Australian Government

Norfolk Island Employment Support Program

Norfolk Island Employment Support Program Guidelines

Part B: Servicing Participants

October 2026



Disclaimer

This Guideline is not a stand-alone document and does not contain the entirety of your obligations. It must be read in conjunction with the Contract, including any relevant Guidelines and reference material issued by the Department of Employment and Workplace Relations under or in connection with the Contract.
This Guideline is not legal advice and the Commonwealth accepts no liability for any action purportedly taken in reliance upon it and assumes no responsibility for the delivery of the Norfolk Island Employment Support Program (the program). This Guideline does not reduce the obligation of your organisation to comply with their relevant legal obligations and, to the extent that this Guideline is inconsistent with obligations under the Privacy Act, Social Security Law, the WHS Laws or any other legislation or laws relevant to the respective jurisdictions in which your organisation operates, the relevant legislation or laws will prevail.

Version History

Version 1.3 **Published on:** 2 October 2026 **Effective from: 26 October** 2026

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

- Category 1 participants – eligibility and records
- Category 1 participants – Assessments
- Category 1 participants – Commencement and Suspensions
- Category 1 participants – Targeted Compliance Framework and Mutual Obligation Failures
- Category 2 participants

A full version history of this Guideline can be found on the Archived Guidelines Page on the Provider Portal.



Contents

Norfolk Island Employment Support Program Guidelines **1**
Contents **3**
Guideline Interpretation **12**
Reading Notes 12
Chapters that apply to servicing category 1 participants 12
Chapters that apply to servicing category 2 participants 12
Chapters that apply to both category 1 and 2 participants 12
Case management support 13
Key elements of case management support 13
Code of Conduct 13
Service Guarantee 13
Chapter 1. Services to participants **14**
1.1. Participant's status in the IT System 14
1.2. Period of service 14
1.2.1 Transfers due to change of address 15
1.3. Period of registration 15
Chapter 2. Category 1 participants - eligibility and referrals **16**
2.1. Category 1 participants 16
2.2. Referrals to the program 16
2.2.1 When you get a referral 17
2.2.2 If a participant has a sensitive record (restricted access) 17
2.2.3 Rapid Connect 18
Chapter 3. Category 1 participants - Assessments **19**
3.1. Job Seeker Assessment Framework 19
3.1.1 The Job Seeker Snapshot and the Job Seeker Classification Instrument 19
3.1.2 Conducting the Job Seeker Snapshot 20
3.1.3 Updating a participant's Job Seeker Snapshot 21
3.2. Employment Services Assessments (ESAt) 22
3.2.1 Medical Evidence for ESAts 22
3.2.2 Referring a participant for an ESAt 23

3.2.3 Withdrawing an ESAt request if it is not required 24
3.2.4 After you receive an ESAt report 24
3.2.5 Requesting a review of an ESAt report outcome 25
3.2.6 Releasing the ESAt report to the participant 25
3.2.7 Workplace Modification Services Assessment 25
3.2.8 Supported Wage System Assessment 26
Chapter 4. Category 1 participants - Commencement and Suspensions 27
4.1. Commencing category 1 participants in the program 27
4.1.1 Period of service 27
4.1.2 Period of registration 28
4.1.3 Before Commencing a category 1 participant 28
4.1.4 If a category 1 participant is in a residential treatment program 29
4.1.5 If a category 1 participant is a newly arrived refugee 29
4.1.6 Additional considerations for NDIS Participants 30
4.2. Scheduling and managing appointments 30
4.2.1 Contact with category 1 participants 31
4.2.2 What to consider when scheduling Appointments 31
4.2.3 Rescheduling appointments 31
4.2.4 Notifying category 1 participants 31
4.2.5 Monitoring attendance 32
4.3. Initial Interview for category 1 participants 32
4.3.1 If a category 1 participant does not attend their Initial Interview 33
4.3.2 Conducting an Initial Interview 34
4.4. Initial engagement period 38
4.5. What is a Job Plan? 38
4.6. Developing a Job Plan 38
4.6.1 Explaining the Job Plan to the participant 39
4.6.2 Considerations under Social Security Law 39
4.6.3 Your obligations under Social Security Law 40
4.6.4 Using the Capability Management Tool 41
4.6.5 Creating a Job Plan 41
4.7. Reviewing and agreeing to the Job Plan 45

4.7.1 Think time to review a Job Plan 45
4.7.2 Agreeing to the Job Plan online 45
4.7.3 Agreeing to the Job Plan in person or over the phone 45
4.8. Updating a Job Plan 46
4.9. Mutual Obligation Requirements 46
4.9.1 The Points Reporting Period 47
4.9.2 Participants exempt from Mutual Obligation Requirements 48
4.9.3 Participants who are Fully Meeting their Mutual Obligation Requirements 50
4.9.4 Participants who are meeting their Points Requirement 54
4.9.5 Meeting the Points Requirement 56
4.9.6 Reporting tasks and activities to earn points 59
4.9.7 Assessing the quality of a participant's job search efforts 60
4.9.8 Setting Job Referral tasks 63
4.9.9 Tailoring Mutual Obligation Requirements 64
4.10. Compulsory Participation Requirements for Disability Support Pension recipients 74
4.11. Activation 75
4.11.1 Activation point 75
4.11.2 Meeting the activation requirement 75
4.11.3 Activities to meet the requirement 75
Chapter 5. Category 1 participants - Targeted Compliance Framework and Mutual Obligation Failures 77
5.1. Pause of elements of the Targeted Compliance Framework 78
5.2. Targeted Compliance Framework 78
5.2.1 Your Obligations 79
5.2.2 The 3 zones of the Targeted Compliance Framework 79
5.2.3 Recording participation by close of business 81
5.2.4 Committing Mutual Obligation Failures 81
5.2.5 Contacting participants for missed requirements 86
5.2.6 Assessing Valid Reasons 88
5.2.7 Participants cannot appeal Demerit decisions under Social Security Law 94
5.2.8 Reconnection requirements 95

5.2.9 Reconnection requirements for attendance-based failures during resolution time 95
5.2.10 Setting a Reconnection Requirement 96
5.2.11 Record Keeping 100
5.3. Capability Interviews 100
5.3.1 The purpose of a Capability Interview 100
5.3.2 When a Capability Interview is triggered 101
5.3.3 Scheduling a Capability Interview 102
5.3.4 Circumstances where a Capability Interview does not need to be delivered face-to-face 103
5.3.5 Circumstances where a Capability Interview does not need to be delivered within 2 Business Days 104
5.3.6 Preparing to conduct a Capability Interview 106
5.3.7 Pre-interview Questions 106
5.3.8 Conducting the Capability Interview 107
5.3.9 Actioning the outcomes of the Capability Interview 110
5.4. Capability Assessment 113
5.4.1 When a Capability Assessment is triggered 114
5.4.2 Delivery of the Capability Assessment and recording outcomes 115
5.4.3 Actioning the outcomes of a Capability Assessment 115
5.5. Work Refusal Failures 116
5.5.1 Identifying a Work Refusal Failure 117
5.5.2 Timeframe to report a Work Refusal Failure 119
5.5.3 You are Satisfied a Work Refusal Failure Occurred 119
5.5.4 You are not Satisfied a Work Refusal Failure Occurred 123
5.6. Unemployment Failures 124
5.7. Pause of Mutual Obligation Requirements 124
Chapter 6. Category 1 participants - Suspensions and Exits 126
6.1. Category 1 participants can only be suspended when: 126
6.1.1 Suspended participants who volunteer to receive services 126
6.2. Exits 126
6.2.1 Effective Exit 127
6.2.2 Provider Exit 127

6.2.3 Department Exit 127
6.2.4 Participants resuming their Period of Service after Exit 128
Chapter 7. Category 2 participants 129
7.1. Voluntary participation 129
7.1.1 Checking a person's eligibility 129
7.1.2 Confirming a non-Australian citizen's legal right to work in Australia 130
7.2. Commencing category 2 participants in the program 130
7.3. Direct Registration of category 2 participants 130
7.3.1 Directly registering category 2 participants 130
7.4. Initial Interview for category 2 participants 131
7.4.1 Conducting the Initial Interview 132
7.5. Appointments and engagement with category 2 participants 133
7.6. Exiting category 2 participants 133
Chapter 8. Participant Support Plan and Voluntary Job Plan 134
8.1. Support Plan 134
8.2. Developing a Support Plan 134
8.2.1 Goals Description 134
8.2.2 Skills, Strengths, Barriers, and Challenges 135
8.2.3 Action Plan 135
8.2.4 Provider Assistance 135
8.2.5 Declaration 135
8.3. Monitoring and updating the Support Plan 135
8.4. Storage of Support Plans 135
8.5. Voluntary Job Plan for mobility allowance 136
Chapter 9. Activity management 137
9.1. Purpose of activities 137
9.2. Types of Activities 138
9.3. Identifying suitable Activities for participants 139
9.3.1 Prohibited activities 139
9.4. Arranging Activities 140
9.4.1 Sourcing Activities 140
9.4.2 Referring participants to an Activity 141

9.4.3 Arranging transport to and from activities 141
9.5. Managing participation in an activity 141
9.6. Collaborating with other organisations 142
9.6.1 Eligible host organisations 143
9.6.2 Managing host organisation agreements 143
9.6.3 If you suspect misuse or breach 144
Steps 144
9.7. Managing work health and safety for activities 145
9.7.1 Work health and safety requirements 145
9.7.2 Conducting risk assessments for activities 146
9.7.3 Managing work health and safety incidents 148
9.7.4 Insurance 150
9.8. Supervision for Activities 151
9.8.1 Requirements for supervisors 151
9.8.2 Supervision of vulnerable individuals 152
9.8.3 Responsibilities of supervisors 152
9.8.4 Background checks 152
9.8.5 Results of background checks 153
Chapter 10. Activities 154
10.1. Skills for Education and Employment (SEE) 154
10.1.1 Purpose of the SEE program 154
10.1.2 About the SEE program 154
10.1.3 Eligibility 154
10.1.4 Managing participation in the SEE program 155
10.2. Voluntary Work 156
10.2.1 Benefits of Voluntary Work 156
10.2.2 Eligibility 157
10.2.3 Types of Voluntary Work 157
10.2.4 Requirements of Voluntary Work placements 157
10.2.5 Arranging placements 159
10.2.6 Managing Provider Sourced Voluntary Work placements 159
10.3. Observational work experience 160

10.3.1 Benefits of Observational Work Experience 160
10.3.2 Eligibility 160
10.3.3 Requirements for OWE placements 161
Host Organisations 161
10.3.4 Arranging OWE placements 162
10.3.5 Managing OWE placements 162
10.4. Non-vocational assistance and interventions 163
10.4.1 Purpose of non-vocational assistance and interventions 163
10.4.2 Types of assistance and interventions 163
10.4.3 Qualifying for points under PBAS 164
10.4.4 Administrative requirements 164
10.5. Education and Training 165
10.5.1 Purpose of Education and Training 165
10.5.2 Eligible Education and Training courses 165
10.5.3 Qualifying for points under PBAS 165
10.5.4 Approval of a course of study 165
10.5.5 Approval of courses of 12 months or longer in duration 166
10.6. Role of your organisation 167
Chapter 11. Employment Outcomes 168
11.1. Types of Employment Outcomes 168
11.2. Vacancy management 168
11.2.1 Checking minimum wage 168
11.2.2 Placing a participant into a vacancy 169
Chapter 12. Purchasing goods and services to support participants 171
12.1. Purchases to support participants 171
12.1.1 Purchasing goods or services 171
Chapter 13. Sustaining employment support 174
13.1. Supporting participants to sustain employment 174
13.1.1 Determining if a participant needs support to sustain employment 174
Chapter 14. Vocational Education and Training (VET) Assistance 176
14.1. Eligibility for VET Assistance 176
14.1.1 Participant eligibility 176

14.1.2 VET Course eligibility 177
14.1.3 Registered Training Organisation (RTO) eligibility 177
14.1.4 Participant method of study eligibility 178
14.2. Application process for VET Assistance 178
14.2.1 When do participants apply for VET Assistance? 178
14.2.2 How do participants apply for VET Assistance? 178
14.2.3 Successful applications for VET Assistance 179
14.3. Delivery of VET Assistance 179
14.3.1 Course fee assistance 179
14.3.2 Air travel and accommodation assistance for apprentices and trainees 180
14.4. Communication and monitoring 182
14.4.1 Contact with participants 182
14.4.2 Contact with the RTO 182
14.4.3 Community engagement 182
14.5. Repayment of VET Assistance 182
14.5.1 Change of circumstances 182
14.6. Participant obligations 183
14.7. Your responsibilities 183
Chapter 15. Servicing participants with challenging behaviours 185
15.1. What is challenging behaviour? 185
15.2. Managing challenging behaviours 186
15.2.1 Incident management plan 186
15.3. If there is a serious threat 186
15.3.1 Notifying Services Australia 187
15.4. Reporting an incident 187
15.4.1 Completing an incident report 188
15.4.2 Incident severity matrix 193
15.5. Servicing the participant after an incident 194
15.6. Managed Service Plans 194
15.6.1 Notifying participants about the MSP arrangements 195
15.6.2 Determining when an MSP is appropriate 195
15.6.3 If a participant does not comply 200

15.6.4 When there is a relationship failure 200
Chapter 16. Servicing employers 201
16.1. Providing support to employers 201
16.1.1 Support to fill vacancies 201
16.1.2 Support to build employer capability 202
16.1.3 Financial assistance 202
16.1.4 Ongoing support 205
Chapter 17. Servicing the community, including stakeholder engagement 206
17.1. Servicing the community 206
17.1.1 Resources to support newly arrived workers 207

Guideline Interpretation

Reading Notes

This guideline is intended for provider staff responsible for delivering the Norfolk Island Employment Support program (the program).

In this guideline, 'must' means that compliance is mandatory and 'should' means that compliance represents best practice for you and is expected by the department.

Unless otherwise defined in the Glossary under Norfolk Island Employment Support Program Guidelines – Part A: Contract Administration, all terms used in this guideline have the same meaning as in the Contract.

Refer to Glossary for definition of terms used in this guideline.

Chapters that apply to servicing category 1 participants

Chapter 2: Category 1 participants eligibility and referrals

Chapter 3: Assessments – Job Seeker Assessment Framework, Employment Services Assessments (ESAt)

Chapter 4: Commencement and Suspensions

Chapter 5: Targeted Compliance Framework and Mutual Obligation Failures

Chapter 6: Suspensions and Exits

Chapters that apply to servicing category 2 participants

Chapter 7: Category 2 participants

Chapters that apply to both category 1 and 2 participants

Chapter 1: Services to participants

Chapter 8: Participant Support Plan and Voluntary Job Plan

Chapter 9: Activity Management

Chapter 10: Activities

Chapter 11: Employment outcomes

Chapter 12: Purchasing goods and services to support participants

Chapter 13: Sustaining employment support

Chapter 15: Servicing participants with challenging behaviours

Case management support

As part of your servicing responsibilities under the program, you are required to provide case management support to participants. This support is essential for building trust, ensuring continuity, and helping participants achieve meaningful outcomes.

Key elements of case management support

- **Consistent and ongoing contact**
  - Maintain regular and consistent communication with participants.
  - Wherever possible, ensure that the same staff members engage with participants from the initial contact through their progression in the program; this consistency helps build rapport and meaningful engagement.
- **Participant-centred support**
  - Provide support that is considerate of their personal circumstances.
  - Tailor your approach to meet individual needs and challenges throughout their period of registration with your service.
  - Work with participants to identify their strengths and leverage these in the development of their pathway into employment
  - Ensure participants have choice and control over their pathway into employment.

Code of Conduct

You must adhere to the Code of Conduct which requires that you must:

- Act with respect for each person's right to freedom of expression, self-determination and decision making, in line with relevant laws and conventions
- Respect the privacy of people
- Deliver services in a safe and competent manner, with care and skill
- Act with integrity, honesty and transparency
- Promptly take steps to raise and act on concerns about matters that may impact the quality and safety of the provision of the service to people, including those with a disability
- Take all reasonable steps to prevent and respond to all forms of violence against, and exploitation, neglect and abuse of, people, including those with a disability, and
- Take all reasonable steps to prevent and respond to sexual misconduct.

Service Guarantee

The Service Guarantee sets out the minimum level of service the department expects from you in delivering the program. The Service Guarantee must be provided to each participant at commencement.

The Service Guarantee must also be prominently displayed in the site and on your website and made available to potential participants and employers.

Chapter 1. Services to participants

1.1. Participant's status in the IT System

Your caseload may include participants with a status in the IT System as Pending, Commenced, Suspended or Exited.

The table below details the different statuses participants may have in the IT System.

Status	Means
Pending	Participant has not yet Commenced in service.
Commenced	When a participant attends an initial interview and agrees to their Job Plan (where appropriate), their status will change from Pending to Commenced. A participant will not be Commenced until you record both items in the IT System.
Suspended	If a participant has an activity or exemption from Services Australia, their status will change to Suspended. When the suspension ends, they will return to their previous status (Pending or Commenced). You must cease delivering services to a category 1 participant while they are Suspended, unless they volunteer into the program (see Category 2 participants).
Exited	A participant will be Exited from your caseload if either: • their income support payments stop • they transfer to another program on mainland Australia. You must cease delivering services when a participant is Exited.

1.2. Period of service

A participant's Period of Service:

- starts when they Commence in the program for the first time
- ends when they Exit.

If a participant transfers to another program, for example on mainland Australia, their period of service may continue, depending on the program.

A category 1 participant's Period of Service is paused during a suspension period and they are not required to take part in the program.

1.2.1 Transfers due to change of address

Transfers will occur automatically via the IT System when an address is updated for category 1 participants. For category 2 participants, a change of address from Norfolk Island to the mainland will result in the participant being Exited from the program.

During a Period of Service if a category 1 participant moves location:

- **from Norfolk Island** to another Australian region, they will be transferred to another relevant program, for example, Workforce Australia Services, Inclusive Employment Australia, Remote Australia Employment Service, Transition to Work or Parent Pathways.
- **to Norfolk Island** from another Australian region, they will be transferred to the Norfolk Island Employment Support Program.

1.3. Period of registration

A participant's Period of Registration:

- starts when they Commence with you
- ends when they Exit from your caseload, including if they transfer to another program, such as on mainland Australia.

If the participant transfers to a provider, for example on mainland Australia, they start a new Period of Registration with their new provider.

Chapter 2. Category 1 participants - eligibility and referrals

This chapter outlines:

- requirements for category 1 participants
- the referral process, including how to manage referrals from Services Australia for participants with sensitive records and transfers due to changes in address.

2.1. Category 1 participants

Category 1 participants are individuals who must undertake tasks and activities to meet their requirements in return for income support payments. You can check eligibility in the IT System by navigating to the 'Servicing and Eligibility' section of the participant's record.

A participant will have **Mutual Obligation Requirements** if they are on one of the following income support payments:

- Jobseeker Payment
- Parenting Payment Single with youngest child aged 6 years and over
- Youth Allowance for Job Seekers
- Special Benefit (Nominated Visa Holders).

A participant will have **Compulsory Participation Requirements** if they are on Disability Support Pension and:

- are aged under 35 years
- have an assessed work capacity of 8 or more hours work per week, and
- do not have a dependent child aged under 6 years.

2.2. Referrals to the program

The table below outlines the referral process for category 1 participants into the program.

Steps
1. When an individual applies for an income support payment or employment services assistance with Services Australia, they will usually complete a Job Seeker Snapshot. 2. Services Australia will conduct a participation interview with the individual. • If the Job Seeker Snapshot has not been completed prior to the interview, Services Australia will complete it during this interview. • There may also be occasions where you will need to conduct a Job Seeker Snapshot with the participant.

Steps
– If required, Services Australia may also refer the participant for an Employment Services Assessment to assess the impact of any barriers to work. 3. If eligible, Services Australia will: • refer the person to the program via the IT System • book an Initial Interview. 4. You will receive an alert in the IT System when Services Australia books an Initial Interview in the electronic calendar. • Your electronic calendar must have available appointments for Services Australia to refer participants onto your caseload in the next 2 business days. • Review your electronic calendar daily to ensure you have open time slots in the next 2 business days.

2.2.1 When you get a referral

The table below outlines the steps to follow, after receiving a referral from Services Australia.

Steps
1. Review and confirm information in the individual's: • registration record • Job Seeker Snapshot • Employment Services Assessment (if applicable) 2. Consider if the individual has hearing or language barriers where you may need to use an interpreter. 3. Refer to Commencements, transfers, suspensions and exits on how to Commence participants.

2.2.2 If a participant has a sensitive record (restricted access)

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

In Workforce Australia Online for Providers, the contact information is hidden for participants with a sensitive record, including residential/postal address, phone number(s) and email address, and will be replaced with asterisks (****).

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

For further information please refer to Knowledge Base Article KB0013282.

2.2.3 Rapid Connect

RapidConnect improves the chances of job seekers and early school leavers finding a job or enrolling in a course of education or training, by rapidly connecting them with an employment services provider or online employment services after they contact Services Australia about claiming Jobseeker Payment or Youth Allowance.

