can, therefore, contact the Participant's Provider if and when required to reschedule their appointment.

When the nominee rebooks appointments for the Participant, the Provider should work with the nominee to ensure the Participant is aware of their Mutual Obligation Requirements and what may happen if he/she does not comply with them.

Best practice for the Provider is to record details of the conversation with the nominee in the comments screen in the Department's IT Systems. Providers should also regularly check with the Participant that nominee details are up to date and correct.

6. Initial Interviews and other meetings with Participants

All new Participants must have an Initial Interview

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

- were Referred automatically through the Department's IT Systems
- were Referred by Services Australia
- were Referred by a TtW Provider
- have Directly Registered for assistance (see [Direct Registration Guideline](#))
- have transferred to the Provider (see [Transfers Guideline](#)).

This includes:

- developing and approving a Job Plan (see [Job Plan and Scheduling Mutual Obligation Requirements Guideline](#)) and
- providing the Participant with the relevant Privacy Notification and Consent Form in the [Privacy Guideline](#) and seek the individual's express written consent to collect their sensitive information by asking the individual to sign and date the relevant form. The Provider **must** advise the individual that they are not required to give consent for the collection of their sensitive information and can withdraw their consent at any time (see the [Privacy Guideline](#)).

Initial Interview when a Participant changes Streams

Where a Participant becomes eligible for a new Stream as a result of a JSCI Change of Circumstances Reassessment, the Provider must conduct an Initial Interview.

Note: To ensure the currency of notification and consent, best practice is for Providers to provide and ask the Participant to sign and date the Privacy Notification and Consent form every time the JSCI Change of Circumstances is conducted. A Participant is not required to sign the Privacy Notification and Consent Form for an Initial Interview for a New Stream if they remain with the same Provider.

Facilitated Transfer meeting for Participants exiting from Time to Work Employment Services (TWES) to jobactive

A TWES Participant may be Referred to jobactive before the TWES Participant's release from prison, where they meet jobactive eligibility.

To assist the TWES Participant's move to jobactive, the TWES Provider must organise a facilitated transfer meeting with the post-release Provider and TWES Participant before the TWES Participant's release from prison. However, in some cases the Facilitated Transfer Meeting may need to happen after the Participant's release from Prison.

The purpose of the facilitated transfer meeting is to introduce the TWES Participant to their post-release employment services provider and to discuss

the TWES Participant's Transition Plan and their transition to jobactive following their release from prison. The post-release Provider must attend the facilitated transfer meeting, in person or by telephone, and explain the Services that will be available to the TWES Participant when they Commence in jobactive.

The Transition Plan will be developed by the TWES Provider in consultation with the TWES Participant and will outline actions to help address any barriers that the Participant will face following their release from prison and detail their plan for employment. The post-release Provider should use the Transition Plan to identify any support or services that the Participant may require to address these barriers and assist the Participant to move into employment. The post-release Provider must consider any comments or recommendations that are contained in the Transition Plan when setting the terms of a Job Plan.

Where possible, the staff member who will be providing Services to the Participant upon their release from prison should attend the meeting.

Where a TWES Participant Commences in jobactive and the TWES Provider has not attended a facilitated transfer meeting, the Provider should contact the TWES Provider to discuss the TWES Participant's participation in the TWES program and their Transition Plan.

Where a Participant is Referred to a post-release Provider which is the same organisation that delivered Time to Work Employment Services to the Participant, the TWES Provider must still arrange a Facilitated Transfer Meeting. This will ensure that the Participant has the opportunity to meet the jobactive staff who will service them post-release and understand the post-release services they will receive.

(Deed references: Clauses 82.4)

Participants exiting from TtW to jobactive

In the first week of the Participant's eighteenth month in TtW, the TtW Provider will organise and attend an initial planning meeting with the jobactive Provider and the Participant. The purpose of this meeting is for the jobactive Provider to set out the expectations of participation in jobactive Services and identify what type of activities are most appropriate for the Participant in the Work for the Dole (WfD) phase. Noting, the TtW Provider will not be able to make this appointment directly to the jobactive Provider's calendar and timing should be negotiated between all parties.

In the final week of the eighteenth month in TtW, the TtW Provider will Refer the Participant to jobactive and organise the Participant's Initial Interview with the jobactive Provider.

If the TtW Participant is transferring to a jobactive Provider **before** 18 months of service then the TtW Provider must organise and attend one meeting with the Participant and the jobactive Provider. This should occur within one month of the decision to move to the jobactive Provider. The exception is if the Participant Exited shortly after Commencement in TtW.

Please note: TtW Participants exiting from TtW after six months and transitioning to jobactive will Commence in the WfD Phase of jobactive.

Vulnerable Youth or Vulnerable Youth (Student)s

Following the immediate Direct Registration of a Vulnerable Youth or Vulnerable Youth (Student) who presents in crisis, Providers must immediately provide or Refer the young person to relevant crisis assistance. The support provided will depend on the nature of the crisis but could include assistance with emergency accommodation, counselling or other non-vocational support. Refer to the [Direct Registration Guideline](#).

(Deed references: Clauses 78.3)

7. Participants must be commenced in a timely manner

Providers must Commence Participants in a timely manner.

- Participants who are referred to the provider on or after 12 April 2021 must be commenced within 10 Business Days of the referral. This provides sufficient time for providers to review their caseloads, schedule and conduct an Initial Interview (including re-scheduling if required), and think-time for participants to agree to their Job Plan.
- Participants referred to the provider prior to 12 April must be commenced as outlined below, with efforts focussing on those referred for the longest period:
 - Participants referred before 12 October 2020 (6+ months), must be commenced within 10 Business Days
 - Participants referred before 12 November 2020 (5+ months), must be commenced within 15 Business Days
 - Participants referred before 12 December 2020 (4+ months), must be commenced within 20 Business Days
 - Participants referred before 12 January 2021 (3+ months), must be commenced within 25 Business Days
 - Participants referred before 12 February 2021 (2+ months), must be commenced within 30 Business Days
 - Participants referred before 12 March 2021 (1+ month), must be commenced within 35 Business Days
 - Participants referred before 12 April 2021 (less than 1 month), must be commenced within 40 Business Days

(Deed references: Clauses 83.1 and 84.1(a))

8. Participants are automatically Commenced in the Department's IT Systems

A Participant is automatically Commenced in the Department's IT Systems when the Provider records attendance at the Initial Interview and the Participant has an approved Job Plan.

A Participant who changes Stream due to a Change of Circumstances Reassessment remains commenced in their previous Stream until the Provider has undertaken an Initial Interview for the new Stream.

The Provider must deliver Services in accordance with the Deed, Guidelines, Service Delivery Plan, Job Plan and Participant's circumstances once the Participant is Commenced.

9. Administration Fees are calculated and paid automatically by the Department's IT Systems

Administration Fees are calculated and paid automatically by the Department's IT Systems once the Participant is Commenced and at the start of each Administration Fee Period thereafter. This system calculation includes all pro-rata adjustments and 25 per cent regional loading for administration of Services to Participants in Regional Locations.

Providers are not required to submit a claim for payment. Administration Fee Tax Invoices will be automatically generated in the Department's IT Systems and do not require acceptance before payment is made.

(Deed references: Clause 123, Annexure B2)

10. Referral to another program as a result of Change of Circumstances Reassessment

In some instances, a Participant may be Referred to an ESAt after a JSCI Change of Circumstances Reassessment. If, as a result of the ESAt, the Participant is Referred to DES or TtW, the Provider must continue to deliver Services to the Participant until they have commenced in that program. Once the Participant has commenced in the new program, they will be Exited from jobactive Services. Refer to the [Assessments Guideline](#).

(Deed references: Clauses 79, 82, 85, 87)

Referral of a Participant to TtW

A Provider may Refer Stream C Participants to TtW if they meet eligibility requirements and would benefit from the service.

The eligibility requirements are:

- aged 15-24 years on Commencement in the TtW Service, and
- a Stream C Participant, and
- identified by their jobactive Provider as having a capacity to benefit from TtW Services: for example, a young Participant who has addressed their unstable housing or mental health issues, and
- an Australian citizen, or
- the holder of a permanent visa, or
- New Zealand Special Category Visa holders (a protected Special Category Visa holder; or non-protected Special Category Visa holder), or
- nominated Visa Holders (including Temporary Protection Visa Holders and Safe Haven Visa Holders).

11. Services must be delivered to Participants who return after Exiting

Where a Participant Exits and returns to Services within 13 consecutive weeks of Exit, the Provider must resume providing Services to a Participant in accordance with the Deed. When a Participant returns to Services at 13 consecutive weeks or more from their date of Exit, their Period of Service will re-set and they will need to be Commenced into Service as a new Referral.

A new JSCI will need to be conducted prior to the Provider delivering Services to the Participant, as their previous JSCI will be inactive as a result of the Exit.

(Deed references: Clauses 95.3 and 95.4)

12. Summary of required Documentary Evidence

Retrenched Workers



Documentary Evidence: Please refer to the [Direct Registration Guideline](#).

Job Plan



Documentary Evidence: Where the Participant has agreed to a Job Plan by signing a hard copy version, a copy must be retained by the Provider.

13. Eligibility in jobactive

The sections below are not mutually exclusive and sections of this table should be considered in combination according to Participant individual circumstances.

For example, Participants may be in receipt of JobSeeker Payment, be Mature Age (55+) and have a Partial Capacity to Work; or be in receipt of Disability Support Pension, be a Vulnerable Youth and a Parent.

Please Note:

- People with a Partial Capacity to Work who are fully meeting their requirements through part-time paid employment or study and who do not have a requirement to remain connected to their Employment Provider may elect to participate in Employment Provider Services.
- Volunteer Participants on Norfolk Island and in the Yarrabah community will continue to be eligible for Stream A Volunteer services and will not be Referred to the Volunteer Online Employment Services Trial (VOEST).

	Fully Eligible	Eligible for Volunteer Online Employment Services (VOEST) for 12 months	Not Eligible
JobSeeker Payment	JobSeeker Payment recipient		
Parents	<p>Parenting Payment recipient with participation requirements.</p> <p>Principal Carer parents who are fully meeting their requirements through part-time paid employment or study and who do not have a requirement to remain connected to their Employment Provider but may elect to participate in Employment Provider Services.</p> <p>Note: Fully Eligible Participants who are fully meeting their part-time Mutual Obligation Requirements or are currently subject to a Services Australia -granted Exemption may voluntarily elect to participate in Employment Provider Services. If they choose to do so, they continue to be serviced as a Fully Eligible Participant.</p>	<p>Parenting Payment recipients without participation requirements</p> <p>Parents (with a youngest child under six years old) in receipt of Parenting Payment (Partnered)/Parenting Payment (Single).</p> <p>ParentsNext volunteers and ParentsNext compulsory participants.</p>	
Disability Support Pension	<p>Disability Support Pension recipient with compulsory requirements</p> <p>Disability Support Pension recipients aged under 35 years with a work capacity of eight or more hours per week (without a youngest child under six years) will have compulsory activity requirements.</p> <p>Disability Support Pension applicants and recipients subject to review (without compulsory requirements) undertaking a Program of Support (not eligible for Disability Employment Services or Community Development Programme)</p> <p>Fully eligible for assistance while they undertake their Program of Support requirement provided they remain connected or do not Exit for more than 13 weeks.</p> <p>Note: Fully Eligible Participants who do not remain connected or who complete their Program of Support may be eligible for the VOEST in the future.</p>	<p>Disability Support Pension applicants and recipients subject to review (without compulsory requirements) undertaking a Program of Support (not eligible for Disability Employment Services or Community Development Programme) who do not remain connected or Exit for more than 13 weeks.</p> <p>Disability Support Pension recipients without compulsory requirements</p> <p>Australian Disability Enterprises Participant</p> <p>Disability Pensioner (DVA)</p>	
Youth and students	<p>Youth Allowance (other) recipient</p> <p>Vulnerable Youth and Vulnerable Youth (Student)</p> <p>Young people who are not in receipt of Income Support Payments aged 15 to 21 who are not working 15 hours or more per week, who are not in Full-time Study and who have at least one serious Non-vocational Barrier are eligible for immediate Stream C Services as a Vulnerable Youth. Ongoing assistance is subject to confirmation through an ESAt. If they are not eligible for Stream C and are not otherwise determined to be Fully Eligible, they must be Exited by the Provider and may be Referred to the VOEST by Services Australia should they require assistance as a Volunteer.</p> <p>Full-Time students aged 15 to 21 years who present in crisis and have at least one Non-vocational Barrier are eligible for immediate Stream C services as Vulnerable Youth</p>	<p>Full-time students seeking an apprenticeship or traineeship</p> <p>Young people who are not in receipt of Income Support Payments who are under school-leaving age, including those under 17 years, are Eligible only if they have permission to leave school.</p>	<p>Youth Allowance (full-time Student) recipient</p> <p>ABSTUDY recipient</p> <p>Austudy recipient</p>

	Fully Eligible	Eligible for Volunteer Online Employment Services (VOEST) for 12 months	Not Eligible
	(Student) if no appropriate youth services are available in the local area. Ongoing assistance is subject to having their eligibility for Stream C confirmed by an ESAt.		
Visa holders and migrants	<p>Visa holders with working rights attached, on income support To be a Fully Eligible Participant, Visa holders with working rights attached, must be in receipt of an Income Support Payment type that would otherwise enable an individual to access services as a Fully Eligible Participant. Other rows in this table specify Income Support Payment types that enable people to access services as a Fully Eligible Participant.</p> <p>New Zealand non-protected Special Category Visa holders in receipt of JobSeeker Payment or Youth Allowance (Other)</p>	<p>Visa holders with working rights attached, not on income support, including temporary residents With the exception of working holiday visas.</p> <p>Visa holders with working rights attached, who are on an Income Support Payment listed in the section of this table titled Other income support without Participation requirements</p> <p>Migrants serving a Newly Arrived Residents Waiting Period</p> <p>Status Resolution Support Services (SRSS) program recipients - people who are actively engaged with the Department of Home Affairs in resolving their immigration status.</p>	<p>Visa holders without working rights (including temporary residents)</p> <p>Overseas visitors on working holiday visas are Eligible for Harvest Trail Services only</p>
Newly Arrived Refugees	Newly arrived refugees are able to voluntarily participate in the appropriate level of service based on their assessment (i.e. Stream A, Stream B or Stream C) for 12 months after they have started on income support following arrival. During this time they are not required to participate in jobactive. Standard eligibility and Mutual Obligation rules would apply after the end of this period.		
Special Benefit	<p>Special Benefit recipients Special Benefit recipients who are Nominated Visa Holders have the same mutual obligation requirements, and consequences for non-compliance as Job Seeker Payment and Youth Allowance (Other) recipients.</p> <p>Special Benefit recipients, who are not Nominated Visa Holders, but are capable of looking for and undertaking work must be connected to employment services and have voluntary requirements with their employment services Provider.</p>		
Mature Age	<p>Mature age (aged 55 years and over) Participants in receipt of income support with participation requirements who are meeting their Mutual Obligation Requirements may elect to participate in Employment Provider Services.</p> <p>Note: Fully Eligible Participants who are fully meeting their part-time Mutual Obligation Requirements or are currently subject to a Services Australia -granted Exemption may voluntarily elect to participate in Employment Provider Services. If they choose to do so, they continue to be serviced as a Fully Eligible Participant.</p>		
Pre-release Prisoners	<p>Pre-release Prisoners Prisoners or detainees must be in the final 12 months of their sentence and be approved by corrective services or youth justice case managers. They must be prisoners or detainees aged 15 years and over (including those not in receipt of income support) who have been Referred to an Employment Provider by state or territory corrective or youth justice services and Directly Registered by the Employment Provider.</p>		

	Fully Eligible	Eligible for Volunteer Online Employment Services (VOEST) for 12 months	Not Eligible
Retrenched worker or partner of a retrenched worker	<p>Retrenched workers and their partners People who have been retrenched in the last six months or who have received notification from their employer in the three months prior to their retrenchment date and their partners are eligible for immediate access to jobactive Services.</p> <p>Retrenched workers and their partners may be eligible for assistance through the programs in the following hierarchy. Providers must use this hierarchy to Directly Register any retrenched workers and/or their partners.</p> <ol style="list-style-type: none"> 1. Structural Adjustment Programme. 2. As a Fully Eligible Participant in the stream appropriate to their level of labour market disadvantage as determined by the Job Seeker Classification Instrument. <p>Where a Structural Adjustment Programme provides Services for a retrenched worker but not their partner, then the worker should commence with the appropriate program and the partner can receive Services appropriate to their level of labour market disadvantage as determined by the Job Seeker Classification Instrument.</p> <p>A retrenched worker and their partner must only be registered in one of the above retrenched worker programs each.</p> <p>A special placement flag will identify whether a Participant is registered as a Fully Eligible Retrenched Worker/Partner or as a Structural Adjustment Programme Participant. Eligibility requirements are outlined in the relevant Structural Adjustment Programme Guidelines.</p>		
Other income support without Participation requirements		<p>Participants in receipt of Income Support Payments without participation requirements</p> <p>Carer Payment recipient, Carer Allowance recipient, Aged Pension recipient, Low Income Card holder, Widow Allowance recipient, Farm Household Allowance recipient, Service Pensioner (DVA), Partner Service Pensioners (DVA), War Widow(er)s Pensioner (DVA), Rehabilitation Allowance recipient, Widows B Pensioner, Partner Allowance recipient, Assistance for Isolated Children recipient, Child Care Assistance recipient, Double Orphan Pension recipient, Family Payment recipient, Mobility Allowance recipient, Special Benefit (without participation requirements)</p>	
Early School Leavers	<p>Early School Leavers</p> <p>Early School Leavers unable to access Transition to Work will be Referred by Services Australia to jobactive and will be referred as Stream B, unless identified eligible for Stream C via an ESAt.</p>		

Not in receipt of income support	<p>Retrenched workers and their partners and Structural Adjustment Programme</p> <p>Participants may be eligible for jobactive services without being in receipt of income support.</p> <p>Eligibility requirements are outlined in the Structural Adjustment Programme Guidelines.</p>	<p>Participants not in receipt of Income Support Payments</p> <p>Subject to them not being:</p> <ul style="list-style-type: none"> • full-time students • working in paid employment for 15 hours or more per week and not on an Income Support Payment • overseas visitors on working holiday visas or overseas students studying in Australia, or • prohibited by law from working in Australia. 	
Australian Government Disaster Recovery payment			<p>Australian Government Disaster Recovery Payment recipient: except if they fall into any of the Fully Eligible or Volunteer categories</p>
Workers Compensation			<p>People receiving workers compensation</p>

All capitalised terms in this guideline have the same meaning as in the jobactive Deed 2015–2022 (the Deed).

In this guideline, references to Provider mean an Employment Provider, as defined in the Deed.

This Guideline is not a stand-alone document and does not contain the entirety of Employment Services Providers' obligations. It must be read in conjunction with the Deed and any relevant Guidelines or reference material issued by Department of Education, Skills and Employment under or in connection with the Deed.

Guideline:

Job Plan and Scheduling Mutual Obligation Requirements Guideline

A Participant's Mutual Obligation Requirements and any other items agreed to with their Employment Services Provider (Provider) are outlined in their Job Plan. It is necessary for Providers to ensure that each Participant, including Participants without compulsory Mutual Obligation Requirements, have a Job Plan in place at all times and that the requirements in the Job Plan are tailored to the Participant's individual circumstances and are appropriate to the level of their capability.

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Policy changes:

Nil.

Wording changes:

Page 19: Section updates clarifying the location of appointments

A full document history is available at Provider Portal. Related documents and references

[Activity Management Guideline](#)

[Privacy Guideline](#)

[Capability Interview Guideline](#)

[Targeted Compliance Framework: Mutual](#)

[Capability Assessment Guideline](#)

[Obligation Failures Guideline](#)

[Managing and Monitoring Mutual Obligation Requirements Guideline](#)

[Work Refusal and Unemployment Failures Guideline](#)

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1. What is a Job Plan?

For the purposes of Social Security Law, a 'Job Plan' is an 'Employment Pathway Plan' for job seekers receiving income support and a 'Participation Plan' for Disability Support Pension recipients, less than 35 years of age, with compulsory requirements.

Providers are required to work with Participants to keep Job Plans up to date and appropriate to Participants' individual needs.

Job Plan contents are discussed and agreed to based on each Participant's individual circumstances and the support they need to move from welfare to work. Usually a Job Plan includes Provider Appointments, Job Search, education and skills training and other Activities to improve the Participant's employability.

To support Participants to successfully meet their Mutual Obligation Requirements and receive the most from the services offered, Job Plans should be:

Meaningful—Every time the Job Plan is negotiated and updated. Providers need to take the time to discuss the requirements with the Participant. It is important that Participants understand any changes that have been made, the benefits of participation, and know and understand why they are required to participate in these activities.

Tailored and appropriate—Consideration needs to be given to the individual circumstances of the Participant. This includes their program or Stream, level of requirements, physical capacity, the location of any activities or other personal circumstances like caring and family responsibilities.

Clear and understood—Participants should know exactly what is required of them on each day; there should be no doubt or confusion of what is expected. This includes the potential consequences of not meeting any of their requirements. Participants having a clear understanding of their requirements means that:

- they understand the benefits of participation
- they understand their requirements support successful participation
- they feel empowered to make the right decision to meet their requirements the compliance framework can be utilised effectively and appropriately

The Department monitors the appropriateness and tailoring of Job Plans in line with key performance measures in the Performance Framework Guideline.

(Deed references: Clauses 87.1, 87.4, 117.1)

2. Creating and Approving a Participant's 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 a Participant's Job Plan.

Creating a Job Plan at the Initial Interview

A Job Plan is created at the Initial Interview with a Participant. Once the Participant attends the Initial Interview and the Job Plan is approved the Participant is automatically commenced in Services.

During the Initial Interview, a Provider negotiates a Job Plan with new Participants or Participants transferred from other Providers. Providers need to ensure that each requirement is tailored to meet the circumstances of the individual Participant and supports them in achieving their employment goals.

The Provider's role is to support the Participant and:

- ensure that each Job Plan contains all of the compulsory and voluntary Activities the Participant needs to undertake in order to meet their Mutual Obligation Requirements
- include the details of all Activities tailored to address the Participant's individual needs, reduced work capacity and barriers to employment
- ensure that the Activities do not place unreasonable demands on the Participant
- Note: Although Providers must create a Job Plan, Participants are not required to agree to the Job Plan at the Initial Interview and may have 2 Business Days 'think time'. For more information refer to the section, Participants requiring 'think time' to consider the terms of their Job Plan.

(Deed references: Clause 84.1, 85.1, 87.1, 87.2, 87.3, 87.4, 87.5, 117.1, Annexure A1)

Activities in the Job Plan must not place unreasonable demands on the Participant. The Participant must be capable of doing any Activity and meeting all requirements included in their Job Plan.

Providers are required to record the Activities and relevant details in the Participant's Job Plan, including: the names of education and training organisations and the type of training being undertaken; the names of employers and the type of work being undertaken; hours of participation the Participant needs to complete each fortnight and the hours of participation required for each Activity. If drug or alcohol dependency impacts on the Participant's ability to meet their requirements, providers should consider what non-vocational assistance may be appropriate to include in the Job Plan, where the Participant refuses treatment, or where there is a lack of treatment available in the local area, the Provider needs to record this in the Capability Management Tool, in the Department's IT Systems.

Providers are required to include approved Activities in the Participant's Job Plan that will enable the Participant to meet their Mutual Obligation Requirements. This includes the Activity that will meet the Participant's Six Month Activity Requirement. In the Work for the Dole Phase, the Job Plan must include appropriate hours of participation in approved Activities each fortnight during that phase.

At all times during a Participant's period of servicing the number of Job Searches a Participant is required to undertake each month must be specified in the Participant's Job Plan. The number of Job Searches required cannot exceed 20 per month.

Approved Activities include study and training. Please refer to the Managing and Monitoring Mutual Obligation Guideline for more information.

Including sufficient fortnightly hours in the Job Plan

Ensure that each Job Plan contains sufficient hours of Activities per fortnight for the Participant to meet their Mutual Obligation Requirements.

The Department's IT Systems will automatically calculate the fortnightly hours under each code that is included in the Job Plan. Depending on the hours scheduled for the Participant to meet their Mutual Obligation Requirements, the Department's IT Systems will display messages to guide Providers to ensure the number of hours are appropriate.

The Provider is unable to set more than reasonable hours of activities per fortnight in the Job Plan in any event, and the Department's IT Systems will restrict the Provider from doing so by displaying an error message.



System step: If a Participant is Employment Skills Training (EST) mandatory, ESS Web prevents the finalisation of their Job Plan when making a referral to other activities. When referring an EST mandatory Participant to another activity, the EST opt-out reason of 'referred to other activity' must be applied before updating the Job Plan with the other activity.

See the ['Setting Daily Requirements'](#) in this document for information on scheduling Daily Requirements (including activities, study or training and paid work).

Explaining a Job Plan to the Participant

Providers need to ensure that Participants understand their Mutual Obligation Requirements such as: attending Appointments; undertaking compulsory and voluntary Activities; fulfilling their Annual Activity Requirement (AAR) or Six Month Activity Requirement; and undertaking and completing Job Searches.

At the Participant's Initial Interview Providers need to explain:

- the purpose of the Job Plan
- the Mutual Obligation Requirements the Participant needs to undertake in return for income support payments, including the requirement to record their own attendance (where relevant)
- the Participant's rights and responsibilities under the Job Plan (including 'think time' to consider the Job Plan before agreeing to 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
- how to contact the Provider to give prior notice if unable to meet requirements and the consequences of not giving prior notice if the Participant is able to do so
- the consequences of failing to meet the requirements without a Reasonable Excuse, and any impact this may have on the Participant's income support payment

- the consequences of failing to give prior notice (with a Valid Reason) if they cannot attend compulsory Appointments or participate in compulsory Activities
- the Participant's right to appeal decisions and where they can find assistance to do this
- how the Provider intends to support the Participant
- the Provider's Service Guarantee and Service Delivery Plan
- the section entitled 'Information You Need to Know' in the Job Plan
- how information is protected under privacy legislation and Social Security law; and
- that all relevant contact details will need to be accurately recorded and updated in the Department's IT Systems including phone numbers, email address and postal address.

(Deed references: Clause 87.2, 87.5, 106.1, Annexure A1)

Interpreters, Support Persons and Nominees

When a Participant requests, or if the Provider considers it appropriate, the Participant can bring a support person with them to an Appointment to review their Job Plan. Similarly, when a Participant requests or if the Provider considers it appropriate, Providers are required to use an interpreter to ensure that the Participant understands their requirements before they agree to the Job Plan.

You may also need to work 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 that a Case Manager is not an interpreter).

Additionally, Participants in residential programs for drug and alcohol rehabilitation will not always inform their Provider of their change of circumstances. When in a residential program Participants should have an authorised correspondence nominee. The nominee will receive all of the correspondence and notifications sent from the Provider to the Participant. The nominee can advise the Provider that the Participant is in a residential program and may not have access to a phone or computer.

Staff of residential programs are able to act as nominees for Participants.

Please record details of any conversations with a nominee in the comments screen in the Department's IT Systems.

Participants requiring 'think time' to consider the terms of their Job Plan

Before signing or agreeing to the terms of a Job Plan, all Participants can have up to two Business Days 'think time' to consider the requirements set in their Job Plan. The Participant can use this time to discuss the terms of their Job Plan with a third party if they wish. The 'think time' is available to a Participant each time their Job Plan is created or updated.

If a Participant is offered and accepts 'think time', Providers need to arrange and book a Provider Appointment for the Participant to occur in two Business Days so that the Participant can agree to and sign the Job Plan.

Participants with a Compulsory Job Plan

For Participants with Mutual Obligation Requirements, including Disability Support Pension recipients under 35 years of age and Special Benefit recipients (who are not Nominated Visa Holders), there needs to be at least one compulsory requirement in the Job Plan and a record of the details in the Participant's Calendar.

Participants who are fully meeting their Mutual Obligation Requirements, but have chosen to access jobactive on a voluntary basis are Fully Eligible Participants (Voluntary). These Participants still need to have a compulsory Job Plan, which includes the Activities they are undertaking to fully meet their requirements. Any additional Activities they agree to undertake need to be included in their Job Plan as a voluntary requirement.