Unless exempt from RapidConnect, a person claiming Jobseeker Payment or Youth Allowance (as a job seeker) who is referred to your organisation by Services Australia, is required to attend an Initial Interview before their payment becomes payable.

The Initial Interview will normally be scheduled by Services Australia within 2 business days of initial contact for Jobseeker Payment or Youth Allowance (other) claimants who are subject to RapidConnect.

Chapter 3. Category 1 participants - Assessments

The chapter explains:

- Job Seeker Assessment Framework, including:
  - Job Seeker Snapshot
  - Job Seeker Classification Instrument (JSCI)
- Employment Services Assessments (ESAt), including when it is required and the processes involved.

Supporting Information and Documents

- Job Seeker Assessment Framework
- Job Seeker Snapshot Overview
- Explanation of the Job Seeker Snapshot Questions
- Job Seeker Snapshot Offline Form
- Servicing Participants in Crisis Fact Sheet
- Knowledge Base Article KB0013414
- Servicing Participants in Crisis Fact Sheet
- Services Australia
- Verification of medical conditions form (SU684) - Services Australia
- Learning Centre Training Module - Job Seeker Assessment Framework

3.1. Job Seeker Assessment Framework

The Job Seeker Assessment Framework brings together a range of assessment processes, tools and resources to support the delivery of employment services. It is intended to be ongoing and dynamic, to support and encourage participant disclosure and engagement, and to minimise reporting duplication for participants.

The Job Seeker Assessment Framework recognises that you may have your own tools, assessments and resources. You will use the Job Seeker Assessment Framework, in conjunction with any tools you use, your expertise and local labour market knowledge to deliver tailored services to participants. For further information, refer to the Job Seeker Assessment Framework on the Provider Portal.

3.1.1 The Job Seeker Snapshot and the Job Seeker Classification Instrument

The Job Seeker Snapshot is a questionnaire completed by the participant, when claiming income support, or by Services Australia or you. The Job Seeker Snapshot includes

questions that determine the participant's Job Seeker Classification Instrument (JSCI) score and helps identify if the participant requires an ESAt.

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

You must complete the Job Seeker Snapshot with the participant if it has not been completed, or if it is inactive upon referral.

You and the participant can update a participant's Job Seeker Snapshot at any time if their circumstances change. For example, if the participant loses their license or experiences a change in living circumstances.

When a participant updates their Job Seeker Snapshot, you will receive a notification via Workforce Australia Online for Providers. Some data such as their age or length of time in an employment service will update automatically.

3.1.2 Conducting the Job Seeker Snapshot

Before you conduct the Job Seeker Snapshot:

- check in the IT System to see if the participant has an active Job Seeker Snapshot
- arrange an interpreter if required
- inform the participant they may bring a support person of their choice with them
- organise a private area where you can conduct the Job Seeker Snapshot.

The table below outlines steps for conducting the Job Seeker Snapshot with the participant.

Steps
1. Obtain consent from the participant for you to collect and use the sensitive information collected through the Job Seeker Snapshot. • Explain the Job Seeker Snapshot questions. • Encourage them to provide open and honest responses to all questions • Inform them that: – you will let them know before you ask a voluntary disclosure question – their responses will not impact their payments in any way and will be used to provide support that is tailored to their needs – they can access and update their Job Seeker Snapshot at any time. 2. Record the participant's responses to the Job Seeker Snapshot questions in the IT System. • If you use the Job Seeker Snapshot Offline Form, you must record responses in the IT System as soon as possible.

Steps
• You should retain any documentation the participant provides to support their answers. 3. The Job Seeker Snapshot could indicate that the participant may benefit from further assessment through an ESAt. Before you initiate a Referral, consider if an ESAt would be of genuine benefit (see ESAt). • If you decide an ESAt is not required, then you must select the button 'Withdraw need for ESAt' in the Job Seeker Snapshot to change the Job Seeker Snapshot status to 'Active'. • Referring for an ESAt will set the participant's status to 'Pending' in the IT System (see Knowledge Base Article KB0013414). 4. If you identify that the participant needs additional support, refer them to: • crisis assistance or other relevant support (refer to Servicing Participants in Crisis Fact Sheet on the Provider Portal) • Services Australia for assistance with counselling, child support payments or crisis payment information (see Services Australia)

3.1.3 Updating a participant's Job Seeker Snapshot

The table below outlines steps on how to review and update a participant's Job Seeker Snapshot.

Steps
1. Access the participant's Job Seeker Snapshot in the IT System. 2. Use the ''Manage Snapshot' option to edit the relevant questions in the Job Seeker Snapshot. 3. Retain any documentation the participant provides. 4. If the update to the Job Seeker Snapshot generates an ESAt, you should consider whether an ESAt would be of genuine benefit before initiating a Referral. If you decide an ESAt is not required, then you must select the button 'Withdraw need for ESAt' in the Job Seeker Snapshot to change the Job Seeker Snapshot status to 'Active'. • Initiating the Referral will set the participant's status to Pending on the IT System (refer Knowledge Base Article KB0013414). 5. Remind the participant that they can access and update their Job Seeker Snapshot at any time.

3.2. Employment Services Assessments (ESAt)

Participants do not require an ESAt to be eligible for the program.

An ESAt is an assessment of a person's medical evidence and other relevant circumstances by a Services Australia Health or Allied Health Professional. Services Australia conducts an ESAt to determine a participant's ability to work and their work capacity. An ESAt cannot be conducted without medical evidence (Verification of medical conditions form (SU684) - Services Australia). You should ensure medical evidence is available prior to requesting an Employment Services Assessment for medical reasons.

An ESAt is not linked to eligibility for the program.

The ESAt will:

- identify barriers and recommend supports
- determine how many hours the participant:
  - can currently work
  - may be able to work within the next 2 years, with recommended interventions.

Services Australia may use the ESAt to inform decisions about eligibility for payments or allowances, such as Mobility Allowance or Youth Disability Supplement. More information can be found on the Services Australia website.

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

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

A Provider may adjust a participant's Mutual Obligation Requirements to reflect a short-term or temporary change in circumstances, such as an injury or temporary medical condition.

3.2.1 Medical Evidence for ESAts

Appropriate medical evidence for an ESAt can include:

- a Services Australia medical certificate
- a standard general practitioner medical certificate

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

3.2.2 Referring a participant for an ESAt

Before you refer a participant for an ESAt, explain to them:

- why you are referring them for an ESAt
- the importance of disclosing all barriers to employment during the ESAt
- that they may take a support person with them (such as a nominee, medical practitioner, family member, NDIS support worker, advocate).
- the importance of uploading their medical evidence to their Centrelink online account or the Express Plus Centrelink mobile app (provide support if needed).

  Note: They may have already uploaded through Health Professional Online Services by their healthcare professional.

The table below outlines the steps on how to refer a participant for an ESAt. Do **not** include protected or sensitive information, including information or opinions on a participant's medical conditions or medical evidence.

Steps
1. Confirm with the participant that they have medical evidence of their conditions. • If the participant does not have medical evidence, ask them to obtain this from their treating doctor using the Verification of medical conditions form (SU684) - Services Australia form. 2. You do not need to retain medical evidence to justify an ESAt referral. 3. Email the Provider request for an ESAt to the FOCUS Response Team at focus.response.team@servicesaustralia.gov.au • For urgent ESAt requests, call the FOCUS Response Team on +61 1800 110 608

Steps
4. Include these details in your email request for ESAt: a. Participant's JSID or CRN b. Reason for Referral c. ESAt required for Norfolk Island resident (as an International call will be required) d. Interpreter Language (if required) e. Special Considerations (if any) 5. The FOCUS Response Team will: • Confirm with you that an ESAt is appropriate • Book an appointment with the participant • Provide you with the ESAt appointment details • Email request will be acknowledged within 48 hours. If you do not hear from the FOCUS Response Team within a week, call the FOCUS Response Team on 1800 110 608 to follow up.

3.2.3 Withdrawing an ESAt request if it is not required

If you determine that an ESAt request generated by the IT System is due to a change to a participant's Job Seeker Snapshot and would not benefit the participant, you can withdraw the ESAt request.

In the IT System, select 'Withdraw need for ESAt' to update the participant's status from Pending to Active.

3.2.4 After you receive an ESAt report

When the ESAt assessor submits the ESAt report, it will appear on the department's IT systems with a status of 'submitted.'

A submitted ESAt report takes effect immediately. You must take account of the recommendations for interventions made by the Services Australia assessor in the ESAt report – working with the Participant to reflect their capacity when setting their Mutual Obligation Requirements, and in tailoring their services.

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

The table below outlines the steps you must follow after the ESAt is submitted by Services Australia.

Steps
1. Consider the recommended interventions in the ESAt report.

Steps
2. Discuss the ESAt report outcomes with the participant. 3. If needed, update the participant's Job Plan to reflect any changes to their Mutual Obligation or Compulsory Participation Requirements. Reconsider any tailoring of services to reflect the participant's current capacity.

3.2.5 Requesting a review of an ESAt report outcome

You can request a review of an ESAt report outcome if there is new information or if you believe an error has been made. This request must be made within 28 calendar days of the ESAt report being submitted. In these circumstances, you must contact the FOCUS Response Team:

- Phone: +61 1800 110 608
- Email: focus.response.team@servicesaustralia.gov.au, with the subject line "Requesting a review of participant's ESAt" and outline the request, including the reason(s).

Note: Supporting evidence will be required.

You can advise the participant to contact Services Australia directly to discuss the decision or apply for a formal review.

3.2.6 Releasing the ESAt report to the participant

The ESAt report may be released to a participant, except where the report indicates that it contains information that may be detrimental to the participant's health such as: "This report contains information which if released to the client, might be prejudicial to his/her health".

In this circumstance, the participant may request the report through the department's Corporate Legal team via email: foi@dewr.gov.au.

3.2.7 Workplace Modification Services Assessment

You may assist or act on behalf of a participant or employer to apply for financial support under the Employment Assistance Fund (EAF) for workplace assessments and modifications.

Note: The EAF is available to people with a disability who are about to start a job or who are currently working, as well as people who need help to find and prepare for a job. You may apply while a participant is receiving pre-employment support, post placement support or ongoing support.

Where required, a Workplace Modification Services (WMS) Assessment may be undertaken to assess the application for the EAF. These assessments:

- identify the work requirements, work environment, nature of the participant's disability and barriers to performing work tasks because of the participant's disability
- conduct research into available modifications that will be suitable to respond to the identified barriers, and
- discuss and recommend with the employer and participant the potential modifications that are available to improve access to an inclusive and accessible workplace and supports work productivity with reasonable adjustments.

WMS Assessments are undertaken by Assessors, who are employed by the National Panel of Assessors Providers, at no cost to Inclusive Employment Australia providers, participants or employers.

During the assessment process, you may be contacted by the assessor to provide additional information or clarify any ambiguities in the EAF application.

Access to information about the EAF can be found on the Job Access website: Employment Assistance Fund | Job Access.

3.2.8 Supported Wage System Assessment

You may assist or act on behalf of an employer to apply for Supported Wage System (SWS) for a participant with a disability on your caseload.

SWS Assessments are undertaken by assessors, who are employed by NPA providers, at no cost to your organisation, participants or employers.

You may be contacted by the assessor to supply background information about the role and tasks involved. In practice, you may draw upon the job support provided to the participant or employee to identify and record the key tasks of the job placement.

Before the assessment is conducted, the assessor may also seek to confirm with you about whether:

- all the necessary modifications to the work environment and job have occurred to maximise the employee's participation
- appropriate training has been provided to the employee in all duties to be performed, and
- an agreement has been reached that the employee is unable to work at the productivity level that would be expected by the minimum standards for that position.

Information about the SWS can be found on the Job Access website Supported Wage System Handbook and Guidelines | Job Access.

Chapter 4. Category 1 participants - Commencement and Suspensions

This chapter outlines how to:

- Commence participants in the program
- schedule and manage appointments
- conduct Initial Interviews
- Suspend and Exit participants.

Supporting Information and Documents

- Privacy Notification and Consent Form
- Job Plan template for Workforce Australia Participants and Program Participants with Mutual Obligation Requirements on the Provider Portal
- Job Plan template for Disability Support Pension Participants and Program Participants with Compulsory Participation Requirements on the Provider Portal
- Points values for task and activities in the Points Based Activation System Fact Sheet on the Provider Portal

4.1. Commencing category 1 participants in the program

Commencing a category 1 participant means that they attend their Initial Interview and sign a Job Plan. Participants may need to attend their Initial Interview to start their income support payments.

You must commence a category 1 participant within 10 business days of receiving the referral.

If there is a delay in Commencement, for example, if a participant is taking part in a residential treatment program, you must document the reason in the IT System as part of the participant's summary.

4.1.1 Period of service

A participant's Period of Service:

- starts when they Commence in the program for the first time
- ends when they Exit.

If a participant transfers to another program, for example on mainland Australia, their period of service may continue, depending on the program.

A participant's Period of Service is paused during a Suspension period and they are not required to take part in the program.

4.1.2 Period of registration

A participant's Period of Registration:

- starts when they Commence with you
- ends when they Exit from your caseload, including if they transfer to another program, such as on mainland Australia.

If the participant transfers to a provider, for example on mainland Australia, they start a new period of registration with their new provider.

4.1.3 Before Commencing a category 1 participant

The table below outlines the steps you must take before you contact a participant to start their Commencement.

Steps
1. After appropriate verification of the Participant's identity, as part of Commencing a Participant, you must: • confirm contact details and update them in the department's IT systems where required, • If a participant was transferred from a mainland Australia provider, review their last approved Job Plan. • Go to the 'Servicing and Eligibility' screen and look for the mutual obligation tile: – If this tile states 'voluntary', you must contact the participant before you schedule an Appointment with them. For further information, refer to Category 2 participants. – If the tile confirms the participant has participation requirements, you can contact the participant to schedule an appointment for an Initial Interview. 2. If the participant's history indicates incidents or if they have a current Managed Service Plan (refer to Servicing participants with challenging behaviours), you should put in place: • appropriate interview safety measures to protect participants and staff, and improve engagement with the participant • a proactive Managed Service Plan limiting face-to-face servicing, if needed. 3. Before a participant's Initial Interview ensure that: • the interview is held within 10 business days of receiving the referral. • the participant is informed that they can bring a support person to the Initial Interview, such as a family member, carer, advocate or other person.

Steps
4. During the appointment you must: • accommodate participants' accessibility requirements or other required support, such as access to an interpreter • confirm whether the Participant has a myGov account which is linked to the Workforce Australia website and if they have not, you must check that the Participant has other contact details recorded to receive notices and are able to access notices. In linking myGov and Workforce Australia accounts, you must take reasonable steps to verify you are linking the correct individual's account information and must not proceed if you are not satisfied they are linking the correct accounts. • determine if a participant is able to fulfil the requirement to report their Points Based Activation System (PBAS) themselves via the Workforce Australia website, where applicable. For further information refer to Meeting the Points Requirement. • support the participant to: – establish a Job Seeker Profile in the department's IT systems, if needed. – maintain continuity of services, if they are transferring from a mainland Australia provider. 5. Immediately after you schedule the interview, send a formal notification to the participant with details of their upcoming appointment.

4.1.4 If a category 1 participant is in a residential treatment program

If a category 1 participant is taking part in a residential treatment program, you must not Commence them until their residential treatment program has ended. This is because the participant will have limited ability to take part in activities that are external to their treatment program.

You can only schedule an Initial Interview with these participants once their treatment program has ended (if known).

You must retain adequate record keeping in the IT System to document the reasons for delays in Commencement. Participants are not required to provide written evidence. They can verbally notify about starting the treatment program.

4.1.5 If a category 1 participant is a newly arrived refugee

Newly arrived refugees are Suspended for their first 13 weeks after arrival in Australia.

For the remainder of their first 12 months, they are considered to be meeting their Mutual Obligation Requirements by participating in the refugee activities included in their Centrelink Job Plan.

During the first 12 months if they are not Suspended, they can volunteer to participate in the program.

If a refugee is referred to your caseload you must confirm if they wish to volunteer. For further information on volunteer participants, refer to Category 2 Participants. If they do, you only need to record attendance at their Initial Interview to Commence them. Their Centrelink Job Plan must be left in place and not be superseded.

If they don't wish to volunteer, they can be Exited. At the end of their first 12 months in Australia, their service is the same as any other Category 1 participant with Mutual Obligations.

If a refugee is referred to you 12 months after their arrival, you must Commence them in the same way as Category 1 participants.

4.1.6 Additional considerations for NDIS Participants

You must ensure services for NDIS participants are person-centred and effective. This includes:

- Making sure that there is alignment with the participant's NDIS plan, ensuring that it is goals-focused support.
- Person-Centred Approach – individualised planning to tailor supports to the participant's abilities, preferences, cultural background and goals. Participants should be empowered to make informed decisions about their employment path, training and support.
- Flexible support and reasonable adjustments – including helping employer provide reasonable adjustments.
- Capacity Building – including pre-employment and soft skill training tailored to the participant's needs. Support participants in transitioning from school or day programs into employment.
- Monitoring and continuous improvement – assess progress against NDIS and employment goas and adjust services as needed.

4.2. Scheduling and managing appointments

You must ensure all compulsory requirements, including appointments, are scheduled in the participant's Electronic Calendar. This includes specifying:

- the name or description of the requirement
- start time
- end time
- location
- any special instructions.

4.2.1 Contact with category 1 participants

You must conduct at least 6 Contacts over each 3-month period for each category 1 participant.

Contact with participants may be:

- one-on-one appointments with you
- group-based activities such as employment-related information sessions or training sessions delivered by you
- with third parties such as the participant's family, carers or listed nominee, NDIS local area coordinator or NDIS support workers, or an employer, with agreement from the participant.

At each contact with the participant, you must confirm the participant's identity and ensure their current postal address, mobile phone number and email address are recorded accurately in the IT System.

4.2.2 What to consider when scheduling Appointments

You must:

- consider the participant's regular commitments, such as paid work, caring responsibilities, or medical appointments, when scheduling requirements. Record these commitments as Personal Events in the participant's Electronic Calendar to avoid conflicts.
- ensure that scheduled Appointments do not conflict with the participant's hours of paid work, including reasonable travel times to and from work.

4.2.3 Rescheduling appointments

If you or the participant need to reschedule an Appointment, you must make an Appointment with the participant at the next available opportunity.

4.2.4 Notifying category 1 participants

When you schedule a requirement which is attached to their Mutual Obligations in the participant's Electronic Calendar, the IT System will automatically create and record the selected notification type to be issued. If a requirement is re-scheduled, you 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
- that the participant must contact you beforehand if they become aware of an Acceptable Reason preventing them from being able to attend or complete the requirement, to inform you of that reason
- 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.

4.2.5 Monitoring attendance

You must monitor the attendance of participants at your appointments with them. This includes recording attendance results in the department's IT systems.

If a participant does not attend an appointment, you must attempt to contact the participant on the same business day to discuss the non-attendance and determine if there is a Valid Reason.

4.3. Initial Interview for category 1 participants

The Initial Interview is the first appointment that a participant will have with you. The purpose is to:

- explain employment services
- discuss the participant's needs
- consider how the service and the Mutual Obligation Requirements or Compulsory Participation Requirements should be tailored for the participant.

You must conduct an Initial Interview with each new participant and record completion of the Initial Interview in the IT System within 10 days of receiving a Referral.

Services Australia will book the Initial Interview as part of the Referral process. This may occur after the ESAt report has been submitted or after an Exemption period, such as in the case of a newly arrived refugee.

The Initial Interview will be scheduled for 60 to 90 minutes but can be longer if needed. Where reasonable, you must conduct the Initial Interview in person.

If the Initial Interview booked by Services Australia is rescheduled, or if the participant does not attend the scheduled Appointment, you must organise another Appointment as early as practicable and within 10 business days of receiving the Referral. If the Referral is a result of a change of address, an Appointment will not be booked by Services Australia.

4.3.1 If a category 1 participant does not attend their Initial Interview

If a category 1 participant does not attend their scheduled Appointment with you, you must determine if the participant had a Valid Reason for missing the Appointment as detailed in Assessing Valid Reasons.

The table below outlines the steps you must take if a category 1 participant does not attend their Initial Interview.

Steps
1. Check the participant's RapidConnect status on the 'Servicing and Eligibility' screen on the IT System. • If RapidConnect applies and their reason for not attending is: – valid: reschedule the Initial Interview with the participant as soon as possible – invalid: within 5 business days, contact the participant to re-schedule their Initial Interview. Where RapidConnect applies – the Initial Interview must be re-scheduled. • If RapidConnect does not apply and their reason for not attending is: – valid: 'Cancel' or 'Reschedule' the Initial Interview. – invalid: record the reason 'Did not Attend – Invalid'. 2. If the participant does not have a Valid Reason for not attending, send a formal notification to advise the participant of the consequences of not attending. This includes their: • Activity Tested Income Support payments will be suspended by Services Australia if they fail to attend the next Appointment • payments will be reinstated and backdated to the date of the suspension, if they attend their Initial Interview within 28 days of the payment Suspension • If the participant is under Rapid Connect payments will be cancelled if they fail to attend an Appointment within 28 days of the Suspension and they may need to reapply for Income Support Payments. 3. If the participant does not attend their Initial Interview the second time with a Valid Reason: • record the reason 'Did not Attend – Invalid' on the IT System no later than close of business on the day of the Appointment. If RapidConnect applies to the participant, you must reschedule. • continue to try and contact the participant to engage them in the program and help restore their Income Support Payment.

4.3.2 Conducting an Initial Interview

The table below outlines the steps you must take when conducting an Initial Interview with a category 1 participant.

Steps
1. Confirm the participant's identity, refer to Acceptable identity documents below. 2. Explain the privacy policy in line with Managing Privacy and Protected Information in Part A of these guidelines. Obtain a signed Privacy Notification and Consent Form. Refer to Managing privacy and protected information in Part A guidelines. • What information will be collected and why it is needed • Organisations that may handle their Personal Information and why • That their consent is not required for Personal Information required by law • How they can make a privacy complaint 3. Explain the program and the range of support available. 4. Discuss: • their experiences, workplace barriers, abilities and aspirations to develop an understanding and plan of their support needs • any activities they are currently engaged in • options for referral to supports and training **Important**: If a participant discloses or you have concerns that a participant is experiencing or is at risk of family and domestic violence, refer to Responding to disclosures of family and domestic violence. 5. Explain: • Mutual Obligation Requirements including the Points Based Activation System and the Targeted Compliance Framework • their rights and obligations under the Social Security Law and the consequences of not meeting their requirements in line with their Job Plan, including possible impacts on their Income Support Payments • when and how to apply for an Exemption from Mutual Obligation Requirements (directing them to Services Australia) • how to Fully Meet their requirements by undertaking certain Activities to become Centrelink-managed 6. Prepare an initial Job Plan with the participant, refer to Job Plans, mutual obligations and compulsory participation requirements. 7. Provide them with: • a list of suitable job vacancies

Steps
• advice about the best ways to look for and find work • information about Skills Shortage areas and local Employment opportunities. 8. Determine if the participant can self-report their tasks, activities, job search requirements via the Workforce Australia website (Sign in with myGov - myGov) or App (Workforce Australia app) • confirm the participant has linked their WFA and MyGov account so they can self-manage and if not, assist them to do so. 9. Provide: • the Service Guarantee and Code of Conduct • details of the current National Minimum Wage • the Fair Work Ombudsman website and contact details. 10. Arrange for the participant to sign all relevant forms including their Job Plan, and Privacy Notification Consent form. 11. Book the next Appointment with the participant. Tell them if they need to prepare anything before their next Appointment.

Acceptable identity documents

As part of the Initial Interview, you must confirm a participant's identity by sighting originals or certified copies of acceptable identity documents, either:

- In person, at the Initial Interview, or
- By email, ahead of the Initial Interview, if this will not be undertaken in person.

You must not keep a copy of this documentation after the participant has been Commenced.

The table below details the 2 acceptable options for verifying a participant's identity.

Option A (one of the following)	Option B (2 of the following)
• Current passport • Current driver's licence • Other form of photo identification from a government department or agency.	• Financial institution (bank) documents showing name and signature or name and address • Birth certificate or extract • Certificate of Australian citizenship • Medicare card • Vehicle registration papers with current address

Option A (one of the following)	Option B (2 of the following)
	• other identification displaying the person's name, such as a statement from a community Elder if the person is an Aboriginal or Torres Strait Islander.

Responding to disclosures of family and domestic violence

If a participant discloses family and domestic violence, or if you have concerns that a participant is experiencing or at risk of family and domestic violence, you must:

- discuss available support options and services
- offer referrals to appropriate supports
- check if it is safe to provide written information.

Referrals include support provided by a Services Australia social worker or other locally based organisations that offer advice and information about family and domestic violence. Participants must consent to a referral to a Services Australia social worker or other services. If a participant does not consent to a Referral, share contact details of the different supports in the community to enable them to contact services directly.

If you have concerns for a participant's safety, or the safety of their children, and the participant declines support, you must escalate these concerns with your supervisors.

You must also assess whether concerns for the safety of children need to be reported in accordance with state and territory requirements. For further guidance, refer to Child Safety Policy in Part A of these guidelines, and Clause C.B.5 – Child Safety in the Contract, which include relevant information, links, and resources.

Family and domestic violence can be considered as a Valid Reason for not Meeting Mutual Obligation Requirements.

Assessing a category 1 participant's capability to self-report

During the Initial Interview with the participant, you must assess their ability and capacity to use online services and track and report their Mutual Obligations Requirements online.

If a participant is not capable of self-reporting, you must remove the PA03 requirement from their Job Plan and then report on behalf of the participant each reporting period.

The table below outlines steps on how to assess if a participant can self-report.

Steps
1. Consider if a participant: • is experiencing a short-term crisis

Steps
• has connected their myGov profile to their Workforce Australia account or is willing to do so • has reliable access to technology such as a computer or smartphone and connection to the internet that would allow them to track and self-report • can log on to the Workforce Australia website or app themselves or with appropriate support • has the ability to: – navigate to their homepage – report completed tasks or attendance at activities online 2. Ensure the participant understands: • what they need to report and where they can find information on how to report points • what to do and who to contact if their circumstances may prevent them from meeting their Mutual Obligation Requirements in their Job Plan or monthly points requirement • the consequences of not reporting their Mutual Obligation Requirements by the notified date or not meeting their Points Target and job search requirement by the end of their Points Reporting Period.

4.4. Initial engagement period

The initial engagement period:

- is the first 4 weeks of a participant's period of registration
- starts from the date you complete the Initial Interview with the participant.

During this period, you may wish to consider scheduling more frequent Appointments with the participant. It allows you to:

- build a positive relationship with the participant
- consider how best to service the participant that is tailored to their individual needs, circumstances, skills, strengths and goals
- work together with the participant to develop their Support Plan.

Job Plans, Mutual Obligations and Compulsory Participation Requirements

This chapter outlines how to:

- develop and manage a Job Plan to support participants
- manage Mutual Obligation Requirements, including tailoring to individual circumstances
- set a Points Target and job search requirement and support each participant to meet their Points Requirement
- manage Compulsory Participation Requirements.

4.5. What is a Job Plan?

A participant's commitment to participate in employment services in return for receiving an Income Support Payment is agreed through a Job Plan.

For the purposes of Social Security Law, a Job Plan is also known as:

- an 'employment pathway plan' for participants receiving participation payments
- a 'participation plan' for Disability Support Pension recipients (Compulsory Participation Requirements).

You must clearly explain the contents of the Job Plan to the participant to ensure they:

- understand what they are agreeing to do
- how to report tasks and activities and who to contact if they cannot
- are aware of the potential consequences of:
  - not agreeing to enter into the Job Plan
  - failing to meet their Mutual Obligation Requirements as outlined in the Job Plan.

4.6. Developing a Job Plan

You must create a Job Plan for each participant with Mutual Obligation Requirements or Compulsory Participation Requirements. This includes new participants who do not have a

Job Plan and participants that have transferred to you from a mainland employment program.

You must create a Job Plan in partnership with the participant.

4.6.1 Explaining the Job Plan to the participant

As part of the Initial Interview, you must clearly explain to the participant each of the below:

- The purpose of the Job Plan
- The Mutual Obligation Requirements outlined in their Job Plan, including meeting their Points Requirements and job search requirement if they have one.
- The requirement to meaningfully engage with you, and any Compulsory Participation Requirements.
- Their rights and responsibilities under Social Security Law, including that they:
  - are entitled to think time to consider the Job Plan before agreeing to it
  - have personal responsibility to self-report on activities in their Job Plan (unless the participant is assessed as not being capable of self-reporting. For further information, refer to Conducting an Initial Interview).
- The possible consequences for not agreeing with their Job Plan.
- How to give prior notice if they cannot meet their participation requirements
- What can happen if they do not meet a requirement without giving prior notice or having a reasonable excuse
- Their right to appeal decisions and where they can find help to do this
- The section in the Job Plan titled 'Information you need to know'.

Where appropriate or if a participant requests, they can bring a support person with them to review their Job Plan, or to accompany them at any Appointment.

If a participant:

- has court appointed nominee arrangements in place due to an inability to manage their own affairs, the nominee should be involved in the agreement of the Job Plan.
- is in full-time residential or intensive drug and alcohol treatment or rehabilitation, they should have an authorised correspondence nominee who will receive all correspondence and notifications sent from you to the participant.

You must use an interpreter for participants with language or hearing barriers to ensure they understand their mutual obligation or Compulsory Participation Requirements before they agree to their Job Plan.

4.6.2 Considerations under Social Security Law

When developing a Job Plan, you must consider the following Under Social Security Law:

- The participant's education, experience, skills, and age

- The impact of any disability, illness, or health condition on the participant's ability to work, to look for work or to take part in activities
- The impact of family and caring responsibilities on the participant's ability to work, to look for work or to take part in training activities
- The participation opportunities available
- The state of the labour market
- Transport options available
- The length of travel time needed to follow participation requirements, and
- The financial costs (such as travel costs) of following participation requirements and the participant's capacity to pay for such costs.

Additionally, where appropriate, you should also consider:

- ESAt report, and
- Capability Management Tool

4.6.3 Your obligations under Social Security Law

You have delegated authority under Social Security Law to:

- require a category 1 participant to agree to a Job Plan, and
- approve a Job Plan on behalf of the category 1 participant.

Your main obligations relating to Job Plans

You must ensure each participant:

- always has an approved Job Plan during their Period of Registration
- understands their Points Requirement (including any job search requirement), how to meet it and how to accurately reports tasks and activities
- attends and acts appropriately during:
  - any compulsory Appointments (i.e. Appointments with you or appointments with third parties, of which the participant is notified of)
  - job interviews
- accepts any offer of a suitable job and does not voluntarily leave a suitable job.

You must also ensure you:

- use the correct Job Plan template approved by the department
- enter the information in the Job Plan into the department's IT systems
- assess if the participant can self-report tasks and activities
- follow up on job referrals and opportunities you refer the participant to
- actively check and record each participant's compliance with their participation requirements.

4.6.4 Using the Capability Management Tool

Capability Management Tool combines information from ESAts and any capability interviews and capability assessments. When creating a Job Plan, you can use the tool to review a participant's personal circumstances that may affect their ability to meet their requirements and find employment.

You can access the tool via the participation screen in the department's IT systems.

The tool can help you to find:

- current vulnerabilities and barriers that may affect a participant's ability to meet their participation requirements, including any vocational or non-vocational issues found by the participant
- ESAt recommended interventions
- recommendations by Services Australia after a capability assessment to consider when updating the participant's Job Plan, where relevant.

You should record any information about the participant taking part in activities (or refusing to take part) in the Capability Management Tool. If you find that a participant's ongoing capability to meet their requirements is due to a drug or alcohol dependency, you should also record if:

- the participant has accepted and is currently taking part in treatment or rehabilitation
- treatment or rehabilitation services are not available on Norfolk Island
- there is a waiting list to take part in treatment
- the participant has refused to take part in treatment or rehabilitation.

4.6.5 Creating a Job Plan

Job Plans are generally developed at the Initial Interview.

There are different Job Plan templates depending on whether the participant has Mutual Obligations or Compulsory Participation Requirements. The IT System will generate the correct Job Plan template.

The Job Plan will discuss a participant's Points Requirements as part of their Points Reporting Period. For further information, refer to Targeted Compliance Framework and Mutual Obligation Failures.

For detailed information refer to the Employment - Systems Task Cards - Job Plan – Create, Update and Withdraw Detailed Job Plan on the Learning Centre portal.

Mandatory Job Plan codes that cannot be removed

The table below provides an overview of the requirements that are pre-populated into the Job Plan and cannot be removed.

Job Plan code	Job Plan requirement and description
PA09	**Points requirement** The participant is required to meet the points target (including any Job Search requirement) displayed on their homepage, or as advised by you, each points reporting period. They must do this by accurately reporting their tasks and activities through their homepage or to you. Where the participant is capable of and agrees to accurately report their own attendance at their requirements (i.e. agrees to a Job Plan with the PA03 - personal responsibility requirement), they must record their tasks and activities through their homepage. Where the participant is unable to regularly report their tasks and activities through their homepage (and agrees to a Job Plan without the PA03 - personal responsibility requirement), the participant will report their tasks and activities to you. You must record these in the IT System and help the participant to manage their progress against their Points Target and job search requirement. In setting the points requirement, you must consider the factors and personal circumstances that may impact on a participant's ability to comply with their Mutual Obligation Requirements, as specified in these guidelines and the Social Security Law.
JS13	**Accept and retain suitable paid work** The participant must accept any offer of suitable paid work and must not leave suitable paid work voluntarily (i.e. without a valid reason).
PA12	**Actioning job referrals and opportunities** The participant must follow up on job opportunities they are referred to by you. This may include applying for specific jobs, accepting a job interview, contacting an employer to arrange and accept a job interview and providing personal details to support a job opportunity.
JS10	**Job interviews** The participant is required to attend and act appropriately at job interviews (i.e. those that are referred to by you).
AI16	**Compulsory notified appointments** The participant is required to attend and act appropriately during any compulsory Appointments. This includes Appointments with you, or with third parties.

Removeable Job Plan code

The PA03 requirement is pre-populated into the Job Plan, however, you must remove it if it is not appropriate for a participant. For example, if they lack digital skills, or do not have access to a computer or the internet, you must update the job plan to remove this code and then report on behalf of the participant.

If the PA03 requirement is kept in the Job Plan, the participant must agree to and understand that they must self-manage and report their participation through their Workforce Australia online account.

The table below provides an overview of the PA03 requirement.

Job Plan Code	Job Plan Requirement	Description
PA03	Personal responsibility	The participant is required to accurately record or report their attendance and participation to meet their requirements. The participant is required to accurately report their attendance on their homepage, by close of business on the day of the requirement, when attending the following compulsory requirements in their Job Plan: • Third party Appointments (Note: A participant will be responsible for recording attendance at their appointments) • Job interviews you have scheduled. The participant is also required to accurately report the completion of tasks and confirmation of attendance at activities through their homepage to gain points through the PBAS. To demonstrate personal responsibility, the participant must be able to self-manage their requirements online, via their homepage, in the manner described above. Where a participant is identified by you as lacking the ability to accurately report their own attendance or self-manage their participation online, this Job Plan requirement must be removed and you must report on the participant's behalf For further information, refer to Employment - Systems Task Cards - PBAS – Reporting Points, Activities, Tasks and Job Search on Behalf of a Participant.

If you determine a participant is not capable of self-reporting, removing the PA03 personal responsibility code in their Job Plan means that you are:

- responsible for recording the participant's participation against each of the Mutual Obligation Requirements scheduled in their Electronic Calendar by close of business on the day of the scheduled requirement. This includes reporting the completion of a task or attendance at an activity
- to seek the participant's help for you to confirm and record their attendance at their compulsory requirements.

You will receive reminder notifications via the Workforce Australia Online platform for Providers under 'site tasks' at 15 days and 5 days before the end of a participant's Points Reporting Period to report their requirements.

It is expected that you work with each participant to address barriers, particularly where PA03 is not included in the job plan. You should work with the participant to help them develop the capability to self-manage their requirements.

When the participant is capable of accurately recording and reporting their own attendance at their requirements, you must update the Job Plan to add PA03 requirement back into the Job Plan.

If you observe participants with PA03 requirements are not routinely recording their own attendance, you must review whether the participant is capable of accurately recording and reporting their own attendance to meet their requirements.

If an attendance result has not been recorded by close of business on the day of a third party Appointment or job interview, the participant's payment may be put on hold.

Job Plan code that can be added

The table below outlines the JS05 requirement you can add into the Job Plan when required.

Job Plan code	Job Plan requirement (addable)	Description
JS05	Job search with a disability – activity tested	Where a participant advises you that they are claiming or receiving the higher rate of mobility allowance, you must ensure the participant's Job Plan contains this requirement to trigger the higher rate of mobility allowance. **Note:** The standard rate of mobility allowance is triggered by having an approved Job Plan containing the points requirement (PA09).

4.7. Reviewing and agreeing to the Job Plan

Once you have created the Job Plan in the IT System, you must provide it to the participant for their review and agreement, either in person, online or over the phone.

You must formally notify the participant that they must agree to their Job Plan and advise them of the consequences of failing to do so. A script is available on the IT System for you to read to the participant. It includes a compliance warning that must be given to participants if they do not agree to the Job Plan within 2 business days.

4.7.1 Think time to review a Job Plan

The participant can have up to 2 business days ('think time') to consider the requirements in the Job Plan and to agree to it. You might consider telling the participant that they can use this time to discuss the terms of the Job Plan with a third party if they wish.

If the participant does not agree to a Job Plan after the 'think time', they will have 5 business days resolution time to address the failure by either:

- agreeing to their Job Plan
- providing a Valid Reason for the failure to agree to the Job Plan.

If the participant does not agree to their job plan or provide a Valid Reason, their payment is Suspended after the 5 business days.

4.7.2 Agreeing to the Job Plan online

Participants can review and agree to their Job Plans online through their homepage on the Workforce Australia website or app.

If you send the Job Plan online, you must tell the participant that you have sent it to their online homepage for them to review and agree to. The 2 business days of 'think time' will commence at this point.

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

If a participant cannot agree to a Job Plan online, you need to inform them that they are required to agree to the Job Plan in person or over the phone.

4.7.3 Agreeing to the Job Plan in person or over the phone

Participants can agree to their Job Plans in person or over the phone.

You can finalise and approve the Job Plan in the IT System by confirming the participant has read, understood and agreed to the Job Plan and the date the Job Plan was agreed.

You must always read out the notification scripts available in the IT System. If you approve a Job Plan:

- **in person** - you may want to print out a hard copy of the Job Plan for the participant to read.

- **over the phone** - you must read out the Job Plan requirements to the participant.

The scripts include a compliance warning advising the participant of the consequences of not agreeing to the Job Plan within 2 business days.

If a participant accepts 'think time', you need to arrange and book a provider appointment for the participant to occur in 2 business days so the participant can agree to the Job Plan over the phone or in-person.

Once the Job Plan has been agreed and approved in the IT System, the participant can access it from their homepage.

4.8. Updating a Job Plan

A Job Plan must be reviewed and updated when the participant:

- Requires PA03 – personal responsibility to be added or removed from their Job Plan to reflect their capability to self-report, or
- has a Capability Interview or Capability Assessment where the participant as not capable of meeting their requirements.

Every time the Job Plan is updated, you must discuss the requirements with the participant to ensure they understand the changes.

The participant must agree to the updated Job Plan either online, in person or over the phone.

The participant can have up to 2 business days 'think time' to consider the updated Job Plan. If a participant accepts 'think time', you need to arrange and book a provider appointment for the participant to occur in 2 business days so they can agree to the Job Plan over the phone or in-person.

If a participant has an outstanding compliance action, the IT System will not permit the Job Plan to be updated. You will be redirected to the compliance screen in the IT System to resolve the non-compliance first.

4.9. Mutual Obligation Requirements

Mutual Obligation Requirements are tasks and activities that category 1 participants on specific income support payments must undertake to help them find employment and continue receiving their payments.

As part of their Mutual Obligation Requirements, participants must:

- meet both their Points Target and job search requirement which is tailored to their needs
- attend and act appropriately during:
  - any compulsory Appointments (i.e. appointments with you or with third parties)
  - during a job interview.
- follow up on job referrals that you refer them to
- accept an offer of a suitable job and not voluntarily leave a suitable job

- take responsibility to accurately record or report attendance at activities, if they can self-report.

A key component will be for participants to regularly and meaningfully engage with you. You must consider each participant's needs and circumstances to determine the frequency of engagement.

The Targeted Compliance Framework (for further information, refer to Targeted Compliance Framework and Mutual Obligation Failures) may apply if a participant does not meet their compulsory Mutual Obligation Requirements,

4.9.1 The Points Reporting Period

Each participant will have their own Points Reporting Period. For most participants, their Points Reporting Period commences on the day that they agree to their first Job Plan during their period of unemployment.

The table below provides an example of the Points Reporting Period.

> **Example:** If a participant agrees to their Job Plan and commences in Services on 17 January, their Points Reporting Period will commence from this day and will end on 16 February. Their next Points Reporting Period will commence on 17 February.

Participants will be sent reminders about reporting their participation via SMS or email and inbox at 15 calendar days before the end of their Points Reporting Period, and again at 5 calendar days before the end of their Points Reporting Period.

If you are reporting on behalf of participants (without a PA03 code in the Job Plan and not on track to meet their points requirements), you will be reminded via the Open Task, referred to as a Site task in the department's IT systems 15 calendar days before the end of their Points Reporting Period, and again at 5 calendar days before the end of their Points Reporting Period.

You must follow up with the participants and report on behalf of the participant prior to the end of the participant's Points Reporting Period or they will not meet their requirements for that Points Reporting Period.