(Deed references: Clause 70.1, 87.2, 87.5)

Participants with a Suspension

Participants with Mutual Obligation Requirements who are Suspended from their Provider's caseload can choose to volunteer to participate in Activities. Providers must agree to the voluntary Activities the Participant will participate in and update the Participant's Job Plan to include the voluntary Activities. If the Provider becomes aware that a Participant is no longer suspended or not participating in voluntary Activities listed in the Job Plan, the Provider must update the Job Plan as appropriate.

A suspension from a Provider's caseload can occur when:

- a Participant is granted an Activity Test exemption by Services Australia
- a PCP or PCW (15-29 hours) Participant is fully meeting their requirements through part time work or other approved activities
- the Provider applies a 'Provisional Exit' from servicing on the expectation that the Participant's employment will lead to a full outcome; or
- the Participant has a partial or temporary reduced work capacity of less than 15 hours per week.

(Deed references: Clause 70.1, 87.2, 87.5)

Participants with a Voluntary Job Plan

Participants who are participating in jobactive without Mutual Obligation Requirements must have a Voluntary Job Plan. These Participants can be Volunteers receiving six months of service in Stream A or be Fully Eligible Participants who do not have Mutual Obligation Requirements and are participating voluntarily in jobactive such as:

- Structural Adjustment Program Participants not on income support
- Pre-Release Prisoners
- Participants with an Exemption from their Mutual Obligation Requirements

- Participants with an assessed Partial Capacity to Work or a temporary reduced work capacity of less than 15 hours per week
- Vulnerable Youth or Vulnerable Youth (Student)
- a person granted Newstart Allowance after 1 January 2018, or JobSeeker Payment, who would have otherwise been eligible for Widow Allowance prior to this date, and exempt from Mutual Obligation Requirements
- Special Benefit recipients who are not Nominated Visa Holders.

Voluntary Job Plans can only include voluntary Activities as these Participants do not have compulsory requirements and are not subject to compliance if they do not participate in these activities. Participants will not be at risk of incurring a penalty if they do not participate in voluntary items.

Participants in Time to Work Employment Service

If a Participant has participated in the Time to Work Employment Service the Provider needs to take into account any current Transition Plans identified in the Department's IT Systems.

Participants in ParentsNext

ParentsNext Volunteers can choose to volunteer into jobactive and they will already have a Participation Plan created by their ParentsNext Provider. A jobactive Provider must not create, update or otherwise edit a Job Plan for a ParentsNext Volunteer. If a Job Plan for a ParentsNext Volunteer needs changes, the Job Plan can only be updated by the ParentsNext Volunteer's ParentsNext Provider.

(Deed references: Clause 87.5, Annexure A1)

Participants in Career Transition Assistance (CTA)

Eligible Participants can volunteer to participate in CTA. Participation in CTA can only be included as a voluntary Activity in a Participant's Job Plan.

For Participants in the Work for the Dole phase, participation in CTA will fully meet their AAR. CTA is an approved activity for Participants with a Six Month Activity Requirement. At the conclusion of CTA, the CTA Provider will arrange a Warm Handover Meeting with the Participant's jobactive Provider. As part of this meeting, Participants will be offered two future contacts with the CTA Provider, to occur within three months of the completion of CTA. The CTA Provider will be required to specify the details of these contacts. jobactive Providers should again use these details to book Third Party appointments for the Participant and issue formal notification of the appointment/s.

Approving a Job Plan

Provider staff are delegates of the Secretary of the Department of Education, Skills and Employment and have the power to:

- require a Participant with Mutual Obligation Requirements to enter into a Job Plan
- approve a Job Plan, and

- vary the terms of a Job Plan.



Documentary Evidence: Once the terms of the Job Plan have been agreed to and the Job Plan is created in the Department's IT Systems, give the Job Plan to the Participant for their agreement. Job Plans can be agreed to online or by signing a hard copy.

(Deed references: Clause 87.4, 117.1, Annexure A1)

Participant agreeing to the Job Plan – online



Documentary Evidence: Providers may send a Job Plan to the Job Seeker Dashboard through the jobactive website or Job Seeker App for the Participant to review and agree to online. Before using this option check that the Participant has access to the Job Plan on their Dashboard and they know how to agree to it.



Documentary Evidence: Providers are required to formally notify the Participant (including those with voluntary requirements) that they must agree to their Job Plan and advise them of the consequences of failing to do so. The Provider should inform the Participant either face to face or over the phone that the Job Plan has been sent to their Job Seeker Dashboard for agreement. The Participant will have two Business Days to agree to their Job Plan. A verbal formal Notification script is available on the Department's IT Systems for the Provider to read to the Participant. The script includes a compliance warning that is required to be given to Participants (with Mutual Obligation Requirements) if they do not agree to the Job Plan within two Business Days.

When the Participant agrees to the Job Plan, the Job Plan status will automatically be set to 'approved' in the Department's IT Systems.

See the [Targeted Compliance Framework: Mutual Obligation Failures Guideline](#) and the [Managing and Monitoring Mutual Obligation Requirements Guideline](#) for further information on how to issue formal Notification.

Participant agreeing to the Job Plan – hard copy

The Participant and the Provider may sign a hard copy of the Job Plan. The Provider needs to give the Participant the signed copy and then approve the Job Plan in the Department's IT Systems.

When the Job Plan has been approved and entered into the Department's IT Systems, the Participant will be able to access it from their Job Seeker Dashboard.

Participant not agreeing to the Job Plan

Participants who do not enter into a Job Plan without good reason after the two days 'think time' will have their payment suspended until a Job Plan is agreed to and signed by the Participant.

If the Participant refuses to enter into and sign a Job Plan (and does not wish to use their 'think time') contact the Participant and assess if the Participant has a Valid Reason for refusing.

For further information, see the [Targeted Compliance Framework: Mutual Obligation Failures Guideline](#).

(Deed references: Clause 114.1, 114.2, 114.5, 114.6, Annexure A1)

Recording a Job Plan



Documentary Evidence: The Job Plan is to be recorded in the Department's IT Systems as soon as possible, after it has been created. The contents of the Job Plan recorded in the Department's IT Systems must be exactly the same as the hard copy. If the Department's IT Systems are temporarily unavailable or there is no computer access, use the manual compulsory or voluntary Job Plan template available on the Provider Portal.

Using Job Plan codes

Providers are required to use the comprehensive list of Job Plan codes, at [Attachment A](#), so that Job Plan data can be pre-populated and linked through the Department's IT Systems to the Dashboard on the Job Seeker App, the jobactive website and the Services Australia IT system.

The following codes are pre-populated in Job Plans. Most can be removed if not appropriate to the Participant.

AI09 – Attend DES Appointments

AI12 – Attend Provider Appointments

AI13 – Attend DES Ongoing Support Appointments

AI15 – Attend Third Party Appointments

JS09 – Job Search Contacts – Monthly

JS10 – Job Interviews

PA03 – Personal Responsibility to Report and Record Attendance

PA04 – Actioning Job Referrals and Job Opportunities

AS02 – Health and Allied Services Assistance

AS20 – Ongoing Support Assistance

NV14 – Health Maintenance Program

AI15 – Attend Third Party Appointments and PA04 – Actioning Job Referrals and Job Opportunities cannot be removed. If either of these codes are not appropriate for a Participant, do not schedule any Activities against them.

Note: If the Participant is referred from Digital Services to a Provider, the Provider must remove any Digital Only Job Plan codes when negotiating the new Job Plan with the Participant. Please refer to the List of Job Plan Codes at Attachment A.

(Deed references: Clause 83A.3, 106A.1, 106A.2, 113.1)

Job Search Requirement

Job Search Requirements are determined by Providers based on what is appropriate for the Participant's circumstances. This may generally be set at a maximum of 20 efforts per month, but it may be reduced based on a Participant's capacity, the local labour market, and the Participant's individual circumstances. If applicable, Providers can use the JS05 or JS06 (Job Search with Disability) codes. These codes will trigger a higher rate of Mobility Allowance for eligible Participants.

The number and quality of Job Searches undertaken need to be monitored.

Providers need to review and confirm the quality of efforts submitted online or directly by no later than 5 Business Days after the end of each Job Search Period.

Providers should review the quality of job search efforts in line with the requirements detailed in the Managing and Monitoring Mutual Obligation Requirements Guideline.

Participants can report their Job Search activities on the Job Seeker App or jobactive website.

Participants should be given instructions on how to upload and record their Job Search efforts and related details, even if they indicate they will report their Job Search efforts directly to their Provider.

If the Participant reports efforts directly to their Provider by email or filling out a Job Search record and giving it directly, the Provider will need to record the number of efforts submitted to them by no later than close of business on that day.

Providers need to:

- ensure that the Participant is aware at all times of:
 - their current Job Search Requirement
 - when their Job Searches must be reported by
 - how to report their Job Search efforts using the jobactive website, or directly to the Provider.
 - ensure that the number of Job Search efforts undertaken, and the number yet to be undertaken by the Participant in each Job Search Period, are visible on the Job Seeker App or jobactive website

Please refer to [Job Aids at the Learning Centre](#) for information on recording results for Job Search.

(Deed references: Clauses 113.1, 113.2, 113.3)

Participants who do not have Job Search Requirements

The following Participants are not required to undertake Job Search while they are fully meeting their Mutual Obligation Requirement:

- Principal Carer Parents undertaking 30 hours of paid work, approved study or voluntary work or a combination of these
- Participants with a Partial Capacity to Work of 15 to 29 hours per week undertaking 30 hours of paid work, approved study or voluntary work or a combination of these

- Participants 55 years of age and over undertaking 30 hours of paid work, approved study or voluntary work or a combination of these
- Participants who combine declared paid work (including self-employment) and approved study/training for at least 70 hours per fortnight are not required to look for additional work or participate in other activities.
- Participants undertaking drug and alcohol rehabilitation in a residential program
- Pregnant Participants from three months before their due date.
- NEIS Participants and Prospective Participants while participating in NEIS Training
- NEIS Participants in receipt of Parenting Payment (Single) or the Disability Support Pension who remain on their current payment while participating in NEIS Assistance and actively working on their small business
- Early School Leavers who are meeting their Mutual Obligation Requirements through full-time education or a combination of part-time study and part-time work of 25 hours per week (15 hours for those with part-time Mutual Obligation Requirements)
- refugee Participants when undertaking activities to help adjust to life in Australia and increasing their chances of finding work.

Job Referrals and opportunities

Job Referrals can connect Participants with suitable work. Where the PA04 Actioning Job Referrals and Job Opportunities code is included a Participant's Job Plan, and the Provider identifies a job opportunity for the Participant, the Provider must set a Job Referral task for the Participant to action. Specific Job Referral tasks a Provider can set include:

Single referrals
Apply for a specific job
Accept a Job Interview
Contact an employer to arrange and accept a Job Interview
Update a resume appropriately
Provide personal details to support a job opportunity
Combination referrals
Update a resume appropriately AND provide personal details to support a job opportunity
Update a resume appropriately AND apply for a specific job
Provide personal details to support a job opportunity AND contact an employer to arrange and accept a Job Interview
Provide personal details to support a job opportunity AND accept a Job Interview

(Deed references: Clauses 83A.2, 83A.3 & 87.5)

Providers must ensure that all Job Referrals that a Participant is compelled to act on, are recorded in the Department's IT Systems. All information Providers enter in the Department's IT Systems in relation to the Job Referral must be accurate and complete. The Participant must be formally notified, with reasonable notice, of each Job Referral task that they have been set.

Providers are expected to use their best endeavours to ensure Participants are only set Job Referral tasks that they are able to successfully undertake by the due date.

The Department's IT Systems do not set a limit on the number of Job Referral tasks that can be set for a Participant. Providers must ensure they do not set a number that exceeds the Participant's monthly Job Search Requirement.

Please refer to the [Job Referral Interactive Module and Job Referral Task Card Guides on the Targeted Compliance Framework Learning Centre](#) page at <https://learningcentre.employment.gov.au/> for information on setting Job Referral tasks.

(Deed clauses 7.1(a) 11.1(b), 106.1(c) and 114)

Linking Job Plan Codes to Activity Placements and the Calendar

Activity placements can be linked to Job Plan codes in Activity Management in the Department's IT Systems. It is best practice that Providers link Activity placements to the appropriate code in the Job Plan. Job Plan codes need to be linked to the daily requirements scheduled in the Calendar, this will enable the details to be auto-populated into any formal Notification created from the Calendar. Providers will also be able to record attendance results in the Calendar.

(Deed references: Clause 83A.1, 83.A.2)

Personal Responsibility to record attendance code PA03

If a Provider determines that a Participant is capable of taking personal responsibility for recording their own attendance at Activities, the Participant will be required to record their attendance at:

- Activities
- Third Party Appointments, and
- Job Interviews.

The Personal Responsibility Code PA03 is included in every Participant's Job Plan by default. Providers are required to inform Participants if they are assessed as being capable of and that they are required to record their own attendance at Activities. If the Provider assesses the Participant as not capable of recording their own attendance, the Provider will need to remove the PA03 code from the Participant's Job Plan. Ensure that capable Participants understand the requirement to record their attendance by close of business on the day of the requirement and that their payment will be suspended if they do not do so. The Participant will be notified to contact their Provider if their payment is suspended. Providers will need to assess whether the Participant had a valid reason for not reporting and enter the result on

behalf of the Participant and consider whether the Participant is still capable of recording and reporting their own attendance.

(Deed references: Clause 87.5, 106.1, 106A.1, 106A.2)

Providing evidence of attendance for an Activity

For some Activities, the Participant will need to provide evidence when they are recording their own attendance.

Evidence for attendance will be a QR code or passcode (code) generated by the Department's IT Systems. The Participant will scan the code through their device while at the Activity to record their attendance via the Job Seeker App or by recording a passcode via the jobactive website.

If the duration of the Activity is four hours or more, two codes will be generated: one for the Participant's arrival at the Activity and one for the end of Activity. The code for the end of Activity should not be made available to the Participant until close to the finish time.

When creating an Activity that requires evidence of attendance, the Provider must ensure that they record the contact details of the relevant person/s who will provide the code to Participants, such as an Activity Supervisor. The person providing the code to Participants needs to be given the code before the Activity session commences. Providers should also ensure that the person providing the code for an afternoon session knows not to make the code available to the Participant until the afternoon session commences.

However, there will be instances where there isn't a supervisor or contact for activities, such as education and training. This is because it would be unreasonable, or not expected due to the relationship and past experience, for evidenced-based recording or to report non-attendance directly to the Provider. In these situations, Participants will record attendance directly on the day. By recording their own attendance, Participants will be acknowledging via a statement on the App or website that they have attended and the information they are providing is true and correct. No further evidence is required, therefore satisfying documentary evidence requirements. Providers will still be able to record non-attendance if they become aware that Participants have failed to attend or left early at education/training activities.

(Deed references: Clauses 87.5)

Assessing a Participant's capability to record attendance

To assess the Participant's capability to record their own attendance, Providers need to consider if the Participant has:

- daily, reliable access to technology that would allow them to record their attendance, such as a computer or smartphone, or the means to contact their Provider to report their attendance; and
- the ability, literacy and English skills required to record or report their own attendance, understanding:
 - what requirements they need to record attendance for

- how to record their own attendance
- that they must record or report attendance by close of business on the day of the requirement
- what to do and who to contact if they cannot record their own attendance on a given day
- the consequences of not recording or reporting their own attendance if they are required to do so.

(Deed references: Clause 106A.1, 106A.2)

Participant is capable of recording their own attendance

If the Participant has both the means and the ability to record and report their own attendance keep the personal responsibility code (PA03) in the Job Plan.

Monitor the Participant's capability to record their own attendance to ensure that the Participant is reporting their attendance accurately. If a Provider knows that a Participant has not accurately recorded their attendance, they can override the result entered by the Participant.

If the Participant contacts the Provider and asks them to record attendance on their behalf, the Provider will assess whether the Participant did attend and, if so, record the Participant's attendance.

(Deed references: Clause 106A.1, 106A.2)

Participant is not capable of recording their attendance

If the Participant is not capable of recording their own attendance, the Provider will need to remove the PA03 code when finalising the Participant's Job Plan.

Providers are encouraged to keep working with Participants to build capacity for reporting their attendance at requirements.

If a Participant can't record their attendance because they live in an area with unreliable connectivity or other similar reasons, the Provider needs to tell the Participant to report their attendance by contacting their Provider, who will record attendance on the Participant's behalf.

(Deed references: Clause 106A.1, 106A.2, 87.5)

3. Reviewing, Updating and Monitoring a Job Plan

Providers are required to review, update and monitor a Participant's Mutual Obligation Requirements in accordance with the Deed, this Guideline and Social Security Law.

Providers need to review the Job Plan and update it when the Participant:

- has a change in their circumstances
- enters into a new phase of their Stream
- enters in to a new Stream
- commences a new Activity
- completes an Activity that was in their Job Plan and/or

- has a Capability Interview or Capability Assessment where it is identified that the Job Plan contains errors, and/or
- is Commenced and has not had their Job Plan updated in the previous 6 months (thereby their Job Plan is reviewed and updated every 6 months).

For Services Australia managed Participants, Services Australia will update the Job Plan when required. If the Participant is managed by a Provider, Services Australia will consult with the relevant Provider before updating the Job Plan or may request that the Provider updates the Job Plan at the Participant's next Appointment. Providers should not remove any updates made to a Job Plan by Services Australia without consultation.

If a Participation Plan for ParentsNext Volunteers requires review or an update, then Providers must contact the participant's ParentsNext Provider and request they make the update to the Participation Plan.

(Deed references: Clauses 87.4, 87.5, 87.7, 113.1, 113.2, 114.1, Annexure A1)

Updating the Job Plan

Providers must review the Job Plan at each Provider Appointment to ensure that the Participant is still capable of meeting their Mutual Obligation Requirements. If the outcome of a Capability Interview or Capability Assessment is that the Job Plan requires updating, Providers are required to review and update the contents of the Job Plan within 10 Business Days. Ensure that the contents of the Job Plan is updated including details of any additional voluntary activities or if the Participant is subject to an Exemption.

In consultation with the Participant, the Job Plan can be updated and tailored to individual needs at any time—unless there is compliance outstanding. If compliance action is outstanding, the Department's IT Systems will not permit the Job Plan to be updated and the Provider will be redirected to the 'Compliance Screen' in the Department's IT Systems.

See the [Targeted Compliance Framework: Mutual Obligation Failures Guideline](#) for information on using the Targeted Compliance Framework.

(Deed references: Clauses 87.1, 87.2, 87.3, 87.5)

Updating Job Plan to include Voluntary activities

If a Participant is granted an exemption or is fully meeting their Mutual Obligation Requirements, they may wish to participate voluntarily and they can discuss this with the Provider. Voluntary activities should be included in the Job Plan and scheduled in the Calendar, and the Participant should be notified of where and when to attend each Activity.

(Deed references: Clauses 87.54)

Updating Job Plan following Participant advising change in circumstances

The Job Plan needs to be reviewed as soon as practicable after the Provider becomes aware or is informed of a change in the Participant's circumstances.

Newly disclosed or discovered information may be found on, and should be immediately recorded in, the Capability Management Tool (CMT) in the Department's IT Systems.

If the Job Plan is to be renegotiated in light of the new information, the Provider will refer to the CMT to ensure that the Job Plan requirements are appropriate for the Participant's capability, and that the Participant will receive enough assistance and support to address the circumstances recorded in the CMT.

See the [Capability Interview Guideline](#) and [Capability Assessment Guideline](#) for information on using the Capability Management Tool.

(Deed references: Clauses 84.2, 87.5)

Updating the Job Plan to include (previously removed) requirement to record own attendance

If the Provider is renegotiating a Job Plan and assesses that the Participant is now capable to record their own attendance (where the requirement was previously removed from the Job Plan), the Provider needs to re-enter Job Plan code PA03 in to the Participant's Job Plan. Ensure that the Participant understands that they are now recording their own attendance at requirements as well as the importance of entering results via the App or jobactive website by close of business on the day of the requirement as their payment will be automatically suspended the next day if no result has been entered.

(Deed references: Clauses 106.1, 106A.1, 106A.2)

Updating the Job Plan following a Capability Interview or Capability Assessment

See the [Capability Interview Guideline](#) and the [Capability Assessment Guideline](#) for information on updating the Job Plan following a Capability Interview or a Capability Assessment.

4. Scheduling Mutual Obligation Requirements in the Calendar

The Provider is required to record details of, and schedule each requirement in the Calendar, including:

- Provider Appointments
- Activities
- Job Interviews
- Education and Training
- Drug and alcohol rehabilitation
- Third Party Appointments
- Workshops, training and other activities delivered by the Provider and
- Employment, if the hours are regular and can reasonably be scheduled by the Provider or Participant.

To schedule a requirement in the Calendar, the Job Plan code that corresponds to that requirement must have been included in the Participant's current, signed Job Plan.

For example: if the Participant's Job Plan does not include the code for Compulsory participation in Work for the Dole (Code WE12), the Department's IT Systems will not allow a Provider to schedule Compulsory Work for the Dole in the Participant's Calendar.

(Deed references: Clauses 83A.1, 83A.2)

Scheduling Requirements

The Provider must ensure that each day of each Participant requirement is scheduled in the Calendar. Each day of each requirement scheduled in the Calendar must be populated with:

- the name or description of the requirement
- the start time
- break times, where relevant
- the end time
- the location of the requirement, including any special instructions to locate a venue (e.g. located on battle-axe block) and
- the name of any third party provider or training organisation

When the Provider schedules the requirement in the Calendar and formally notifies the Participant, the requirement will then appear in the Participant's Calendar.

(Deed references: Clauses 83A, 83A.1, 83A.2, 83A.3)

Scheduling a Provider Appointment

Providers need to ensure that the Provider's Electronic Calendar has the capacity to receive an Appointment within the next two business days. When booking a Provider Appointment for a Participant, Providers need to select the correct appointment type, schedule the appointment in the Calendar and formally notify the Participant. If a Participant has an Appointment with their Provider, the Provider must deliver a Contact on the date and time of the Appointment as recorded in the Participant's Calendar.

There are four types of appointments; Initial; Contact; Re-engagement and Capability Interview appointment.

Appointments must be conducted at the Provider's premises or another agreed suitable location. Appointments must be held at locations that are accessible, appropriate and safe for Participants, children and Provider staff. Providers must not conduct Appointments or other Contacts at a Participant's home under any circumstances.

Please refer to the [Job Aids at the Learning Centre](#) for information on recording results at Provider Appointments.

(Deed references: Clauses 83.1, 83.3)

Scheduling Activities and Third Party Appointments

Detailed information on scheduling Activities and Appointments is available in the Job Seeker [Calendar and AAR Requirements IT Supporting Document](#).

(Deed references: Clauses 83A.2)

Scheduling Job Interviews

All Job Interviews need to be scheduled in the Calendar and the Participant must be formally notified of the requirement to attend. Participants taking personal responsibility to record their own attendance must do so for Job Interviews.

When the Provider becomes aware that a Participant has an upcoming interview, the Provider must schedule it in the Participant's calendar. This is required where the Provider has the relevant information and details to schedule the interview and appropriate time to notify the job seeker prior to the interview.

(Deed references: Clauses 83A.2, 83A.3)

Scheduling drug or alcohol rehabilitation

If the Provider identifies or becomes aware that the Participant's ongoing capability to meet their requirements or search for work is compromised by drug or alcohol dependency, the Provider needs to discuss this with the Participant to identify rehabilitation options that would assist the Participant to overcome their dependence.

If the Participant chooses to undertake drug and alcohol rehabilitation or is already when they enter employment services or transfer Providers, schedule it in the Calendar and formally notify the Participant. Undertaking drug and alcohol rehabilitation counts towards the Participant's AAR and Six Month Activity Requirement.

(Deed references: Clauses 83A.2, 83A.3)

Scheduling Study or Training

Providers are responsible for identifying any appropriate study and training opportunities that will assist the Participant to gain skills or qualifications that will assist them to find work. Where practical, the Provider must ensure all study and training is scheduled in the Calendar.

(Deed references: Clauses 83A.2, 83A.3)

Scheduling hours of employment where reasonable to do so

If the Participant is employed for regular hours, the Provider should schedule the hours of employment in the Calendar when they can reasonably do so.

The Provider should encourage the Participant to take personal responsibility by scheduling their own hours of employment, and they should either provide assistance to the Participant to do so or tell them where they can find assistance to help them with this. If the Participant does not schedule their own regular hours of employment by creating Personal Events, the Provider must do so.

The Provider will create a Personal Event in the Participant's Calendar for each day of employment the Participant is undertaking. The Participant does not need to be

formally notified of scheduled Personal Events, including paid work, and the TCF cannot be used to report non-compliance for failing to attend work.

(Deed references: Clauses 83A.2, 83A.3)

Participant may create Personal Events

Participants may create their own Personal Events in their Calendar between 6am and 9pm. Participants may only create Personal Events where a Mutual Obligation Requirement is not already scheduled at that time.

The Provider is able to create Personal Events on behalf of the Participant to assist the Participant in having full visibility of their schedule and their requirements. Providers must create Personal Events on behalf of the Participant to schedule regular hours of paid work if the Participant does not do so. Providers must advise the Participant that even though they have created a Personal Event, Mutual Obligation Requirements may still be scheduled.

(Deed references: Clauses 83A.2)

Confirmed Participant Personal Events

Providers are responsible for confirming Participant Personal Events and are encouraged to review and consider Personal Events created by the Participant. Providers should use their judgement and knowledge of the individual Participant to decide whether the Participant's Personal Event is appropriate prior to confirming it. When deciding to confirm a Personal Event, the Provider should also consider the nature of the Personal Event and the Participant's personal situation. A Personal Event is considered to be Prior Notice of a Participant being unable to attend a requirement at that time. By confirming the event, the system will not allow a conflicting requirement to then be set.

If the Provider confirms a Personal Event that should not have been confirmed, they cannot 'un-confirm' the event. The Provider must cancel the Personal Event, after discussing the reasons why the Personal Event was cancelled in the Calendar, which will notify the Participant via an inbox message.

Unconfirmed Participant Personal Events

If a Provider considers that a Personal Event entered by a Participant is not appropriate, the Provider can choose to leave it unconfirmed. If a Personal Event is not confirmed, the Provider can override the unconfirmed Personal Event and schedule a requirement at that time. The Provider must record the reason in the Department's IT Systems and must formally notify the Participant of the requirement and ensuring they can make other arrangements for the Personal Event that they had created.

(Deed references: Clauses 83A.2, 83A.3)

Scheduling a requirement over a confirmed Participant Personal Event

If the Provider needs to schedule a requirement for the same time as a Participant's confirmed Personal Event, the Provider will need to discuss this with the Participant.

After confirming with the Participant that they are available to attend the requirement at the scheduled time, the Provider is required to record the reason in the Department's IT Systems and formally notify the Participant of their requirement. Providers need to manage the conflicting requirement in the Calendar and record the reason you are scheduling the requirement at this day/time in the Department's IT Systems.

(Deed references: Clauses 83A.2, 83A.3)

5. Issuing Formal Notification to the Participant

Except for any paid work the Participant is undertaking, the Provider is required to formally notify the Participant of every compulsory requirement in their Job Plan. The Provider must explain how to meet each requirement, as well as the consequences of not doing so, including possible financial penalties.

When the Provider schedules requirements in the Calendar, the Department's IT Systems will automatically create and record the selected Notification type to be issued. If a Participant's requirements are re-scheduled Providers must formally notify the Participant of the new requirement.

Formal Notification always includes:

- the reason for the appointment, if the requirement is an appointment
- whether the requirement is for the purpose of Re-engagement
- the date and start time of the requirement
- the location or address of the requirement
- if the Participant is required to record their own attendance, and if so, the consequences of not doing so
- whether the Participant will require evidence to record their own attendance
- whether the requirement is compulsory or voluntary
- that the Participant must contact their Provider beforehand if they become aware of an Acceptable Reason preventing them from being able to attend or complete the requirement
- the possible consequences for the Participant if they do not meet their requirement
- a statement that the Notification is a notice under Social Security Law
- that the Participant must complete their requirement in return for their Income Support Payment.