Suspension or Exemption lifted during a Points Reporting Period

The current Points Reporting Period will be set to 'no longer required', if a participant has a Suspension or Exemption from Services applied during a Points Reporting Period and the Suspension or Exemption:

- ends within the last 5 calendar days of the participant's current Points Reporting Period, or
- extends beyond the end of the current Points Reporting Period.

When a participant has a Suspension from Services or an Exemption applied within a Points Reporting Period and it is lifted within the same Points Reporting Period, the Points Target

and Job Search Requirement will be pro-rated automatically in the department's IT systems. An exception to this will be when the Suspension or Exemption ends in the last 5 calendar days as outlined above.

When a participant starts a Points Reporting Period with a Suspension or an Exemption, but it is lifted during the Points Reporting Period, the participant's Points Target will be pro-rated in the department's IT systems for the remainder of that Points Reporting Period.

Note: You must still assess any Job Searches submitted by the participant during a pro-rated Points Reporting Period. The relevant points period assessment must be submitted within 5 business days of the end of the Points Reporting Period, regardless of whether the participant is Suspended during the period when the points period assessment is due.

- If the participant is unable to meet the pro-rated Points Target and they have a Valid Reason, you must record a Valid Reason in the department's IT systems for the participant for that Points Reporting Period.

4.9.2 Participants exempt from Mutual Obligation Requirements

If a participant is temporarily unable to meet their Mutual Obligation Requirements, Services Australia may grant an Exemption for a specified period. This recognises the family and personal circumstances that participants sometimes face.

Types of Exemptions

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

- temporary medical incapacity
- pre and postnatal
- caring for children with a disability or other special family circumstances
- domestic violence
- newly arrived refugee within the first 13 weeks of entry to Australia
- 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
  - 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
  - Principal Carer Parent is caring for a family of 4 or more children aged 18 years or under
  - 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

  - 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 or major personal crisis (including homelessness)
  - affected by declared natural disaster (for example, bushfires, flooding, or cyclone)
  - volunteering during a state or national emergency
  - temporary caring responsibilities
  - dad and partner leave
  - undertaking jury duty
  - community service order for more than 20 hours per week
  - attending a Defence Force Reserves training camp overseas
  - being a newly protected witness or a newly arrived refugee (after the first 13 weeks but within their first 12 months on income support), or
  - undertaking Indigenous cultural business.
  - Applying for an Exemption

If you believe a participant does not have the capacity to meet their Mutual Obligation or Compulsory Participation Requirements, you must advise them to contact Services Australia to test their eligibility for an Exemption.

If a participant has applied for an Exemption and Services Australia is assessing that application, you can reduce the Points Target and Job Search requirement to zero while waiting for the Exemption to be granted.

Services Australia can grant temporary incapacity Exemptions for Disability Support Pension and unemployment payment recipients for up to 2 years based on the medical practitioner's advice on the medical certificate. For further information see Getting a medical certificate on Services Australia website.

If an Exemption is granted

Participants granted an Exemption will be suspended from your caseload for the period of the Exemption. These participants may voluntarily choose to continue participating in employment services as a participant (for further information on voluntary participants, refer to Category 2 participants). Some participants with longer-term Exemptions may be Exited from your caseload.

If an Exemption is applied for part of a Points Reporting Period, the participant's Points Target will be pro-rated and an automatic reduction will be applied in the department's IT systems to reduce the Points Target. You can make further adjustments to the Points Target and the Job Search requirement during the pro rata period, or until the Exemption is granted.

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 the Disability Support Pension. You should advise these participants that periods of Exemption will not count as participation in a program of support.

If an Exemption is not granted

If the Exemption is denied, you can still make manual adjustments to tailor the Points Target and job search requirement, if needed.

Participants subject to family and domestic violence

If you are notified of family and domestic violence as the reason for a participant not meeting their Mutual Obligation Requirements, you must consider this in your assessment of whether the participant had a Valid Reason.

If a participant applies to Services Australia for an Exemption because they are subject to, or a survivor of family and domestic violence, Services Australia will assess whether an Exemption is granted and the appropriate length of the Exemption from their Mutual Obligation Requirements.

If a participant has applied for an Exemption and Services Australia is assessing that application, you can reduce the Points Target and Job Search Requirement while the Exemption is being assessed.

Newly arrived refugees

Newly arrived refugees who volunteer to participate in your employment services within their first 12 months on income support, should not have a Points Target or Job Search Requirements as they are not compellable. Newly arrived refugees are usually managed by Services Australia however they can be referred as a volunteer to participate in services offered by Providers.

4.9.3 Participants who are Fully Meeting their Mutual Obligation Requirements

Some participants are considered Fully Meeting their Mutual Obligation Requirements through sufficient participation in certain activities such as paid work, approved study, voluntary work or a combination of these.

Participants who are Fully Meeting their Mutual Obligation Requirements through an approved activity:

- Will be Suspended on your caseload,
- are not required to undertake any job search or participate in additional activities,
- Can choose to participate voluntarily on your caseload
- Will be Exited, if participation in the approved activity will continue for 13 weeks or more (unless they choose to participate voluntarily on your caseload)

If the participant has agreed to start an approved Fully Meeting activity but hasn't started it yet, they still need to meet their Mutual Obligation Requirements (like job search or attending provider appointments) until the activity begins.

If a participant is eligible through participation in certain approved activities or combination of activities, you are expected to assess and record the participant as Fully Meeting their Mutual Obligation Requirements in the department's IT systems rather than sending the participant to Services Australia to action.

Once you or Services Australia determine a participant is Fully Meeting their Mutual Obligation Requirements, the participant will be Suspended from your caseload and become Centrelink managed instead. If the participant is expected to continue Fully Meeting their Mutual Obligation Requirements for more than 13 weeks, they will be Exited unless they choose to keep working with you voluntarily.

If a participant ceases Fully Meeting their Mutual Obligation Requirements, you must resume delivery of Services. This would include engaging with the participant to ensure they understand their Mutual Obligation Requirements and discuss appropriate tasks and Activities that the participant can undertake to meet their Points Requirement.

Note: If a participant is undertaking intensive drug and alcohol treatment or rehabilitation (such as full-time residential program) they are treated as meeting their Mutual Obligation Requirements and are not required to complete additional requirements (see participants who are meeting their Points Requirement and Tailoring Mutual Obligation Requirements).

Participant's Job Plan with Services Australia

If a participant that is Fully Meeting their Mutual Obligation Requirements has a Job Plan with Services Australia, you must not negotiate a new Job Plan.

The Job Plan with Services Australia remains valid while the participant continues Fully Meeting their Mutual Obligation Requirements.

If the Job Plan with Services Australia expires and the participant is still undertaking the Activity, they should be referred to Services Australia for the Job Plan to be updated.

Voluntary Work Approval Process for Fully Meeting requirements

Under current policy only Provider Sourced Voluntary Work and Voluntary Work approved by Services Australia can contribute to a participant Fully Meeting their requirements.

Participant Sourced Voluntary Work is not an eligible activity type for this purpose – unless it is approved (see below). Participant Sourced Voluntary Work should also not be created as an activity in the department's IT systems and is reported by participants directly through their PBAS Reporting processes.

If a person is undertaking participant Sourced Voluntary Work and wishes to use voluntary work participation to Fully Meet their requirements, you can:

- Assist the participant in accessing the Voluntary Work approval form on the Services Australia website for the participant and Voluntary work organisation to complete and

submit the form to seek approval from Services Australia for the Voluntary Work placement, or

- Determine if the placement would be suitable as a Provider Sourced Voluntary Work and undertake the relevant steps to create Provider Sourced Voluntary Work placement (where you deem this an appropriate activity for the participant).
  - **Note:** When creating a Provider Sourced Voluntary Work placement for a participant who will be Fully Meeting their requirements through Voluntary work or a combination of activities that includes Voluntary work, you must ensure the duration of the placement in the department's IT systems does not exceed 365 days.

The table below outlines the requirements to fully meeting mutual obligation requirements for each participant type.

Participant type	Requirements to Fully Meet Mutual Obligation Requirements
Mature age (55-59 years)	**If in their first 12 months of receiving Income Support Payments.** By undertaking: • 30 hours per fortnight of approved study and/or paid work (including self-employment), or • Voluntary work combined with at least 15 hours of approved study and/or paid work (including self-employment), for 30 hours per fortnight.
	After receiving Income Support Payments for 12 months or more (or receiving Parenting Payment for any duration). By undertaking: • 30 hours per fortnight of approved study, paid work (including self-employment or Voluntary Work, in any combination
Mature age (60 years and over)	By undertaking: • 30 hours per fortnight of approved study, paid work (including self-employment or Voluntary Work, in any combination
Principal carer parents (youngest child is under 16 years of age)	By undertaking: • 30 hours per fortnight of approved study and/or paid work (including self-employment), or • voluntary work combined with at least 15 hours of approved study and/or paid work (including self-employment), for 30 hours per fortnight. Principal Carer Parents receiving the pensioner education supplement, and undertaking 30 hours of full-time study, including bachelor degree courses, are also taken to be Fully Meeting their requirements.
Partial capacity to work (15-29 hours per week)	By undertaking: • 30 hours per fortnight of approved study and/or paid work (including self-employment), or • voluntary work combined with at least 15 hours of approved study and/or paid work (including self-employment), for 30 hours per fortnight.

Participant type	Requirements to Fully Meet Mutual Obligation Requirements
Participants in receipt of a Carer Allowance	By undertaking: • 30 hours per fortnight of approved study and/or paid work (including self-employment), or • voluntary work combined with at least 15 hours of approved study and/or paid work (including self-employment), for 30 hours per fortnight.

4.9.4 Participants who are meeting their Points Requirement

Participants with a Points Requirement can meet their Points Target and job search requirement for the relevant Points Reporting Period through sufficient participation in certain tasks and activities. These participants will remain on your caseload and continue to be serviced by you while undertaking the tasks or activities. They will also be required to undertake other Mutual Obligation Requirements outlined in their Job Plan.

Participants undertaking the following activities will meet their Points Requirement if they undertake the activity for their entire Points Reporting Period (4 weeks).

- Skills for Education in Employment
- Adult Migrant English Program (over 15 hours per week)

A participant's job search requirement will be automatically reduced to zero for the entire Points Reporting Period when the participant reports their first attendance or weekly participation at one of these activities in the Points Reporting Period.

If a participant stops undertaking one of these activities during their Points Reporting Period, they will earn points for the weeks attended but may not meet their Points Requirement for the entire Points Reporting Period. You must review their circumstances and consider supporting them in alternative activities to meet their Points Requirement or reduce their Points Requirement for the reporting period.

Other activities that can meet a participant's Points Requirement include:

- Eligible accredited or non-accredited education and training short courses which will improve employment prospects, for more than 15 hours per week (for further information, refer to Education and Training)
  - For these participants, you must (in the IT System):
    - reduce their points target by 20 points (if the points target is set at 100) and
    - set the job search requirement to zero.
  - Generally, you will adjust the Points Target and job search requirement by applying personal circumstance credits. This allows participants to meet their Points Requirement by reporting any points earned for undertaking the approved eligible education and training short courses.

- Full-time residential or intensive drug and alcohol treatment or rehabilitation (irrespective of the duration)
  - For these participants, you will need to reduce the Points Target and job search requirement to zero.
- Defence force reserves training camp (irrespective of the duration), or 15 hours per week of reserve service for a principal carer parent
  - For these participants, you will need to reduce the Points Target and job search requirement to zero.
- Early school leavers undertaking education and training, or a combination of education and training and part-time work, for the required hours per week (25 hours, or 15 hours for principal carer parents or those with a partial capacity to work of 15-29 hours per week)
  - For these participants, you must make a manual adjustment in the IT System to reduce the Job Search Requirement to zero.

The table below provides an example of the actions you must take when participants are meeting their Points Requirement.

Examples
Example 1 A participant undertaking an approved eligible accredited or non-accredited education and training course for **more than** 15 hours per week will earn 80 points over the 4-week Points Reporting Period. You must reduce the: • Points Target by 20 points for a Points Target of 100 points, or 10 points for a Points Target of 90 points • Job Search Requirement to zero, using the points reduction category 'undertaking full time course' for the period of study. For participants with a Points Target below 80 points, you are only required to reduce the Job Search Requirement to zero and the participant will earn points to meet their Points Target. ***Example 2*** If a participant is in full-time residential or intensive drug and alcohol treatment or rehabilitation for 1.5 weeks of the Points Reporting Period, or is undertaking a defence force reserves training camp that runs for 2 weeks during a Points Reporting Period, the participant will meet their Points Requirement for that entire Points Reporting Period. You must reduce the Points Target **and** job search requirement to zero.

4.9.5 Meeting the Points Requirement

The PBAS provides a flexible framework for participants to earn points by doing various tasks and activities to meet their monthly Mutual Obligation Requirements.

The maximum Points Requirement a participant must meet each month is 100 points (Points Target), including 4 job searches (job search requirement).

This can be adjusted based on a participant's personal circumstances and local labour market conditions. If there are no adjustments, the default target is set in the IT System at 100 points (including 4 job searches) each reporting period.

Explaining the requirements to the participant

You must document each participant's Mutual Obligation Requirements in their Job Plan and explain the requirements to the participant.

Explain to the participant that they must:

- meet a specified Points Target each month that is displayed on their homepage or as advised by you. This is the number of points they must report to meet their Mutual Obligation Requirements
- complete a job search requirement each month. This is the number of Job Searches they must report to meet their Mutual Obligation Requirements.
- meet both their Points Target and job search requirement each month to meet their Points Requirement
- complete or attend tasks or activities to earn points, for example 80 points of tasks and activities and 20 points for 4 job searches to meet a Points Requirement of 100 points
- report completion of tasks and attendance at activities on their homepage or to you
- contact you if they are unable to report their participation or attendance at an activity and you will report on their behalf
- immediately advise you so that you can adjust their requirements if they cannot meet their Points Target or job search requirement, or if they have a change in circumstances.

You must also explain to the participant that:

- their Points Target and job search requirement will be tailored to recognise their personal circumstances and local labour market conditions
- their Points Reporting Period ends on the same day each month. This date is displayed on their homepage, or as advised by you
- they may be subject to compliance action under the Targeted Compliance Framework (for further information, refer to Targeted Compliance Framework and Mutual Obligation Failures) if they do not meet their Points Requirement by the end of their Points Reporting Period.

Supporting participants to meet their Points Requirement

The participant will need to undertake and report sufficient tasks and activities to meet their Points requirement by the end of their Points Reporting Period.

You must:

- encourage the participant to own their pathway to employment and take responsibility for meeting their Points Requirement each Points Reporting Period
- support to the participant to ensure they are reporting their participation in their tasks and activities.

The participant can choose from the tasks and activities available to them to undertake to meet their Points Requirement. You must work with them to identify any strengths and barriers to finding employment and use this information to discuss appropriate tasks and activities for the participant.

You must discuss with the participant and identify the reasons for the non-compliance if they are not meeting their Points Requirement or attending their activities.

If a participant does not engage in one or more provider assessed activation activities by the activation point, they may be required to complete an activity. For further information, refer to Activation.

Meeting the job search requirement

Job search efforts are the tasks and activities undertaken to look for employment that count towards a participant's Mutual Obligation Requirements.

For the purposes of Social Security Law and meeting job search requirements under PBAS, a participant is considered to have undertaken a job search effort if the participant contacts another person or body in relation to, and for the purpose of, obtaining paid work with the other person or the body whether or not the:

- contact is in relation to paid work; and
- other person or the body has advertised any paid work.

The definition of Contact includes:

- contacting an employer by telephone, in writing, or in person
- submitting a written or online application, including a resume
- acting on a referral to a job.

Interviews do not count towards a participant's job search requirement. Participants will earn points separately for attending an interview.

Participants who are freelance workers or self-employed can declare job search efforts that count toward the Points Requirement for contacting a potential employer or person for paid work opportunities related to their field of self-employment.

This can include project-based work or short-term contracts such as:

- applying for a grant

- submitting a portfolio for a creative arts project
- contacting a potential client about their advertisement for web design work
- contacting the owner of a local venue for a music gig.

Refer to Mutual Obligations for freelancers or self-employed workers Fact Sheet and the Job search quality assessment user guide for more information on Irregular and Freelance work.

Each Job Search effort is worth 5 points, refer to the 'Points values for tasks and activities in the PBAS' provider fact sheet and the KB0017339 - Employment - Systems Task Cards - PBAS – Reporting Points, Activities, Tasks and Job Search on Behalf of a Participant for more information. Most participants will need to complete a job search requirement of 4 job searches (20 points) to meet their Points Requirement each Points Reporting Period.

Participants can undertake more than 4 job search efforts in a Points Reporting Period and can meet their Points Requirement through job search alone, if appropriate for that individual. You can also reduce the job search requirement to 3, 2, one, or zero, based on the participant's circumstances.

The table below provides an example of a participant meeting the job search requirement.

Example
A participant with a Points Target of 100 could complete 20 job search efforts and meet their Points Requirement for that Points Reporting Period. These can be reported one by one, or in a bulk upload by the participant or by you on behalf of the participant.

At the activation points, participants who have undertaken mostly job search may have an activity requirement if they have not been placed into an activity. For further information, refer to Activation.

Points values for tasks and activities

All tasks and activities are assigned a points value, with more intensive activities attracting more points. The points value assigned is based on the level of engagement and commitment required to complete the task or activity and the strength of the link to paid work.

In certain circumstances, you can add an activity bonus to increase the points value participants receive for undertaking certain tasks or activities, based on the requirements of the specific task or activity and/or the participant's personal circumstances.

Refer to the 'Points values for tasks and activities in the PBAS' provider fact sheet on the Provider Portal or the Employment - Systems Task Cards - PBAS - Adding an Activity Bonus for a Participant for more information.

4.9.6 Reporting tasks and activities to earn points

Participants must report the completion of their tasks and their attendance at activities where personal responsibility is included in their Job Plan. If they do not have the capability to self-report, you must do this on their behalf.

For tasks, the participant must report each completed task by using the Workforce Australia website or app. In some cases, reporting the task will be by adding it to their profile, for example, gaining a work-related licence or qualification. Once the participant reports the task, the IT System will automatically allocate the relevant points to the participant.

For Activities, the participant will earn points following the reporting of their attendance at that Activity by using the Workforce Australia website or app. At some Activities, the participant may be able to report their attendance by scanning a QR code made available to them at the Activity.

- When you schedule an Activity in the participant's Electronic Calendar, the participant will report their attendance at that Activity on the day the Activity was scheduled. Points will be awarded when the participant reports their attendance at the first day of the Activity each week.
- When an Activity is not scheduled in the participant's Electronic Calendar, the participant will report their participation in the Activity weekly.

Refer to the 'Reporting tasks in PBAS' Provider fact sheet and the 'Reporting Activities in PBAS' Provider fact sheet on the Provider Portal for more information on when an Activity is scheduled or not scheduled in the participant's Electronic Calendar.

While points are awarded following attendance of at least one day in a scheduled Activity, participants must attend every day of the Activity. You must discuss any non-attendance at Activities with them to find out the reason/s for non-attendance.

For guidance on how to report tasks and Activities in the IT System refer to the department's training resources.

Tasks completed during an activity

A participant can report the completion of a task and earn points for that task if it was undertaken while participating in another Activity.

The table below provides an example of a task completed during an Activity.

Example
While completing a training course, a participant has achieved a construction industry induction white card. The participant can report the points for: • completing the training course of 15 points for up to 15 hours (per week), • 50 points for successfully obtaining the white card • 5 points for updating their profile with the updated course and licence details.

Incorrect reporting of a completed task or activity

The table below outlines the steps you must take when you determine that a participant has completed a task or Activity and reported incorrectly.

Steps
Contact the participant and remind them of their obligations under their Job Plan. Demonstrate to the participant how to report correctly to attract eligible points. **Note**: You will not be able to remove the incorrect points in the IT System.

Reporting tasks and activities on behalf of a participant

The table below outlines the steps you must take to report tasks and activities on behalf of a participant.

Steps
1. On the same day you are advised by the participant that they have completed a task or activity, select 'Add Points' on the participation screen. 2. Add the necessary information. For additional information please refer to - Employment - Systems Task Cards - PBAS – Reporting Points, Activities, Tasks and Job Search on Behalf of a Participant

4.9.7 Assessing the quality of a participant's job search efforts

You must review the quality of job search efforts submitted by the participants commenced on your caseload who have a Points Requirement, as follows:

- You must assess the quality of all Job Searches submitted by your organisation on behalf of the participant, at the time of upload. Only satisfactory Job Searches are to be uploaded to the department's IT systems and the associated points applied towards the participant's Job Search and Points Requirements.
- **Note:** if a job search is not of quality, or there is insufficient evidence to support each individual job search, they must not be uploaded, and the associated points must not be applied.
- At the end of each reporting period, assess the quality of all job searches submitted by participants in the IT System as outlined in section below on **Completing the points period assessment**. This applies to all participants who have submitted sufficient job searches to meet their PBAS requirement (which includes their job search requirement).
- You must review the quality of re-engagement job searches as part of general servicing and address any issues identified at the participant's next appointment. See the Job Search Quality assessment user guide for more information.