(Deed references: Clauses 83A.3)

Legal authority to formally notify a Participant of their Mutual Obligation Requirements

Employment services provider employees are delegated powers by the Secretary of the Department of Education, Skills and Employment under Social Security Law to notify Participants of their Mutual Obligation Requirements.

(Social Security (Administration) Act 1999 (ss: 63); Social Security Act 1991 (ss 501,544,605,731L) Deed Clause 117).

Note: The requirement to formally notify a Participant receiving Income Support Payments also applies to Disability Support Recipients (Compulsory Requirements) and Stronger Participation Incentive Participants.

Notifying Participants within the appropriate timeframe

Providers must issue Participants Formal Notification within the appropriate timeframe before the requirement is scheduled to occur.

If reasonable notice timeframes are not met, the Calendar will not allow a requirement to be booked unless the Provider is in direct contact with the Participant and they have agreed to attend this requirement and the Provider records this.

Refer to the Learning Centre for more supporting materials relating to reasonable notice timeframes and Notification methods at

<https://learningcentre.employment.gov.au/>.

(Deed references: Clauses 83A.3)

6. Privacy and information sharing

Providers must comply with Social Security Law and Australian privacy legislation. A Participant's Personal Information must only be used or disclosed for the purpose it was collected, except in limited circumstances such as where the Participant gives permission, where Commonwealth laws allow or other special circumstances.

Providers should seek independent legal advice if they have any concerns regarding their obligations under any privacy or other legislation. For further information, refer to the [Privacy Guideline](#).

(Deed references: Clauses 53, 87, 106)

Sharing Job Plans with SEE or AMEP Providers

Providers should encourage Participants who are participating in the SEE program or AMEP to share their Job Plans with their SEE or AMEP Provider in order to make them aware of their full Mutual Obligation Requirements. This will assist SEE and AMEP Providers in ensuring that they place Participants in courses that will fully meet their AAR or Six Month Activity Requirement.

7. Summary of required Documentary Evidence

- Once the terms of the Job Plan have been agreed to and the Job Plan has been created in the Department's IT Systems, the Job Plan must be provided to the Participant for their agreement. Job Plans can be agreed to online or by signing a hard copy.
- Providers may send a Job Plan to the Job Seeker Dashboard through the jobactive website or Job Seeker App for the Participant to review and agree to online.

- Providers must formally notify the Participant (including those with voluntary requirements) that the Job Plan has been sent to their Job Seeker Dashboard for their agreement. This must be done either face to face or over the phone and within two Business Days of sending the Job Plan.
- The Job Plan must be recorded in the Department's IT Systems as soon as possible, after the Job Plan has been created. The contents of the Job Plan recorded in the Department's IT Systems must be exactly the same as the hard copy.
- If the Department's IT Systems is temporarily unavailable or there is no computer access, Providers must use the manual compulsory or voluntary Job Plan template available on the Provider Portal.

Attachment A – List of Job Plan codes

Also see [ESS Web Activity Search](#): for Job Plan code search function

Job Plan Codes	
Appointment Codes	
AI12—Provider Appointment	C,V
AI15—Third Party Appointment	C,V
Services Australia Only Codes	
A102—Attend Quarterly Appointment	C,V
A108—Reduced Capacity Requirements	C,V
ET63—Youth Activities	C
ET69—Refugee Activities	C
WE16—Community Services Order	C,V
EM51—Disability Supported Employment	C,V
Digital Only Codes	
JS11—Job Search monthly (Digital)	C,V
JS12—Job Interviews (Digital)	C,V
PA06—Personal Responsibility to Report and Record Attendance (Digital)	C
PA08—Digital Service Foundation Training	
Personal Responsibility Codes	
PA03 – Personal Responsibility to Report and Record Attendance	C
PA04 – Actioning Job Referrals and Opportunities	C,V
PA05 – Career Transition Assistance	V
Non-Vocational Codes	
NV02—Counselling	V
NV04—Non-Vocational Training	C,V
NV05—Parenting Skills Program	V
NV07—Drug and Alcohol Rehabilitation	V
NV09—Self-help Group or Support Group	C,V
NV10—Undertake an Assessment	C,V
NV12—Child Care	C,V
NV13—Intervention – Non Specific	C,V
NV14—Health Maintenance Program	V
Job Search Codes	
JS04—Job Search Contacts Voluntary	V
JS05—Job Search with Disability - Activity Tested	C
JS06—Job Search with Disability - Non Activity tested	V
JS07—Research and Prepare Applications	C,V
JS09—Job Search monthly	C,V
JS10—Job Interviews	C,V
Employment Codes	

EM52—NEIS	C,V
EM54—Self Employment	C,V
EM56—Paid Work	C,V
Participation Activity Codes	
ET52—Adult Migrant English	C,V
ET53—Apprenticeship/Traineeship	C,V
ET56—SEE or ESL course	C,V
ET57—SEE and/or ESL assessment	C,V
ET58—NEIS Training	C,V
ET59—Study - Part-Time or Full-Time <i>This code now has an extra question when adding to a Job Plan: "is this an in-demand skills course"</i>	C,V
ET60—Updating work related licences/quals/m-ships	C,V
ET64—Work preparation	C,V
ET67—PaTH Internship	V
ET68—PaTH Employability Skills Training	C,V
ET69—Refugee Activities	C
WE08—Relocation to an Area of Higher Labour Demand	V
WE09—Temporary Relocation to Undertake an Activity	V
WE10—Unpaid Work Experience (for Work Experience (Other))	V
WE11—Voluntary Work	C,V
WE12— Work for the Dole	C,V
WE15—Defence Force Reserves	V
WE18—National Work Experience Programme	V
PA05—Career Transition Assistance	V
PA07—Employment Preparation Activity	C,V
PA10- Try a different approach to finding employment	V
Points Based Activation System	
PA09—Points Requirement	C
Assistance Codes	
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	
FTXT – Free Text	

All capitalised terms in this Guideline have the same meaning as in the jobactive Deed 2015–2022 (the Deed).

This Guideline is not a stand-alone document and does not contain the entirety of Employment Services Providers' obligations. It must be read in conjunction with the Deed and any relevant Guidelines or reference material issued by Department of Education, Skills and Employment under or in connection with the Deed.

Guideline:

Eligibility, Referral and Commencement

This Guideline outlines who is Eligible for jobactive Services and arrangements for Participants to be Referred and Commenced in an appropriate Stream. Providers must provide Participants with appropriate Services, taking into account their individual circumstances, to assist them to find employment and move off Income Support Payments.

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Changes from the previous version (Version 9.6)

Policy changes:

Nil

Wording changes:

Changes to reflect the return of Services Australia making the majority of Referrals (pages 3 and 4).
Section on OES participants who complete their period in OES or opt out moved to page 4.

A full document history is available on the [Provider Portal](#)

Related documents and references

[Assessments Guideline – Job Seeker Classification Instrument \(JSCI\) and Employment Services Assessments \(ESAt\)](#)
[Direct Registration Guideline](#)
[Job Plan and Scheduling Mutual Obligation Requirements Guideline](#)
[Managing and Monitoring Mutual Obligation Requirements Guideline](#)
[Period of Service, Suspensions and Exits Guideline](#)

[Privacy Guideline](#)
[Transfer Guideline](#)
[Stronger Transitions Guideline](#)
[Volunteers Guideline](#)
[Time to Work Employment Services TTW Eligibility, Referral, Commencement and Caseload Guideline](#)
[Structural Adjustment Programmes Guideline](#)

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1. Eligibility for jobactive Services

Eligibility for jobactive Services generally depends on the type of Income Support Payment a Participant is receiving. The [Eligibility Tables](#) identify the main categories of Participants based on their individual circumstances and their eligibility for jobactive Services.

The Department of Education, Skills and Employment (the Department) may amend the eligibility for jobactive Services at any time.

For Participants on income support, Eligibility is shown in the Department's IT Systems, based on information entered by Services Australia.

2. Referrals by Services Australia

A Participant may be initially Referred to a Provider by Services Australia following:

- the application of the Job Seeker Classification Instrument (JSCI) or
- an Employment Services Assessment (ESAt), where applicable.

Participants Referred to a jobactive Provider will generally be Referred to Stream A, Stream B or Stream C, based on the outcome of their JSCI or, where applicable, an ESAt. The exceptions are Time to Work Employment Service Participants, Early School Leavers and Structural Adjustment Program Participants who will be Referred to Stream B as a minimum or Stream C, dependent on the outcome of an ESAt. If a Vulnerable Youth Directly Registers with a jobactive provider, they will commence in Stream C - Refer to the [Direct Registration Guideline](#).

All Participants will be able to choose their Provider when they first register with Services Australia for income support and employment assistance. Services Australia has a list of Providers in the Participant's Employment Region (with sites mapped to the Participant's post code). This is supplied to Participants when they register with Services Australia. Participants can also access additional information to help then choose a Provider through Connections for Quality on the [jobactive](#) website.

Where a Participant selects a Provider, they will be Referred to that Provider as long as:

- the Provider has sessions in their Electronic Diary available and
- the Provider has not exceeded 130 per cent Business Share tolerance.

Where the Participant does not select a Provider for themselves, they will be allocated to a Provider.

Services Australia will book an Appointment for the Participant and notify them of the Appointment details.

Providers must have Electronic Diary timeslots available.

Providers must ensure that the Electronic Calendar has, at all times, capacity to receive Appointments within the next two Business Days. Refer to the [Managing and Monitoring Mutual Obligation Requirements Guideline](#).

(Deed references: Clauses 77.2 and 83.1)

For Time to Work Employment Service (TWES) Participants Referred to jobactive, Providers will need to schedule/block out time in their Electronic Calendar for a facilitated transfer meeting with the Participant and TWES Provider, using the 'Provider Event' functionality.

(Deed reference: Clauses 82.4)

3. Eligible Participants not referred by Services Australia

Direct Registration

Some eligible individuals may elect to participate in jobactive Services and can Directly Register with a jobactive Provider. The jobactive Provider is responsible for determining a person's eligibility for Direct Registration and registering that person for Services. Refer to the [Direct Registration Guideline](#).

Participants in Online Employment Services (OES) who complete their period in OES or opt out

Participants who are serviced in OES and who complete their period of assistance in OES, or who leave OES for other reasons (including opting out) but who remain Fully Eligible for jobactive, will be transferred to a jobactive Provider.

Most Participants will be provided the opportunity to choose their jobactive Provider before leaving OES, but will be automatically transferred to a departmentally nominated Provider should they not do so.

(Deed reference: Clause 82 – Transfer of Stream Participants to the Provider)

Retrenched workers and their partners

Retrenched Workers and their partners are eligible for immediate access to jobactive Services. These Participants receive services as a Fully Eligible Participant in the stream appropriate to their level of labour market disadvantage as determined by the Job Seeker Classification Instrument. Refer to the [Assessments Guideline – Job Seeker Classification Instrument \(JSCI\) and Employment Services Assessments \(ESAt\)](#).

Some retrenched workers and their partners may be eligible for additional assistance through Structural Adjustment Programmes, which enable recently retrenched workers from eligible companies or industries to access jobactive Services. Structural Adjustment Programme Participants are eligible for immediate access to jobactive Services as a Stream B Participant to assist them to find new employment. For information relating to Structural Adjustment Programmes including eligibility and registration, refer to the [Structural Adjustment Programme Guideline](#).

Providers must use the hierarchy of eligibility below to Directly Register any retrenched workers and/or their partners.

Retrenched workers and their partners - hierarchy of eligibility

Retrenched workers and their partners do not need to participate in the same program. Where a retrenched worker and their partner are eligible for a Structural Adjustment Programme this will take priority.

While a retrenched person and their partner may be eligible to register for jobactive under multiple retrenched worker programs, they can only be registered under **one** retrenched worker program each. (e.g. Structural Adjustment Programme Participant or a general retrenched worker/partner). This might mean that in some cases, the retrenched worker and their partner are registered in different retrenched worker programs.

Where the Structural Adjustment Programme provides Services for a retrenched worker but not their partner, then the worker should commence with the appropriate program and the partner can receive Services appropriate to their level of labour market disadvantage as determined by the Job Seeker Classification Instrument.

The programs are to be applied to retrenched workers and their partners with the following priority:

1. Structural Adjustment Programme
2. As a Fully Eligible Participant in the stream appropriate to their level of labour market disadvantage as determined by the Job Seeker Classification Instrument.

Transition to Work Participants nearing the end of TtW

Transition to Work (TtW) Providers will Refer Participants with Mutual Obligation Requirements to jobactive Services if they are nearing the end of their 18 months in TtW and are not tracking towards an outcome. A TtW Provider may also Refer a Participant if they are not fully engaging in TtW. The TtW Provider will identify jobactive Providers in the Employment Region and offer the Participant a choice of Provider, if applicable.

The TtW Provider must organise and attend an initial planning meeting with the jobactive Provider and the Participant, to be held in the first week of the Participant's eighteenth month in TtW. The purpose of this meeting is for the jobactive Provider to set out participation expectations and organise an assessment for the Participant.

At this point, the TtW Participant has not been Referred to the jobactive Provider. Therefore, a Participant appointment cannot be made in the jobactive Provider's calendar. The jobactive Provider will need to manually schedule/block out time for this meeting in their calendar.

The TtW Provider will organise the Participant's Initial Interview with a jobactive Provider to be held in the final week of the eighteenth month. This is where the Participant is Referred to the jobactive Provider by the TtW and exited from TtW.

If the TtW Participant is transferring to a jobactive Provider before 18 months of service then the TtW Provider must organise and attend one meeting with the Participant and the jobactive Provider. This should occur

within one month of the decision to move to the jobactive Provider. The exception is if the Participant Exited shortly after Commencement in TtW.

4. Preparing for all Appointments

When preparing for all Appointments, including the Initial Interview, Providers must take into consideration whether the Participant has any special requirements.

For example, when a Participant requests or where the Provider considers it appropriate, Providers must use an interpreter to ensure that the Participant understands their requirements.

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 it is not the Case Manager's role to act as an interpreter).

Providers should also deliver services to Participants in a culturally sensitive way, based on details in the Participant's record in the Department's IT Systems. Cultural sensitivities may be particularly applicable where Participants identify as Indigenous Australians or as being from Culturally and Linguistically Diverse backgrounds. Sensitivities to consider may include, but are not limited to, language barriers, gender roles, potential misinterpretation of body language and suspicion of authorities.

Location of Appointments

Appointments must be conducted at the Provider's premises or another agreed suitable location. Appointments must be held at locations that are accessible, appropriate and safe for Participants, children and Provider staff.

Providers must not conduct Appointments or other Contacts at a Participant's home in any circumstance.

Authorised Nominees

The Department's correspondence and notifications to a Participant are also provided to that Participant's authorised correspondence nominee/s. This includes information about their Mutual Obligation Requirements and the need to attend appointments and agreed activities. The nominee can, therefore, contact the Participant's Provider if and when required to reschedule their appointment.

When the nominee rebooks appointments for the Participant, the Provider should work with the nominee to ensure the Participant is aware of their Mutual Obligation Requirements and what may happen if he/she does not comply with them.

Best practice for the Provider is to record details of the conversation with the nominee in the comments screen in the Department's IT Systems. Providers should also regularly check with the Participant that nominee details are up to date and correct.

5. Initial Interviews and other meetings with Participants

All new Participants must have an Initial Interview

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

- were Referred automatically through the Department's IT Systems
- were Referred by Services Australia
- were Referred by a TtW Provider
- have Directly Registered for assistance (see [Direct Registration Guideline](#))
- have transferred to the Provider (see [Transfers Guideline](#)).

This includes:

- developing and approving a Job Plan (see [Job Plan and Scheduling Mutual Obligation Requirements Guideline](#)) and
- providing the Participant with the relevant Privacy Notification and Consent Form in the [Privacy Guideline](#) and seek the individual's express written consent to collect their sensitive information by asking the individual to sign and date the relevant form. The Provider **must** advise the individual that they are not required to give consent for the collection of their sensitive information and can withdraw their consent at any time (see the [Privacy Guideline](#)).

Initial Interview when a Participant changes Streams

Where a Participant becomes eligible for a new Stream as a result of a JSCI Change of Circumstances Reassessment, the Provider must conduct an Initial Interview.

Note: To ensure the currency of notification and consent, best practice is for Providers to provide and ask the Participant to sign and date the Privacy Notification and Consent form every time the JSCI Change of Circumstances is conducted. A Participant is not required to sign the Privacy Notification and Consent Form for an Initial Interview for a New Stream if they remain with the same Provider.

Facilitated Transfer meeting for Participants exiting from Time to Work Employment Services (TWES) to jobactive

A TWES Participant may be Referred to jobactive before the TWES Participant's release from prison, where they meet jobactive eligibility.

To assist the TWES Participant's move to jobactive, the TWES Provider must organise a facilitated transfer meeting with the post-release Provider and TWES Participant before the TWES Participant's release from prison. However, in some cases the Facilitated Transfer Meeting may need to happen after the Participant's release from Prison.

The purpose of the facilitated transfer meeting is to introduce the TWES Participant to their post-release employment services provider and to discuss the TWES Participant's Transition Plan and their transition to jobactive following their release from prison. The post-release Provider must attend the facilitated transfer meeting, in person or by telephone, and explain the

Services that will be available to the TWES Participant when they Commence in jobactive.

The Transition Plan will be developed by the TWES Provider in consultation with the TWES Participant and will outline actions to help address any barriers that the Participant will face following their release from prison and detail their plan for employment. The post-release Provider should use the Transition Plan to identify any support or services that the Participant may require to address these barriers and assist the Participant to move into employment. The post-release Provider must consider any comments or recommendations that are contained in the Transition Plan when setting the terms of a Job Plan.

Where possible, the staff member who will be providing Services to the Participant upon their release from prison should attend the meeting.

Where a TWES Participant Commences in jobactive and the TWES Provider has not attended a facilitated transfer meeting, the Provider should contact the TWES Provider to discuss the TWES Participant's participation in the TWES program and their Transition Plan.

Where a Participant is Referred to a post-release Provider which is the same organisation that delivered Time to Work Employment Services to the Participant, the TWES Provider must still arrange a Facilitated Transfer Meeting. This will ensure that the Participant has the opportunity to meet the jobactive staff who will service them post-release and understand the post-release services they will receive.

(Deed references: Clauses 82.4)

Participants exiting from TtW to jobactive

In the first week of the Participant's eighteenth month in TtW, the TtW Provider will organise and attend an initial planning meeting with the jobactive Provider and the Participant. The purpose of this meeting is for the jobactive Provider to set out the expectations of participation in jobactive Services and identify what type of activities are most appropriate for the Participant in the Work for the Dole (WfD) phase. Noting, the TtW Provider will not be able to make this appointment directly to the jobactive Provider's calendar and timing should be negotiated between all parties.

In the final week of the eighteenth month in TtW, the TtW Provider will Refer the Participant to jobactive and organise the Participant's Initial Interview with the jobactive Provider.

If the TtW Participant is transferring to a jobactive Provider **before** 18 months of service then the TtW Provider must organise and attend one meeting with the Participant and the jobactive Provider. This should occur within one month of the decision to move to the jobactive Provider. The exception is if the Participant Exited shortly after Commencement in TtW.

Please note: TtW Participants exiting from TtW after six months and transitioning to jobactive will Commence in the WfD Phase of jobactive.

(Deed references: Clauses 82.3)

Vulnerable Youth or Vulnerable Youth (Student)s

Following the immediate Direct Registration of a Vulnerable Youth or Vulnerable Youth (Student) who presents in crisis, Providers must immediately provide or Refer the young person to relevant crisis assistance. The support provided will depend on the nature of the crisis but could include assistance with emergency accommodation, counselling or other non-vocational support. Refer to the [Direct Registration Guideline](#).

(Deed references: Clauses 78.3)

6. Participants must be commenced in a timely manner

Providers must Commence Participants in a timely manner.

- Participants who are referred to the provider on or after 12 April 2021 must be commenced within 10 Business Days of the referral. This provides sufficient time for providers to review their caseloads, schedule and conduct an Initial Interview (including re-scheduling if required), and think-time for participants to agree to their Job Plan.
- Participants referred to the provider prior to 12 April must be commenced as outlined below, with efforts focussing on those referred for the longest period:
 - Participants referred before 12 October 2020 (6+ months), must be commenced within 10 Business Days
 - Participants referred before 12 November 2020 (5+ months), must be commenced within 15 Business Days
 - Participants referred before 12 December 2020 (4+ months), must be commenced within 20 Business Days
 - Participants referred before 12 January 2021 (3+ months), must be commenced within 25 Business Days
 - Participants referred before 12 February 2021 (2+ months), must be commenced within 30 Business Days
 - Participants referred before 12 March 2021 (1+ month), must be commenced within 35 Business Days
 - Participants referred before 12 April 2021 (less than 1 month), must be commenced within 40 Business Days

(Deed references: Clauses 83.1 and 84.1(a))

7. Participants are automatically Commenced in the Department's IT systems

A Participant is automatically Commenced in the Department's IT Systems when the Provider records attendance at the Initial Interview and the Participant has an approved Job Plan.

A Participant who changes Stream due to a Change of Circumstances Reassessment remains commenced in their previous Stream until the Provider has undertaken an Initial Interview for the new Stream.

The Provider must deliver Services in accordance with the Deed, Guidelines, Service Delivery Plan, Job Plan and Participant's circumstances once the Participant is Commenced.

8. Administration Fees are calculated and paid automatically by the Department's IT Systems

Administration Fees are calculated and paid automatically by the Department's IT Systems once the Participant is Commenced and at the start of each Administration Fee Period thereafter. This system calculation includes all pro-rata adjustments and 25 per cent regional loading for administration of Services to Participants in Regional Locations.

Providers are not required to submit a claim for payment. Administration Fee Tax Invoices will be automatically generated in the Department's IT Systems and do not require acceptance before payment is made.

(Deed references: Clause 123, Annexure B2)

9. Referral to another program as a result of Change of Circumstances Reassessment

In some instances, a Participant may be Referred to an ESAt after a JSCI Change of Circumstances Reassessment. If, as a result of the ESAt, the Participant is Referred to DES or TtW, the Provider must continue to deliver Services to the Participant until they have commenced in that program. Once the Participant has commenced in the new program, they will be Exited from jobactive Services. Refer to [Assessments Guideline – Job Seeker Classification Instrument \(JSCI\) and Employment Services Assessments \(ESAt\)](#).

(Deed references: Clauses 79, 82, 85, 87)

Referral of a Participant to TtW

A Provider may Refer Stream C Participants to TtW if they meet eligibility requirements and would benefit from the service.

The eligibility requirements are:

- aged 15-24 years on Commencement in the TtW Service, and
- a Stream C Participant, and
- identified by their jobactive Provider as having a capacity to benefit from TtW Services: for example, a young Participant who has addressed their unstable housing or mental health issues, and
- an Australian citizen, or
- the holder of a permanent visa, or
- New Zealand Special Category Visa holders (a protected Special Category Visa holder; or non-protected Special Category Visa holder), or
- nominated Visa Holders (including Temporary Protection Visa Holders and Safe Haven Visa Holders).

10. Services must be delivered to Participants who return after Exiting

Where a Participant Exits and returns to Services within 13 consecutive weeks of Exit, the Provider must resume providing Services to a Participant in accordance with the Deed. When a Participant returns to Services at 13

consecutive weeks or more from their date of Exit, their Period of Service will re-set and they will need to be Commenced into Service as a new Referral.

A new JSCI will need to be conducted prior to the Provider delivering Services to the Participant, as their previous JSCI will be inactive as a result of the Exit.

(Deed references: Clauses 95.3 and 95.4)

11. Summary of required Documentary Evidence

Retrenched Workers



Documentary Evidence: Please refer to the [Direct Registration Guideline](#).

Job Plan



Documentary Evidence: Where the Participant has agreed to a Job Plan by signing a hard copy version, a copy must be retained by the Provider.

Eligibility in jobactive

The sections below are not mutually exclusive and sections of this table should be considered in combination according to Participant individual circumstances.

For example, Participants may be in receipt of JobSeeker Payment, be Mature Age (55+) and have a Partial Capacity to Work; or be in receipt of Disability Support Pension, be a Vulnerable Youth and a Parent.

Please Note:

- People with a Partial Capacity to Work who are fully meeting their requirements through part-time paid employment or study and who do not have a requirement to remain connected to their Employment Provider may elect to participate in Employment Provider Services.
- Volunteer Participants on Norfolk Island and in the Yarrabah community will continue to be eligible for Stream A Volunteer services and will not be Referred to the Volunteer Online Employment Services Trial (VOEST).