Completing the points period assessment

The table below outlines the steps you must take to assess the quality of job searches submitted by participants in the IT System at the end of each reporting period.

Steps
1. Complete a factual and holistic review of the quality of all submitted job searches. Mark them as 'satisfactory' or 'unsatisfactory' in the IT System. **Note**: Only Job Searches submitted by participants can be assessed as satisfactory or unsatisfactory under the points period assessment process. You should still consider Job Search efforts you have uploaded on behalf of the participant when conducting the points period assessment to establish if the variety of Job Search efforts overall, is suitable. 2. Identify why any job search efforts have been assessed as unsatisfactory, including any failure of the holistic review. 3. Leave detailed comments to evidence how any quality issues have, or will be, addressed. 4. Submit the completed points periods assessment no later than 5 Business Days after the participant's Points Reporting Period has closed. **Note**: The IT System recognises any national and NSW wide public holidays. Norfolk Island specific public holidays are not recognised by the IT system. Refer to the Job Search Quality Assessment Guide and the Assessing Job Search Quality in the points period assessment IT task card, for detailed guidance on how to assess Job Search Quality.

Completing a factual and holistic review

Consider the factors below to conduct a factual and holistic review of all job search efforts undertaken by participants to ensure they are maximising their opportunities to secure employment.

Holistic review

- Are the jobs the participant has applied for:
  - At levels of seniority or remuneration that are suitable?
  - In a variety of fields and occupations that they are qualified for or that they have experience in, and is work that is suitable for the participant?
- Has the participant used a suitable variety of methods to contact potential employers?

Note: While the above criteria must be considered when assessing the Job Search efforts, a participant does not need to meet each criterion in every Points Reporting Period. To assess the appropriateness of Job Search variety, you must consider:

- the participant's unique circumstances holistically, including the labour market conditions they are operating within
- the Job Search efforts the participant has submitted over time.

Factual review

- The factual review is the assessment of factual, objective information relating to the suitability of each job search effort so that an appropriate result of 'satisfactory' or 'unsatisfactory' can be recorded in the department's IT systems.
- To complete a **factual review**, you must check that each submitted job search effort:
  - includes clear details of the job title or occupation, and the employing business.
    - If the employing business is not available, the job search submission should list the platform where the position was found e.g. SEEK, Aduna.
  - is dated, and that date is from the relevant Points Reporting Period
  - is for a role the participant is qualified for and/or able to undertake. Participants cannot be required to look for work that they cannot undertake or use methods that they are unable to (for example, those who cannot access the internet must not be required to apply for work online)
  - is for suitable, paid work roles (i.e. not volunteer work or self-employment, unless the participant actively contacts a potential person or employer about a suitable paid work opportunity related to their field of self-employment)
  - has not have been deliberately sabotaged
  - is not the exact same job duplicated in the same Points Reporting Period.

Marking the assessment in Workforce Australia Online

When conducting the points period assessment, if you have assessed a job search effort as not being of sufficient quality, the relevant job searches should be marked as 'unsatisfactory' in the department's IT systems with a selected reason. The table below outlines the different reasons to select when marking a job search effort as 'unsatisfactory'.

Reason	Applies to
Did not tailor efforts to industry/type of job	Use this option for any failure in your assessment that relates to a factual review, for example, where the job search: • is not for a role the participant is qualified for and/or able to undertake. • has been deliberately sabotaged. • has been duplicated. • has not clearly evidenced the job title or occupation, and the employing business or advertising platform when the employer name is not available

	• has not been dated, or the date was not from the relevant point period
Did not apply for jobs in a diverse range of fields/industries as required	Use this option for a repeated lack of variety in: • seniority or remuneration and/or • fields and occupations.
Did not use a variety of methods as required	Use this option for a repeated lack of suitable variety in the methods of making contact with another person or employer in relation to, and for the purpose of, obtaining paid work.

Providing educative feedback regarding unsatisfactory job searches

To deliver feedback and educate the participant on how to improve their Job Search efforts to achieve quality:

- Discuss:
  - the reasons why any Job Search efforts were found to be unsatisfactory.
  - what tailored support is available to help the participant improve their future Job Search efforts.
  - the consequences of submitting Job Search efforts that are not of satisfactory quality and the application of the Targeted Compliance Framework
- Encourage the participant to diversify their Job Search efforts and establish a target if appropriate, or to focus their Job Search efforts to the particular field in which they are qualified (rather than in a variety of fields and occupations) for an appropriate period of time.

You must record a summary of the discussion in the comments section of the points period assessment.

If you have not been able to successfully make contact with the participant before submitting the points period assessment, you must still record comments covering the points above, outlining the feedback you intend to deliver at the next successful Contact.

4.9.8 Setting Job Referral tasks

Job referral tasks can connect participants with suitable work. If you identify a job opportunity for the participant, you must set a job referral task for the participant to action.

Specific job referral tasks you can set include:

- Apply for a specific job
- Accept a job interview
- Contact an employer to arrange and accept a job interview
- Provide personal details to support a job opportunity.

You must ensure that all job referral tasks that a participant is required to do are recorded in the department's IT systems.

Note: You must not set a job referral task for participants to update their resume. The department expects that as part of general servicing you are assisting participants in updating their resume.

All information you enter in the department's IT systems in relation to the job referral task must be accurate and complete. The participant must be formally notified, with reasonable notice, of each job referral task that they have been set.

You must ensure participants are only set job referral tasks that they can successfully complete by the due date.

The department's IT systems does not limit the number of job referral tasks that can be set for a participant. You must ensure you do not set a number that exceeds the participant's Job Search Requirement.

4.9.9 Tailoring Mutual Obligation Requirements

A participant's Mutual Obligation Requirements must reflect their individual circumstances and are affected by factors such as a participant's:

- age
- assessed work capacity
- primary responsibility for the care of a child
- any other personal circumstances that may impact their ability to meet their requirements or participate in the program.

You can tailor Mutual Obligation Requirements for a participant, for example, by:

- adjusting the participant's Points Target and Job Search Requirement
- scheduling Appointments or Activities to better suit the participant
- tailoring Appointment arrangements such as holding Appointments by telephone or video call.

You must consider all factors, including the unique characteristics of Norfolk Island and its labour market, that may impact a participant's ability to meet their Points Target and job search requirement. It is important to consider the impact for the participant to meet their requirements for the current and next reporting period.

For guidance on where to view a participant's target, how to tailor Points Requirements, how to reduce job search requirements, and how to edit Points Target and job search requirement in the IT System, refer to:

- PBAS Training Module
- Tailoring a Participant's Points Target and Job Search Requirement Task Card

When Points Target is automatically adjusted

At the start of each Points Reporting Period, reductions are automatically applied in the IT System for participants based on their labour market conditions and personal circumstances. These are capped at:

- **20 points** for labour market conditions – This will be applied for all Norfolk Island Residents
- **A total of 40 points** – applied to participants with one or more of the following personal circumstances:
  - Partial Work Capacity (15-29 hours per week)
  - Principal Carer Parent with a child aged 6 years or over
  - Mature Aged (55+ years)
  - Receiving Carer Allowance.

If you have manually applied a reduction for one or more of the above circumstances, an automatic reduction will not be applied in the IT System.

If a participant's circumstances change during a Points Reporting Period, the reduction to the Points Target will be applied in the same Points Reporting Period, for example if a participant turns 55 part-way through their Points Reporting Period, or a Partial Work Capacity is granted part-way through the Points Reporting Period.

When to adjust Points Requirements

When setting Points Requirements, you must review any barriers identified through an ESAt or Job Capacity Assessment in the department's IT systems. The Job Seeker Snapshot (see Job Seeker Snapshot Offline Form on the Provider Portal) and Capability Management Tool in the department's IT systems, may also help identify personal issues affecting a participant's capacity and opportunity to gain employment.

Are these Points Target

Consistent with section 40F of the Social Security (Administration) Act 1999, you must consider the following circumstances and apply reductions where appropriate:

- The participant's education, experience, skills and age.
- The impact of any disability, illness, mental condition or physical condition of the participant on their ability to work, to look for work or to participate in training activities.
- The state of the labour market (regardless of whether the participant is eligible for the automatic 20 point labour market credit).
- Transport or other options available to the participant in accessing the labour market.
- The participation opportunities available to the participant.
- The family and caring responsibilities of the participant.
- The length of travel time required to comply with requirements in their Job Plan.

- The financial costs (such as travel costs) of complying with requirements, and the participant's capacity to pay for such costs.

You must also consider the participant's needs and their capacity to comply with the requirements, as well as other matters, such as:

- Temporary reduced work capacity
- Community service orders (note: not considered Voluntary Work)
- Homelessness and/or emergency housing
- Drug and/or alcohol dependency
- Other barriers to employment
- Observance of cultural or religious beliefs

Job Search Requirements

You can reduce the Job Search Requirement for circumstances such as those listed below:

- Poor or below average labour market
- Barriers to employment
- Significant caring responsibilities
- Short term family or other emergency
- Experiencing domestic violence
- Homelessness or emergency housing
- Early School Leavers undertaking appropriate Activities
- Undertaking an approved course for language, literary and numeracy issues
- Undertaking full-time residential drug or alcohol treatment or rehabilitation
- Any other reason that a participant may not be able to complete their job search requirement.

Refer to Participants who are Fully Meeting their Mutual Obligation Requirements for information on reducing job search requirements for participants who are Fully Meeting requirements by undertaking accredited education and training courses over 15 hours per week (full-time) and Defence Force Reserves Training Camp.

After a Capability Interview or Capability Assessment

If a participant's Capability Interview or Capability Assessment shows that they are not capable of meeting their requirements, you must review the Job Plan. You must also tailor either or both the Points Target and the job search requirement to ensure they are suitable for the participant and appropriately reflect their circumstances. Refer to Targeted Compliance Framework.

Reducing the Points Target

You can apply a reduction at any time if an adjustment to the Points Requirement is required to reflect a change in participant's circumstances.

You can apply reductions in any amount, in 5-point increments, to reflect the participant's circumstances and capacity to comply with the requirements. You must record the reasons for tailoring the participant's Points Requirements in the comments section of the department's IT systems.

You should consider any future automatic reductions the participant will receive before you apply reductions to more than one Points Reporting Period.

The table below provides examples of how Points Requirements can be reduced to reflect changes in a participant's circumstances.

Examples
Example 1 If you apply a reduction of 30 points, the Points Target will be reduced from 100 points to 70 points. This does not include any automatic reductions for personal circumstances or labour market reductions. ***Example 2*** A participant is aged 60 years old with a disability. They will have an automatic reduction of 40 points as they are of mature age. You can apply a reduction in 5-point increments. If you apply a reduction of 20 points for the disability, the participant's Points Target would reduce by a total of 60 points. Their Points Target for the Reporting Period will be 40. ***Example 3*** A participant discloses they have low literacy skills and other barriers to employment. You can apply a personal circumstances reduction of 30 points to recognise their level of literacy skills. The reduction is applied for 2 reporting periods to allow the participant to work towards addressing their barriers. You also reduce the participant's Job Search target for the same periods. ***Example 4*** You know a participant does not receive the automatic reduction for their age, however based on the participant's age of 45+ years and their other barriers to employment. You can decide to apply a reduction of 30 points for a period of 6 months. ***Example 5*** A participant receives an automatic reduction of 40 points for being a Principal Carer Parent with a child aged 6 plus. You can also apply an additional reduction of 15 points during the Points Reporting Period to recognise a temporary illness. ***Example 6***

A participant needs to spend 3 days of the Points Reporting Period travelling to attend a cultural ceremony. You can reduce the Points Target by 15 points to reflect the participant's personal circumstances.

Reducing the Job Search requirement

The Job Search requirement is the total number of Job Search efforts that a participant must submit during their Points Reporting Period to meet their Points Requirement. This is generally 4. This is in addition to meeting their Points Target.

You can reduce the Job Search requirement to 3, 2, 1 or zero each Points Reporting Period, or you can set it to apply for consecutive Points Reporting Periods for a total of 6 months.

When the Job Search Requirement is reduced for any reason, the overall Points Target will not automatically reduce in the IT Systems. However, you will receive a prompt when reducing the Points Target to also consider reducing the Job Search requirement.

The participant can choose how they earn the points to meet their Points Requirement, by completing tasks or participating in other Activities.

You must record the reason for reducing the Job Search requirement in the comments section in the department's IT systems.

The table below provides an example reducing a Job Search requirement for a participant.

Example
A participant receives the labour market reduction of 20 points and a personal circumstances reduction of 40 points for a Principal Carer Parent with a child 6 years or over. In addition, you reduce the Job Search requirement to zero due to significant caring responsibilities and a poor or below average labour market. The participant would be required to report 40 points in the Points Reporting Period but complete no Job Search efforts to meet their Points Requirement.

If Points Requirements are reduced to zero

If a participant's circumstance requires their Points Requirement to be reduced to zero, the Points Target and Job Search requirement should only be reduced to zero for short periods of time, except for circumstances such as Full-time residential rehabilitation.

If, for any reason, the Points Target is reduced to zero, you must also manually reduce the Job Search requirement in the IT System as this does not occur automatically.

Note: You will receive a prompt in the IT System when you reduce the Points Target to consider reducing the Job Search requirement.

This is important as the participant may be subject to the Targeted Compliance Framework for not meeting their Job Search requirements.

Reducing Points Requirements for more than one Points Reporting Period

You can apply reductions to a single Points Reporting Period or set it to apply for consecutive Points Reporting Periods for up to 6 months. The Points Requirement can only be set at a higher level in the next Points Reporting Period.

If you are considering extending a participant's reduction in Points Requirements for over 3 to 6 months due to their circumstances, you may want to encourage the participant to contact Services Australia to consider an exemption. You can also encourage participants who are temporarily unable to meet any requirements, to contact Services Australia to discuss an Exemption.

Adjusting Points Requirements for specific groups

You must consider the participant's work capacity and their needs when setting Mutual Obligation Requirements for participants who are:

- Principal Carer Parents
- pregnant
- assessed with partial Capacity to Work or temporary reduced work capacity
- mature age
- receiving a carer allowance
- Early School Leavers
- in drug or alcohol treatment.

Participants who are Principal Carer Parents

At the start of each Points Reporting Period, the Points Target will be reduced in the IT System by 40 points for Principal Carer Parent participants with a child aged 6 years or over, in recognition of their ongoing family and caring responsibilities.

You will be required to manually apply a reduction of 40 points in the IT System for each Points Reporting Period for Principal Carer Parent participants who are receiving an income support payment other than Parenting Payment who have a child under 6 years old in care. This can be done for up to 6 months at a time until the child turns 6.

During school terms, face-to-face Appointments and participation in Activities should be scheduled during school hours (generally between 9 am to 3 pm). If times outside of school hours, including on weekends, are suitable for the Principal Carer Parent, you can record their availability in the department's IT systems and set requirements at these times.

During school holidays, if a Principal Carer Parent is unable to obtain suitable childcare, you must work with the participant and consider alternative arrangements to support them in meeting their Mutual Obligation Requirements. This may include engaging with you via video call or phone, rather than face-to-face.

A Principal Carer Parent can fully meet their Mutual Obligation Requirements through sufficient participation in certain tasks and Activities.

Participants who are pregnant

You must consider a pregnant participant's personal circumstances when setting their Mutual Obligation Requirements.

If a pregnant participant who are 3 months out from their expected due date:

- they will not have a Job Search requirement
- you must manually adjust the Job Search requirement to zero in the IT System.
- consider adjusting their Points Target. During this time, you cannot compel these participants to accept job offers or referrals to job interviews.
- they can be required to attend Provider appointments up to 6 weeks before the expected due date, where notified.

Pregnant participants 6 weeks before the expected due date and until 6 weeks after the birth of their child, will have an Exemption from all of their Mutual Obligation Requirements.

Pregnant participant may also have an Exemption from all their Mutual Obligation Requirements if:

- it would be unreasonable to expect them to comply, or
- a Services Australia delegate is satisfied in all the circumstances that the participant should not be required to comply.

Participants with a Partial Capacity to Work or temporary reduced work capacity

If a participant is assessed by Services Australia as having a partial capacity to work or temporary reduced work capacity of 15-29 hours per week:

- their Points Target will reduce automatically by 40 points in the IT System at the start of each Points Reporting Period
- if the reduced work capacity is temporary, you must manually reduce the Points Target. The participants must attend Appointments with you, where required

These participants can fully meet their Mutual Obligation Requirements by taking part in certain tasks and Activities.

Work capacity of 0-14 hours per week

Participants with a partial capacity to work or temporary reduced work capacity of 0-14 hours per week will be managed by Services Australia and be required to attend quarterly interviews with Services Australia. The participant does not need to be connected to a Provider but can volunteer to receive assistance. Refer to Category 2 participants.

Mature age participants

If a participant is aged 55 years and over:

- their Points Target will reduce automatically by 40 points in the IT System at the start of each Points Reporting Period
- they will be required to attend Provider Appointments, as needed.

Participants aged 55 years and over can fully meet their Mutual Obligation Requirements through sufficient participation in certain tasks and Activities.

Participants receiving a carer allowance

If a participant is receiving a Carer Allowance:

- their Points Target will be reduced automatically by 40 points in the department's IT systems at the start of each Points Reporting Period
- you must consider if other reductions are appropriate

If a participant is not receiving a Carer Allowance but has caring responsibilities, you must:

- consider any personal circumstances that may impact their ability to meet their Mutual Obligation Requirements
- reduce their Points Target and Job Search requirement accordingly.

Participants receiving Carer Allowance can fully meet their Mutual Obligation Requirements by taking part in certain tasks and Activities.

Participants who are 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.

Only Services Australia can verify a Year 12 or equivalent qualification to determine whether a young person is no longer an Early School Leaver. Refer to Verifying Early School Leaver's qualification.

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

Early School Leavers are generally required to participate in:

- Education or training, including Certificate I and II level courses, for the required hours; or
- a combination of Education and training, and paid work for the required hours; or
- other approved Activities for the required hours and completing any Job Search requirement.

The required hours are 25 hours per week (or 15 hours per week for Principal Carer Parents and those with a PCW of 15 to 29 hours per week).

If an Early School Leaver is placed in an approved Education or training courses, and is taking part in that Education and training (alone or in combination with paid work or other approved activity) for the required hours:

- they can meet their Points Requirements without needing to meet the Job Search Requirement
- you must reduce the Job Search requirement to zero for each reporting period in which they meet their Points Requirement.

You must closely consider the Early School Leaver's circumstances, including being a Principal Carer Parent or having a partial capacity to work of 15 to 29 hours per week, and reduce their Points Target appropriately.

Verifying Early School Leaver's qualifications

Do not send verification requests to Services Australia if the Education level is below Year 12.

To verify an Early School Leaver's qualification:

- sight the original qualification.
  - if the original is not available, a certified copy of the qualification or a letter from the Education and training institution formally verifying attainment
- fax a copy of the completed qualification with the Verification of Year 12 or equivalent cover sheet to Services Australia Business Hotline on 1300 786 102.

If these cannot be obtained, a statutory declaration from the Early School Leaver will be required. The statutory declaration must be appropriately certified and include:

- name of the course
- date completed
- name of institution
- institution contact details

If Services Australia:

- does not accept the qualification - they will contact you. You must contact the Early School Leaver to advise them why the qualification was not verified.
- accepts accept the qualification - you must update the Education level information in the participant's Job Seeker Snapshot to reflect the Early School Leaver's advised higher level of educational attainment.

Participants in drug or alcohol treatment or rehabilitation in a residential program

If a participant is undertaking intensive drug and alcohol treatment or rehabilitation (such as a full-time residential program):

- they are meeting their Mutual Obligation Requirements
- you must reduce both the Points Target and the Job Search Requirement to zero for each Points Reporting Period
- no other requirements, such as Provider Appointments or job interviews are to be scheduled while they are in residential rehabilitation

- schedule it in the participant's Electronic Calendar and notify the participant (does not apply for full-time rehabilitation treatment)
- record information on the participant's participation (or refusal to participate) in treatment services in the Capability Management Tool, in the IT System, including if:
  - the participant has accepted and is currently participating in services
  - services are not available in the participant's area of residence
  - there is a waiting list to participate in treatment
  - the participant has refused to participate in treatment.

Staff of residential programs and intensive treatment programs have an implied authority to act on behalf of an individual attending their facility.

Verbal notification of commencement into the treatment program and release is sufficient. Participants or treatment facilities are not required to provide written evidence of their participation in treatment programs.

If you identify or become aware that a participant's ongoing capability to meet their Mutual Obligation Requirements is reduced due to a drug or alcohol dependency, you should discuss this with the participant to identify rehabilitation options that would assist the participant to address their dependence.

Participants undertaking paid work (including self-employment)

Participants can undertake paid part-time or casual Employment, including freelance and irregular work, at any stage and are generally required to accept any suitable work, including casual or part-time work, that is offered to them.

In line with the Social Security Guide, for any hours of Employment to count towards a participant's Mutual Obligation Requirements, that employment must be for an appropriate level of remuneration and meet the sufficient work test.

Further information on freelance and irregular work, refer to the Mutual Obligations for freelancers or self-employed workers Fact Sheet.