	Fully Eligible	Eligible for Volunteer Online Employment Services (VOEST) for 12 months	Not Eligible
JobSeeker Payment	JobSeeker Payment recipient		
Parents	<p>Parenting Payment recipient with participation requirements.</p> <p>Principal Carer parents who are fully meeting their requirements through part-time paid employment or study and who do not have a requirement to remain connected to their Employment Provider but may elect to participate in Employment Provider Services.</p> <p>Note: Fully Eligible Participants who are fully meeting their part-time Mutual Obligation Requirements or are currently subject to a Services Australia -granted Exemption may voluntarily elect to participate in Employment Provider Services. If they choose to do so, they continue to be serviced as a Fully Eligible Participant.</p>	<p>Parenting Payment recipients without participation requirements</p> <p>Parents (with a youngest child under six years old) in receipt of Parenting Payment (Partnered)/Parenting Payment (Single).</p> <p>ParentsNext volunteers and ParentsNext compulsory participants.</p>	
Disability Support Pension	<p>Disability Support Pension recipient with compulsory requirements</p> <p>Disability Support Pension recipients aged under 35 years with a work capacity of eight or more hours per week (without a youngest child under six years) will have compulsory activity requirements.</p> <p>Disability Support Pension applicants and recipients subject to review (without compulsory requirements) undertaking a Program of Support (not eligible for Disability Employment Services or Community Development Programme)</p> <p>Fully eligible for assistance while they undertake their Program of Support requirement provided they remain connected or do not Exit for more than 13 weeks.</p> <p>Note: Fully Eligible Participants who do not remain connected or who complete their Program of Support may be eligible for the VOEST in the future.</p>	<p>Disability Support Pension applicants and recipients subject to review (without compulsory requirements) undertaking a Program of Support (not eligible for Disability Employment Services or Community Development Programme) who do not remain connected or Exit for more than 13 weeks.</p> <p>Disability Support Pension recipients without compulsory requirements</p> <p>Australian Disability Enterprises Participant</p> <p>Disability Pensioner (DVA)</p>	
Youth and students	<p>Youth Allowance (other) recipient</p> <p>Vulnerable Youth and Vulnerable Youth (Student)</p> <p>Young people who are not in receipt of Income Support Payments aged 15 to 21 who are not working 15 hours or more per week, who are not in Full-time Study and who have at least one serious Non-vocational Barrier are eligible for immediate Stream C Services as a Vulnerable Youth. Ongoing assistance is subject to confirmation through an ESAt. If they are not eligible for Stream C and are not otherwise determined to be Fully Eligible, they must be Exited by the Provider and may be Referred to the VOEST by Services Australia should they require assistance as a Volunteer.</p> <p>Full-Time students aged 15 to 21 years who present in crisis and have at least one Non-vocational Barrier are eligible for immediate Stream C services as Vulnerable Youth</p>	<p>Full-time students seeking an apprenticeship or traineeship</p> <p>Young people who are not in receipt of Income Support Payments who are under school-leaving age, including those under 17 years, are Eligible only if they have permission to leave school.</p>	<p>Youth Allowance (full-time Student) recipient</p> <p>ABSTUDY recipient</p> <p>Austudy recipient</p>

	Fully Eligible	Eligible for Volunteer Online Employment Services (VOEST) for 12 months	Not Eligible
	(Student) if no appropriate youth services are available in the local area. Ongoing assistance is subject to having their eligibility for Stream C confirmed by an ESAt.		
Visa holders and migrants	<p>Visa holders with working rights attached, on income support To be a Fully Eligible Participant, Visa holders with working rights attached, must be in receipt of an Income Support Payment type that would otherwise enable an individual to access services as a Fully Eligible Participant. Other rows in this table specify Income Support Payment types that enable people to access services as a Fully Eligible Participant.</p> <p>New Zealand non-protected Special Category Visa holders in receipt of JobSeeker Payment or Youth Allowance (Other)</p>	<p>Visa holders with working rights attached, not on income support, including temporary residents With the exception of working holiday visas.</p> <p>Visa holders with working rights attached, who are on an Income Support Payment listed in the section of this table titled Other income support without Participation requirements</p> <p>Migrants serving a Newly Arrived Residents Waiting Period</p> <p>Status Resolution Support Services (SRSS) program recipients - people who are actively engaged with the Department of Home Affairs in resolving their immigration status.</p>	<p>Visa holders without working rights (including temporary residents)</p> <p>Overseas visitors on working holiday visas are Eligible for Harvest Trail Services only</p>
Newly Arrived Refugees	Newly arrived refugees are able to voluntarily participate in the appropriate level of service based on their assessment (i.e. Stream A, Stream B or Stream C) for 12 months after they have started on income support following arrival. During this time they are not required to participate in jobactive. Standard eligibility and Mutual Obligation rules would apply after the end of this period.		
Special Benefit	<p>Special Benefit recipients Special Benefit recipients who are Nominated Visa Holders have the same mutual obligation requirements, and consequences for non-compliance as Job Seeker Payment and Youth Allowance (Other) recipients.</p> <p>Special Benefit recipients, who are not Nominated Visa Holders, but are capable of looking for and undertaking work must be connected to employment services and have voluntary requirements with their employment services Provider. In order to remain qualified for their income support payment, these Participants must remain connected with a provider.</p>		
Mature Age	<p>Mature age (aged 55 years and over) Participants in receipt of income support with participation requirements who are meeting their Mutual Obligation Requirements may elect to participate in Employment Provider Services.</p> <p>Note: Fully Eligible Participants who are fully meeting their part-time Mutual Obligation Requirements or are currently subject to a Services Australia -granted Exemption may voluntarily elect to participate in Employment Provider Services. If they choose to do so, they continue to be serviced as a Fully Eligible Participant.</p>		
Pre-release Prisoners	<p>Pre-release Prisoners Prisoners or detainees must be in the final 12 months of their sentence and be approved by corrective services or youth justice case managers. They must be prisoners or detainees aged 15 years and over (including those not in receipt of income support) who</p>		

	Fully Eligible	Eligible for Volunteer Online Employment Services (VOEST) for 12 months	Not Eligible
	have been Referred to an Employment Provider by state or territory corrective or youth justice services and Directly Registered by the Employment Provider.		
Retrenched worker or partner of a retrenched worker	<p>Retrenched workers and their partners People who have been retrenched in the last six months or who have received notification from their employer in the three months prior to their retrenchment date and their partners are eligible for immediate access to jobactive Services.</p> <p>Retrenched workers and their partners may be eligible for assistance through the programs in the following hierarchy. Providers must use this hierarchy to Directly Register any retrenched workers and/or their partners.</p> <ol style="list-style-type: none"> 1. Structural Adjustment Programme. 2. As a Fully Eligible Participant in the stream appropriate to their level of labour market disadvantage as determined by the Job Seeker Classification Instrument. <p>Where a Structural Adjustment Programme provides Services for a retrenched worker but not their partner, then the worker should commence with the appropriate program and the partner can receive Services appropriate to their level of labour market disadvantage as determined by the Job Seeker Classification Instrument.</p> <p>A retrenched worker and their partner must only be registered in one of the above retrenched worker programs each.</p> <p>A special placement flag will identify whether a Participant is registered as a Fully Eligible Retrenched Worker/Partner or as a Structural Adjustment Programme Participant. Eligibility requirements are outlined in the relevant Structural Adjustment Programme Guidelines.</p>		
Other income support without Participation requirements		<p>Participants in receipt of Income Support Payments without participation requirements</p> <p>Carer Payment recipient, Carer Allowance recipient, Aged Pension recipient, Low Income Card holder, Widow Allowance recipient, Farm Household Allowance recipient, Service Pensioner (DVA), Partner Service Pensioners (DVA), War Widow(er)s Pensioner (DVA), Rehabilitation Allowance recipient, Widows B Pensioner, Partner Allowance recipient, Assistance for Isolated Children recipient, Child Care Assistance recipient, Double Orphan Pension recipient, Family Payment recipient, Mobility Allowance recipient, Special Benefit (without participation requirements)</p>	
Early School Leavers	<p>Early School Leavers</p> <p>Early School Leavers unable to access Transition to Work will be Referred by Services Australia to jobactive. At a minimum, will commence in Stream B, unless identified eligible for Stream C via an ESAt.</p>		

Not in receipt of income support	<p>Retrenched workers and their partners and Structural Adjustment Programme</p> <p>Participants may be eligible for jobactive services without being in receipt of income support.</p> <p>Eligibility requirements are outlined in the Structural Adjustment Programme Guidelines.</p>	<p>Participants not in receipt of Income Support Payments</p> <p>Subject to them not being:</p> <ul style="list-style-type: none"> • full-time students • working in paid employment for 15 hours or more per week and not on an Income Support Payment • overseas visitors on working holiday visas or overseas students studying in Australia, or • prohibited by law from working in Australia. 	
Australian Government Disaster Recovery payment			<p>Australian Government Disaster Recovery Payment recipient: except if they fall into any of the Fully Eligible or Volunteer categories</p>
Workers Compensation			<p>People receiving workers compensation</p>

All capitalised terms in this guideline have the same meaning as in the jobactive Deed 2015–2022 (the Deed).

In this guideline, references to Provider mean an Employment Provider, as defined in the Deed.

This Guideline is not a stand-alone document and does not contain the entirety of Employment Services Providers' obligations. It must be read in conjunction with the Deed and any relevant Guidelines or reference material issued by Department of Education, Skills and Employment under or in connection with the Deed.

Guideline:

Managing and Monitoring Mutual Obligation Requirements Guideline

Participants generally have Mutual Obligation Requirements, such as looking for work and participating in Activities that will improve their employment prospects, in return for receiving taxpayer-funded Income Support Payments paid by Services Australia.

The main aim of Mutual Obligation Requirements is to help a Participant into paid work and reduce reliance on Income Support Payments as quickly as possible. It also allows for Participants to contribute to the community that supports them while they are unemployed.

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Policy changes:

Nil

Wording changes:

- Pages 8, 27-30: Wording changes to clarify Job Search requirements for Participants 60 years of age and over and for Stream C Participants.
- Pages 41- 46: Wording changes to clarify the Six Month Activity Requirement timing, ensuring advice reflects the Department's IT system functionality.
- Updated terminology of 'job seeker' to 'Participant' for consistency throughout document.

A full document history is available on the [Provider Portal](#).

Related documents and references

[Activity Management Guideline](#)
[Disability Support Pension Recipients Compulsory Requirements Guideline](#)
[Using the Employment Fund General Account Guideline](#)
[Participation in a Program of Support for DSP Claimants – Fact Sheet](#)
[Learning Centre: Log in to the site](#)
[Targeted Compliance Framework: Mutual Obligation Failures Guideline](#)
[Exploring Being My Own Boss Additional Services Guideline](#)

[Support NEIS participants to start and run their small business](#)
[Managing PaTH Internships Guideline](#)
[Norfolk Island Guideline](#)
[Performance Framework Guideline](#)
[Period of Service, Suspensions and Exits Guideline](#)
[Privacy Guideline](#)
[Transition to Work Guidelines](#)
[Work for the Dole Guideline](#)
[Job Plan and Scheduling Mutual Obligation Requirements Guideline](#)

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1. Defining Mutual Obligation Requirements

Participants on the following Income Support Payments must meet their Mutual Obligation Requirements to receive their payment:

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

Participants' Income Support Payments are generally paid in fortnightly instalments, therefore, Participants need to have and satisfy sufficient Mutual Obligation Requirements for each fortnight they are receiving Income Support Payments.

A Participant's Mutual Obligation Requirements are generally determined by considering their:

- age
- assessed work capacity, and
- whether they have primary responsibility for the care of a child.

Participants with full-time requirements should be looking for work full-time and actively addressing the individual circumstances that affect their capacity to undertake paid work.

Participants with part-time Mutual Obligation Requirements are:

- Principal Carer Parents whose youngest child is between 6 to 15 years of age
- Participants with a Partial Capacity to Work or a temporary reduced work capacity of 15 to 29 hours per week.

Participants' Mutual Obligation Requirements include:

- entering into a Job Plan and fully complying with the plan's requirements
- attending all appointments with Services Australia and/or a Provider
- acting on Job Referrals and attending Job Interviews offered by employers
- undertaking Job Searches (up to 20 Job Searches per month)
- meeting their Annual Activity Requirement (AAR) (refer to the [Annual Activity Requirement \(AAR\) section](#) of this guideline)
- meeting their Six Month Activity Requirement (SMAR) (refer to the [Six Month Activity Requirement \(SMAR\)](#) section of this guideline)
- participating in any Activity that is relevant to their personal circumstances and will help the Participant to improve their employment prospects.

[Attachment A](#) provides a table summarising Mutual Obligation Requirements for different cohorts of Participants.

A broad range of Activities can be used to meet a Participant's Mutual Obligation Requirements. A list of Suitable Activities that can be used to meet a Participant's Mutual Obligation Requirements are available [here](#).

Also refer to [Job Plan and Scheduling Mutual Obligation Requirements Guideline](#) for information about Job Plan codes.

The Activities Participants are undertaking must be included in their Job Plan as either a compulsory or voluntary Activity. There must be at least one compulsory Activity included in a Job Plan for Participants with Mutual Obligation Requirements.

Voluntary Activities are not subject to the Targeted Compliance Framework.

(Deed References: Clauses 82, 83, 85, 106, 114)

Determining Mutual Obligation Requirements

When determining Mutual Obligation Requirements it is important to identify both a Participant's strengths as well as any barriers they have to finding employment. Any vocational and non-vocational Activities are to be tailored to address the Participant's individual needs and work capacity.

Consider and seek out Activities that will help Participants overcome or manage any vocational and non-vocational barriers.

Activities or other requirements in the Job Plan must not place unreasonable demands on the Participant. The Participant must be capable of doing any Activity and meeting all requirements included in their Job Plan.

After consulting with the Participant, determine the Activities to meet the Participant's Mutual Obligation Requirements in accordance with the Deed, this Guideline and Social Security Law. Providers should take into account the Participant's preferences wherever possible. However, as the delegate of the Secretary of the Department of Education, Skills and Employment, Provider staff will ultimately determine what Activities the Participant must do to meet their Mutual Obligation Requirements under Social Security Law.

Record the Activities and other relevant items in the Participant's Job Plan, and schedule Activities in the Calendar. If drug or alcohol dependency is impacting on participation and appropriate treatment services are not available the Provider must record this information on the Job Seeker's Personal Summary Page ('What you need to know').

Under Social Security Law, Participants must be formally notified of the dates, times and locations for attending appointments and participating in Activities, along with any special requirements such as wearing work boots and other safety gear.

Considering a Participant's circumstances

When determining a Participant's Mutual Obligation Requirements and setting the terms of a Job Plan, consult with the Participant and consider:

- individual circumstances – in particular, their assessed work capacity (where relevant), their capacity to comply with requirements and their personal needs
- education, experience, skills and age

- their assessed Stream (Stream C participants' requirements differ from those in Streams A and B)
- the impact of any disability, illness, physical or mental health condition or other non-vocational issue, including drug and alcohol dependency, affecting a Participant's ability to work, look for work or participate in Activities
- the state of the local labour market and the transport options available to the Participant in accessing that market
- the participation opportunities and Activities available to the Participant
- their family and care responsibilities (including availability of child care)
- the length of travel time required to comply with the requirements (reasonable travel time is 90 minutes each way or, if the Participant is a Principal Carer Parent or has a Partial Capacity to Work, 60 minutes each way)
- the financial costs (such as travel costs) of complying with the requirements and the Participant's capacity to pay for such costs
- whether the Participant has any vulnerability indicators (as identified by Services Australia) such as homelessness, psychiatric problems or mental health conditions, severe drug or alcohol dependency, or traumatic relationship breakdown
- any history of the Participant not complying with their Mutual Obligation Requirements (to ensure that they undertake appropriate requirements in return for tax-payer funded Income Support Payments)
- cultural factors
- if they are an Early School Leaver
- the number of hours a fortnight the Participant is required to undertake approved Activities in the Work for the Dole Phase
- if the Participant participated in Time to Work Employment Service, any comments and recommendations in the Time to Work Employment Service Transition Plan (Providers can find the Transition Plan in the Department's IT Systems)
- any other matters that the Provider considers relevant to the Participant's circumstances (including if the Participant discloses they are a victim of family violence).

When setting the Participant's Mutual Obligation Requirements, review any barriers identified through an Employment Services Assessment (ESAt) or Job Capacity Assessment (JCA) or other issues disclosed to the Provider. The Job Seeker Classification Instrument (JSCI) and Capability Management Tool may also help identify personal issues affecting a Participant's employability. These will help the Provider decide on the Activities required of a Participant to meet their fortnightly Mutual Obligation Requirements, including their SMAR or their AAR in the Work for the Dole Phase.

Information about a Participant's circumstances can be found on the Participation Profile screen of the Department's IT Systems.

Using the Capability Management Tool

The Capability Management Tool in Department's IT Systems needs to be updated when conducting a Capability Interview, or at any the Participant discloses new barriers. It should be used to review and manage a Participant's personal circumstances which may affect their capacity to participate in Activities or other requirements and can assist in identifying specific vocational or non-vocational barriers, including those disclosed by the Participant.

The Capability Management Tool can help to:

- ensure the Participant has requirements in their Job Plan appropriate to their circumstances
- include ESAt recommended Interventions in the Job Plan
- record additional vocational or non-vocational issues.

Providers should familiarise themselves with relevant Deed provisions in case Participants request access to their records in the Capability Management Tool.

See the [Capability Interview Guideline](#) for information on updating the Job Plan following a Capability Interview.

(Deed references: Clause 38, 87, Annexure A1)

Mutual Obligation Requirements for Principal Carer Parents

Consider a Principal Carer Parent's family and caring responsibilities, including the availability of suitable childcare, when setting Mutual Obligation Requirements. During school terms, face-to-face Provider Appointments and participation Activities should be scheduled during school hours (generally between 9.00 am to 3.00 pm) unless otherwise agreed to by the Principal Carer Parent.

The Department's IT Systems will automatically identify time outside of school hours in the Principal Carer Parent's Calendar. Providers will be able to set requirements at times outside school hours, including weekends. However, Providers will need to discuss this with the Principal Carer Parent to ensure they are available at that time and record the Principal Carer Parent's availability in the Department's IT Systems. This information will be attached to the requirement.

Principal Carer Parents have part-time Mutual Obligation Requirements and can fully meet their requirements through 30 hours per fortnight of:

- paid work (including self-employment)
- approved study (see the section on [Approval of Study and Training](#) in this Guideline)
- Voluntary Work (as described below), or
- a combination of the above.

Providers can approve Voluntary Work for the purposes of a Principal Carer Parent fully meeting their Mutual Obligation requirements if:

- the Provider determines that the Principal Carer Parent lives in a weak labour market
- limited training opportunities are locally available (online courses may be considered 'locally available' if they have access to a computer)
- there is a significant vocational aspect to the Voluntary Work.

The Voluntary Work must be in an organisation approved by Services Australia.

If the Principal Carer Parent fully meets their Mutual Obligation Requirements, through sufficient participation in the above Activities they cannot be required to complete Job Search or meet any other additional requirements.

A Principal Carer Parent who is fully meeting their Mutual Obligation Requirements through sufficient participation in paid work and/or study, may be eligible for a Provider Exit (which is processed manually by the Provider) if participation in the approved Activity is likely to be ongoing or last more than 13 weeks.

See the [Period of Service, Suspensions and Exits Guideline](#).

If a Principal Carer Parent is either 55 years of age or over or has a Partial Capacity to Work, the category of Mutual Obligation Requirement which gives the Participant a lesser work requirement should be applied.

Meeting Mutual Obligation Requirements for Principal Carer Parents during school holiday periods

If a Principal Carer Parent is unable to obtain suitable childcare during the school holiday period, the Provider will need to make alternative arrangements to support Participants to meet their Mutual Obligation Requirements. A Principal Carer Parent will not be required to attend Work for the Dole or another Activity during the school holidays if appropriate care and supervision of their children is not available or affordable.

For example, while Principal Carers Parents are not required to attend face-to-face appointments with their Provider during school holidays, they can engage with their Provider through other means, such as by telephone or via Skype/face-time etc. Job Search can also be conducted from home or the Provider may also decide to reduce Job Search requirements over the school holiday period, while the Principal Carer Parent is caring for children during school holidays.

Principal Carer Parents must continue to meet their part-time Mutual Obligation Requirements during the school holidays except for the fortnight in which the Christmas public holiday falls.

Employer initiated shut down period over the extended Christmas/New Year school holiday break

Principal Carer Parents who are fully meeting their Mutual Obligation Requirements by working 30 hours a fortnight (including instances when working is one of a combination of Activities) are considered to be meeting their requirements during

the employer initiated shutdown period over the extended Christmas/New Year school holiday period. This only applies to Principal Carer Parents who reasonably expect to resume their employment when their employer resumes business in the New Year.

The employer initiated shut down period break can only be taken while the place of employment is closed, up to a maximum of eight weeks. After eight weeks the Principal Carer Parent will be required to participate in other Activities to meet Mutual Obligation Requirements while the employer is in the shutdown period.

[Inability to obtain suitable childcare is an Acceptable or Valid Reason](#)

If the Principal Carer Parent is required to undertake an Activity but is unable to obtain suitable childcare, they will have an Acceptable or Valid Reason to not undertake that requirement. If this occurs, alternative requirements must be set to enable the Participant to meet their Mutual Obligation Requirements.

Mutual Obligation Requirements for Participants with a Partial Capacity to Work

Participants have a Partial Capacity to Work if both their baseline work capacity and work capacity within two years of Intervention are less than 30 hours per week.

Mutual Obligation Requirements are based on a Participant's work capacity within two years with Intervention. However, Participants are not required to participate immediately at the higher work capacity. Rather, the Participant's capacity to participate can be increased through participation in a suitable program of assistance or other appropriate Activity.

When a Participant'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.

Participants with an assessed Partial Capacity to Work of 15-29 hours per week can fully meet their part-time Mutual Obligation Requirements through 30 hours per fortnight of paid work including self-employment, approved study, or a combination of these Activities.

If they fully meet their Mutual Obligation Requirements through sufficient participation per fortnight in the above Activities these Participants cannot be required to undertake Job Search or meet other requirements. They also do not need to remain connected with a Provider and will be Suspended on a Provider's caseload.

Participants with an assessed Partial Capacity to Work who are fully meeting their Mutual Obligation Requirements through sufficient participation in paid work and/or study, may be eligible for a Provider Exit (which is processed manually by the Provider) if participation in the approved Activity is likely to be ongoing or last more than 13 weeks. See the [Period of Service, Suspensions and Exits Guideline](#).

Participants who have been assessed as having a Partial Capacity to Work of 0-14 hours per week can fully meet their Mutual Obligation Requirements by attending quarterly appointments with Services Australia.

Mutual Obligation Requirements for Participants with temporary reduced work capacity

Participants may have a temporary medical condition with a temporary reduced work capacity applied by Services Australia (which is identified through an Employment Services Assessment). Participants will have reduced requirements for the period of their temporary reduced work capacity. Providers must take this into account when setting suitable approved Activities and the level of participation in the Job Plan.

If a Provider considers that a Participant without an assessed temporary reduced work capacity is impacted by a medium or long-term medical condition, the Provider should take these personal circumstances into account when setting Mutual Obligation Requirements and record the information about the Participant's circumstances in the 'What you need to know' section of the Department's IT Systems. Providers should exercise judgement and take these personal circumstances into account when setting Mutual Obligation Requirements. Medium or long-term medical conditions are usually episodic or chronic in nature and include schizophrenia, psychosis, depression and anxiety. Where appropriate, Providers should advise Participants to contact Services Australia so that a reduction in their Mutual Obligation Requirements through a temporary reduced work capacity status or an exemption can be considered.

Participants who have been assessed as having a temporary reduced work capacity of 15-29 hours per week can fully meet their Mutual Obligation Requirements through 30 hours per fortnight of paid work (including self-employment) approved study or a combination of these Activities.

If the Participant is fully meeting their Mutual Obligation Requirements through sufficient participation per fortnight in the above Activities they cannot be required to undertake any Job Search or meet other requirements. They do not need to remain connected to a Provider and will be Suspended from the Provider's caseload.

Participants with an assessed temporary reduced work capacity who are fully meeting their Mutual Obligation Requirements through sufficient participation in paid work and/or study, may be eligible for a Provider Exit (which is processed manually by the Provider) if participation in the approved Activity is likely to be ongoing or last more than 13 weeks. See the [Period of Service, Suspensions and Exits Guideline](#).

Participants who have been assessed as having a temporary reduced work capacity of 0-14 hours per week can fully meet their Mutual Obligation Requirements through participation in a quarterly interview with Services Australia.

Mutual Obligation Requirements for mature-age Participants

Participants 55 years of age and over can meet their full-time Mutual Obligation Requirements through paid work (including self-employment), approved Voluntary Work or a combination of these Activities, depending on their age and circumstances, as follows:

- If the Participant is 55 - 59 years of age and in their first 12 months of receiving payment, they can fully meet their Mutual Obligation Requirements by completing 30 hours per fortnight of paid work. This can also be met by completing 30 hours per fortnight of a combination of approved study, Voluntary Work and paid work. However, this must include at least 15 hours per fortnight of paid work.
- If the Participant is 55 – 59 years of age and has been receiving payment for more than 12 months, they can fully meet their Mutual Obligation Requirements if they undertake at least 30 hours per fortnight of paid work, approved Voluntary Work or a combination of the two Activities.
- If the Participant is aged between 60 and the age pension age, they can fully meet their Mutual Obligation Requirements if they undertake at least 30 hours per fortnight of paid work, approved Voluntary Work or a combination of the two activities.

These Participants cannot be required to do Job Search or other requirements if they are meeting their Mutual Obligation Requirements in this way.

Participants should remain connected with a Provider but will be Suspended on a Provider's caseload. However, Providers can continue to refer them to job opportunities. Services Australia will make an initial Appointment with the Provider for Participants 55 years of age and over, even if they are already satisfying their Mutual Obligation Requirements (as above). Participants who fail to attend this Appointment or any other scheduled Provider Appointments or who fail to accept referrals to jobs, may be subject to action under the Targeted Compliance Framework.

See the [Targeted Compliance Framework: Mutual Obligation Failures Guideline](#).

Mutual Obligation Requirements for some Ministers of Religion

Ministers of Religion who are either a Principal Carer Parent or have a Partial Capacity to Work will be regarded as fully meeting their part-time Mutual Obligation Requirements by undertaking at least 30 hours per fortnight of paid pastoral work for their religious organisation.

Monitoring by Services Australia for Participants fully meeting their requirements

For the above cohorts of Participants, Services Australia will determine whether a Participant is fully meeting their Mutual Obligation Requirements. If Services Australia establishes that they are participating sufficiently in appropriate Activities, they will update the Participant's Job Plan to include the Activities they are undertaking to fully meet their Mutual Obligation Requirements. Once Services Australia determines a Participant (other than a mature-age Participant) is fully meeting their Mutual Obligation Requirements, the Participant may be a Services Australia managed Participant and Exited from the Provider's caseload.

Continuing voluntarily in Employment Services

- A Participant fully meeting their Mutual Obligation Requirements may elect to participate voluntarily in services while they are Suspended after:
 - being contacted by their Provider to discuss and agree to voluntarily participate while Suspended from employment services
 - notifying Services Australia, who will either call their Provider or book an Appointment for them
 - contacting their Provider directly to request services.
- If a Participant who is Suspended from employment services elects to voluntarily participate in employment services, the Provider must provide services to the Participant.
- If a Participant who is fully meeting their Mutual Obligation Requirements participates voluntarily in employment services, Providers must not remove the relevant compulsory Activities that Services Australia has included in their Job Plan. Additional Activities included in the Job Plan must be added as voluntary.

Sufficient work test

The decision that a Participant is doing sufficient work would generally be restricted to cases where the person can fully meet their Mutual Obligation Requirements while still receiving some payment and a person can demonstrate a stable pattern of employment and earnings (e.g. permanent paid work). If there is significant variation in hours worked and earning from fortnight to fortnight, whether a Participant's work fully meets their Mutual Obligation Requirements must be determined fortnightly.

Self-employment will satisfy the sufficient work test if the Participant is working at least their required number of hours and the taxable income provides the equivalent of the national minimum wage rate for the minimum required hours. If self-employment does not satisfy the sufficient work test, the Participant will generally be required to look for alternative work.



Documentary Evidence: Providers must document a Participant's satisfactory participation in self-employment as per the [Documentary Evidence for AAR and other Approved Activities section](#) of this guideline.

If a Participant's commitment to their business activities interferes with required Job Search or other Activities, the person will usually not be considered to be 'unemployed' for the purpose of qualifying for Income Support Payments.

Mutual Obligation Requirements for Early School Leavers

An Early School Leaver is a person who receives Youth Allowance (other), is under 22 years of age and has not completed Year 12, the final year of secondary school or an equivalent Australian Qualifications Framework Certificate III level or above.

Until they turn 22 years of age or attain Year 12 or an equivalent qualification, Early School Leavers are generally required to participate in:

- full-time education or training with no Job Search requirement, including Certificate I and II level courses
- a combination of part-time education or training and paid work for a total of 25 hours per week (15 hours for Principal Carer Parents and those with a Partial Capacity to Work of 15 to 29 hours per week) and no Job Search requirement
- other approved Activities for 25 hours per week (15 hours for Principal Carer Parents and those with a Partial Capacity to Work of 15 to 29 hours per week), including the requirement to do up to 20 Job Searches per month.

Early School Leavers who are eligible for Youth Jobs PaTH Employability Skills Training and PaTH Internship Placements must still undertake Job Search. For further information on these programs, refer to Youth Jobs PaTH Employability Skills Training (EST) section of this guideline.

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.

Verification of an Early School Leaver's qualifications

Only Services Australia can verify a Year 12 or equivalent qualification to determine whether a young person is no longer an Early School Leaver. Services Australia will accept any of the following:

- a Year 12 certificate issued by a Senior Secondary Board of Studies
- an Australian Qualification Framework Certificate III
- a higher qualification issued by a Registered Training Organisation or higher educational institution
- a Certificate III or IV of General Education for Adults
- the International Baccalaureate
- other higher education pre-entry course.



Documentary evidence: Providers must fax an Early School Leaver's qualifications to the Services Australia Business Hotline on 1300 786 102. Sight the original and send a copy of the completed qualification with the cover sheet at Attachment B. If the original qualification has been lost or destroyed, a certified copy of the qualification or a letter from the education institution formally verifying attainment of the qualification will be accepted. If none of these can be obtained, a statutory declaration from the Early School Leaver will be accepted. The statutory declaration must include the name of the course, date completed, name of institution and institution contact details, and must be appropriately certified. Do not send verification requests to Services Australia if the education level is below Year 12.

If Services Australia does not accept the qualification, they will contact the Provider. Providers must contact the Early School Leaver to advise them of the reason the qualification was not verified.



System step: Where accepted by Services Australia, update the education level information in the Participant's JSCI to reflect the Early School Leaver's advised higher level of educational attainment.

(Deed References: Clause 93, 105)

Mutual Obligation Requirements for pregnant Participants

Generally, Mutual Obligation Requirements for pregnant Participants will not change during the first two trimesters of pregnancy. However, Providers must take into account the Participant's personal circumstances when setting their Mutual Obligation Requirements. Pregnant Participants are exempt from Mutual Obligation Requirements from 6 weeks before the expected due date until six weeks following the birth of the child.

Pregnant Participants will not be required to undertake Job Search from three months before their due date. During this time, Providers cannot compel these Participants to accept job offers or referrals to job interviews.

Participants exempt from Mutual Obligation Requirements

If a Participant is temporarily unable to meet their Mutual Obligation Requirements, Services Australia may grant an Exemption from requirements for a specified period. This recognises the different family and personal situations that Participants face and that can prevent them from participating in Job Search, paid work, Work for the Dole, vocational training or a range of other Activities designed to improve their employment prospects.

The types of Exemptions that may be applied include but are not limited to the following situations:

- temporary medical incapacity
- serious illness
- pre and postnatal
- caring for children with a disability or other special family circumstances
- domestic violence
- other special family circumstances including:
 - if a Principal Carer Parent is a registered and active foster carer or providing foster care temporarily in an emergency, or on a respite, basis
 - if a parent is home schooling or facilitating distance education for one or more of the children or secondary pupil children for whom they are the principal carer or main supporter
 - if a Principal Carer Parent is caring for a family of four or more children aged 18 years or under

- if a principal carer is a relative but not a parent of a child and the child is living with the principal carer in accordance with a family law order, or
 - if a principal carer is a relative but not a parent of a child (kin child) and the principal carer is caring for the wellbeing of that kin child in accordance with a document accepted by the state/territory that is responsible for the wellbeing of children.
- other special circumstances, including:
 - major personal disruption to the Participant's home
 - major personal crisis (including homelessness)
 - affected by declared natural disaster, e.g. bushfire, flooding or cyclone
 - volunteering during a state or national emergency
 - temporary caring responsibilities
 - dad and partner leave
 - undertaking jury duty
 - being a newly protected witness
 - being a newly arrived refugee, or
 - undertaking Indigenous cultural business.

If a Provider believes that the Participant does not have the capacity to meet their Mutual Obligation Requirements, the Participant should be encouraged to contact Services Australia to test their eligibility for an Exemption. Participants will need to provide evidence to support their claim.

If applying for an Exemption due to a temporary medical condition, the Participant will need to submit appropriate evidence, for example an approved medical certificate.

However, Services Australia should wherever possible reduce a Participant's Mutual Obligation Requirements rather than exempting them completely.

Participants granted an Exemption will be Suspended from a Provider's caseload for the period of the Exemption. Some Participants with longer-term Exemptions may be Exited from a Provider's caseload. However, Participants may voluntarily choose to continue participating with employment services.

NOTE: Some Participants considering an application for a Disability Support Pension may need to demonstrate that they have actively participated in a Program of Support to be eligible for Disability Support Pension. You should advise these Participants that periods of exemption will not be counted as participation in a Program of Support. More information for providers can be found in the [Participation in a Programme of Support for DSP Claimants Supporting Document](#).

Participants subject to domestic violence

If there is any suspicion of domestic violence (including family violence) then Providers must refer the Participant to a Services Australia social worker. Providers should also refer a Participant to one of the national or state-based organisations for advice and information about domestic violence.

Providers notified of domestic violence (including family violence) as the reason for not meeting Mutual Obligation Requirements, must consider this in their assessment of whether or not the Participant had a Valid Reason.

If a Participant applies to Services Australia for an Exemption because they are subject to domestic violence (including family violence), Services Australia will make an assessment on whether an Exemption is granted and the appropriate length of the Exemption from their Mutual Obligation Requirements.

If the Participant is a Principal Carer Parent and subject to domestic violence, Services Australia will generally grant an Exemption.

Suitable Activities to meet Mutual Obligation Requirements and the AAR and SMAR

Consider the Participant's Stream, Phase and individual circumstances when setting Mutual Obligation Requirements. In particular, consider whether the Participant has a SMAR or is in the Work for the Dole Phase and has an AAR.

Include approved Activities in the Participant's Job Plan that will enable them to meet their Mutual Obligation Requirements, using the correct Job Plan code linked to the Activity scheduled in the Calendar. If the Participant is in the Work for the Dole Phase, sufficient hours of Activities must be scheduled in the Calendar to allow the Participant to meet their AAR.

Depending on a Participant's circumstances, there is a range of Activities they may undertake to meet their Mutual Obligation Requirements (some of which are described below).

Approved Programs of Work

All Participants in an Approved Program of Work (whether they are receiving a full or part rate of Income Support Payment) are eligible for the Approved Program of Work Supplement of \$20.80 a fortnight (Social Security Law).

Approved Programs of Work for jobactive Participants include:

- the National Work Experience Programme – the NWEPP can only be included as a voluntary not compulsory Activity in the Job Plan
- Work for the Dole - Only Participants 18 years of age and older can take part in Work for the Dole

Work for the Dole

Work for the Dole cannot be included as a compulsory Activity (i.e. can only be included as voluntary) in the Job Plan if:

- the Participant is receiving less than the full rate of JobSeeker Payment, Youth Allowance (other), or Parenting Payment Single, where the rate is reduced due to the income test (combined income of the Participant and, if applicable, their partner)
- the Participant's Job Plan also includes the Paid Work Job Plan code EM56

- for Special Benefit- Nominated Visa Holders, the person or, if applicable, their partner has income
- the Activity is more than 50 hours per fortnight, or
- the Participant is 60 years of age and over.

In all other circumstances, except for Participants under 18 years of age (who are not eligible to participate), Work for the Dole can be included as a compulsory Activity in the Participant's Job Plan.

Work for the Dole may be included as a voluntary Activity in the Participant's Job Plan in the above circumstances. However, Participants in these circumstances can be compelled to participate in another Activity should they not be undertaking enough hours in Work for the Dole to meet their AAR.

If the Participant is receiving anything less than the full rate of Income Support Payment, then Work for the Dole may be included in combination with other approved Activities to meet their AAR. If they elect to do this, then Work for the Dole must be included as a voluntary Activity in their Job Plan.

Providers should regularly review if the Participant is receiving a full rate of Income Support Payment or a reduced rate due to the income test. Providers can view a Participant's previous four fortnights' Income Support Payment rate on the Department's IT Systems Notification screen. If a Participant returns to the full rate of Income Support Payment, the Provider can update the Participant's Job Plan to include Work for the Dole as a compulsory Activity.

Voluntary and compulsory participation in Work for the Dole will meet a Participant's SMAR. However, where eligible Participants have not chosen an alternative approved activity within four weeks of reaching their SMAR commencement date, they will be referred to Work for the Dole as the default activity. For more information see the Work for the Dole Guideline.



Documentary Evidence: Providers may also consider requesting Documentary Evidence from the Participant to determine if that Participant is declaring income to Services Australia or is on a reduced rate of Income Support Payment for other reasons.

If the Participant fails to actively participate in the voluntary Work for the Dole Activity, then a Provider should consider replacing it with an alternative Activity so that the Participant can meet their AAR or SMAR. For example, the Participant could be compelled to do some voluntary work to achieve the required hours each fortnight.

National Work Experience Programme

The National Work Experience Programme provides voluntary short-term placements for Participants 17 years of age or over, regardless of whether the Participant is receiving full or part rate of Income Support Payment.

Work Experience (Other) Placements

Work Experience (Other) Placements provide voluntary, short-term, observational unpaid work experience placements for Participant 15 years of age or over, regardless of whether the Participant is receiving an Income Support Payment. Participation in this Activity can contribute towards a Participant's Mutual Obligation Requirement, but is not approved for AAR or SMAR purposes except for Stream C jobactive Participants.

Youth Jobs PaTH Employability Skills Training (EST)

A jobactive Participant is Employability Skills Training (EST) Eligible if they are between 15 and 24 years of age, receiving Income Support Payment and have Mutual Obligation Requirements.

EST Courses consist of 75 hours of training, delivered at 25 hours per week over three weeks for Participants with full time Mutual Obligation Requirements and 15 hours per week over five weeks for Participants with part-time Mutual Obligation Requirements.

An EST Eligible Participant has a mandatory requirement to undertake EST once they have received services through jobactive for six months. An EST mandatory Participant must be considered for both types of EST courses.

Participating in one EST Course will meet a jobactive participant's SMAR (refer to the [Six Month Activity Requirement \(SMAR\)](#) section of this Guideline).

Reports are available in ESS Web and Qlik, which identify EST mandatory and eligible Participants, including those not in any Activity.

An EST mandatory Participant retains their mandatory status until they have completed both EST Courses. This is to encourage the development of employability skills. ESS Web recognises completion of an EST Course when a completion payment is claimed by the EST Provider.

Once a Participant has completed both types of EST Courses and the associated completion payments have been claimed by the EST Provider, the Participant will revert to and maintain an EST Eligible status for as long as they meet the eligibility criteria.

Providers have discretion not to refer a Participant (for whom EST would otherwise be mandatory) to an EST Course, or include EST as a compulsory Activity in the Job Plan if the Provider considers that the Participant:

- already has the relevant skills and experience (such as through having relevant recent workforce experience or already having a part time job)
- has recently completed similar training
- has Non-Vocational Barriers that must be addressed first as a priority before they can benefit from the training - this could include language issues, health issues or family problems
- would have to travel more than 90 minute each way to the training (60 minutes for Participants with part-time Mutual Obligation Requirements) or there are no suitable EST courses available

- is referred to another suitable Activity - this should only be used when there is an active referral or commencement to another Activity in ESS Web. Where another Activity referral is in place with an end date in the near future, Providers should consider creating an EST referral for a future course. This provides an opportunity for the Participant to move from their current activity into EST

Choosing one of these reasons in ESS Web removes the Participant from the count of Participants who are EST Mandatory. After eight weeks the Department's IT Systems will override and unselect the reason, making the Participant EST Mandatory again. Providers must then reassess the suitability of EST for the Participant. Provider's use of these reasons will be monitored.

Note: If a Provider exempts an EST Mandatory Participant from EST participation, they are **not** exempt from meeting the SMAR, and must meet the SMAR through another approved Activity (refer to [Six Month Activity Requirement \(SMAR\)](#) section of this Guideline).

Participants who are EST eligible can be referred to an EST Course from day one in jobactive.

Providers will receive a notification in the Department's IT Systems when Participants have been serviced in jobactive for six months. The [Activity Management Guideline](#) provides details on EST, including how to record reasons for why a Participant will not be participating in EST Courses.

Participants with part-time Mutual Obligation Requirements such as Principal Carer Parents or others with a Partial Capacity to Work may volunteer to undertake more than 15 hours per week of EST. The additional hours will need to be recorded separately in the Job Plan as a voluntary Activity. These Participants are encouraged to participate for the duration of the Course but cannot be compelled to undertake additional hours. If the Participant is unable to meet the Course hours, the Provider should consider a more suitable Activity.



System step: If a Participant is EST mandatory, ESS Web prevents the finalisation of their Job Plan when making a referral to other activities. When referring an EST mandatory Participant to another activity, the EST opt-out reason of 'referred to other activity' must be applied before updating the Job Plan with the other activity.

PaTH Internship Placements

Young Participants 17–24 years of age, with Mutual Obligation Requirements, can participate in a PaTH Internship.

Eligible young Participants must:

- be in jobactive Stream A and have participated in either block one, or block two Employability Skills Training; or
- be in jobactive Stream A and have been continuously serviced in employment services from any jobactive provider, Transition to Work provider or Disability Employment Services provider for at least six months; or

- be in jobactive Stream B or C, Transition to Work or Disability Employment Services.

Early School Leavers can participate in a PaTH Internship. PaTH Internship placements are to be included in the Job Plan as a voluntary item. However, if the Participant fails to participate, then the Provider will need to place them in an alternative compulsory Activity.

See the [Managing PaTH Internships Guidelines](#) for further information.

Career Transition Assistance (CTA)

All Participants aged 45 years and over, and registered with a jobactive Provider, are eligible to participate in CTA. CTA provides opportunities for mature-age people to identify and articulate transferable skills, increase their job readiness and better target their Job Search to local industries and available jobs, and develop basic functional IT skills.

Participation in CTA is 75 hours over an eight-week period. Where a Participant with part-time Mutual Obligation Requirements is referred to CTA, the jobactive Provider should select and modify the schedule in the Participant's calendar as necessary to meet the Participant's needs.

CTA is an approved Activity for the purposes of meeting a Participant's AAR and will fully meet the Participant's AAR for the duration of their participation in CTA while in the Work for the Dole Phase. Completing CTA will meet the SMAR.

Participation in CTA is voluntary, and CTA can only be added to a Participant's Job Plan as a voluntary Activity. CTA Providers will advise the Participant's jobactive Provider if the Participant stops attending CTA. If the Participant is exited from CTA, the jobactive Provider must place them in an alternative approved Activity.

Launch into Work

Participation in Launch into Work program pre-employment projects should be included as a voluntary Activity in the Participant's Job Plan. Providers should record this Activity in the Job Plan using the ET64 Work Preparation activity code. Providers should include the relevant activity details, such as the Launch into Work organisation and dates and hours of participation.

Participation in Launch into Work program pre-employment projects will meet the SMAR and fully meet participants' AAR for the duration of the project. Participants will not have to complete other activities whilst participating in the project.

Local Jobs Program

Participation in a Local Jobs Program (LJP) Activity will meet the SMAR and fully meet the Participant's AAR for the duration of their participation in the LJP Activity.

Participation in a LJP Activity is voluntary, and providers should record participation in a LJP Activity as a voluntary activity in the Participant's Job Plan.

See the [Local Jobs Program Guideline](#) for further information.

Study and Training

As part of servicing and setting mutual obligation requirements, Providers should:

- encourage Participants to build on their existing skill sets and help them to access appropriate and targeted skills and training opportunities; and
- become familiar with, and promote, flexible study and training including courses subsidised by State and Territory governments, including and the JobTrainer Fund,
- ensure the training is appropriate for the Participant and that the courses are under 12 months duration and in areas of high skill demand (see below).

For Providers deciding to fund an education or training course, see the [Using the Employment Fund General Account Guideline](#).

What is an approved course of study or training

Participants can study in a course of high skill demand where the course is no more than 12 months in duration.

Courses considered in demand include:

- subsidised courses in the Vocational Education and Training system, including additional courses made available through the JobTrainer Fund or listed on www.myskills.gov.au as 'subsidies' in the relevant State or Territory.
- Higher Education short course listed on www.courseseeker.edu.au/courses, and
- courses approved by Providers as outlined below.

Additional Provider approved in-demand courses

Providers can also approve a Participant's participation in study or training under the following provisions:

- completing the course is likely to lead to an employment outcome for the Participant, or
- there is little chance of the Participant finding employment with their existing skills, or
- the course will lead to qualifications in an area of identified skill needs.

Approval of study and training

Providers must approve study and courses. An approved course must be included as a compulsory Activity in the Participant's Job Plan.

If a Provider approves a course and includes it in the Participant Job Plan then the Participant must generally still attend appointments with their Provider, look for work and accept suitable work as long as it does not conflict with the scheduled time of the course. Job search requirements can be reduced to reflect the Participant's study load ([see below section on Job Search](#)).

Participants who are working part time while studying are taken to be fully meeting their requirements when their combined work and study hours reach 70 per fortnight.

A Principal Carer Parent or Participant with a Partial Capacity to Work of 15 to 29 hours per week undertaking an approved study or training for at least 30

hours per fortnight is considered to be fully meeting their part-time Mutual Obligation Requirements. These recipients are managed by Services Australia and will be Suspended from the Provider's caseload.

Non-approved study or training

Participants can undertake other education or training under their own initiative at any time but, if the Activity is not approved (as outlined above) and included as a compulsory item in their Job Plan, this will not contribute towards their Mutual Obligation Requirements.

People undertaking a full time course that is longer than 12 months in duration should generally be placed on a student allowance. Providers should refer full time students to Services Australia for an Income Support Payment eligibility check.

Except in specific circumstances, Providers cannot approve full-time courses of 12 months (two semesters) or longer in duration, or Masters or Doctorate courses.

Note: Exceptions include:

- Participants in receipt of Special Benefit (NVH) who have not attained a Year 12 or equivalent qualification, may undertake full time study in a school institution up to Year 12. These Participants will still be required to attend Provider appointments and undertake up to 20 Job Searches per month.
- the Participant is a single Principal Carer Parent on JobSeeker Payment, has been granted Pensioner Education Supplement (PES) for an academic course or course longer than 12 months. Where an eligible course for which PES is granted is being undertaken full-time or for at least 30 hours per fortnight, this will fully meet requirements, and the single principal carer will not be required to undertake additional activities. Providers can include this as approved study in the Participant's job plan, or
- the Participant is in receipt of Parenting Payment Single (this study would usually be approved by Services Australia), or
- the Participant is a Parenting Payment recipient who transferred to JobSeeker Payment or Youth Allowance (other), or, in some limited instances where a Participant was granted the Disability Support Pension, and then transferred to JobSeeker Payment or Youth Allowance (other). They are able to continue their studies in the same course they commenced while receiving the previous Income Support Payment type (this would usually be approved by Services Australia) for which they receive PES.
- Services Australia has approved participation in a full-time course for Participants prior to entering employment services if the Participant has been identified as requiring training under the Skills for Education and Employment (SEE) or Adult Migrant English Program (AMEP).
- Services Australia can also approve participation in a full-time course for any Participant prior to entering employment services or another relevant Provider's program if:
 - the Participant has an offer of employment, confirmed by a letter from the potential employer, contingent upon their completing the course

- the course has a clear vocational application, and
- the Participant is prepared to meet any additional expenses involved.

Breaks in Activities

If a Participant has a break in an Activity which is required to satisfy their Mutual Obligation Requirements, the Provider must update the Participant's Job Plan with other Activities to meet their Mutual Obligation Requirements.

There is no need to adjust a Participant's requirements if they have a break of less than or equal to four weeks that is outside their control. If the break is greater than four weeks then the Participant must do other requirements, such as Job Search, for the period of the break. The Job Plan must be updated to include the new requirements.

Suitable work

Participants must actively look for work and be prepared to accept any offer of suitable work in a variety of fields. Any work can be considered suitable provided it meets certain safeguards set out in Social Security Law, such as minimum statutory conditions and related health and safety considerations.

'Suitable work' includes any work that a Participant is capable of doing, not just work the Participant prefers to do or is specifically qualified for. This can include casual or permanent, and part-time or full time work depending on the Participant's assessed capacity. Participants are required to accept suitable work that may not be their first preference while they continue to look for work that better matches their qualifications, expertise and interest.

Work is unsuitable if it:

- involves skills, experience or qualifications that the person does not have and appropriate training will not be provided by the employer
- is above the Participant's assessed work capacity within the next two years with intervention
- may aggravate a pre-existing illness, disability or injury and medical evidence has been provided
- involves health or safety risks and would contravene an occupational health and safety law
- has terms and conditions which are less generous than the applicable statutory conditions
- involves commuting from home to work that would be unreasonably difficult (more than 60 minutes one way for Principal Carer Parents and those with Partial Capacity to Work and more than 90 minutes one way for other Participants)
- is considered by the Participants to be unsuitable on moral, cultural or religious grounds

- is not consistent with prevailing community standards
- is the subject of industrial dispute
- involves enlistment in the Defence Force or the Reserve Forces
- requires the person to change residence.

Unsuitable work for Principal Carer Parents

In addition to the above 'unsuitable work', Principal Carer Parents cannot be required to accept employment of more than 25 hours a week. Additionally, Providers should consider whether:

- the Principal Carer Parent has access to appropriate care and supervision for their child/children during the times when they would be required to work
- the location of either the workplace or the child care facility would make the total travel time to and from work unreasonable
- the Principal Carer Parent will be at least \$50.00 a fortnight financially better off as result of working.

If a job offer to the Principal Carer Parent involves employment outside school hours or in school holidays, a job is generally considered suitable if there is appropriate care and supervision for a child during the hours of work (including the travel to and from work). Suitable care and supervision means:

- childcare provided by an approved childcare service (within the meaning of the Family Assistance Administration Act 1999).
- any other care or supervision arrangements that the parent deems suitable.

Unsuitable work for Participants with a Partial Capacity to Work

In addition to the list above of 'unsuitable work', work is unsuitable for Participants with a Partial Capacity to Work if:

- it does not provide appropriate support or facilities to take account of the illness, disability or injury
- the total cost of participating in employment means that the Participants would be financially worse off as a result of undertaking the work. Examples include personal care requirements incurred by the Participant to get ready for work or while on the job; disability aids required for participation in the job that are not covered by the Employer and the cost of travel to and from the job by the Participant's means of transport.

2. Job Search Requirements are an important part of Mutual Obligation Requirements

Providers will set the number of Job Searches a Participant is required to undertake per month in accordance with the Deed, this Guideline and Social Security Law. Record the number of Job Searches required in the Participant's Job Plan.

Participants with Mutual Obligation Requirements will usually have to look for work.

The number of Job Searches generally expected of Participants (including Principal Carer Parents and those with a Partial Capacity to Work of 15 to 29 hours per week) is:

- for Stream A and Stream B Participants – 20 Job Searches per month
- for Stream C Participants – dependant on their capacity, generally up to 10 Job Searches per month
- for Participants aged 60 years and over (regardless of Stream) – dependent on their capacity, up to 10 Job Searches per month. Participants cannot be required to do more than 20 Job Searches per month.

Assessing the quality of Job Search efforts

When assessing the quality of the Participant's Job Search efforts, Providers should consider whether the jobs applied for were:

- at a variety of levels of seniority or remuneration that is suitable for the Participant; and
- in a variety of fields and occupations in which the Participant is suitably qualified or has experience, if that work is suitable for the Participant; unless the Participant is studying or participating in training and the Provider agrees the Participant can focus on Job Search relevant to their field of study if it will increase the likelihood of the Participant finding sustainable employment, and
- applied for using a variety of methods to contact potential employers.

While the above must be taken into account when assessing Job Search efforts, Providers should also consider the Job Search efforts of the Participant more holistically over time. A Participant is not required to meet each of these criteria in each separate Job Search period – therefore it is important to consider factors such as:

- labour market restrictions as the type and number of vacancies available in each Job Search period may differ; and
- the most appropriate pathway for the Participant to obtain sustainable employment. In considering this, providers could discuss and agree to a strategy for targeting Job Search efforts in advance with the Participant to increase their likelihood of securing employment.

(Deed references: Clause 113)

Participants who do not have Job Search Requirements

The following Participants will not be required to undertake Job Search while they are fully meeting their Mutual Obligation Requirements:

- Principal Carer Parents
- those with a Partial Capacity to Work of 15 to 29 hours per week

- Participants 55 years of age and over
- Participants undertaking Drug and Alcohol rehabilitation in a Residential Program
- refugee Participants undertaking activities to help adjust to life in Australia and to increase chances of finding work.
- Pregnant Participants are exempt from Job Search from six weeks before their expected due date until six weeks following the birth of their child.
- NEIS Prospective Participants who have been assessed as NEIS Eligible but have not yet signed a NEIS Participant Agreement will have their Job Search requirements reduced to zero while participating in NEIS Training.
- NEIS Participants in receipt of Parenting Payment (Single) or the Disability Support Pension are able to choose to remain on their current payment or move to NEIS Allowance. Where they remain on their current payment while participating in NEIS Assistance and actively working on their small business, they do not have Job Search or other Mutual Obligation Requirements.
- Early School Leavers who are meeting their Mutual Obligation Requirements through full-time education or a combination of part-time study and paid work of 25 hours per week (15 hours for those with part-time Mutual Obligation Requirements) must not have any Job Search requirements in their Job Plan.
- Participants participating in a total of 70 hours a fortnight of combined declared paid work (including self-employment) and approved study or training (see above).

Recording Job Search requirements in the Job Plan

When setting compulsory Job Searches, Providers must use the JS09 code. The Department is actively monitoring Job Plans and would expect that:

- for Stream A and Stream B Participants, all Job Plans should contain JS09.
- for Stream C Participants, most Job Plans should contain JS09. In some Exceptional Circumstances, Job Searches may not be required for a limited period while non-vocational issues are actively being addressed.

Circumstances that may reduce Job Search requirements

Do not reduce the number of Job Searches a Participant is required to undertake merely because the Participant is undertaking other Activities - in particular study or during the Work for the Dole Phase.

Providers may reduce the number of Job Searches as a result of a Participant's:

- participation in approved study or training
- physical, intellectual or psychiatric impairment
- non-residential treatments or counselling for drug and alcohol dependency (including Drug Court Orders)

- preventative health treatments and interventions – (for jobactive Indigenous Participants and Stream C Participants)
- substantially elevated level of family and caring responsibilities
- accommodation situation, where this is likely to impede Job Search
- education or skill level, where this is likely to substantially limit job opportunities
- current employment status (part-time or casual work)
- domestic violence (including family violence) or family relationship breakdown (Services Australia may grant an Exemption from Mutual Obligation Requirements in these circumstances)
- level of English language skills, if Participant is doing a course to improve these skills
- cultural factors
- the state of the labour market and the transport options available to the person in accessing that market, for example, taking into account travel time.

For example, a Stream A Participant either living in a metropolitan area or within 90 minutes travel time to metropolitan area would be expected to have 20 Job Searches per month. In a regional area with limited vacancies and where the travel time to more positive labour markets is more than 90 minutes, it might be appropriate that a Stream A Participant has a lower Job Search requirement, for example, 15 Job Searches per month.

Job Search requirements for those in approved study and training

Participants studying an approved course or can have their studies counted towards reducing Mutual Obligation Requirements, including:.

- Providers can reduce and tailor a Participant's requirements by taking into account their study/training
- Participants who are working and studying/training for at least 70 hours per fortnight will have no Job Search requirements, but will stay connected to a Provider.

Participants are still required to accept any suitable work that does not conflict with scheduled course times and Providers should consider what is an appropriate level of Job Search which will not interfere with Participants' ability to undertake their approved study/training.

Where studying an area of identified skill needs in a demand area which would be likely to improve a Participant's employability, Participants may initially restrict their Job Search to that skill area. For example, Participants studying an aged care related qualification should be allowed to initially restrict their Job Search to that field. However, Providers have discretion to require Participants to diversify their Job Search, particularly where previous searches in that area has have been unsuccessful or there is little immediate likelihood of finding work in the area studied.

Participants who combine declared work and approved study/training for at least 70 hours per fortnight are not required to look for additional work or participate in other activities. However, they should remain connected to the Provider and may be referred to suitable work opportunities that do not conflict with their study or work.

Job Search requirements for Early School Leavers who are not meeting their requirements through study or paid work

Early School Leavers who are meeting their Mutual Obligation Requirements through approved Activities other than just paid work and study for 25 hours per week (15 hours for Principal Carer Parents and those with a Partial Capacity to Work of 15 to 29 hours per week) must have up to 20 Job Searches per month in their Job Plan.

Job Search requirements while studying Language, Literacy and Numeracy courses

If a Provider has identified that a Participant needs to improve their Language Literacy and Numeracy skills, the number of required Job Searches may be reduced (but not reduced to zero) while the Participant is actively participating in an accredited Language Literacy and Numeracy course. Approved courses include the Skills for Education and Employment program and the Adult Migrant English Program.

Job Search requirements for Stream C Participants and Participants 60 years of age and over

The number of job searches generally expected to be undertaken by Participants 60 years of age or over and those in Stream C is, dependent on their capacity, up to 10 job searches per month. When setting an appropriate number of Job Searches, in addition to other considerations, Providers may also consider:

- other non-vocational issues or vocational issues that are being, or have been addressed
- if the Participant has undertaken re-skilling or re-training
- for Stream C Participants, it might be appropriate in some Exceptional Circumstances to have no Job Searches for a period while non-vocational issues are actively being addressed.

For Stream C Participants, the number of Job Searches required is expected to increase over time as they overcome or sufficiently manage personal or non-vocational issues.

Job Search requirements for those in paid work

For Participants with full-time Mutual Obligation Requirements:

- if doing at least 40 hours of declared paid work (including self-employment) per fortnight then the number of Job Searches should be halved. If the Participant is doing a significant number of hours of paid work per week and

receiving only a residual amount of Income Support Payment, the number of Job Searches may be reduced further.

- if doing at least 70 hours of declared paid work (including self-employment)
- per fortnight then the Participant should have no Job Search requirement if doing at least 70 hours of combined declared paid work (including self-employment) and approved study or training per fortnight then the Participant should have no Job Search requirement.

For Participant with part-time Mutual Obligation Requirements (Principal Carer Parents and those with a Partial Capacity to Work of 15 to 29 hours per week):

- if doing 11 to 29 hours of declared paid work (including self-employment) per fortnight, the number of Job Searches should be halved
- if doing 30 hours or more of declared paid work (including self-employment) per fortnight, the Participant should have no Job Search requirement.