Calculating hours of paid work to report points

Depending on how a participant is paid, they may need to calculate how many hours of work are counted towards their Mutual Obligation Requirements under the sufficient work test.

If the income received is at least the applicable legal hourly rate (usually the National Minimum Wage or applicable occupation award wage), the participant's total hours of Employment for a period can be reported. Participants must record their hours via the 'Earn and Report points' page through their Workforce Australia account to earn points towards their monthly Points Target. You can also enter paid work hours on their behalf.

If the income a participant receives works out to be less than the National Minimum Wage or applicable occupation award wage (for example, where a participant is self-employed), the number of hours which count towards a participant's Mutual Obligation Requirements

can be calculated under the sufficient work test. This is done by dividing the income received by the legal hourly rate. Refer to Employment | Social Security Guide (dss.gov.au).

At the end of the Points Reporting Period, the IT System will round up the total paid work hours and attribute the appropriate number of points earned.

4.10. Compulsory Participation Requirements for Disability Support Pension recipients

Compulsory Participation Requirements apply to a participant if they are:

- receiving Disability Support Pension
- under age 35 with an assessed work capacity of at least 8 hours a week, and
- do not have a child under 6 years

They are required to have a Job Plan which contains at least one compulsory work-focused Activity and may also contain additional compulsory or voluntary Activities. The Targeted Compliance Framework does not apply to these participants and they are not subject to meeting a Points Requirement through the Points Based Activity System (PBAS). They must not have PA09 Points Based Requirements included in their Job Plan.

A key component of Compulsory Participation Requirements under the program will be for participants to regularly and meaningfully engage with you.

You are responsible for monitoring the attendance and engagement of these participants at appointments and in compulsory activities.

Where you become aware that a category 1 participant on a Disability Support Pension has failed to comply with one or more of the requirements in their Job Plan, you must attempt to contact them on the same business day of becoming aware of the failure to comply, and:

- If there is contact, discuss the circumstances of the apparent non-compliance and assess if they have a Valid Reason or if the non-compliance should be reported to Services Australia, or
- if the contact was unsuccessful, determine if any further action should be taken.

If you determine that the non-compliance should be reported to Services Australia, you must:

- create and finalise a Disability Support Pension Activity Report within 10 Business Days of the failure or apparent failure
- record details and outcomes required in the IT System.

Services Australia will determine what impact, if any, there will be as a result of the non-compliance.

Where you choose not to report the non-compliance, you must use another engagement strategy to ensure the participant meets their Compulsory Requirements at the next available opportunity.

4.11. Activation

The purpose of activation is to encourage participants to engage in Activities to develop skills and improve employment prospects.

Activation requirements can be satisfied at any point in time. That is why early engagement in Activities, education or work both increases the likelihood a participant will secure ongoing work and also satisfies activation prior to the activation point. You should support participants to meet their activation requirements.

You are responsible for:

- considering a participant's capacity and capability to undertake Activities for their activation requirement. This includes assessing the participant's barriers and whether they are unable to undertake Activities or can only undertake fewer than the required activation requirement hours
- assessing and agreeing in negotiation with the participant, a range of suitable and safe Activities that will support the participant to find and maintain decent employment
- supporting and monitoring participants when undertaking Activities that count towards meeting their activation requirement
- ensuring participants engage in activities to meet their requirement at each activation point

4.11.1 Activation point

Activation points are used to identify if a participant is engaged in Activities, paid work, education or training, Participants' first activation point will occur at 6 months from the date of initial Commencement in the Program.

Subsequent activation points are either 6-months after:

- their last activation point, or
- the date they last met their activation requirement,

whichever is the latest.

4.11.2 Meeting the activation requirement

Prior to the activation point, participants can meet their activation requirement by participating in one or more Provider assessed activation Activities (any combination of Activities).

After the activation point, participants can meet their activation requirement by either:

- continuing in Activities,
- commencing in and participating in activities.

4.11.3 Activities to meet the requirement

The following activities can meet activation requirements for the program.

- Vocational Education and Training
- Informal Activity
- Non-accredited vocational education and training
- Other Government Programs
- Skills for Education and Employment
- Observational Work Experience
- Non-vocational assistance and interventions
- Voluntary Work – Provider or participant sourced.

Chapter 5. Category 1 participants - Targeted Compliance Framework and Mutual Obligation Failures

This chapter:

- provides information about the Targeted Compliance Framework (TCF) and outlines how it applies to category 1 participants in the program.
- describes what happens when participants commit Mutual Obligation Failures and Work Refusal Failures (that is, they refuse or fail to accept an offer of suitable employment) and how to respond. This includes guidance on impacts for new participants to employment services, assessing reasons for failures and ensuring the accurate and timely reporting of outcomes against participant's Mutual Obligation Requirements.
- provides information about Capability Interviews and Capability Assessments and related processes. These capability reviews are key components of the TCF that provide safeguards for participants to determine whether their Job Plan and Mutual Obligation Requirements are suitable.

Supporting Information and Documents

- Assuring the integrity of the Targeted Compliance Framework
- Targeted Compliance Framework page on the Learning Centre
- Valid Reason assessment options supporting document
- 'Rescheduled', 'No-Longer Required' and 'Requirement no longer needs to be met' reason options supporting document
- Valid Reason assessment options supporting document
- Provider action - Creation and confirmation of Demerits; potential suspension of Income Support Payment; lifting of Income Support Payment suspensions supporting document
- TCF - Workforce Australia Services
- Re-engagement Not Required' reason options supporting document
- Compliance Action No Longer Appropriate' reason options supporting document
- Face-to-face Service Delivery section in the Part A: Universal Guidelines
- Unable to re-engage within 2 Business Days' reason options supporting document
- Capability Interview Best Practice Guide, on the Learning Centre
- Work Refusal Failure reasons supporting document

5.1. Pause of elements of the Targeted Compliance Framework

The Secretary of the department (the 'Employment Secretary' under Social Security Law) took a decision on 5 and 6 March 2025 to pause some parts of the TCF, while legal and IT assurance reviews are underway.

Formal responsibility for administering the TCF sits with the Employment Secretary. Various decisions and functions have been delegated to officers of the department, Services Australia, and staff engaged by you. As such, the department and you are jointly responsible for administering this framework in accordance with the systems and guidelines developed by the department.

In taking these decisions, the Secretary considered their level of confidence in how the system, and decision-making processes within the system, are operating and the impact of these decisions on participants. Of critical importance is that people subject to the TCF are often our most vulnerable, including those who are homeless, First Nations people and people with disability.

While this is being resolved, participants will not have their payments:

- reduced for persistently failing to meet their Mutual Obligations Requirements (as applied under 42AF(2)(c) of the *Social Security (Administration Act) 1999* (the Act);
- cancelled for failing to meet their Mutual Obligations Requirements (as applied under 42AF(2)(d)) of the Act; and
- cancelled and/ or have a 4-week unemployment preclusion period applied (not being able to receive a social security payment) for an 'unemployment failure' (as defined in 42AE and applied under 42AH of the Act)

On the 5 July 2025, the department paused decisions to apply compliance action for Work Refusal Failures (as applied under 42AG of the Act). While this is being resolved, participants will not have their payments cancelled for a 'Work Refusal Failure' (as defined in 42AD and applied under 42AG of the Act).

The information below has been updated to reflect these decisions.

For further information on the specifics of these recent decisions, please see the DEWR website: Assuring the integrity of the Targeted Compliance Framework.

5.2. Targeted Compliance Framework

The TCF is designed to encourage participants to engage with you, take personal responsibility for managing and meeting their Mutual Obligation Requirements, actively look for work and improve their employment prospects. Participants commit Mutual Obligation Failures if they fail to comply with their Mutual Obligation Requirements.

Under the TCF, a participant's Income Support Payment may be:

- suspended if they commit a Mutual Obligation Failure
- suspended 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 do not meet a Reconnection Requirement within 28 calendar days after it is notified to the participant.

5.2.1 Your Obligations

Your TCF obligations include:

- assessing a participant's capability to record or report their own participation (and reviewing their capability as required). Refer to Assessing a participant's capability to self-report.
- making sure the participant's Mutual Obligations Requirements and Points Requirement (including Job Search requirement, where applicable) are suitable and tailored to their personal circumstances and commitments
- actively monitoring and recording each participant's compliance with their Mutual Obligation Requirements
- timely and accurate recording in the department's IT systems when a participant has committed a Mutual Obligation Failure or Work Refusal Failure.

Training requirement

You and your staff must successfully complete all mandatory TCF training on the Targeted Compliance Framework page of the Learning Centre, at least every 12 months.

5.2.2 The 3 zones of the Targeted Compliance Framework

The TCF comprises 3 zones for participants:

- Green Zone
- Warning Zone
- Penalty Zone.

The key things that determine if a participant moves from one zone to another are:

- they accrue a Demerit when a Mutual Obligation Failure is applied
- how many Demerits they accrue in a particular period
- the outcomes of any capability reviews.

IMPORTANT NOTE: although the Penalty Zone is still reflected in the department's IT systems, the application of financial penalties in the Penalty Zone of the TCF has been paused. Payment suspensions for missed requirements may continue to apply.

For a diagram illustrating the 3 zones in the TCF, see Unemployment Failures.

The Green Zone

All new participants begin in the Green Zone when they commence in employment services. They remain in this zone as long as they do not commit any Mutual Obligation Failures without a Valid Reason.

Following a Capability Assessment with Services Australia, the participant is moved back to the Green Zone by the department with their Demerits reset to zero[1].

The Warning Zone

When a participant in the Green Zone accrues a Demerit, they move into 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.

Each Demerit lasts for 6 active months, after which it automatically expires in the department's IT systems.

The term '6 active months' generally means 182 days, but the period is prolonged (up to a maximum of 12 months) for any time the participant:

- is in a post-cancellation non-payment period
- has been referred for a Capability Assessment and is waiting for that assessment to be completed, or
- has certain Exemptions.

Participants are required to participate in capability reviews once they have accrued 3 and 5 Demerits in a 6 active month period:

- at 3 Demerits, they will attend a Capability Interview with you. The outcome of a Capability Interview determines whether the participant will remain in the Warning Zone or go back to the Green Zone with their Demerits reset to zero.
- at 5 Demerits, they will participate in a Capability Assessment with Services Australia. Following the Capability Assessment, the participant will go back to the Green Zone with their Demerits reset to zero.

At any time, a participant may also be fast-tracked to the relevant capability review if they commit a Fast-track Mutual Obligation Failures.

While in the Warning Zone a participant may have a payment suspension applied until a Reconnection Requirement is met (see Reconnection Requirements).

The Penalty Zone

The Penalty Zone is still reflected in the department's IT systems, however the application of financial penalties in the Penalty Zone of the TCF has been paused.

After the fifth Demerit, people will still undergo a Capability Assessment with Services Australia.

[1] Refer to Pause of elements of the Targeted Compliance Framework

This is an important check to ensure a person is able to meet the requirements of their Job Plan and is given an opportunity to provide any other information relevant to their participation.

If a person is found to be capable of meeting their Mutual Obligation Requirements at the Capability Assessment, as the Penalty Zone currently doesn't apply, they will be returned to the Green Zone by the department, and their Jobs Plan will continue to apply.

You should not report non-compliance to Services Australia for participants who are being returned to the green zone.

5.2.3 Recording participation by close of business

You must schedule Engagements and Mutual Obligation Requirements in the participant's Electronic Calendar. This excludes the participant's requirement to:

- report adequate Points Requirements, including Job Search efforts
- enter into a Job Plan
- action a job referral task or job opportunity.

You must confirm and/or record participation against each Mutual Obligation Requirement by close of business on the day it is scheduled to occur. If you do not, the department's IT systems will automatically Suspend the participant's Income Support Payment after 5 Business Days.

This does not apply to reporting attendance at an Appointment with you.

The participant's Income Support Payment will not be affected if within those 5 Business Days any of the below is recorded in the department's IT systems:

- the participant contacted you to report their participation or
- the participant gives you a Valid Reason for the Mutual Obligation Failure, or
- the participant meets a reconnection requirement

A participant does not necessarily accrue a Demerit for failing to record their participation against a Mutual Obligation Requirement. But they may accrue a Demerit if they did not attend or participate in the Mutual Obligation Requirement, including if they failed to give prior notice to you of their inability to meet the requirement when it was reasonable to expect them to do so. See the Provider action - Creation and confirmation of Demerits; potential suspension of Income Support Payment; lifting of Income Support Payment suspensions supporting document for information on the circumstances in which a participant will accrue a Demerit.

5.2.4 Committing Mutual Obligation Failures

Where a participant commits a Mutual Obligation Failure, their Income Support Payment may be suspended, and, if they have no Valid Reason, they accrue a Demerit.

The term 'Mutual Obligation Failure' has the same meaning as 'mutual obligation failure' in section 42AC of the *Social Security (Administration) Act 1999*.

A participant will commit a Mutual Obligation Failure if they:

- fail to enter into a Job Plan
- fail to attend, or be punctual for, an appointment that they are required to attend
- fail to attend, be punctual for, or participate in an Activity that they are required to attend[2]
- fail to comply with their Points Requirement each Points Reporting Period
- act in an inappropriate manner:
  - during an appointment that they are required to attend, or
  - while participating in an Activity that they are required attend[3]
- intentionally act in a manner that could reasonably foreseeably result in an offer of paid work not being made to them
- fail to:
  - attend and participate appropriately at a job interview, or
  - act on a job referral or job opportunity when requested to do so by you.

You must not use or threaten to use the TCF to request pay slips or other proof of employment from a participant. You may request that a participant supply pay slips or other proof of employment, but participants are under no obligation to supply evidence of employment.

Participants new to employment services

All participants new to employment services will not have compliance action the first time they do not meet a Mutual Obligation Requirement. The department's IT systems will identify those new to employment services and will send a notification via their preferred notification method informing them:

- compliance has not been applied
- where to find information about their requirements
- to contact you if they are having difficulty meeting their requirements, or they require a referral to support services.

However, compliance action will apply if a participant who is new to employment services:

- does not attend their Initial Interview with you or
- behaves in such a way the Appointment cannot be completed or
- does not agree to a Job Plan.

If a Participant makes contact with you within 5 Business Days of the non-compliance event date to discuss their reason for not meeting the requirement, and a Valid Reason is

[2] Note that Activities are not compellable in Norfolk Island Employment Support Program

[3] Ibid.

accepted for the Mutual Obligation Failure, you will be able to reset the warning. Resetting the warning will enable the participant to receive the warning for their next eligible failure. For more information see KB0017631 - IT Task Card – Compliance - Resetting the Compliance Warning.

Where contact is made with the participant after 5 Business Days, and you accept the Valid Reason for not meeting the requirement, you must submit a request within 28 calendar days of the non-compliance event date through Question Manager to have the warning reset.

If a participant is doing 30 hours paid work a fortnight

Participants who have reported 60 hours or more of paid work in a monthly Points Reporting Period (equivalent to 30 hours per fortnight) and have indicated that work will be ongoing for more than two Points Reporting Periods, will not have compliance applied for non-attendance at Provider Appointments.

The department's IT systems will automatically prevent the application of compliance for non-attendance at Provider Appointments for the next two Points Reporting Periods. However, requirements like attending Capability Interviews, completing Job Search or meeting their Points Target will remain unchanged and compliance may be applied.

Fast-track Mutual Obligation Failures

Some missed Mutual Obligation Requirements are called fast-track Mutual Obligation Failures. They can result in fast-tracking a Capability Interview or Capability Assessment for a participant more quickly than would otherwise be the case.

Fast-track Mutual Obligation Failures apply to all participants who have an obligation to look for work.

A fast-track Mutual Obligation Failure occurs when a participant fails to either:

- attend or participate appropriately at a scheduled job interview
- act on a job referral or job opportunity when requested by you.

When a participant incurs a Demerit for a fast-track Mutual Obligation Failure and has:

- less than 3 Demerits: the department's IT systems will automatically increase the number of Demerits to 3
- 3 or 4 Demerits: the department's IT systems will automatically increase the number of Demerits to 5.

Prior Notice and Acceptable Reasons

If a participant gives you a reason for not being able to comply with their Mutual Obligation Requirement before it is scheduled to start, you must assess if it is an Acceptable Reason.

You must determine a participant has an Acceptable Reason if:

- the participant notified you, before the scheduled start time for, or due date of, a Mutual Obligation Requirement, that the participant is unable to meet the Mutual Obligation Requirement; and
- you are satisfied that the reason the participant gave would reasonably mean they could not comply with the Mutual Obligation Requirement.

If the participant missed a requirement in the past, this is a decision on whether they had a Valid Reason. If the participant can't meet a requirement in the future, this is a decision on whether they have an Acceptable Reason. The nature of the Acceptable Reason is determined using the same considerations as for Valid Reason. Refer to Assessing Valid Reasons for further information.

Personal Events are considered prior notice of a participant's inability to meet their requirements.

In some cases, you may need to schedule a requirement for the same time as a participant's confirmed and scheduled Personal Event. See Scheduling and managing appointments. In this case, you must discuss with the participant whether it is appropriate to record the Mutual Obligation Requirement.

You must ensure the participant has been sufficiently notified and is able to make other arrangements for the Personal Event. Finally, you will be required to record the reason for their assessment that it was appropriate to book the requirement over the event.

Participants must not be asked to give up paid work to meet requirements.

Note: A person notifying that they will be working at the time of a requirement is generally considered an Acceptable Reason.

If you are satisfied that the participant has an Acceptable Reason

If you are satisfied that the participant has an Acceptable Reason for being unable to meet a scheduled Mutual Obligation Requirement, you must reschedule or remove the scheduled requirement from their Electronic Calendar.

If you are satisfied that the participant has an Acceptable Reason for not being able to meet their monthly Points Requirement or not acting on a job opportunity, you must remove the requirement.

If rescheduling: move the relevant Engagement to another day or time in the Electronic Calendar. You must formally notify the participant of the details of their new date or time of the Engagement and the consequences of not meeting the relevant Mutual Obligation Requirement.

If removing: record in the department's IT systems that the relevant Engagement is 'No Longer Required'. Select from the drop-down menu the description of the relevant Acceptable Reason which is most similar to the participant's Acceptable Reason as they described it to you. A full list of these drop-down menu options can be found in the 'Rescheduled', 'No-Longer Required' and 'Requirement no longer needs to be met' reason

options supporting document. You must notify the relevant participant as soon as you have removed the requirement to ensure there is no confusion.

If you are not satisfied that the participant has an Acceptable Reason

If you are not satisfied that the participant has an Acceptable Reason for missing their scheduled Mutual Obligation Requirement, you must tell the participant why.

Additionally, you must:

- remind the participant:
  - they are still expected to meet this Mutual Obligation Requirement
  - about the potential consequences of non-compliance.
- provide support and information to meet their Mutual Obligation Requirement.

If the participant then does not meet their Mutual Obligation Requirement, you must comply with the obligations outlined in Assessing Valid Reasons.

Misconduct—Acting in an inappropriate manner

Certain types of Mutual Obligation Failures are referred to as 'misconduct' in the department's IT systems. The circumstances in which you must select 'misconduct' are described in the When the Participant does not have a Valid Reason section.

Misconduct refers to:

- inappropriate behaviour by the participant:
  - during an Appointment they were notified about and required to attend as part of their Mutual Obligation Requirements, or
  - while participating in an Activity they were notified about and required to undertake as part of their Mutual Obligation Requirements, or
- behaviour by a participant during a job interview that could, or did, result in an offer of Employment not being made.

You 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, and
- 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 to the extent that it prevents participation
- 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.

If a behaviour appears to be inappropriate but is out of the participant's control, you must not determine it 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 significant personal crisis
- are affected by a medical condition.

5.2.5 Contacting participants for missed requirements

You must attempt to contact the participant on the same Business Day that you become aware that the participant has missed a Mutual Obligation Requirement (except in the specific circumstances outlined in the When contact is not required section).

You must:

- discuss with the participant their reasons for the Mutual Obligation Failure
- assess whether the participant has a Valid Reason

If you assess that the participant:

- **has a Valid Reason**: record in the department's IT systems that the participant has a Valid Reason and follow the steps in the When the Participant has a Valid Reason section.
- **does not have a Valid Reason**: set an appropriate Reconnection Requirement for the participant in accordance with the Reconnection Requirements section.

See the Provider action - Creation and confirmation of Demerits; potential suspension of Income Support Payment; lifting of Income Support Payment suspensions supporting document.

Where the Reconnection Requirement is a Capability Interview, you must schedule a Capability Interview in accordance with the process detailed in the Scheduling a Capability Interview section.

When contact is not required

You are not required to contact the participant if a Mutual Obligation Failure has occurred because the participant failed to either:

- report sufficient tasks to meet their Points Target or Job Search requirement by the end of their Points Reporting Period

- enter into a Job Plan after being notified to do so.

In these instances, you must wait for the participant to contact you.

In most instances for these failures, the department's IT systems apply a confirmed Demerit and set the Reconnection Requirement for the participant. If a Capability Interview is required, you must wait for the participant to contact you and schedule the Capability Interview as the Reconnection Requirement. For more information see Capability Interviews.