(Deed references: Clause 113)

Job Referrals and opportunities

Providers must identify, record and set appropriate Job Referral tasks for Participants to action in the Department's IT Systems. Providers must actively monitor Participants' completion of all Job Referral tasks, including assessing and recording in the Department's IT Systems an assessment result within 5 Business Days of the Job Referral task due date.

Where a Participant does not act on or satisfactorily complete a Job Referral task without a valid reason, Providers must report the non-compliance in the Department's IT Systems.

Please refer to the Job Referral Interactive Module and Job Referral Task Card Guides on the Targeted Compliance Framework Learning Centre page at <https://learningcentre.employment.gov.au/> for information on monitoring Participant action on a Job Referral task and recording assessment results.

(Deed references: Clauses 7.1(a), 11.1(b), 106.1(c) and 114)

Annual Activity Requirement (AAR)

The AAR is the set number of hours that a Participant must complete in approved Activities when in the Work for the Dole Phase.

Most Participants have an AAR when they enter into the Work for the Dole Phase and must participate in an approved Activity or combination of approved Activities to meet their AAR.

Providers must ensure that Participants in the Work for the Dole Phase fulfil their AAR. Work for the Dole Phase Activity commencement and participation are performance measures in Providers' Star Ratings. For more information on the Star Ratings, see the [Performance Framework Guideline](#).

(Deed references: Clauses 107, 108, 109)

Entering the Work for the Dole Phase

All Participants who are commencing in the Work for the Dole Phase for the first time start the phase after they have been in jobactive for 12 months. Following this, Participants will need to take part in the Work for Dole Phase for a continuous six months each year they remain in jobactive.

Determining the hours of participation to meet the AAR

The number of hours of participation in approved Activities that a Participant requires to meet their AAR depends on their age, their assessed capacity to work and whether they are a Principal Carer Parent.

Participants with no AAR:

- Participants who have reached Age Pension age.
- Participants who are fully meeting their part-time Mutual Obligation Requirements through participation in appropriate Activities for 30 hours per fortnight
- Participants 55 years of age and over during the period they are meeting their full-time Mutual Obligation Requirements through participation in appropriate Activities for 30 hours per fortnight
- Participants with a Partial Capacity to Work or temporary reduced work capacity of 0 to 14 hours per week
- Participants with Community Service Orders of 20 or more hours per week
- Early School Leavers with full-time Mutual Obligation Requirements already undertaking 25 hours a week of approved Activities or full-time study.

Using the AAR Calculator

The AAR Calculator on the Department's IT Systems provides information on how many hours of participation Participants need to complete to meet their AAR. See the Help. For more information on how to access the AAR Calculator.

Note: Under the Targeted Compliance Framework, where Activities are recorded in the Calendar, which contribute to a Participant's AAR, the Department's IT Systems will calculate hours. There are exceptions, however, where hours will still need to be manually calculated, when hours need to be adjusted.

Participation hours for Participants with full-time Mutual Obligation Requirements

- Up to 49 years of age: generally must participate for 650 hours over 26 weeks (50 hours per fortnight)
- Aged 50 to 59 years of age: generally must participate for 390 hours over 26 weeks (30 hours per fortnight).

- Aged 60 years to the aged pension age: generally must participate for 130 hours over 26 weeks (10 hours per fortnight)

Participation hours for Participants with part-time Mutual Obligation Requirements

- Under 30 years of age: generally must participate for 390 hours over 26 weeks (30 hours per fortnight)
- 30 to 59 years of age: in most circumstances must participate for 200 hours over 26 weeks (15 to 16 hours per fortnight).
- Aged 60 years to the aged pension age: Nil requirements

Participation hours for any Participation undertaking Defence Reserves

- For Participation undertaking Defence Reserves: 240 hours over 26 weeks (18 - 20 hours per fortnight).

Participation in the Launch into Work program

For Participation in the Work for the Dole phase, participation in Launch into Work program pre-employment projects will fully meet Participants' AAR for the project's duration. If the Participant stops attending the project, or does not commence employment with the Launch into Work Organisation at the end of the project, they need to be referred to another AAR Activity in order to complete their AAR hours for the remaining weeks of their Work for the Dole phase.

Participation in Local Jobs Program Activities

Participation in a LJP Activity will meet the Participant's AAR for the duration of their participation in the LJP Activity. If the Participant stops attending the activity they need to be referred to another AAR activity in order to complete their AAR hours for the remaining weeks of their Work for the Dole phase.

See the [Local Jobs Program](#) Guideline for further information.

Participation hours in approved study/training

Full-time load

If the training Provider considers the Participant has a full-time study load then the Participant will meet their fortnightly hour's requirement in the fortnights they are studying, regardless of actual contact hours.

For example, a Participant who has an AAR of 50 hours per fortnight and undertakes 44 contact hours per fortnight of full-time study does not have to complete any additional hours in another Activity while they are undertaking a full-time study load.

Non-contact hours

Published non-contact study hours for Participants undertaking part-time study/training will also count towards a Participant's AAR, as long as they do not exceed the course's face-to-face hours. Where a course's non-contact study hours

are not published, up to a maximum of 10 non-contact study hours per fortnight can be counted towards part-time study. Any non-contact study can be reflected in the Job Plan by using the appropriate Job Plan code, with study recorded in the Participant's Calendar.

Online courses

For online courses, it is expected that the majority of course hours are non-contact. In these cases, study load (hours) and duration requirements as published by the training institution will count towards a Participant's AAR. If the total part-time study hours are not sufficient to meet a Participant's AAR, other Activities will also need to be undertaken.



System step: For study or training Activities, Providers must record the outcomes of the training course upon completion (for example, whether a certificate or statement of attainment was achieved).

Change of circumstances during the Work for the Dole Phase

If a Participant circumstances change during their Work for the Dole Phase, their AAR may also change. This may occur when a Participant becomes or ceases to be a Principal Carer Parent, where a Participant's capacity to work changes or when a Participant turns 30 years of age. In these instances, the Participant's participation must match their new requirement.

For example, if a Participant who is 49 years of age and has an overall requirement of 650 hours turns 50 years of age while in the Work for the Dole Phase, their requirement will reduce to 390 hours. If they have already completed 390 hours due to undertaking 25 hours per week over their first four months in the Work for the Dole Phase, they will have already met their AAR at this point in the Work for the Dole Phase.

Selecting Activities for a Participant to meet their AAR

After consultation with the Participant, Providers must determine and source the Activities that the Participant must undertake to meet their AAR in accordance with the Deed, this Guideline and Social Security Law.



System step: The Provider must record these in the Participant's Job Plan, including the relevant hours of participation the Participant needs to undertake each fortnight.

Providers placing Participants into Activities must prioritise Participants with Mutual Obligation Requirements over other Participants.



System step: When recording CTA Courses in the Job Plan, the minimum hours of participation required will automatically populate, along with the timeframe for participation.

Approved Activities to meet the AAR

- accredited language, literacy and numeracy courses, which can include:
 - the Skills for Education and Employment program, or

- the Adult Migrant English Program
- Career Transition Assistance (CTA)
- Defence Reserves
- Launch into Work program pre-employment projects
- Local Jobs Program activities study/training (part-time or full-time)
- National Work Experience Programme
- non-government programs approved for AAR purposes (see the [Activity Management Guideline](#)).
- other government programs, including NEIS Training, state government programs and 'Exploring Being My Own Boss' Workshops
- other non-vocational assistance and Interventions for Stream C Participants
- Paid work (including self-employment)
- PaTH Internships
- PaTH Employability Skills Training (EST)
- preventative health related Activities for jobactive Indigenous Participants and Stream C Participants
- rehabilitation for drug or alcohol dependency
- Study/training must be approved by Providers (see the [Approval of Study and Training](#) section of this guideline) and must be a Certificate I course or higher (but not a Masters or Doctorate course).
- Voluntary Work
- Work Experience (Other)
- Work for the Dole

Further information on Activities suitable to meet a Participant's AAR can be found in the [Activity Management Guideline](#), [Work for the Dole Guideline](#), and [Managing PaTH Internships Guideline](#).

(Deed references: Clauses 107, 108, 109)

Activities that do not count towards a Participant's AAR

There are certain Activities that will not count towards meeting a Participant's AAR. These include:

- non-accredited education and training unless it is non-vocational assistance for Stream C Participants
- study outside of the approved short course conditions (including Masters and Doctorate courses)

- Non-vocational assistance and interventions. For example, careers counselling and personal development courses. Please note: For Stream A and B Participants, satisfactory participation in the relevant number of hours in drug or alcohol addiction treatments (including rehabilitation) will meet their AAR.

(Deed references: Clauses 107, 108, 109)

Considerations when selecting Activities to meet AAR

Participants under 18 years of age

Participants under 18 years of age with Mutual Obligation Requirements are not eligible to participate in Work for the Dole.

Participants under 17 years of age are not eligible to participate in the National Work Experience Programme.

(Deed references: Clauses 107, 108, 109)

Participants 15-24 years of age

Employability Skills Training (EST) is available to eligible Participants between 15 to 24 years of age who are receiving Income Support Payments and have compulsory Mutual Obligation Requirements.

Young Participants between 17–24 years of age, with Mutual Obligation Requirements, can participate in a PaTH Internship as a voluntary activity.

A Participant will meet their fortnightly hour's requirement in the fortnights they are participating in PaTH Internships or EST, regardless of the hours of participation.

See the [Activity Management Guideline](#) and [Managing PaTH Internships Guideline](#).

Participants 18-49 years of age

For Participants 18 - 49 years of age with full-time Mutual Obligation Requirements, Work for the Dole is the principal Activity to meet their AAR unless they have:

- arranged to meet their AAR through another approved Activity that will start at the time they become subject to the AAR, or
- are already undertaking other approved Activities at the time they enter the Work for the Dole Phase.

(Deed references: Clauses 107, 108, 109)

Participants 50-59 years of age

Participants 50 to 59 of age with full-time Mutual Obligation Requirements may select which approved Activity they will undertake to meet their AAR. Once chosen, this Activity should generally be entered as a compulsory requirement in their Job Plan.

(Deed references: Clauses 107, 108, 109)

Principal Carer Parents and Participants with a Partial Capacity to Work

Principal Carer Parents and those with a Partial Capacity to Work of 15 to 29 hours per week of any age may select which approved Activity they will undertake to meet

their AAR. Once chosen, this Activity should generally be entered as a compulsory requirement in the Job Plan.

(Deed references: Clauses 107, 108, 109)

Participants with Community Service Orders

Participants with Community Service Orders of 20 hours or more a week do not have Mutual Obligation Requirements for the period of the Order.

If a Participant has a Community Service Order of less than 20 hours a week they still have Mutual Obligation Requirements, however, the Community Service Orders take precedence. If these Participants are in the Work for the Dole phase they will need to meet their AAR in addition to their Community Service Order.

(Deed references: Clauses 107, 108, 109)

Certain Participants undertaking non-vocational Activities/interventions

For Stream C Participants, satisfactory participation for the relevant number of hours in non-vocational assistance or interventions (including preventative health treatments and drug or alcohol addiction rehabilitation will meet their AAR i.e. the Participant will be deemed to be fully meeting their fortnightly AAR in the fortnights they are participating in that Activity, regardless of contact hours.

For Stream A and B Participants, satisfactory participation in the relevant number of hours in drug or alcohol addiction rehabilitation will meet their AAR i.e. the Participant will be deemed to be fully meeting their fortnightly AAR in the fortnights they are participating in that Activity, regardless of contact hours.

For jobactive participants who are Indigenous or in Stream C, participation in preventative health treatments and interventions can be counted towards their AAR.

Regardless of Stream, any Participants in residential drug or alcohol addiction rehabilitation are considered to be fully meeting their mutual obligation requirements while they are in residence.

Participants who undertake other types of drug and alcohol treatments or counselling should have these activities included in their Job Plan along with appointments, other appropriate activities and an appropriate number of Job Searches. If the Participant is unable to undertake other activities in addition to treatments or counselling, the treatments or counselling will fully meet their fortnightly AAR in the fortnights they are participating in that activity, regardless of contact hours.

Note: the relevant number of hours refers to the number of hours deemed suitable by the Provider, for the Participant, for that particular non-vocational assistance or intervention. While there is no fixed lower limit on the number of hours per fortnight of contact hours, a Participant must not be referred to reduced hours of participation for the sole purposes of meeting their AAR. The Participant's participation in these Activities must be sufficient enough to be treating their condition in order to meet the Participant's AAR.

Placing the Participant in Activities

Providers must commence Participants who have an AAR in an Activity immediately after entering the Work for the Dole Phase.

Participants may undertake a combination of Activities to meet an AAR where it is deemed suitable or necessary by the Provider.

The time taken to commence a Participant in an approved Activity at the start of the Work for the Dole Phase is a performance measure in Providers' Star Ratings. For more information on the Star Ratings, see the [Performance Framework Guideline](#).

For information on setting up and managing Activities, including important information on work health and safety, risk assessments and checks, refer to the [Activity Management Guideline](#) and [the Job Plan and Scheduling Mutual Obligation Requirements Guideline](#).

(Deed references: Clauses 107, 108, 109)

Setting the required hours in the Calendar



System step: For Participants undertaking Work for the Dole to meet their AAR, Providers must use the Calendar to schedule the Participant's required participation, start and finish times as notified to the Participant.



System step: For Participants undertaking other Approved Activities, Providers must use the Calendar to schedule the required hours for all Activities, except:

- for Education and Training where the course is delivered online, or that portion of the course delivered online.
- where it is a requirement that the Participant resides with the host organisation, either as part of a residential program or Drug and Alcohol Treatment or as part of Defence Reserves.
- for Employment and work experience activities where the hours are irregular and are organised directly between the Participant and the employer or host.
- Where the Department's IT Systems do not support scheduling of the activity. For more information see the [Job Seeker Calendar and Annual Activity Requirement IT Supporting Document](#).



System step: For Participants participating in CTA, scheduling this activity in the Calendar is required. Any hours marked as attended will automatically accrue towards Participant's AAR. Providers should manually record additional monthly AAR hours for Participants who are in the Work for the Dole Phase and who have an AAR so that the Participant fully meets their AAR for the period of participation in CTA .



System step: For Participants undertaking a Launch into Work program pre-employment project, scheduling these Activities in the Calendar is encouraged. Providers should manually record monthly AAR hours for Participants who are in the Work for the Dole Phase and who have an AAR.



System step: Providers are encouraged to use the Calendar to ensure conflicting appointments are not scheduled, by creating a personal event for the Participant

using the 'working casual / regular' event type (note: even though participation in a project is not employment this is the only available event type).

For further information regarding how to set a Participant's required hours in the Calendar, refer to the Calendar user Guide on the [Learning Centre Website](#).

(Deed reference: Clause 107)

Recording Participant participation against the AAR



System step: Participants will be responsible for recording their attendance at Activities. However, for those Participants found not capable of recording attendance, Providers must record attendance in approved Activities using the Calendar. All results must be recorded by close of business on the day of participation in the activity

- for study or training Activities, Providers must record the outcomes of the training course upon completion (for example, whether a certificate or statement of attainment was achieved).

For all Activity types, the Provider must negotiate with the Supervisor the most appropriate reporting and recording mechanism to ensure that the Provider can record in the system the number of hours a Participant has participated in for each day (for Work for the Dole Activities) or month (for all other approved Activities). This should reflect the Host Organisation's normal business practices. For short breaks, these may form part of the Participant's normal hours of participation, and count toward their AAR.

Alternatively, when setting up the Activities in the Calendar, it is recommended that the Provider request evidence based attendance recording, which will include a QR code and passcode to be generated by the Department's IT Systems. They must have the contact details of the Supervisor up to date so that the Supervisor can receive the QR code and passcode the day of the Activity. Participants will then be able to scan the QR code when they attend the Activity. If the Activity is longer than four hours, the Department's IT Systems will generate two codes: one for the start of the Activity and one for the end of the Activity.

For further information regarding how to record attendance in the Calendar, refer to the Department's [Job Seeker Calendar and Annual Activity Requirement Details IT Supporting Document](#) and the [IT System Online Help](#).

(Deed reference: Clause 107)

EST Providers will enter course details into the Calendar component of the Department's IT Systems. Providers will refer and place eligible Participants from their caseload into the courses; the Activity Diary is automatically updated with the course details.



System step: For CTA, satisfactory participation in the activity will meet the Participant's AAR. I.e. The Participant will be deemed to be fully meeting their fortnightly AAR in the fortnights they are participating in CTA, regardless of the contact hours. Any hours scheduled that are marked as attended will automatically accrue towards the Participant's AAR. jobactive Providers must manually record the

relevant additional monthly hours as per the Participant's AAR, using the Monthly Hours section of the AAR Details screen of the Department's IT Systems so that the Participant fully meets their AAR for the period of participation in CTA.

Recording participation via the Supervisor App

Supervisors can use the Supervisor App to record a Participant's attendance in Work for the Dole and other approved Activities. However, they should be encouraged to only do so for Participant who:

- have been assessed as not being capable of recording or reporting their own attendance

or

- have been assessed as being capable of recording or reporting their own attendance but who are unable to do for themselves on the day.

In most cases it is expected that the Supervisor will receive a QR code or passcode that has been generated by the Department's IT Systems, and Participant will be able to scan it with their mobile devices to record their own attendance. If the activity is longer than four hours, the Supervisor will receive two QR codes or passcodes: one for the morning when the Participants arrive, and one for the afternoon when the Participants leave for the day.

For further information on the Supervisor App, refer to the [Work for the Dole IT Supporting Document](#).



System step: EST Providers will continue to have access to the Supervisor App to record Participants' attendance at EST courses where appropriate.



Documentary evidence: Where Participants have used evidence to record their attendance directly into the Department's IT Systems, offline records are not required to be kept. The same applies where Activity attendance information has been entered by the Activity Host Organisation into the Supervisor App or directly into the Department's IT Systems, offline records are not required to be kept.

(Deed reference: Clause 107)

Recording of Work for the Dole participation in the Calendar



System step: Participants will be able to record their own attendance at Work for the Dole Activities. Where Participants are not capable of recording their own attendance, or are unable to due to certain circumstances, Providers must record results against all required participation in the Calendar for every day that the Participant was required to participate, as per notification issued to the Participant by the close of business each day.

(Deed reference: Clause 107)

Recording participation in paid work in the AAR Details screen



System step: For participation in paid work Activities, ESS Web will automatically place the Participant into a 'Part Time/Casual Paid Employment' Activity when the Participant declares hours of paid work to Services Australia. If the Participant is in

the Work for the Dole Phase, the system will automatically populate the AAR Details Screen with the hours declared to Services Australia.

Where necessary, Providers can override the hours received from Services Australia e.g. if they disagree with the Services Australia hours for a period and hold documentary evidence supporting the updated hours.

Recording other approved Activities either in the Activity Diary or AAR Details screen



System step: For all other Approved Activities, attendance results, to meet the AAR must be recorded through the Calendar (using the same process as for Work for the Dole activities).

For Participants doing on-line courses not required to be recorded in the Participants Calendar are encouraged to record the total hours completed for each month in the Work for the Dole Phase within 20 Business Days of each month of participation.

If a Participant is participating in an Activity that fully meets their AAR, the Calendar will only count those hours that are scheduled towards the Participant's AAR. The remaining hours should be credited by entering them in using the monthly hours section of the AAR Details screen.

Providers are to record the hours completed by the Participant in all Approved Activities during the Work for the Dole Phase by the deadline of 20 Business Days after a Participant exits the Work for the Dole Phase, or exits the Provider's caseload (for example, exiting from jobactive or transferring to another Provider).

If nothing is entered into the system by then, the Participant's required hours will be recorded as zero for that period.

If Providers are aware that duplicate hours have been created for AAR, Providers must reduce the number of hours within 20 Business Days. This may occur when a Participant is in paid work, a day of Activity is resulted as No Longer Required (NLR) as the Participant is working on that day and declares the hours worked. The Participant would be created the Activity hours and the hours declared. The Participant should have credited the higher of the two hours for the individual day.

(Deed reference: Clause 107)

Completing the AAR Recording requirements



System step: At the end of the Work for the Dole Phase, Providers must ensure the AAR Details screen correctly displays whether the Participant has met their AAR.



System step: Providers have up to 20 business days from when a Participant exits the Work for the Dole Phase or when they exit the Provider's caseload (e.g. exiting from jobactive or transferring to another Provider) to enter hours of participation the Participant undertook within the Phase that were not required to be entered daily in the Calendar.

The Provider is not required to take any further action if the total hours recorded is equal to or greater than the Participant's required AAR hours. In this case the AAR Details screen will display that the AAR has been met.

If the recorded hours are lower than the required AAR hours, but the Participant has nevertheless met their AAR (for example, the Participant's Mutual Obligation Requirements changed from part-time to full-time while they were in the Work for the Dole Phase), the Provider must within 20 Business Days of the end of the Work for the Dole Phase:

- select a reason in the system to indicate how the Participant has met their AAR
- record that the AAR has been met.

If the recorded hours are lower than the Participant's required AAR hours, no reason is selected and the AAR has not been recorded as met, the Participant will not have met their AAR.

For further information regarding how to record completion of the AAR, refer to the Department's [IT System Online Help](#).

(Deed reference: Clause 107)

Meeting the AAR early

Within the Work for the Dole Phase

Within the Work for the Dole Phase, Participants may be permitted to complete additional hours in an Activity every week or fortnight, either to allow them flexibility if their particular circumstances require it, or to assist a Host Organisation. These additional hours will count towards a Participant's AAR and, in effect, means that some Participants will satisfy their AAR early. However:

- any hours a Participant agrees to do in excess of 50 hours per fortnight in Work for the Dole must be created as a voluntary component of their Job Plan using the Job Plan code and recording Activities in the Calendar.
- Participants must not undertake more than 50 hours per fortnight in a National Work Experience Programme Placement or a Work Experience (Other) Placement.

Participants should not be allowed to choose to complete hours early of their own accord. Any additional hours in a week/fortnight can only occur when agreed upon between the Provider, the Host Organisation and the Participant, where there is an identified benefit to the Participant.

If the AAR is completed early, the Provider must ensure that the Participant's Job Plan continues to contain the other requirements that would enable the Participant to continue to meet their Mutual Obligation Requirements. This includes attending Provider Appointments, undertaking any other appropriate Activities, undertaking Job Searches and acting on referrals to jobs in the remaining part of the Work for the Dole Phase after the AAR for that year has already been met.

Early commencement of the Work for the Dole phase

The Work for the Dole Phase can be brought forward for all stream Participant after six months (but before 12 months) of jobactive services if the Provider considers the Participant is not benefiting from, or actively participating in services/interventions designed to improve their employment prospects.

AAR Record Keeping



Documentary Evidence: In addition to recording the relevant information in the Department's IT Systems, Providers must retain the following additional forms of evidence (either hard copy or soft copy):

- timesheets or other records of attendance, including information collected through the Supervisor App, where used
- a statement of attainment or similar (for accredited education)
- a signed training notice or signal notice (for Defence Force Reserves)
- an invoice for services or a letter of acceptance into a program (for non-vocational interventions including drug or alcohol rehabilitation programs and preventative health treatments and interventions)
- Activity Host Organisation Agreements for Work for the Dole, Voluntary Work, the National Work Experience Programme, Work Experience (Other) and PaTH Internships.
- CTA Agreement (for CTA Courses)
- risk assessment documentation which details that all Deed and relevant guideline requirements have been considered for both the Participant and the Activity (for Activities where risk assessments are required to be undertaken)



Documentary Evidence: For part-time/casual work or self-employment, the hours of paid work reported by the Participant to Services Australia to stimulate the Participant Income Support Payment is acceptable documentary evidence. This information is automatically populated into the 'Recording of Services Australia Part Time/Casual Paid Employment AAR Hours' section of the AAR Details screen and no further documentation is required if this information is accepted. See the [Job Seeker Calendar and Annual Activity Requirement Details IT Supporting Document](#) for more information about how paid employment is counted towards the AAR. Details of the hours of paid work completed by the Participant can also be accessed from the Case Summary Screen of the Department's IT Systems (Job Seeker Information – View Declared Earnings) or through the SUB316 – Declared Hours report through ES Reporting. If the Provider chooses to override the hours declared to Services Australia, the Provider must keep:

- For paid work: payslips or Employer payroll summaries,
- For self-employment:

- a Profit and Loss Statement, a signed and dated written statement from an accountant and/or registered bookkeeper, or copies of records from the Australian Taxation Office and/or a tax return statement.

Six Month Activity Requirement (SMAR)

From 1 October 2021, the Six Month Activity Requirement (SMAR) requires Participants that have completed more than six months in jobactive or Online Employment Services (OES) to undertake an approved Activity. The SMAR aims to engage Participants earlier and help them to build their skills, so that they are ready to fill jobs as they arise.

The SMAR will be met by undertaking an approved Activity and meeting the requirements for that Activity.

Providers will be responsible for sourcing appropriate Activities for Participants, monitoring participation, and ensuring appropriate recording of attendance and completion. Providers should consider the circumstances and goals of each Participant in selecting an approved activity.

The Department will actively monitor Provider performance at ensuring Participants are meeting their SMAR.

(Deed Reference: 99.2(e), 103, 104, 107)

Timing of the SMAR

A Participant will have a SMAR after completing more than six months of service in OES or jobactive (the SMAR commences when the Participant's period of service reaches 212 days). Time in either OES or jobactive will be combined to calculate this period in service.

Once a Participant has a SMAR, Providers will have four weeks to commence them in an approved Activity. If Participants have undertaken an approved Activity in the four weeks prior to their SMAR commencing, or are still participating in an approved Activity when their SMAR commences, this Activity may be used to satisfy their SMAR.

Relocation Assistance to Take Up a Job

Providers may want to raise Participants' awareness of regional job opportunities and the financial assistance available if they choose to relocate for ongoing work. If a Participant is interested, Providers should assess their suitability to relocate and assist them with the costs of moving to take up new work in another location. For further information see the [Managing Relocation Assistance to Take Up a Job Guideline](#).

Determining SMAR requirements

A Participant's Mutual Obligation Requirements depend on their age, their assessed capacity to work, the local labour market and whether they are a Principal Carer Parent. This will impact how a Participant engages with an approved Activity to meet their SMAR.

Participants not required to undertake a SMAR

- Participants who have reached Age Pension age.
- Participants who are fully meeting their part-time Mutual Obligation Requirements through participation in appropriate Activities for 30 hours per fortnight
- Participants 55 years of age and over and who are meeting their full-time Mutual Obligation Requirements during the period through participation in appropriate Activities for 30 hours per fortnight
- Participants with a Partial Capacity to Work or temporary reduced work capacity of 0 to 14 hours per week
- Participants with Community Service Orders of 20 or more hours per week
- Early School Leavers with full-time Mutual Obligation Requirements already undertaking 25 hours a week of approved Activities or full-time study.

Participants with part-time Mutual Obligation Requirements

Providers should assist Participants with part-time Mutual Obligation Requirements to engage in an approved Activity that can accommodate their part-time requirement, except in instances where they are fully meeting their Mutual Obligation Requirements as described above.

The Participant should undertake the hours and weeks appropriate to complete, or gain benefit from, the selected Activity. The part-time participation hours are set for some approved Activities (for example EST or SEE), where that is not the case Providers may wish to use the SMAR default Activity of Work for the Dole as a guide to participation expectations. For more information see the Work for the Dole Guideline.

(Deed Reference: 107.1(b)(ii))

Change of circumstances while undertaking a SMAR

If a Participant's circumstances change during their SMAR, providers should, where appropriate, assist the Participant to complete their approved Activity in line with their new circumstances and requirements.

Selecting an Activity for a Participant to meet their SMAR

After consultation with the Participant, Providers must determine and source an Activity that the Participant must undertake to meet their SMAR in accordance with the Deed, this Guideline and Social Security Law.

The SMAR is an Activity based requirement. In most instances the expectation is that Participants should undertake hours and weeks appropriate to complete, or gain benefit from, the selected Activity. Work for the Dole, CTA, EST, Exploring Being My Own Boss Workshops, paid work and training or study have hour or completion requirements to meet the SMAR, which are outlined below. For all other Activities Providers may wish to use the SMAR default Activity of Work for the Dole as a guide to participation expectations; that is a placement of 25 hours a week for eight weeks for Participants with full-time Mutual Obligation Requirements.