If you cannot contact the participant

If you attempt to contact the participant to discuss the reasons for the missed requirement and the attempt is not successful, you must:

- record that you are not in contact with the participant
- select 'Did Not Attend—Invalid' for attendance based failures, or 'Unsatisfactory' for assessment based failures in relation to the relevant Mutual Obligation Requirement.
  - This will create a pending Demerit on the participant's record and the participant's Income Support Payment will be automatically suspended after the 5 Business Days Resolution Time if the participant does not contact you or does not meet a reconnection requirement (where the participant does not have a Valid Reason).

Resolution Time

The purpose of Resolution Time is to allow participants 5 Business Days to contact you to discuss and—when possible—resolve the Mutual Obligation Failure, before a participant's payment is impacted.

During the 5 Business Days Resolution Time, you must be available to engage with participants who make contact to discuss the Mutual Obligation Failure.

During this discussion, you 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 you record the participant has a Valid Reason, the payment suspension will be avoided.
- If you record the participant does not have a Valid Reason, the participant must meet a Reconnection Requirement to avoid payment suspension.

After Five Business Days Resolution Time

If the participant does not provide a Valid Reason or meet a reconnection requirement within 5 Business Days Resolution Time, the department's IT systems will automatically suspend the participant's Income Support Payment.

When the participant's Income Support Payment is suspended, the department's IT systems sends them a notification advising:

- that their Income Support Payment is suspended

- why their Income Support Payment is suspended
- what they must do for the Income Support Payment suspension to be lifted, and
- to contact you as soon as possible.

If the participant does not have SMS or email details recorded in the department's IT systems for automated notification, you must print and send the notice prepared by the department's IT systems to the participant's postal address on the same day on which that 5 Business Day timeframe ends.

A participant's Income Support Payment will normally remain suspended until they meet a reconnection requirement or until you record a Valid Reason in the department's IT systems.

Notifications to Participants of Mutual Obligation Failures

When you record in the department's IT systems that a participant has committed a Mutual Obligation Failure, the department's IT systems sends the participant a notification on your behalf to advise them:

- it appears they have failed to meet a Mutual Obligation Requirement
- their Income Support Payment may be suspended after 5 Business Days if they take no further action, and
- what action they need to take

The automatic notification only occurs if the participant has SMS or email details recorded in the department's IT systems for automatic notification.

If the participant does not have SMS or email details recorded in the department's IT systems, you must print and send the notice prepared by the department's IT systems to the participant's postal address on the same day that you record in the department's IT systems that the participant has committed a Mutual Obligation Failure.

5.2.6 Assessing Valid Reasons

When in contact with the participant, you must assess whether they had a Valid Reason for a Mutual Obligation Failure. If you record in the department's IT systems that the participant:

- has a Valid Reason, the pending Demerit on their record relating to that Mutual Obligation Failure will be removed
- does not have a Valid Reason, the Demerit will be confirmed.

See the Provider action - Creation and confirmation of Demerits; potential suspension of Income Support Payment; lifting of Income Support Payment suspensions supporting document for information on the circumstances in which a Demerit (pending confirmation) will be confirmed or removed from the participant's record.

You must determine if the participant has a Valid Reason for a Mutual Obligation Failure when you 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 reasonable by a member of the general public, and
- aligns with their personal circumstances as known by you.

The exception to the above is discussed below under Drug and alcohol dependency or misuse.

Drug and alcohol dependency or misuse

There are limits on when you can determine that a participant's drug or alcohol misuse or dependency is an Acceptable Reason or a Valid Reason for a Mutual Obligation Failure.

The first time a participant cites drug or alcohol misuse or dependency as the reason they are not able to meet an upcoming Mutual Obligation Requirement or have committed a Mutual Obligation Failure, you may determine this is an Acceptable Reason or a Valid Reason, respectively.

If you determine that a participant's drug or alcohol misuse or dependency is an Acceptable Reason or a Valid Reason, you must:

- identify and source an available and appropriate treatment program
- encourage the participant to participate in that program.

Taking part in treatment services to address drug or alcohol misuse or dependency may reduce other Mutual Obligation Requirements for the participant. See Mutual obligation requirements for more information on setting Mutual Obligation Requirements.

If a participant cites drug or alcohol misuse or dependency as the reason they are not able to meet an upcoming Mutual Obligation Requirement or have committed a Mutual Obligation Failure, you must not determine this is an Acceptable Reason or a Valid Reason (as relevant) if:

- you have previously determined that the participant's drug or alcohol misuse or dependency was an Acceptable Reason or a Valid Reason, so the relevant upcoming Mutual Obligation Failure was rescheduled or the relevant Mutual Obligation Failure did not result in a Demerit
- you referred the participant to available and appropriate treatment to address the drug or alcohol misuse or dependency
- the participant refused or deliberately failed to participate in the treatment, and

unless one of the following exceptions 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 you determine a participant has a Valid Reason for a Mutual Obligation Failure, you must record this assessment in the department's IT systems.

The way you must record this assessment differs, depending on the type of Mutual Obligation Failure that the participant has committed. The steps you must take, depending on the type of Mutual Obligation Failure with a Valid Reason, are described below.

By recording a reason that is Valid, you are:

- removing the need for any re-engagement requirement associated with the Mutual Obligation Failure
- finalising the Mutual Obligation Failure to prevent the participant's Income Support Payment being affected
- lifting the participant's payment suspension if the participant's Income Support Payment is suspended, and
- removing the pending Demerit from the participant's record.

When you record that the participant has a Valid Reason, you must also select from the drop-down menu the description of the relevant Valid Reason.

A list of Valid Reason drop-down menu options can be found in the Valid Reason' assessment options supporting document. An item not being included in drop-down menus does not necessarily mean that it is not a Valid Reason. You must choose the option that is most similar to the reason given by the participant.

Note: In the department's IT systems:

- 'reasons accepted' refers to the reasons that you determine are Valid Reasons, and
- 'reasons not accepted' refers to the reasons that you determine are not Valid Reasons.

Failures against requirements that are in the participant's Electronic Calendar

On the day you determine a participant has a Valid Reason for a Mutual Obligation Failure:

- If you have not already recorded an attendance result in relation to the relevant Mutual Obligation Requirement—you must select 'Did Not Attend—Valid'.
- If you have already recorded 'Did Not Attend—Invalid' or 'Misconduct' in relation to the relevant Mutual Obligation Requirement—you must select 'Yes' in response to the question of whether they accept the participant's given reason.

Failing to meet monthly Points Requirement

Failures to meet Points Requirement are automatically created and confirmed by the department's IT systems.

On the day you determine a participant has a Valid Reason for a Mutual Obligation Failure due to the participant's failure to meet their Points Requirement, you must select 'Yes' on the outstanding non-compliance screen in the department's IT systems to indicate the participant's reason for not meeting their Points Requirement has been accepted. The system will prompt you to record the reason the participant provided.

If the associated Demerit is not automatically removed by the department's IT systems through this process, you must manually remove the Demerit. See Manually removing Demerits for more information.

Failing to enter into a Job Plan

Refer to Creating a Job Plan for more information about participant requirements to enter into a Job Plan.

On the day that you determine a participant has a Valid Reason for a Mutual Obligation Failure due to the participant failing to enter into a Job Plan:

- you must select 'Yes' on the outstanding non-compliance screen in the department's IT systems to indicate the participant's reason for failing to enter into a Job Plan has been accepted. The system will prompt you to record the reason the participant provided. If the associated Demerit is not automatically removed by the department's IT systems through this process, you must manually remove the Demerit. See Manually removing Demerits for more information.
- once you have recorded that the participant has a Valid Reason and the Demerit has been removed, you must then create an Appointment with you for the participant to attend within 2 Business Days after the day you recorded their assessment. If the participant attends the Appointment with you, you must discuss the Job Plan with the participant. If the participant does not attend the appointment with you to discuss the Job Plan, this is a Mutual Obligation Failure, and you must comply with your usual obligations regarding Mutual Obligation Failures.

Failures to act on a job referral task or job opportunity

Refer to Creating a Job Plan for more information about participant requirements to act on a job referral task or job opportunity.

- On the day you determine that a participant has a Valid Reason for a Mutual Obligation Failure due to a failure to act on a job referral task or job opportunity when requested to do so by you, then you must select 'Unsatisfactory—Valid' on the outstanding non-compliance screen in the department's IT systems to indicate the participant'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 you determine a participant does not have a Valid Reason for a Mutual Obligation Failure, you must record this assessment in the department's IT systems.

The way you record this depends on the type of Mutual Obligation Failure the participant has committed. By recording the participant's reason is not a Valid Reason, you are confirming the relevant Demerit on the participant's record.

When you record this information, you must also select from the drop-down menu a description of the reason the participant has given that you have determined was not Valid. Where the exact reason is not in the drop-down menu, select the option which is most similar to the reason the participant described.

A list of these drop-down menu options can be found at Valid Reason assessment options supporting document. You must also note that in the department's IT systems:

- 'reasons accepted' refers to reasons that you determine are Valid Reasons
- 'reasons not accepted' refers to reasons that you determine are not Valid Reasons.

On the day you determine a participant does not have a Valid Reason for failing to meet a Mutual Obligation Requirement, you must also explain the following to the participant:

- why their given reason was not a Valid Reason
- their Income Support Payment will be suspended following resolution time unless the participant is able to meet a Reconnection Requirement during Resolution Time
- how this decision will be displayed on the 'Participant's Compliance Status Indicator' on the online Dashboard including the number of Demerits the participant has accrued
- the importance of meeting all Mutual Obligation Requirements
- 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 you.

Failures against requirements that are in the participant's Electronic Calendar

Where a participant commits a Mutual Obligation Failure by failing to meet a Mutual Obligation Requirement that is scheduled in the participant's Electronic Calendar, you must undertake the system steps referred to below by close of business on the day you determine the participant does not have Valid Reason for the Mutual Obligation Failure.

If you:

- have not already recorded an attendance result in relation to the relevant Mutual Obligation Requirement—you must select 'Did Not Attend—Invalid'.
- have already recorded 'Did Not Attend—Invalid' or 'Misconduct' in relation to the relevant Mutual Obligation Requirement—you must select 'No' in response to the

question of whether they accept the participant's given reason. The system will prompt you to record the reason the participant provided.

Failures to meet a Points Requirement

Failures to meet Points Requirements are automatically created and confirmed in the department's IT systems; the department's IT systems will also automatically confirm a Demerit.

On the day you determine that a participant does not have a Valid Reason for a Mutual Obligation Failure due to the participant failing to meet their Points Requirement, you must select 'No' on the outstanding non-compliance screen in the department's IT systems to indicate that the participant's reason for not meeting their Points Requirement has not been accepted. The system will prompt you to record the reason the participant provided.

Participants who fail to meet their Points Requirement without a Valid Reason will be required to meet a Reconnection Requirement to make up the missed points by undertaking Job Search. See Reconnection Requirements for more information.

Failures to enter into a Job Plan

Refer to Creating a Job Plan for more information about participant requirements to enter into a Job Plan.

The department's IT systems will automatically create a non-compliance event if the participant has not agreed to their Job Plan within the 2 Business Days think time and a demerit will be automatically confirmed.

On the day you determine that a participant does not have a Valid Reason for a Mutual Obligation Failure due to the participant failing to enter into a Job Plan, you must select 'No' on the outstanding non-compliance screen in the department's IT systems to indicate that the participant's reason for failing to enter into a Job Plan has not been accepted. The system will prompt you to record the reason the participant provided.

Failures to act on a job referral task or job opportunity

Refer to Creating a Job Plan for more information about participant requirements to act on a job referral or job opportunity.

On the day you determine that a participant does not have a Valid Reason for a Mutual Obligation Failure due to a failure to act on a job opportunity when requested to do so by you, then you must select 'Unsatisfactory—Invalid' on the outstanding non-compliance screen in the department's IT systems to indicate that the participant's reason for failing to act on a job opportunity has not been accepted. The system will prompt you to record the reason the participant provided.

Manually removing Demerits

You must remove Demerits in the following circumstances:

- the Demerit was recorded in respect of a Mutual Obligation Failure by a participant who was subsequently found to have had a Valid Reason for committing the Mutual Obligation Failure and the department's IT systems did not automatically remove the Demerit, or
- the Demerit was recorded in error.

When removing the Demerit, you 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 in the manual demerit removal options supporting document available on Provider Portal.

5.2.7 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, to appeal the decision to a tribunal or court. This includes decisions to suspend a participant's Income Support Payment as a result of non-compliance.

Demerit decisions are not decisions under Social Security Law and so participants cannot appeal or ask for a formal review of any decisions on Demerits. However, participants may dispute Demerit decisions.

Disputing a Demerit decision by contacting the National Customer Service Line

A new complaints service was launched on 31 October 2024 to help Australians who use employment services to raise concerns more easily and effectively. This new service forms part of the "Strengthening the Integrity of Employment Services" measure announced in the 2024-25 Federal Budget.

The strengthened service delivers a user-centred approach to complaints management, focusing on creating an accessible, transparent, and responsive service that prioritises the needs of participants.

Complaints with a major or serious impact on users are referred immediately to a new complaints management team for investigation.

Where an investigation is needed, complaints are investigated by the new complaints management team and complainants are kept informed and provided with a comprehensive statement of the outcome of their complaint.

If a participant is dissatisfied with a Demerit decision, they can first discuss the decision with you. If they still wish to dispute the decision after this discussion, or if they do not feel comfortable discussing this with you, they can contact the National Customer Service Line (NCSL).

By contacting the NCSL to dispute a Demerit decision, the participant will in effect make a NIESP-related complaint. If required and appropriate, you must action complaints that are referred to you by the NCSL or the Complaints Management Team. 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.

5.2.8 Reconnection requirements

Note: 'Reconnection requirements' are referred to as 're-engagement requirements' in the department's IT systems and in some reference materials.

A Reconnection Requirement is what a participant must do to prevent their Income Support Payment from being suspended during 5 Business Days Resolution Time or to restore their payment once suspended. Usually, the Reconnection Requirement will be the Mutual Obligation Requirement that the participant failed to meet.

Reconnection Requirements are set:

- By you: When contact with a participant occurs to discuss their reasons for a Mutual Obligation Failure, and you assess that they do not have a Valid Reason and records the assessment in the department's IT systems (as described in Assessing Valid Reasons), you must set a Reconnection Requirement for the participant.
- Automatically: The department's IT systems will automatically set the Reconnection Requirement (except where a Capability Review is required) when the participant has failed to:
  - meet their Points Requirement (the participant fails to do or report sufficient tasks or activities to meet their Points Target and/or Job Search Requirement by the end of their Points Reporting Period), or
  - enter into a Job Plan.

Where the department's IT systems automatically set a Reconnection Requirement for a participant as described above, you do not need to do this.

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 the Provider action - Creation and confirmation of Demerits; potential suspension of Income Support Payment; lifting of Income Support Payment suspensions supporting document 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.

5.2.9 Reconnection requirements for attendance-based failures during resolution time

If the participant makes contact during resolution time for an attendance-based failure and you are satisfied that a reconnection requirement is not necessary, you must record "Re-engagement not required – non-compliance discussed", unless the missed requirement was an Initial Interview, or unless the reconnection requirement is a Capability Interview or

Capability Assessment. In these cases, the Reconnection Requirement should not be finalised as "Re-engagement not required – non-compliance discussed".

If the purpose of the missed requirement cannot be achieved during a Reconnection Requirement (for example to discuss Job Search), a new requirement can be booked and the participant notified to attend.

In instances where the participant has demonstrated continued patterns of disengagement, or if you consider that re-engagement is required, you can set a Re-engagement Requirement to occur in accordance with Setting a Reconnection Requirement.

If you set a reconnection requirement for an attendance-based failure during resolution time, you must record the reason in the comment section of the department's IT systems.

5.2.10 Setting a Reconnection Requirement

When setting a Reconnection Requirement, you 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 which you must set for the purposes of complying with your contractual obligations. Refer to Notifications to Participants of Mutual Obligation Failures for information on notifying participants within the appropriate timeframe.

You must schedule any attendance-based Reconnection Requirements in the participant's Electronic Calendar to occur within 2 Business Days following the day of the contact between the participant and you to discuss the relevant Mutual Obligation Failure. The exception to this is if the participant has an Acceptable Reason for not being able to meet the reconnection requirement within the 2 Business Day timeframe as discussed below in Valid Reason to not meet Reconnection Requirement within 2 Business Days.

Reconnection Requirement for failing to meet Points Requirement

To meet a Reconnection Requirement for failing to meet the Points Requirement, the participant must complete Job Search to the value of the Points Requirement that was not previously met.

Example: Where a participant has a Points Target of 80 points, but has only earned 65 points, the participant must complete 3 Job Searches (5 points per Job Search = 15 points) (15 points + 65 points = previous Points Target of 80 points).

When you or the participant report the participant's re-engagement Job Search efforts, the department's IT systems will automatically allocate these points first to offset the participants Job Search Re-Engagement Requirement.

Participants must complete the required number of Job Searches to either:

- avoid payment suspension within the 5-day resolution time; or
- have their payment suspension lifted if Resolution Time has passed.

See the Commencement and Suspensions and Targeted Compliance Framework and Mutual Obligation Failures for details on Job Search and reporting Job Search on behalf of a participant.

Light Touch Reconnection for a Points Based Failure

All participants are offered a "Light Touch" Reconnection when they have their first Points Based failure.

The system will identify when a participant is eligible for Light Touch Reconnection and the Reconnection Requirement will be automatically set to 'Light Touch', unless the Reconnection Requirement is to attend a Capability Interview or Capability Assessment.

Participants will have a Reconnection Requirement to agree to a declaration to confirm their understanding of their Points Requirements. Participants will not need to make up the points they missed. A participant's Income Support Payment will be Suspended following the 5 Business Day resolution time if the participant does not agree to this declaration.

Any participant who is unable to agree to this online declaration themselves must contact you to arrange for them to agree to the declaration.

To support this process, you must:

- Have a conversation, using the light touch declaration script, with the participant to ensure the participant understands their Points Requirement, and the consequences of not meeting their Points Requirements in the future; and
- Update the system on the participant's behalf.

Note: You are encouraged to also use this conversation to ensure the participant's Points Requirement is appropriately tailored to their personal circumstances.

When a participant agrees that they understand the script, you must update the system as described below. There is no further action for you.

- To finalise the reconnection requirement on behalf of the participant, you need to select the reason 'Compliance Action No Longer Required' and select the option 'Light Touch Re-engagement used – non-compliance discussed'.
- If a participant does not understand the script or does not agree, you must update the system as described in the 'system step' above and set an Appointment with you to occur within the next 10 days (if one has not already been scheduled).
- At this Appointment, you are to work with the participant to ensure they understand their Points Requirement and to help them to understand and plan what tasks they will undertake to meet their Points Requirement each month. This may also involve helping the participant to upload these to their dashboard and / or to enter Job Search efforts on the participant's behalf.

Multiple Mutual Obligation Failures before contact

When a participant commits multiple Mutual Obligation Failures before there is contact with you to discuss those Mutual Obligation Failures:

- only one Reconnection Requirement can be set, and
- you must advise the participant they only have to meet one Reconnection Requirement.

Acceptable Reason to not meet reconnection requirement within 2 Business Days

Where the re-engagement requirement is to attend an Appointment, Capability Interview or Capability Assessment, you must consider whether the participant has an Acceptable Reason for being unable to meet their reconnection requirement within 2 Business Days following that contact.

- If you consider that the participant does have an Acceptable Reason, you must select 'Unable to Re-engage Within 2 Business Days' on the outstanding non-compliance screen 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, you must determine that the participant has an Acceptable Reason for being unable to meet their reconnection requirement within 2 Business Days in line with Prior Notice and Acceptable Reasons .
- If you select 'Unable to Re-engage Within 2 Business Days' as described above, you must also select from the drop-down menu a description of the relevant Acceptable Reason that is most similar to the participant's Acceptable Reason as they described it to you.

A full list of these drop-down menu options can be found in the Unable to Re-engage Within 2 Business Days' reason options supporting document.

You are unable to arrange or deliver the reconnection requirement within 2 Business Days

In limited circumstances, you may not be able to arrange or deliver the attendance-based Reconnection Requirement within 2 Business Days as described above.

If that is the case, you must select 'Re-engagement Not Required' on the outstanding non-compliance screen. When selecting 'Re-engagement Not Required' as described above, you must also select from the drop-down menu the description of the relevant reason which is most similar to the actual reason.
A full list of these drop-down menu options can be found in the Re-engagement Not Required' reason options supporting document.

If the participant's Income Support Payment is suspended, this will lift the payment suspension and remove the need for a Reconnection Requirement.

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, you must record 'Compliance action no longer appropriate' on the Outstanding Non-Compliance screen.
- When selecting 'Compliance action no longer appropriate' as described above, you must also select from the drop-down menu the description of the relevant reason which is most similar to the actual reason.
- A list of these drop-down menu options can be found in the Compliance Action No Longer Appropriate' reason options supporting document.

If the participant's Income Support Payment is suspended, this will lift the payment suspension and remove the need for a Reconnection Requirement.