(Deed References: 107, 103, 104)

Approved Activities to meet the SMAR

- Adult Migrant English Program (AMEP)
- Career Transition Assistance (CTA)
- Defence Force Reserves
- Exploring Being My Own Boss Workshops
- Launch into Work
- Local Jobs Program
- National Work Experience Programme (NWEPP)
- New Business Assistance with NEIS (New Enterprise Incentive Scheme)
- Non-Government Programs
- Non-vocational assistance and intervention – will meet SMAR for Stream C Participants only. The exceptions are treatment for drug or alcohol dependency which will meet the SMAR for all Participants and preventative health treatments and interventions for Indigenous Participants.
- Other Government Programs
- Paid work- see below section on [Paid Work](#) for conditions required to meet the SMAR.
- PaTH Business Placement Partnership
- PaTH Employability Skills Training (EST)
- PaTH Internships
- Skills for Education and Employment (SEE)
- Training and Study – see below section on [Training and Study](#) for conditions required to meet the SMAR.
- Voluntary Work
- Work Experience (Other) – will meet SMAR for Stream C Participants only.
- Work for the Dole – see below section on [Work for the Dole](#) for requirements.

Participants must complete a Career Transition Assistance course, an Exploring Being My Own Boss Workshop or at least one block of PaTH Employability Skills Training for these Activities to meet the SMAR.

Further information on the eligibility and participation requirements of SMAR approved Activities see the [Activity Management Guideline](#).

(Deed References: 107, 108, 109)

Work for the Dole

Participants may choose to participate in Work for the Dole for eight weeks, and up to 25 hours per week, to meet the SMAR. However, eligible Participants who have not chosen an alternate approved activity within four weeks of reaching the SMAR should be referred to Work for the Dole as the default activity.

For more information about how Participants will meet the SMAR through Work for the Dole, see the [Work for Dole Guideline](#).

For more information about the SMAR default activity see the [Participant does not select an Activity or does not participate in selected Activity](#) section of this Guideline.

(Deed References: 107, 108)

Paid work

To meet the SMAR a Participant must be undertaking 40 hours per fortnight of paid work. Providers should ensure that Paid work is recorded in the Participant's Job Plan.

Training or study

Participants can use study or training to meet their SMAR, if the course is full time, as defined by the institution, or at least 40 hours per fortnight in an approved course. Study must be approved by Providers (see the [Study and Training](#) section of this Guideline) and must be a Certificate I course or higher (but not a Masters or Doctorate course).

PaTH Employability Skills Training (EST)

As detailed above a Participant must complete one block of EST to meet their SMAR.

Note: While completing one course of EST will fulfill the SMAR, an EST Mandatory Participant retains their mandatory status until they have completed both EST Courses.

An EST Eligible Participant has a mandatory requirement to participate in EST once they have received employment services for six months. For more info regarding this requirement see the [Youth Jobs PaTH Employability Skills Training \(EST\)](#) section of this Guideline.

jobactive providers may want to consider using EST for young people to meet their SMAR. For more information, see the [Timing of the SMAR](#) section of this Guideline.

If a Provider exempts an EST Mandatory Participant from EST participation, they are **not** exempt from meeting the SMAR, and must meet the SMAR through another approved Activity.

For more information about Exempting EST Mandatory Participants see the [Activity Management Guideline](#).

Activities that do not count toward the SMAR

There are certain Activities that will not meet a Participant's SMAR. These include:

- non-accredited education and training unless it is non-vocational assistance for Stream C Participants
- study outside of the approved short course conditions (including Masters and Doctorate courses)
- Non-vocational assistance and interventions, unless the Participant is Stream C. For example, careers counselling and personal development courses. The exceptions are satisfactory participation in treatment for drug or alcohol dependency which will meet the SMAR for all Participants, and preventative health treatments and interventions for Indigenous Participants.

Considerations when selecting Activities to meet the SMAR

- The Provider should consider the circumstances and goals of each Participant when selecting an approved Activity.
- Activity eligibility should be considered before referring a Participant. For example, Participants under 18 years of age are not eligible to participate in Work for the Dole. Eligibility for approved Activities is outlined in the [Activity Management Guideline](#).
- Young Participants between 15 to 24 years of age will be able to meet their SMAR by completing one EST Course. For more information see the [Youth Jobs PaTH Employability Skills Training \(EST\)](#) section of this Guideline.
- Participants who want to improve Language, Literacy and Numeracy skills should consider SEE or AMEP.
- Participants with Community Service Orders of 20 hours or more a week do not have Mutual Obligation Requirements for the period of the Order. If a Participant has a Community Service Order of less than 20 hours a week, they still have Mutual Obligation Requirements and must complete their SMAR. However, the Community Service Orders take precedence.

Participant does not select an Activity or does not participate in selected Activity

A Participant has four weeks from the start of their SMAR to commence in an approved Activity. If the Participant does not select an Activity to meet the SMAR they will, if eligible, be required to participate in Work for the Dole. If a Participant does not actively participate in an Activity they are undertaking to meet the SMAR, the Provider should refer the Participant to Work for the Dole.

For eligible full time activity tested Participants, participation in Work for the Dole will be for 25 hours per week, for eight weeks. For further information about participation in Work for the Dole to meet the SMAR see the Work for the Dole Guideline.

Failure to participate in a compulsory Work for the Dole Activity may result in compliance action in line with the Targeted Compliance Framework. See the [Targeted Compliance Framework: Mutual Obligation Failures Guideline](#).

Participants referred from Online Employment Services (OES) with a SMAR

Reasons OES Participants will be referred to Providers

The SMAR applies to Participants in the OES. Once OES Participants have a SMAR they will have four weeks to meet the SMAR through declaring work or study, or by opting to participate in an approved Activity. If Participants do not meet the SMAR, they will be referred to, and commenced with, a Provider to assist them to undertake an approved Activity.

OES Participants may opt to be referred to a Provider to meet their SMAR through an Activity that is not available to OES Participants, such as those requiring risk assessments.

Identification of OES Participants referred to a Provider with a SMAR

When an OES Participant with a SMAR is referred to a Provider this will be indicated via a Noticeboard message in the Department's IT Systems.

Timely commencement and placement

An OES Participant with a SMAR who is referred to a Provider should be commenced in a timely manner, and commenced in a SMAR approved Activity within four weeks.

Override

In acknowledgement that there may be circumstances in which a Participant has attempted to meet the SMAR but has genuinely been unable to do so, a SMAR "override" function will be available to Providers. Note that this should not be used where a Participant has not actively sought to meet this activation requirement. The use of the override will be actively monitored to ensure it is used appropriately and in line with guidance, and may be considered when assessing performance. For further information see the [SMAR IT and Override Guidance Document](#).

Where the override is used Participants will not be prevented from undertaking Activities in the future.

Placing the Participant in an Activity

Providers must arrange SMAR approved Activities in accordance with each Activity's requirements under the Deed and Guidelines.

For information on setting up and managing Activities, including important information on work health and safety, risk assessments and checks, refer to the [Activity Management Guideline](#) and the [Job Plan and Scheduling Mutual Obligation Requirements Guideline](#).

(Deed references: Clauses 107, 108, 109)

Recording the Activity in the Job Plan, participation and completion



System step: Activities Participants undertake must be included in their Job Plan as either a compulsory or voluntary Activity. Providers must record the Activities in the Participant's Job Plan, set up the Activities appropriately, and schedule Activities in the Calendar. For further information see the Job Plan and Scheduling Mutual Obligation Requirements Guideline.



System step: Participants will be responsible for recording their attendance at Activities. However, for those Participants found not capable of recording attendance, Providers must record attendance in approved Activities using the Calendar. All results must be recorded by close of business on the day of participation in the activity. For further information see the Recording and Monitoring Attendance at Activities section of the Activity Management Guideline.



System step: Once an Activity has ended Providers must complete the Activity in the Department's IT Systems. For CTA, this step will be performed by CTA providers. For further information see the Completing Activities section of the Activity Management Guideline.

These are existing requirements and important for the purposes of SMAR reporting and performance measurement.

Record Keeping



Documentary Evidence: Providers should ensure they adhere with Documentary Evidence requirements for each Activity, these are outlined in the Record Keeping section of the Activity Management Guideline and relevant program and Activity guidelines.

(Deed References: 107.12, 87.6)

Privacy and information sharing

Providers must comply with Social Security Law and Australian privacy legislation. A Participant's Personal Information must only be used or disclosed for the purpose it was collected, except in limited circumstances such as where the Participant gives permission or where Commonwealth laws allow or other special circumstances.

Providers should seek independent legal advice if they have any concerns regarding their obligations under any privacy or other legislation. For further information, refer to the [Privacy Guideline](#).

(Deed references: Clauses 53, 87, 106)

Sharing Job Plans with SEE or AMEP Providers

Participants participating in the Skills for Education and Employment (SEE) program or Adult Migrant English Program (AMEP) should be encouraged to share their Job Plans with their SEE or AMEP Providers in order to make them aware of their full Mutual Obligation Requirements. This will assist SEE and AMEP Providers in ensuring that they place Participants in courses with study to meet the SMAR or fully meet their AAR in the Work for the Dole Phase.

Summary of Required Documentary Evidence

Notification to Participants of their Mutual Obligation Requirements

- The Provider will notify Participants of their Mutual Obligation Requirements in accordance with the reasonable notice timeframes for the relevant method of notification.

- The Provider will create a notification record in the Department's IT Systems, identifying the method of notification used (i.e. SMS, email or letter).
- If the Provider is in direct contact with the Participant, the Provider must record as the notification method that the appointment was booked directly with the Participant.
- If an Activity or Appointment is rescheduled by the Provider, formal notification must be issued to the Participant of their new requirements.

Note: If the Provider chooses to record the Participant's Activity details in the Activity Diary, this will help them to issue notification of the specific details of participation in an Activity to the Participant.

(Deed reference: Clause 106)

AAR and other Approved Activities



Documentary Evidence: In addition to recording the relevant information in the Department's IT Systems, Providers must retain the following additional forms of evidence (either hard copy or soft copy):

- timesheets or other records of attendance, including information collected through the Supervisor App, where used
- a statement of attainment or similar (for accredited education)
- a signed training notice or signal notice (for Defence Force Reserves)
- an invoice for services or a letter of acceptance into a program (for non-vocational interventions)
- Activity Host Organisation Agreements for Work for the Dole, Voluntary Work, the National Work Experience Programme and Work Experience (Other) Placements
- CTA Agreement (for CTA Courses)
- risk assessment documentation which details that all Deed and relevant guideline requirements have been considered for both the Participant and the Activity (for Activities where risk assessments are required to be undertaken)
- payslips or Employer payroll summaries (for paid work)
 - For both self-employment and part-time/casual paid work, income reported by the Participant to Services Australia to stimulate a Participant's Income Support Payment is acceptable documentary evidence. This information is available from the Case Summary Screen of the Department's IT Systems (Job Seeker Information – View Declared Earnings). The information provided indicates both the earnings and the hours worked
 - Additionally, documentary evidence for self-employment can include:
 - a Profit and Loss Statement

- a signed and dated written statement from an accountant and/or registered bookkeeper
- copies of records from the Australian Taxation Office and/or a tax return statement
- a Business Activity Statement.

If Activity attendance information has been entered by the Activity Host Organisation into the Mobile Supervisor's App or directly into the Department's IT Systems, or the Participant has used evidenced based recording of attendance, offline records are not required to be kept.

A Participant's attendance at their internship will be recorded to ensure the hours completed by the Participant end of each month are counted against the Participant's AAR. (Deed reference: Section B4)

All capitalised terms in this Guideline have the same meaning as in the jobactive Deed 2015–2022 (the Deed).

This Guideline is not a stand-alone document and does not contain the entirety of Employment Services Providers' obligations. It must be read in conjunction with the Deed and any relevant Guidelines or reference material issued by Department of Education, Skills and Employment under or in connection with the Deed.

Attachments

Attachment A – Mutual Obligation Requirement summary tables

Mutual Obligation Requirements—Participants under 50 years of age (Full time requirements)			
<u>Period of Service</u>	Stream A & Stream B Participants	Stream C	Early School Leavers
	<u>Case Management</u>	<u>Case Management</u>	<u>Case Management</u>
<u>0–6 months</u>	Appointments Job Search—up to 20 per month Other suitable Activities as appropriate	Appointments Job Search—up to 10 per month Other suitable Activities as appropriate	Appointments Full time education or training A combination of paid work and part time study Other suitable Activities as appropriate and job search - up to 20 per month EST Eligible Participants must be considered for EST Courses at six months
<u>6–12 months</u>	Appointments Job Search—up to 20 per month Other suitable Activities as appropriate SMAR (approved activity required after completing six months in OES or jobactive)	Appointments Job Search—up to 10 per month Other suitable Activities as appropriate SMAR (approved activity required after completing six months in OES or jobactive)	Appointments Full time education or training A combination of paid work and part time study Other suitable Activities as appropriate and job search – up to 20 per month SMAR (if not engaged in other education and training or paid work activities for 25 hours per week)
<u>12 – 18 months</u>	<u>Work for the Dole Phase</u>	<u>Work for the Dole Phase</u>	<u>Work for the Dole Phase</u>
<u>24–30 months; etc</u>	Appointments Job Search— up to 20 per month AAR—650 hours over 26 weeks (50 hours/fortnight), Work for the Dole as the principal Activity (that is the default Activity where another Activity is not undertaken for the 18-49 year old cohort) AAR for PCP/PCW up to 30 years of age—390 over 26 weeks (30 hrs/fortnight), choice of activities AAR for PCP/PCW 30 to 50 years of age—200 over 26 weeks (16 - 16 hrs/fortnight), choice of activities	Appointments Job Search— up to 10 per month Other suitable Activities as appropriate for the relevant number of hours depending on capacity AAR—650 hours over 26 weeks (50 hours/fortnight), Work for the Dole as the principal Activity (that is the default Activity where another Activity is not undertaken for the 18-49 year old cohort) AAR for PCP/PCW up to 30 years of age—390 over 26 weeks (30 hrs/fortnight), choice of activities AAR for PCP/PCW 30 to 50 years of age—200 over 26 weeks (16 - 16 hrs/fortnight), choice of activities	Appointments Other suitable Activities as appropriate and job search – up to 20 per month AAR—650 hours over 26 weeks (50 hrs/fortnight), EST as the principal Activity (that is the default Activity where another Activity is not undertaken for the 17-24 year old cohort)

Mutual Obligation Requirements—Participants 50 - 59 years of age (Full time requirements)		
<u>Period of Service</u>	Stream A & Stream B Participants	Stream C
	<u>Case Management</u>	<u>Case Management</u>
<u>0–6 months</u>	Appointments Job Search—up to 20 per month Other suitable Activities as appropriate	Appointments Job Search—up to 10 per month Other suitable Activities as appropriate
<u>6–12 months</u>	Appointments Job Search—up to 20 per month Other suitable Activities as appropriate SMAR (approved activity required after completing six months in OES or jobactive)	Appointments Job Search—up to 10 per month Other suitable Activities as appropriate SMAR (approved activity required after completing six months in OES or jobactive)
<u>12 – 18 months</u>	<u>Work for the Dole Phase</u>	<u>Work for the Dole Phase</u>
<u>24–30 months; etc</u>	Appointments Job Search— up to 20 per month AAR—390 hours over 26 weeks (30 hours/fortnight), choice of activities AAR for PCP/PCW—200 over 26 weeks (16 - 16 hrs/fortnight), choice of activities	Appointments Job Search— up to 10 per month Other suitable Activities as appropriate for the relevant number of hours depending on capacity AAR—390 hours over 26 weeks (30 hours/fortnight), choice of activities AAR for PCP/PCW—200 over 26 weeks (16 - 16 hrs/fortnight), choice of activities

Mutual Obligation Requirements—Participants 60 years of age and over (Full time requirements)		
<u>Period of Service</u>	Stream A & Stream B Participants	Stream C
	<u>Case Management</u>	<u>Case Management</u>
<u>0–6 months</u>	Appointments Job Search—up to 10 per month Other suitable Activities as appropriate	Appointments Job Search—up to 10 per month Other suitable Activities as appropriate
<u>6–12 months</u>	Appointments Job Search—up to 10 per month Other suitable Activities as appropriate SMAR (approved activity required after completing six months in OES or jobactive)	Appointments Job Search—up to 10 per month Other suitable Activities as appropriate SMAR (approved activity required after completing six months in OES or jobactive)
<u>12 – 18 months</u>	<u>Work for the Dole Phase</u>	<u>Work for the Dole Phase</u>
24–30 months; etc	Appointments Job Search— up to 10 per month AAR—130 hours over 26 weeks (10 hours/fortnight), choice of activities No AAR for PCW/PCP	Appointments Job Search— up to 10 per month Other suitable Activities as appropriate for the relevant number of hours depending on capacity AAR—130 hours over 26 weeks (10 hours/fortnight), choice of activities No AAR for PCW/PCP

Notes:

- NEIS Prospective Participants who have been assessed as NEIS Eligible will meet their AAR for the period they are participating in NEIS Training.
- Participants in NEIS who have not transferred to NEIS Allowance when they commence NEIS Assistance will fully meet their Mutual Obligation Requirements.
- Volunteer Participants do not have a mandatory number of Job Searches.
- Outside the AAR, Providers can require Participants to participate in other Activities (in addition to Job Search and Provider Appointments).
- Participants can meet their AAR through full participation in the Defence Reserves (240 hours over 26 weeks or 18–20 hours per fortnight).

Attachment B – Early School Leaver Facsimile Cover Sheet

Fax to: Services Australia Business Hotline

1300 786 102



Verification of Year 12 or equivalent qualification

(Office use only: CBHESL)

Attached to this Verification Facsimile Cover Sheet is evidence of a completed Year 12 or equivalent qualification (i.e. Certificate III or higher) for:

Participant's
name

CRN

Declaration by Provider

I have sighted:

(tick as to which applies)

- ☐ the original qualification
- ☐ a certified true copy of the qualification
- ☐ a letter from the relevant school or educational institution formally verifying attainment of the qualification
- ☐ a Statutory Declaration detailing the name of the course, date completed, institution and institution contact details.

Signed:

Name (Please print):

Organisation:

Office telephone & fax numbers:

Number of pages (including cover
sheet):

Guideline:

Work Refusal Failures and Unemployment Failures

Under the Targeted Compliance Framework (TCF), there are consequences for Participants if they commit a Work Refusal Failure or an Unemployment Failure. A Participant commits a Work Refusal Failure when they refuse or fail to accept an offer of suitable Employment. A Participant commits an Unemployment Failure when they become unemployed either:

- as a direct or indirect result of a voluntary act (unless Services Australia is satisfied that the voluntary act was reasonable); or
- as a result of their misconduct as an employee.

Broadly speaking, if a Participant commits:

- a Work Refusal Failure, their Income Support Payment may be suspended and will be cancelled if they do not have a Reasonable Excuse; or
- an Unemployment Failure, their Income Support Payment will be cancelled.

If a Participant's Income Support Payment is cancelled, then it cannot be paid for four weeks.

These penalties reinforce the principles that:

- Income Support Payments for Participants should only be available to those who are genuine in their efforts to move into paid work; and
- where Participants gain Employment, they must take all reasonable steps to remain in the workforce, and reduce their reliance and need for an Income Support Payment.

This Guideline does not apply to ParentsNext Providers.

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Changes from the previous version (Version 3.1)

Policy changes:

- Remove penalties for job seekers who refuse or voluntarily leave work of more than 15 hours per week, if they are the principal carer of at least one child or have a partial capacity to work.

Wording changes:

The following minor update has been made to this Guideline:

- In the section, 'Identifying a Work Refusal Failure', an additional factor that would make the work unsuitable is if the Participant is a principal carer parent, or the Participant has a partial capacity to work, and the work hours are greater than 15 hours per week.

A full document history is available on the [Provider Portal](#).

Related documents and references



Jobactive

[Job Plan and Scheduling Mutual Obligation Requirements Guideline](#)
[Capability Assessment Guideline](#)

[Capability Interview Guideline](#)
[Targeted Compliance Framework: Mutual Obligation Failures Guideline](#)

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1. Interpretation

Unless otherwise specified:

- in this Guideline, all references to a 'Participant' are references to a 'Fully Eligible Participant (Mutual Obligation)' as defined in the jobactive Deed 2015-2022 (the Deed);
- capitalised terms in this Guideline have the meaning given to them in the jobactive Deed; and
- Deed clauses are references to the jobactive Deed.

2. Work Refusal Failures and Unemployment Failures

A Participant commits a Work Refusal Failure when they refuse or fail to accept an offer of suitable Employment.

A Participant commits an Unemployment Failure when they become unemployed either:

- as a direct or indirect result of a voluntary act (unless Services Australia is satisfied that the voluntary act was reasonable); or
- as a result of their misconduct as an employee.

3. Work Refusal Failures

Identifying a Work Refusal Failure

Providers have obligations under the Deed when they become aware (e.g. an employer notifies the Provider or the Provider receives an Employer Report Referral from the Employer Reporting Line) that a Participant has apparently committed a Work Refusal Failure (i.e. the Participant has refused or failed to accept an offer of Employment). Providers' main obligations in this case are set out in the Deed.

When the Provider discusses the circumstances of an apparent Work Refusal Failure with the Participant, the Provider must consider the issues outlined below.

The Provider must first consider whether the Participant has refused or failed to accept an offer of Employment. If the Participant has not received an offer of Employment (e.g. they attended an interview but were not offered the position), the Provider must not determine that the Participant committed a Work Refusal Failure.

If the Participant has refused or failed to accept an offer of Employment, the Provider must then consider whether the Employment that was offered was suitable for the Participant. Providers must have regard to the following factors (as relevant) when assessing whether the Employment was suitable for the Participant, as any one of these factors would make the work unsuitable:

- the Participant lacks the particular skills, experience or qualifications that are needed to perform the work and no training will be provided by the Employer;
- there is medical evidence that the Participant has an illness, disability or injury that would be aggravated by the conditions in which the work would be performed;

- the Participant is the principal carer for one or more children, and does not have access to appropriate care and supervision for the children at the times when the Participant would be required to undertake the work (which includes reasonable amounts of time that would be needed for the Participant to travel between home and the work);
- the Participant is a principal carer parent, or the Participant has a partial capacity to work, and the work hours are greater than 15 hours per week.
- performing the work in the conditions in which the work would be performed would constitute a risk to health or safety and would contravene a law of the Commonwealth, a State or a Territory relating to occupational health and safety;
- the terms and conditions for the work would be less generous than the applicable statutory conditions;
- commuting between the Participant's home and the place of work would be unreasonably difficult (that is, it would require the Participant to spend more than 90 minutes each way in commuting time (60 minutes for principal carers or those with a partial capacity to work, see below), using the mode of transport normally available to the Participant);
- the work requires the Participant to change residence;
- the Participant has a verifiable and legitimate objection to the work on moral, cultural or religious grounds (for example, there is evidence that the Participant adheres to a particular set of moral, ethical or religious values and aspects of the work would be inconsistent with those values);
- the work would require the Participant to enlist in the Defence Force or the Reserves; or
- the Participant has a partial capacity to work, or is the principal carer of at least one child, and one or more of the following applies:
 - the duration of the journey between the Participant's home and the place of work would normally exceed 60 minutes;
 - the Participant would be financially worse off as a result of undertaking the work, by comparison with not undertaking the work, considering:
 - the financial cost to the Participant in providing appropriate care and supervision for one or more children, for whom the Participant is the principal carer, at the times when the Participant would be required to undertake the work;
 - the financial cost of travel that would be incurred by the Participant in undertaking the work;
 - the reduction in income support, additional tax paid, or impact on public housing; or
 - the financial benefit for the Participant of undertaking the work would be marginal because of the financial cost to the Participant in providing appropriate care and supervision for one or more children, for whom the Participant is the principal carer, at the times when the Participant would be required to undertake the work.

For more information on Providers' Deed obligations regarding Work Refusal Failures, see the [Reporting a Work Refusal Failure](#) section in this document.

(Deed references: jobactive Deed 2015–2022 clauses 115.2(a), 115.5(a))

Reporting a Work Refusal Failure

Providers must comply with their Deed obligations relating to Work Refusal Failures, regardless of which compliance zone the relevant Participant is in. In accordance with the Deed, following a discussion with the Participant, the Provider must consider whether the Participant has committed a Work Refusal Failure. See above under the heading 'Identifying a Work Refusal Failure'.

Below is a discussion of the system steps that the Provider must follow after they decide whether the Participant has committed a Work Refusal Failure.

Providers have Deed obligations to create Work Refusal Failure reports in certain circumstances. The system steps that the Provider must follow to create Work Refusal Failure reports in those circumstances are discussed below.

The Work Refusal Failure report must be created and finalised (as discussed below) within 10 Business Days of the incident date. If this does not occur (e.g. where the Provider does not become aware of a Work Refusal Failure until after 10 Business Days have passed since the incident date), the Department's IT Systems will not allow the Work Refusal Failure report to be finalised, meaning the Work Refusal Failure will not be reported to Services Australia.

The incident date is the date that the Participant:

- refused an offer of suitable Employment. For example, if a Participant was offered a job at an interview and refused that offer:
 - on the day of the interview, the incident date is the date of the interview; or
 - three days after the interview, the incident date is the date that is three days after the interview; or
- failed to accept an offer of suitable Employment. For example:
 - if the Participant was given 14 days to accept the offer, and did not do so, the incident date is the 14th day (unless the Participant actively refuses the job on an earlier day); or
 - if, when the offer was made, the Participant agreed a start date with the potential Employer, but did not commence work on that date, the incident date is the date the Participant was due to start.

(Deed references: jobactive Deed 2015–2022 clauses 115.2, 115.3(b), 115.4(a)(i), 115.5)

Contact attempt is successful on the same Business Day

Provider considers that the Participant committed a Work Refusal Failure

This section of the Guideline applies when, after discussing the circumstances of an apparent Work Refusal Failure with the Participant, the Provider:

- considers the Participant committed a Work Refusal Failure (see the discussion under the heading 'Identifying a Work Refusal Failure' above); and
- has an obligation to create a Work Refusal Failure report under the Deed (i.e. because they had the discussion with the Participant on the Business Day they became aware of the apparent Work Refusal Failure).

In that case, the Provider must create and finalise the Work Refusal Failure report by undertaking the following steps in the Department's IT System:

- selecting 'create compliance';
- selecting the Event Type from the drop down menu that will appear as follows:
 - select 'job seeker failed to accept suitable job' where the Provider considers that the Participant refused or failed to accept an offer of suitable Employment, other than by failing to commence work on the start date agreed with the potential Employer; or
 - select 'job seeker failed to commence suitable job' where the Provider considers that the Participant failed to commence work on the start date agreed with the potential Employer;
- recording the incident date (discussed above);
- answering 'yes' to the question of whether they are in contact with the Participant;
- selecting a reason from the 'Reasons not accepted' column of the drop down menu that will appear. The Provider must select the reason that most closely aligns with the reason the Participant gave as to why they refused or failed to accept the offer of suitable Employment. A full list of these drop-down menu options can be found at Attachment A;
- otherwise accurately answer the questions that will be automatically generated; and
- selecting 'create', which will finalise the Work Refusal Failure report and send it to Services Australia. Services Australia will assess whether the Participant had a Reasonable Excuse for the Work Refusal Failure, which will determine whether the Participant's Income Support Payment is cancelled.

By creating and finalising the Work Refusal Failure report as described above, the Provider is confirming that they consider that the Participant has committed a Work Refusal Failure.

(Deed references: jobactive Deed 2015–2022 clause 115.3(b))

Provider considers that the Participant has not committed a Work Refusal Failure

This section of the Guideline applies when the Provider:

- is in contact with the Participant on the Business Day on which the Provider became aware of an apparent Work Refusal Failure; and
- after discussing the circumstances of the apparent Work Refusal Failure with the Participant, considers the Participant has not committed a Work Refusal Failure (see the discussion under the heading 'Identifying a Work Refusal Failure' above), no further action required.

Provider considers that the Participant has been non-compliant but the TCF cannot be applied

This section of the Guideline applies when the Provider:

- is in contact with the Participant on the Business Day on which the Provider became aware of an apparent Work Refusal Failure; and

- after discussing the circumstances of the apparent Work Refusal Failure with the Participant, the Provider considers that the TCF cannot be applied (e.g. more than 10 Business Days have past), but the Participant has been non-compliant. Refer to the TCF workflow at Attachment D of the [Targeted Compliance Framework: Mutual Obligation Failures](#) Guideline.

Contact attempt is not successful on the same Business Day

Providers have obligations under the Deed when they become aware that a Participant has apparently committed a Work Refusal Failure, but are unable to contact the Participant on the same day. On that day, the Provider must create the Work Refusal Failure report by undertaking the following steps in the Department's IT System:

- selecting 'create compliance';
- selecting the Event Type from the drop down menu that will appear as follows:
 - select 'job seeker failed to accept a suitable job' where the Provider considers that the Participant refused or failed to accept an offer of suitable Employment, other than by failing to commence work on the start date agreed with the potential Employer; or
 - select 'job seeker failed to commence suitable job' where the Provider considers that the Participant failed to commence work on the start date agreed with the potential Employer;
- recording the incident date (discussed above);
- answering 'no' to the question of whether they are in contact with the Participant;
- otherwise accurately answering the questions that will be automatically generated; and
- selecting 'create'. This will create a draft Work Refusal Failure report.

If the Participant is in the Penalty Zone, the Participant's Income Support Payment will be suspended when the Provider creates a Work Refusal Report in the Department's IT System. The Participant will then receive a notification advising them to contact their Provider.

If the Participant is in the Green Zone or Warning Zone, they will receive notification advising that they appear to have committed a Mutual Obligation Failure, that they must contact their Provider as soon as possible, and that their payment may be suspended after two Business Days if they take no further action.

If the Participant does not make contact with their Provider within two Business Days, the Department's IT Systems will automatically suspend the Participant's Income Support Payment and the Participant will receive notification that their Income Support Payment has been suspended and to contact their Provider.

The Participant's Reconnection Requirement is to make contact with their Provider to discuss the Work Refusal Failure. If the Participant's Income Support Payment has been suspended, the suspension will be lifted once they make contact with their Provider, and their Provider finalises the Work Refusal Failure report (as discussed immediately below).

Where the TCF cannot be applied, but the Provider has determined that the Participant has been non-compliant, refer to the TCF workflow at Attachment D of the Targeted Compliance Framework: Mutual Obligation Failures Guideline.

(Deed references: jobactive Deed 2015–2022 clause 115.4)

When there is contact with the Participant

Where there is contact with the Participant after the Business Day on which the Provider became aware of the apparent Work Refusal Failure, the Provider has a Deed obligation to update the draft Work Refusal Failure report referred to above. System Step: The Provider must update and finalise the Work Refusal Failure report by undertaking the following steps in the Department's IT System:

- selecting the pencil icon in the draft Work Refusal Failure report. By doing so, the Provider is confirming that they are in contact with the Participant; and
- either:
 - if the Provider considers the Participant committed a Work Refusal Failure (see the discussion under the heading 'Identifying a Work Refusal Failure' above):
 - selecting 'No' in response to the question of whether they accepted the reason given by the Participant. By doing so, the Provider is confirming that they have determined that the Participant has committed a Work Refusal Failure;
 - selecting a reason from the 'Reasons not accepted' column of the drop down menu that will appear. The Provider must select the reason that most closely aligns with the reason that the Participant gave as to why they refused or failed to accept the offer of suitable Employment. A full list of these drop-down menu options can be found at Attachment A; and
 - selecting 'submit', which will send the Work Refusal Failure report to Services Australia. Services Australia will assess whether the Participant had a Reasonable Excuse for the Work Refusal Failure, which will determine whether the Participant's Income Support Payment is cancelled; or
 - if the Provider considers the Participant did not commit a Work Refusal Failure (see the discussion under the heading 'Identifying a Work Refusal Failure' above):
 - selecting 'Yes' in response to the question of whether they accepted the reason given by the Participant. By doing so, the Provider is confirming that they have determined that the Participant has not committed a Work Refusal Failure;
 - selecting a reason from the 'Reasons accepted' column of the drop down menu that will appear. The Provider must select the reason that most closely aligns with the reason that the Participant gave as to why they did not refuse or fail to accept an offer of suitable Employment. A full list of these drop-down menu options can be found at Attachment A; and
 - selecting 'submit', which will close the report (i.e. the report will not be sent to Services Australia for investigation).

If the Participant's Income Support Payment has been suspended, this suspension is lifted when the Provider selects 'submit'.

If the Participant does not contact their Provider within 28 calendar days of their payment suspension date, their Income Support Payment will automatically be cancelled.

Where the TCF cannot be applied, but the Provider has determined that the Participant has been non-compliant, refer to the TCF workflow at Attachment D of the [Targeted Compliance Framework: Mutual Obligation Failures](#) Guideline.

(Deed references: jobactive Deed 2015–2022 clause 115.5(c))



Documentary Evidence: Evidence that the Provider must link or upload to the Work Refusal Failure report in the Department's IT Systems may include notification of Employment offer, details of the job/Employer and dates or evidence from a Transition to Work Provider (for a Transition to Work participant).

4. Unemployment Failures

Identifying an apparent Unemployment Failure

Providers have Deed obligations when they become aware (e.g. an employer notifies the Provider and/or the Provider receives an Employer Report Referral from the Employer Reporting Line) that a Participant has become unemployed apparently as:

- a direct or indirect result of a voluntary act of the Participant; or
- a result of the Participant's misconduct as an employee.

Where a Participant becomes unemployed as described above, this is referred to as an 'apparent Unemployment Failure' in this Guideline. Providers' main obligations in regarding apparent Unemployment Failures are set out in the Deed.

When the Provider discusses the circumstances of an apparent Unemployment Failure with the Participant (as referred to in the Deed), in addition to whether or not the work was unsuitable (as discussed under the heading 'Identifying a Work Refusal Failure'), the Provider must also consider the issues referred to below.

One of the issues that the Provider must consider is whether the Participant became unemployed as a direct or indirect result of an act of the Participant that was voluntary. For example, a Participant will become unemployed as a direct result of their voluntary act if the Participant voluntarily resigns. Note that this will not be an Unemployment Failure if Services Australia considers that the Participant's voluntary act was reasonable (for example, if the Participant resigned due to bullying or unsafe work practices, or if, for any of the reasons listed under the heading 'Identifying a Work Refusal Failure', the work was unsuitable). When the Provider creates an Unemployment Failure report (as discussed below under the heading 'Reporting an apparent Unemployment Failure'), the report will be sent through the Department's IT Systems to Services Australia. Services Australia will then determine whether the Participant's voluntary act was reasonable (i.e. Services Australia will determine whether the Participant has committed an Unemployment Failure).

In addition to the above, the Provider must also consider the issue of whether the Participant became unemployed as a result of the Participant's misconduct as an employee. Providers must have regard to the following factors (if relevant) when assessing whether the Participant became unemployed as a result of the Participant's misconduct as an employee:

- a **deliberate** failure by the Participant to produce/deliver a reasonable amount of work;
- the Participant's unauthorised absences from duty without good reason;
- the Participant's improper behaviour or practices, such as theft, assault or harassment of other employees;
- deliberate actions by the Participant that cause serious risk to the health or safety of other employees; or
- deliberate actions that threaten the reputation, viability or profitability of the Employer.

For more information on Providers' Deed obligations regarding apparent Unemployment Failures, see the [Reporting an apparent Unemployment Failure](#) section in this document.

(Deed references: jobactive Deed 2015–2022 clauses 116.2(a), 116.4(a))

Reporting an apparent Unemployment Failure

Providers must comply with their Deed obligations relating to apparent Unemployment Failures, regardless of which compliance zone the relevant Participant is in.

In accordance with the Deed, following a discussion with the Participant, the Provider must consider whether the Participant has committed an apparent Unemployment Failure. See above under the heading 'Identifying an apparent Unemployment Failure'.

Below is a discussion of the system steps that the Provider must follow after they decide whether the Participant has committed an apparent Unemployment Failure.

Providers have obligations under the Deed to create Unemployment Failure reports in certain circumstances. The system steps that the Provider must follow to create Unemployment Failure reports in those circumstances are discussed below.

The Unemployment Failure report must be created and finalised (as discussed below) within 20 Business Days of the incident date (discussed immediately below). If this does not occur (e.g. where the Provider does not become aware of an Unemployment Failure until after 20 Business Days have passed since the incident date), the Department's IT Systems will not allow the Unemployment Failure report to be finalised, meaning the apparent Unemployment Failure will not be reported to Services Australia.

The incident date is the first full day a Participant is unemployed (e.g. if a Participant was dismissed due to misconduct, the incident date is the day after the day on which they became unemployed).

(Deed references: jobactive Deed 2015–2022 clauses 116.2, 116.3(a)(ii), 116.4)

Contact attempt is successful on the same Business Day

Provider considers that the Participant committed an apparent Unemployment Failure

This section of the Guideline applies when, after discussing the circumstances of the apparent Unemployment Failure with the Participant, the Provider:

- considers the Participant committed an apparent Unemployment Failure (see the discussion under the heading 'Identifying an apparent Unemployment Failure' above); and
- has an obligation to create an Unemployment report under the Deed (i.e. because they had the discussion with the Participant on the Business Day they became aware of the apparent Unemployment Failure).



System Step: In that case, the Provider must create and finalise the Unemployment Failure report by undertaking the following steps in the Department's IT System:

- selecting 'create compliance';
- selecting the Event Type from the drop down menu that will appear as follows:
 - select 'job seeker dismissed for misconduct' where the Provider considers that the Participant became unemployed apparently as a result of the Participant's misconduct as an employee; or
 - select 'job seeker voluntarily leaves a job' where the Provider considers that the Participant became unemployed apparently as a direct or indirect result of a voluntary act of the Participant;
- recording the incident date (discussed above);
- answering 'yes' to the question of whether they are in contact with the Participant;
- selecting a reason from the 'Reasons not accepted' column of the drop down menu that will appear. The Provider must select the reason that most closely aligns with the reason that the Participant gave as to:
 - why the Participant did the voluntary act (e.g. resigned) that lead to their unemployment; or
 - why the Participant engaged in misconduct (or believed they did not engage in misconduct);
- A full list of these drop-down menu options can be found at Attachment B;
- otherwise accurately answer the questions that will be automatically generated; and
- selecting 'create', which will send the Unemployment Failure report to Services Australia for investigation.

(Deed references: jobactive Deed 2015–2022 clause 116.3(a)(ii))

Provider considers that the Participant has not committed an apparent Unemployment Failure

This section of the Guideline applies when the Provider:

- is in contact with the Participant on the Business Day on which the Provider became aware of an apparent Unemployment Failure; and

- after discussing the circumstances of the apparent Unemployment Failure with the Participant, considers the Participant has not committed the apparent Unemployment Failure (see the discussion under the heading 'Identifying an apparent Unemployment Failure' above).

In this case, the Provider does not need to take any TCF action.

Provider considers that the Participant has been non-compliant but the TCF cannot be applied

This section of the Guideline applies when the Provider:

- is in contact with the Participant on the Business Day on which the Provider became aware of an apparent Unemployment Failure; and
- after discussing the circumstances of the apparent Unemployment Failure with the Participant, considers that the TCF cannot be applied (e.g. more than 20 Business Days have past), but the Participant has been non-compliant. Refer to the TCF workflow at Attachment D of the [Targeted Compliance Framework: Mutual Obligation Failures](#) Guideline.

Contact attempt is not successful on the same Business Day

Providers have Deed obligations where they become aware that a Participant has committed an apparent Unemployment Failure, but were unable to contact the Participant on the same Business Day. On that day, the Provider must create the Unemployment Failure report by undertaking the following steps in the Department's IT Systems:

- selecting 'create compliance';
- selecting the Event Type from the drop down menu that will appear as follows:
 - select 'job seeker dismissed for misconduct' where the Provider considers that the Participant became unemployed apparently as a result of the Participant's misconduct as an employee; or
 - select 'job seeker voluntarily leaves a job' where the Provider considers that the Participant became unemployed apparently as a direct or indirect result of a voluntary act of the Participant;
- recording the incident date (discussed above);
- answering 'no' to the question of whether they are in contact with the Participant;
- otherwise accurately answering the questions that will be automatically generated; and
- selecting 'create', which will create a draft Unemployment Failure report that the Provider must update when they are next in contact with the Participant.

Unlike the creation of a Work Refusal Failure report, the creation of an Unemployment Failure report does not trigger payment suspension under any circumstances. Therefore, to prompt the Participant to make contact in order to discuss the apparent Unemployment Failure, the Provider must create a Provider Appointment for the Participant to attend within 10 Business Days.

If the Participant attends the Provider Appointment, the Provider must discuss the Unemployment Failure with them at that Provider Appointment.

If the Participant is in the Penalty Zone and they do not attend the Provider Appointment, their Income Support Payment will be suspended for failing to attend and they will receive notification that they should contact their Provider.

If the Participant is in the Green Zone or Warning Zone and they do not attend the Provider Appointment to discuss the apparent Unemployment Failure, the Participant will receive notification that their payment will be suspended after two Business Days if they do not make contact with their Provider. If the Participant does not make contact with their Provider within two Business Days, their payment is suspended and they will receive notification of the suspension.

Where the TCF cannot be applied, but the Provider has determined that the Participant has been non-compliant, refer to the TCF workflow at Attachment D of the [Targeted Compliance Framework: Mutual Obligation Failures](#) Guideline.

Payment suspensions act as a trigger to encourage the Participant to contact their Provider.

Once the Participant makes contact, the Provider can then discuss the apparent Unemployment Failure with them in the same conversation.

If the Participant does not contact their Provider within 28 calendar days of the day on which their Income Support Payment is suspended, their Income Support Payment will automatically be cancelled.

(Deed references: jobactive Deed 2015–2022 clause 116.3)

When there is contact with the Participant

Where there is contact with the Participant after the day the Provider became aware of the apparent Unemployment Failure, the Provider has a Deed obligation to update the draft Unemployment Failure report referred to above. The Provider must update and finalise the Unemployment Failure report by undertaking the following steps in the Department's IT System:

- selecting the pencil icon in the draft Unemployment Failure report. By doing so, the Provider is confirming that they are in contact with the Participant; and
- either:
 - if the Provider considers the Participant committed an apparent Unemployment Failure (see the discussion under the heading 'Identifying an apparent Unemployment Failure' above):
 - selecting 'No' in response to the question of whether they accepted the reason given by the Participant. By doing so, the Provider is confirming that they have determined that the Participant has committed an apparent Unemployment Failure;
 - selecting a reason from the 'Reasons not accepted' column of the drop down menu that will appear. The Provider must select the reason that most closely aligns with the reason that the Participant gave as to:
 - why the Participant did the voluntary act (e.g. resigned) that lead to their unemployment; or

- why the Participant engaged in misconduct (or believed they did not engage in misconduct); and
selecting 'submit', which will send the Unemployment Failure report to Services Australia for investigation; or
- if the Provider considers the Participant **did not commit** an apparent Unemployment Failure (see the discussion under the heading 'Identifying an apparent Unemployment Failure' above):
 - selecting 'Yes' in response to the question of whether they accepted the reason given by the Participant. By doing so, the Provider is confirming that they have determined that the Participant has not committed an apparent Unemployment Failure;
 - selecting a reason from the 'Reasons accepted' column of the drop down menu that will appear. The Provider must select the reason that most closely aligns with the reason that the Participant gave as to why the Participant became unemployed. A full list of these drop-down menu options can be found at Attachment B; and
 - selecting 'submit', which will close the report (i.e. the report will not be sent to Services Australia for investigation).

A full list of these drop-down menu options can be found at [Attachment B](#).

Where the TCF cannot be applied, but the Provider has determined that the Participant has been non-compliant, refer to the TCF workflow at Attachment D of the [Targeted Compliance Framework: Mutual Obligation Failures](#) Guideline.

(Deed references: jobactive Deed 2015–2022 clause 116.4(b))



Documentary Evidence: Evidence that the Provider must link or upload to the Unemployment Failure report in the Department's IT Systems may include notification of unemployment, or evidence from a Transition to Work Provider (for a Transition to Work Participant), details of the job/Employer and/or details of the incident, including dates, the parties involved and what occurred.

5. Identifying Work Refusal Failures and apparent Unemployment Failures for Transition to Work participants

If a Transition to Work Provider assesses that a Transition to Work participant has committed a Work Refusal Failure or an apparent Unemployment Failure, they will refer the participant to a jobactive Provider. The Transition to Work Provider will:

- explain the impact of the failure to the participant;
- exit the participant from Transition to Work and refer the participant to a jobactive Provider; and
- provide electronic evidence to the jobactive Provider that supports the assessment of a failure.

The jobactive Provider must then comply with their Deed obligations in relation to that Participant, including those relating to Work Refusal Failures and apparent Unemployment Failures.

Summary of required Documentary Evidence



Documentary Evidence: Depending on the failure that has occurred, in addition to the evidence recorded in the Department's IT Systems, Documentary Evidence could include:

- notification of an employment offer;
- the format of the notification (i.e. SMS, email or letter);
- details of the job/Employer and/or details of the incident, including dates, the parties involved and what occurred; and
- evidence from a Transition to Work Provider (for Transition to Work Participants).

Attachment A—Work Refusal Failure reason options

The following tables replicate the drop-down menus in the system.

Job seeker* failed to accept suitable job

Reasons accepted	Reasons not accepted
<ul style="list-style-type: none"> • Caring/family duties that are significant • Conditions or pay not suitable • Conditions/skills beyond job seeker* capacity • Cultural—workplace unsuitable for cultural/religious reasons • Housing instability issues • Legal requirements • Medical—employment will exacerbate medical condition • PCP—unable to arrange suitable childcare • Travel/transport issue—distance too great/expensive • PCP—job seeker* not better off financially 	<ul style="list-style-type: none"> • Caring/family requirements • Caring—childcare not organised as required • Caring—claims childcare too expensive • Conditions—claims too many or too few hours • Conditions—claims job does not match skills • Conditions—claims not in preferred employment industry • Conditions—does not want to undertake certain part of job • Conditions—pay not enough (within allowable policy) • Does not want job • Housing instability • Travel/transport issue—claims distance too great/expensive

* In this case, 'job seeker' refers to a 'Fully Eligible Participant (Mutual Obligation)' as defined in the jobactive Deed 2015–2022

Job seeker* failed to commence suitable job

Reasons accepted	Reasons not accepted
<ul style="list-style-type: none"> • Caring/family duties that were unforeseeable—unable to advise prior • Caring—unable to obtain suitable childcare/too expensive • Conditions or pay not suitable • Conditions/skills for job beyond job seeker⁺ capacity • Cultural business—unable to advise prior • Cultural—workplace unsuitable for cultural/religious reasons • Housing instability issues • Housing—landlord/property inspection—unable to advise prior • Legal requirements—unable to advise prior • Local issue/natural disaster prevented attendance • Medical/health reason—unable to advise prior • Major personal crisis affected job seeker⁺—unable to advise prior • Travel/transport issue—distance too great/expensive • Travel/transport issue—did not have money to pay for • Travel/transport issue on the day—unable to advise prior 	<ul style="list-style-type: none"> • Away from home/on holiday • Caring/family requirements • Caring—childcare not organised as required • Caring—claims childcare too expensive • Conditions—claims too many or too few hours • Conditions—claims job does not match skills • Conditions—claims not in preferred employment industry • Conditions—does not want to undertake certain part of job • Conditions—pay not enough (within allowable policy) • Does not want job • Got start date/time wrong/got lost • Housing instability • Housing—landlord/property inspection • Medical/health reason • Travel/transport issue—claims distance too great/expensive • Travel/transport—did not have money to pay • Travel/transport issue—did not have access <p>Prior notice not given and reasonable to expect:</p> <ul style="list-style-type: none"> • Caring/family reasons • Housing—landlord/property inspection • Legal requirement • Medical/health reason • Travel/transport—did not have money to pay • Travel/transport issue—did not have access

* In this case, 'job seeker' refers to a 'Fully Eligible Participant (Mutual Obligation)' as defined in the jobactive Deed 2015–2022

Attachment B—Unemployment Failure reason options

The following tables replicate the drop-down menus in the system.

Job seeker* voluntarily leaves a job

Reasons accepted	Reasons not accepted
<ul style="list-style-type: none"> • Caring/family duties that are significant • Conditions—pay disputes • Conditions/skills for job beyond job seeker[‡] capacity • Conditions—workplace conflicts • Conditions—work environment unsafe/no longer accessible • Cultural—workplace unsuitable for cultural/religious reasons • Housing instability issues • Legal requirements • Major personal crisis affected job seeker[‡] • Medical—employment exacerbates medical condition • PCP—childcare no longer suitable • PCP—no longer financially suitable • Travel/transport issue—distance too great/expense 	<ul style="list-style-type: none"> • Caring—claims childcare too expensive • Caring/family requirements • Conditions—claims too many or too few hours • Conditions—claims not in preferred employment industry • Conditions—claims job does not match skills • Conditions—does not like the workplace/employees • Conditions—does not want to undertake certain part of job • Conditions—does not like the type of work • Conditions—pay not enough (within allowable policy) • Conditions—workplace conflicts • Does not want job • Housing instability • Medical/health reason • Travel/transport issue—claims distance too great/expense

* In this case, 'job seeker' refers to a 'Fully Eligible Participant (Mutual Obligation)' as defined in the jobactive Deed 2015–2022

Job seeker* dismissed for misconduct

Reasons accepted	Reasons not accepted
<ul style="list-style-type: none"> • Caring/family duties impacted work hours • Claims of misconduct by employer are false • Disability/condition presenting itself as misconduct • Did not have appropriate attire to wear at requirement • Major personal crisis affected job seeker⁵ • Medical issue/condition contributed to behaviour • Significant breakdown in employer relationship 	<ul style="list-style-type: none"> • Believes rules are too strict/not applicable to them • Claims accidentally miscalculated hours worked—excessive • Claims of misconduct are false • Conflict started by other people • Couldn't control behaviour/self • Did not think they were dressed inappropriately • Did not believe they were impacted by substances • Denied nature of misconduct • Falsified disability/condition presenting itself as misconduct

* In this case, 'job seeker' refers to a 'Fully Eligible Participant (Mutual Obligation)' as defined in the jobactive Deed 2015–2022

All capitalised terms in this Guideline have the same meaning as in the jobactive Deed 2015–2022 (the Deed).

This Guideline is not a stand-alone document and does not contain the entirety of Employment Services Providers' obligations. It must be read in conjunction with the Deed and any relevant Guidelines or reference material issued by Department of Education, Skills and Employment under or in connection with the Deed.



21 September 2022

Direction on Face-to-Face Service Delivery

This Direction takes effect from **21 September 2022** and cancels and replaces the *Direction on Face-to-face Service Delivery* issued on 8 November 2021.

In determining the appropriateness of face-to-face Service delivery, the Department directs Providers to ensure that the following conditions are met:

1. **Face-to-face servicing is safe.** Providers must ensure that any face-to-face delivery is carried out in a safe manner; is appropriate for the relevant Participant, the Provider's staff and others from a work health and safety perspective; and is permitted by, and consistent with, State and Territory public health orders. In this regard, the Provider:
 - (a) must consult guidance and information published by Safe Work Australia and the relevant work health and safety regulator;
 - (b) must have a COVID-Safe plan, in accordance with the requirements specified by the relevant State and Territory government, in place for each of the Sites where face-to-face delivery will be provided;
 - (c) must ensure that face-to-face Services are delivered in accordance with the Provider's relevant COVID-Safe plan and the above guidance;
 - (d) must ensure that each relevant Activity Host Organisation or Host Organisation has a COVID-Safe plan (or similar), in accordance with the requirements specified by the relevant State and Territory government, in place for each Activity which involves face-to-face participation prior to the Provider placing a Participant into that Activity; and
 - (e) may implement COVID vaccine-related restrictions relating to face-to-face servicing if the Provider considers it reasonable and necessary in their business circumstances, but must ensure that:
 - i. local health advice is followed and the circumstances of individual Participants, including any exemptions, are considered; and
 - ii. non face-to-face servicing remains available for all Participants who are unable to satisfy any vaccine-related restrictions or who decline to disclose information about their vaccination status.
2. **Face-to-face servicing is beneficial to the individual Participant.** In making this determination, Providers must consider and weigh the following:
 - (a) the benefits to a Participant in receiving Services in person, including, but not limited to, whether a direct and personalised connection with the Provider:
 - i. is a key element of the service design, as is the case for Workforce Australia Services which requires delivery of high quality, tailored and intensive case management;
 - ii. will improve the Participant's prospects for a successful (re)entry into the labour market and ability to find employment;
 - iii. will help the Participant meet any mutual obligation requirements; or
 - iv. will provide the Participant with mental health benefits; and

(b) the level of risk to the Participant and other individuals, such as considering the Participant's vaccination status and local COVID-19 factors,

and must record any determination(s) that face-to-face servicing is not beneficial to the individual Participant on an ongoing basis, and as required if circumstances change.

3. **It is reasonable in the circumstances to offer the Participant services in a face-to-face format.** Circumstances where it is not reasonable to provide a Participant with Services face-to-face include where they:

- (a) genuinely consider that participation in face-to-face servicing would affect, or may potentially affect, their safety or that of an immediate family or household member,
- (b) are unvaccinated, or decline to disclose their vaccination status, in a jurisdiction where health orders require vaccination for face-to-face servicing, or
- (c) are unable to meet the minimum COVID-safe requirements set by the relevant State or Territory Government.

Where a Provider is not satisfied that all the above conditions are met, the Provider must arrange or use alternative suitable and safe means to deliver the relevant Services, , including phone, video and/or online. For the avoidance of doubt, this is applicable to all Services (including Activities, other courses, or training) that were arranged on or before the date of this Direction.

Mutual Obligation Requirements

Consistent with policy and Guidelines, where a Participant has mutual obligation requirements, Providers must tailor these requirements to Participants' individual circumstances, including consideration of their health, family, and caring responsibilities.

If a Participant is unable to meet a mutual obligation requirement, Providers must assess if they have a valid reason. A valid reason may include where, due to COVID-19 related risks, they consider participation would unreasonably affect their safety, or the safety of an immediate family member or member of their household, or where they are unvaccinated, and vaccination is a requirement to participate. Decisions should continue to be made on a case-by-case basis.

Providers are also expected to determine the suitability of work for Participants, which should be done on a case-by-case basis and should consider COVID-19 factors, including declared vaccination status of a Participant. Work is considered to be unsuitable if the job would impact their health or that of an immediate family member or member of their household, or where they are unvaccinated, and vaccination is a requirement of the position.

Application of the Targeted Compliance Framework during temporary suspension of mutual obligation requirements

When job seekers and participants go into lockdown due to COVID-19, the Australian Government makes changes to mutual obligation requirements so that job seekers and participants can comply with state government's orders.

This means that job seekers and participants in affected areas will not be subject to compliance action or payment suspensions. This applies to both job seekers and participants with a residential address in the affected area or managed by a provider site located in the affected area.

To view current areas affected go to: <https://jobsearch.gov.au/mor>.

If you are in contact with your job seekers or participants, please advise them they should continue to check when their requirements are due or scheduled to occur after the suspension of mutual obligation requirements ends. This includes Job Search or Point Requirements. If job search or points are due during the temporary suspension period, their dashboard will update to show it is no longer required.

However, if their job search or points are due after the temporary suspension period ends, they will still need to meet the requirement shown on their dashboard.

Remember, it is expected that all mutual obligations are tailored to job seeker's and participant's personal circumstances and the local labour market. Providers should take into consideration whether job seekers or participants who are unable to return home or to their place of residence, or who are in mandatory isolation following the end of the temporary suspension of mutual obligation requirements, should have their requirements amended or set to no longer required.

Special circumstances exemptions will continue to be available from Services Australia for job seekers and participants who require them, including for people directly impacted by COVID-19.

If you have questions or concerns about the suspension of mutual obligation requirements and the application of the Targeted Compliance Framework, please speak to your Account or Contract Manager.