Failure to meet a Reconnection Requirement

If you become aware that a participant has failed to meet a Reconnection Requirement, you must attempt to contact the participant on the same Business Day. If you:

- attempt to contact the participant on that day but is unsuccessful, you must record that you 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 when the 5 Business Days Resolution Time following the original failure expires, or
  - if the participant's Income Support Payment is suspended, the payment will remain suspended until the reconnection requirement is met.
- Are able to contact the participant on that day, you 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, you must determine that the participant had a Valid Reason for being unable to meet their Reconnection Requirement when you are satisfied that the participant's reason meets the requirements as set out in Assessing Valid Reasons.

- If the participant had a Valid Reason, you 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). However, you must set a Mutual Obligation Requirement for the participant to occur within 2 Business Days after the day on which you determine that the participant has a Valid Reason for not meeting the Reconnection Requirement

- If the participant did not have a Valid Reason, you 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 2 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 you must reschedule the Reconnection Requirement.

5.2.11 Record Keeping

Depending on the Mutual Obligation Failure that the participant has committed, in addition to the evidence recorded in the department's IT systems, you must retain Documentary Evidence which is not retained on the department's IT systems. This would include:

- where the Mutual Obligation Failure is a failure to attend a job interview or act on a job opportunity, a copy of any manually prepared and 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 manually prepared and prior notification of the requirement to attend the appointment
- where the Mutual Obligation Failure is a failure to meet a monthly Points Requirement, including Job Search requirement, 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.

5.3. Capability Interviews

5.3.1 The purpose of a Capability Interview

The purpose of the Capability Interview is to determine whether a participant's Job Plan and Mutual Obligation Requirements are suitable for the participant. Mutual Obligation Requirements are suitable for a participant if they are appropriate to the participant's circumstances and the participant can meet them.

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 you record in the department's IT systems in relation to the Capability Interview. For more information on what you must record in the department's IT systems regarding Capability Interviews, see Preparing to conduct a Capability Interview and Conducting the Capability Interview.

A 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 and Mutual Obligation Requirements are not suitable (i.e. the Mutual Obligation Requirements 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 their Job Plan and Mutual Obligation Requirements are suitable for the participant (i.e. the Mutual Obligation Requirements are appropriate to the participant's circumstances, and the participant is capable of meeting them).

5.3.2 When a Capability Interview is triggered

You must conduct a Capability Interview when the department's IT systems specify that the participant's Reconnection Requirement is a Capability Interview.

Broadly speaking, this will occur when the participant has, in 6 active months accrued 3 Demerits or a Demerit for a 'fast-track' Mutual Obligation Failure. See Fast-Track Mutual Obligation Failures for more information.

The outcome of any Capability Interview or Capability Assessment which has been conducted in relation to the participant in the previous 60 calendar days will also influence whether you must conduct a Capability Interview. Subject to certain exceptions, if the previous capability review outcome is that the participant's Mutual Obligation Requirements are suitable, then a further Capability Interview is not required. These exceptions include when a participant moves to a different employment program and the department's IT systems indicate a new Capability Interview is required. 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.

Note: The Capability Interview will be finalised when you select '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 below in Preparing to conduct a Capability Interview and Conducting the Capability Interview).

When a participant accrues 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 Circumstances where a Capability Interview does not need to be delivered within 2 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.

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 you to another provider on the mainland, including transfers to and from provider-led services, or
- is granted an Exemption.

Even though the Capability Interview is shown as 'No longer Required', the Capability Interview must still be undertaken:

- 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 current 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 for conducting the 'No Longer Required' Capability Interview is detailed in the sections below, which covers scenarios where a participant is either transferred to another Provider or returns to service following an Exemption.

5.3.3 Scheduling a Capability Interview

When scheduling a Capability Interview in the participant's Electronic Calendar, you must be in direct contact with the participant. This direct contact ensures that the participant receives formal notification of the Capability Interview within a reasonable timeframe.

Usually, when you are scheduling the Capability Interview, you must schedule it to occur within 2 Business Days after the participant accrues the relevant Demerit. This usual timeframe is referred to in this guideline as the 'standard 2 Business Days timeframe'. Exceptions to the standard 2 Business Days timeframe are discussed below under Circumstances where a Capability Interview does not need to be delivered within 2 Business Days.

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

You must also ensure that as with all other compulsory appointments, efforts are made to avoid clashes with any Personal Events in the Calendar. Participants must be able to prioritise commitments such as paid work. You should not schedule requirements at times you know the participant is undertaking paid work.

When scheduling the Capability Interview, you must ensure that you explain to the participant:

- the purpose of the Capability Interview
- the reason they must participate in a Capability Interview (either because they accrued 3 Demerits or because they committed a fast-track Mutual Obligation Failure).

5.3.4 Circumstances where a Capability Interview does not need to be delivered face-to-face

Unless otherwise directed by the department, you must conduct Capability Interviews face-to-face in accordance, except in allowable circumstances.

A list of non-exhaustive circumstances that may make it unreasonable to provide a participant with services face-to-face include:

- They reside in an area that is affected by:
  - Extreme weather conditions
  - A natural disaster
  - Public transport strikes
  - Lack of access to reasonable transport, and/or
  - A written direction as notified by the department, addressing expectations in relations to provider servicing arrangements and participant's Mutual Obligation Requirements.
- Cultural reasons
- Travel time and/or cost is not reasonable
- They are participating in full-time education (including training) and this participation restricts their availability to attend face-to-face
- They are employed and their hours restrict their availability to attend face-to-face
- They are subject to legal restrictions (i.e. State or Territory health orders or house arrest)
- They are not medically fit to attend
- They have health considerations (including COVID-19 considerations) that impact on the participant's ability to attend. These may include:
  - Being immunocompromised or being a household contact of someone who is immunocompromised, and/or
  - Other relevant health considerations.
- Other exceptional circumstances that are beyond the participant or your control.

You must consider a participant's personal circumstances when scheduling Capability Interviews.

Where you determine that face-to-face servicing is not appropriate for a Capability Interview, you may conduct the Capability Interview via telephone or videoconference so that it is delivered within the standard 2 Business Days timeframe.

When scheduling the Capability Interview to be delivered via phone or videoconference, you must record your reasons in the department's IT systems and update these reasons as circumstances change.

5.3.5 Circumstances where a Capability Interview does not need to be delivered within 2 Business Days

If the participant has an Acceptable Reason

A participant may notify you, before the end of the standard 2 Business Days timeframe, that they are unable to attend the Capability Interview within the timeframe given. You 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, you must determine that a participant has an Acceptable Reason for being unable to attend the Capability Interview within the standard 2 Business Days timeframe:

- the participant notified you, before the end of the standard 2 Business Days timeframe, that the participant is unable to attend the Capability Interview, and
- you are satisfied that the participant has a Valid Reason for being unable to attend the Capability Interview within the standard 2 Business Days timeframe.
- You must determine the participant has a Valid Reason if they are satisfied that the reason meets the requirements as outlined in Prior Notice and Acceptable Reasons .If you determine a participant has an Acceptable Reason for being unable to attend the Capability Interview within the standard 2 Business Days timeframe as discussed above, you must schedule the Capability Interview to occur within 12 Business Days after the standard 2 Business Days timeframe. This means that you must schedule the Capability Interview within 14 Business Days after the participant accrues the Demerit that triggers the Capability Interview.
- In this case, you must select 'unable to re-engage within 2 Business Days' in the department's IT systems. The department's IT systems will then prompt you to schedule the Capability Interview within that 14 Business Day timeframe. 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.
- If you select 'unable to re-engage within 2 Business Days' in the department's IT systems as referred to above, you must also select from the drop-down menu a description of the relevant Valid Reason that is most similar to the participant's Valid Reason as they described it to you.

A full list of the reasons that appear in the drop-down menu can be found in the Unable to re-engage within 2 Business Days' reason options supporting document.

If the participant does not have an Acceptable Reason

If you determine that the participant's reason is not an Acceptable Reason as discussed above, you must schedule the Capability Interview within the standard 2 Business Days timeframe. You 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 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 2 Business Days

If part-time or outreach services prevents you from delivering the Capability Interview face-to-face within the standard 2 Business Days timeframe, but you have determined the Capability Interview must be conducted face-to-face (e.g. because it is unsuitable to deliver the Capability Interview via telephone or videoconference or no allowable circumstance exists). You must then schedule the Capability Interview to occur as soon as possible after the standard 2 Business Days timeframe but no later than 12 Business Days after the standard 2 Business Days timeframe. This means that you must schedule the Capability Interview within 14 Business Days after the participant accrues the Demerit that triggers the Capability Interview.

- In these cases, you 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.
- You must record the reason why 're-engagement is not required' in the department's IT systems. The only drop-down menu option is 'Part-time/outreach services'.
  You must then manually schedule the Capability Interview in the participant's Electronic Calendar.
- When the participant is transferred to another Provider (on the mainland) or they are returning to service after an Exemption

You do not need to conduct the Capability Interview within the standard 2 Business Days timeframe if, after the Capability Interview is triggered and before it is finalised, the participant:

- transfers from their current Provider to another Provider or Other Service, or
- is granted an Exemption.

When the participant transfers to another Provider, that new Provider must conduct the Capability Interview at the participant's Initial Interview.

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

Reporting Work Refusal Failures before the Capability Interview is finalised

You must still create Work Refusal Failure reports, regardless of whether the participant has an outstanding Capability Interview in the department's IT systems.

For more information, see Work Refusal Failure.

If a participant fails to attend their Capability Interview

As a Capability Interview is a type of Reconnection Requirement you must take the action required when a participant fails to meet a Reconnection Requirement. See Reconnection Requirements.

5.3.6 Preparing to conduct a Capability Interview

Prior to the Capability Interview, you must accurately complete a pre-interview check in the department's IT systems.

You must prepare for the Capability Interview by completing the pre-interview check by reviewing:

- the Capability Interview Best Practice Guide, on the Learning Centre.
- the participant's current Assessments (including their Job Seeker Snapshot and any ESAt, — to familiarise yourselves 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 Profile—to familiarise yourselves with the participant's basic information history and current circumstances, and
- the participant's current Job Plan and Mutual Obligation Requirements to determine:
  - whether the participant's Mutual Obligation Requirements are up-to-date and appropriate based on their known and recorded personal circumstances
  - if their Points Target and Job Search requirements are appropriate for their known and recorded personal circumstances and in line with Policy
  - if the requirements do not include excessive hours in Activities.

In your determination of these things, you must consider the relevant requirements outlined in the Commencement and Suspensions and Targeted Compliance Framework and Mutual Obligation Failures sections.

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

5.3.7 Pre-interview Questions

Prior to the Capability Interview, you must accurately complete the pre-interview questions. You can access the pre-interview questions in the department's IT systems by selecting the relevant Capability Interview listed on the Non-Compliance History screen.

The pre-interview questions are used to determine if the participant's Job Plan and Mutual Obligation Requirements are appropriate to the participant's circumstances and the participant is capable of meeting them. You must not consider voluntary requirements when completing the questions.

When answering the pre-interview questions, you must only use the information that is known about the participant and has been recorded in the department's IT systems prior to the Capability Interview being triggered.

For more information regarding the pre-interview check, see the Capability Interview Best Practice Guide.

5.3.8 Conducting the Capability Interview

When conducting the Capability Interview, you must always consider the importance of participants' privacy and confidentiality. Capability Interviews should be conducted in a private setting that enables participants to disclose personal circumstances safely and honestly.

Delivery by a different staff member

While it is not a requirement, it is strongly recommended the staff member who delivers the Capability Interview is someone other than the staff member who entered into and approved the relevant participant's Job Plan or set and manage their Mutual Obligation Requirements. This is because the participant may disclose new information to another staff member which they had not previously disclosed to their usual consultant (i.e. the staff member who would usually enter into and approve the relevant participant's Job Plan or set and manages their Mutual Obligation Requirements).

Site resourcing may restrict this practice. In this situation, it is acceptable for the same staff member who entered into and approved the relevant participant's new Job Plan to also conduct the Capability Interview.

Getting started

An interpreter must be provided when requested by the participant and it is appropriate to the participant's circumstance. You must first advise the participant that the Capability Interview is being undertaken due to their Mutual Obligation Failure(s). You must explain the purpose and potential outcomes of the Capability Interview, including:

- the participant's Mutual Obligation Requirements may require renegotiating
- the participant will either return to the Green Zone or continue in the Warning Zone, depending on the outcome of the Capability Interview.

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 are appropriate for their circumstances, and
- identify any undisclosed barriers preventing the participant from meeting their Mutual Obligation Requirements.

You must ensure the participant is aware you are seeking to better understand the reasons why they have not been meeting their Mutual Obligation Requirements.

You 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 you can tailor 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).

You must ask the participant if they have any concerns or questions before starting the Capability Interview, and you must address these where possible.

Capability Interview discussion

During the Capability Interview, you must discuss and consider holistically 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 you to have a detailed discussion to ascertain the participant's level of understanding of the requirements of their Job Plan and what they must do to avoid compliance action
- 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 identified that might better help the participant 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.

You 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, you must accurately answer all the Capability Interview questions that can be accessed on the Non-Compliance History screen in the department's IT systems. You must also accurately record additional information relating to those questions where they are prompted to do so by the department's IT systems.
- You must finalise the Capability Interview in the department's IT systems while the participant is still in attendance at the Capability Interview appointment, or while the participant is still in contact where the Capability Interview was delivered via phone or videoconference.
- If the participant attended the Capability Interview appointment but did not participate for the duration of the appointment, you must complete the Capability Interview based on what is recorded in the department's IT systems about the participant and then ensure to finalise the Capability Interview in the department's IT systems the same day.

Updating the Job Seeker Snapshot

The Job Seeker Snapshot is a questionnaire which includes questions used to determine the participant's JSCI score and helps to identify if the participant requires an ESAt.

During each Capability Interview, you must:

- review the Job Seeker Snapshot, and
- if the Job Seeker Snapshot does not accurately reflect the current circumstances of the participant as disclosed during the Capability Interview, update the Job Seeker Snapshot with the participant's newly disclosed information.

See How to conduct the Job Seeker Snapshot for further information.

Referring the participant for an Employment Services Assessment after updating the Job Seeker Snapshot

Services Australia conducts an ESAt to determine if a participant has a long-term reduced work capacity or is eligible for Inclusive Employment Australia.

Generally, you cannot book another ESAt Appointment for a participant unless a recommendation for one is identified during a Capability Interview.

See Referring Participants for an Employment Services Assessment for further information.

Where the Job Seeker Snapshot results in an ESAt being required and a referral to Services Australia is made within the Capability Interview, the Capability Interview will not be finalised by the department's IT systems until the ESAt appointment is booked. The outcome of the Capability Interview will be 'newly disclosed information' (meaning the participant's Mutual Obligation Requirements and or Job Plan is not suitable), and the Participant will return to the Green Zone with their Demerits reset to zero. Services Australia will notify you of the outcome of the ESAt via the noticeboard in the department's IT systems and will upload any newly disclosed vulnerabilities and barriers into the CMT for you to action.

While awaiting the outcome of an ESAt, participants are still required to meet Mutual Obligation Requirements that are appropriate to their circumstances and any newly disclosed information, but they cannot accrue further Demerits for Mutual Obligation Failures.

Using the Capability Management Tool

You must use the Capability Management Tool (CMT) during the Capability Interview.

You can access the CMT in the department's IT systems. The CMT is used to record, review and manage information on participant's personal circumstances that may be affecting their capacity to meet their Mutual Obligation Requirements. The CMT consolidates information collected from the Capability Interview discussion and any past ESAts or Capability Assessments.

Based on the discussion with the participant during the Capability Interview, you 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 and find employment.

5.3.9 Actioning the outcomes of the Capability Interview

The department's IT systems will determine the outcome of the Capability Interview. The outcome is based on the information that you record in the department's IT systems in relation to the Capability Interview, so it is important to ensure it is accurate.

The department's IT systems will display one of the following outcomes of a Capability Interview. The possible outcomes displayed in the department's IT systems are that the participant is:

- Capable
- Not Capable due to errors in compellable requirements
- Not Capable of meeting current requirements due to ongoing circumstances
- Not Capable due to newly disclosed information, or
- Not Capable due to a change in service eligibility or stream

Each of these outcomes is discussed in further detail below.

Once the department's IT systems have determined the outcome of the Capability Interview, you must explain this outcome to the participant while they are still in attendance/in contact. You must ensure that the participant understands what the Capability Interview outcome means and what will happen next.

If the result of the Capability Interview is that the participant's Job Plan and compellable requirements are not suitable, meaning that the Mutual Obligation Requirements specified in the Job Plan need to be negotiated and updated so they are suitable for the participant, refer to Tailoring Mutual Obligation Requirements, for information on how to tailor the Points Target and/or the Job Search Requirement of a participant.

Capable

If the outcome of the Capability Interview is that the participant's Job Plan and compellable requirements are suitable for the participant (i.e. the Mutual Obligation Requirements are appropriate to the participant's circumstances and the participant is capable of meeting them), they will continue in the Warning Zone with 3 Demerits once the Capability Interview is finalised.

Because the Job Plan is suitable for the participant, the Mutual Obligation Requirements specified in the participant's Job Plan do not need to be updated.

Your action

- Advise the participant that their Job Plan and Mutual Obligation Requirements have been assessed as being suitable for them.
- Advise the participant, if they continue to commit Mutual Obligation Failures without a Valid Reason, this may result in a Capability Assessment with Services Australia.
- You must explain to the participant their Mutual Obligation Requirements and the consequences of non-compliance.

Not Capable due to errors in compellable requirements

If the outcome of the Capability Interview is that there are errors in the participant's Mutual Obligation Requirements, the participant is returned to the Green Zone with their Demerits reset to zero.

Your action

- Discuss the participant's requirements with them, renegotiate and update the participant's Job Plan and compellable requirements so that they are suitable
- Do this as soon as the Capability Interview outcome has been determined by the department's IT systems, or if this is not possible within 10 Business Days following the finalisation of the Capability Interview.

- Explain to the participant their Mutual Obligation Requirements and the consequences of non-compliance.

Note: Until the Job Plan has been discussed and agreed, the participant cannot accrue further Demerits. If the participant has compellable requirements recorded outside of the Job Plan which require updating in the system (i.e. Points Requirement and/or Job Search Requirement), then you must action these changes, and the participant must agree to the updated Job Plan. Once the participant has agreed to their new Job Plan, this will flag in the system that Mutual Obligation Requirements are appropriate and the participant will be able to accrue Demerits against those requirements.

Not Capable of meeting current requirements due to ongoing circumstances

If the outcome of the Capability Interview is the participant is not capable of meeting their current compellable requirements due to ongoing circumstances, the participant is returned to the Green Zone with their Demerits reset to zero.

Your action

- Discuss the participant's requirements with them, renegotiate and update the participant's Job Plan and compellable requirements so that they are suitable.
- Do this as soon as the Capability Interview outcome has been determined by the department's IT systems, or if this is not possible within 10 Business Days following the finalisation of the Capability Interview.
- Explain to the participant their Mutual Obligation Requirements and the consequences of non-compliance.

Note: Until the Job Plan has been discussed and agreed, the participant cannot accrue further Demerits. If the participant has compellable requirements recorded outside of the Job Plan which require updating in the system (i.e. Points Requirement and/or Job Search Requirement), then you must action these changes, and also reapprove the Job Plan. Once the participant has agreed to their new Job Plan, this will flag in the system that Mutual Obligation Requirements are appropriate and the participant will be able to accrue Demerits against those requirements.

Not Capable due to newly disclosed information

If the outcome of the Capability Interview is that the participant disclosed new information which directly impacted them at the time they accrued Demerits the participant is returned to the Green Zone with their Demerits reset to zero.

Your action

- You must consider if Mutual Obligation Requirements remain appropriate to the participant's circumstances and the participant can meet them.

- If not, you are strongly encouraged to discuss and, when agreed, update the participant's Job Plan so that it is suitable.
- If the Job Plan is not suitable and not updated as part of the Capability Interview, you must discuss with the participant and update the Job Plan (so that the Mutual Obligation Requirements specified in the Job Plan are appropriate to the participant's circumstances and the participant is capable of meeting them) within 10 Business Days following the finalisation of the Capability Interview.
- Explain to the participant their Mutual Obligation Requirements and the consequences of non-compliance.

Not Capable due to a change in service eligibility or stream

If the outcome of the Capability Interview is the participant is not capable due to a change in service eligibility or stream) this means the participant is not capable of meeting their Mutual Obligation Requirements specified in their Job Plan. The participant is returned to the Green Zone with their Demerits reset to zero.

Your action

- Advise the participant that their level of servicing or program eligibility has changed because of an updated JSCI score - or because of the finalisation of an ESAt.
- Discuss with the participant about their Job Plan and when agreed, update the participant's Job Plan so that it is suitable.
- You 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 the Job Plan is not updated as part of the Capability Interview, you must negotiate and update the Job Plan within 10 Business Days following the finalisation of the Capability Interview.
- Explain to the participant their Mutual Obligation Requirements and the consequences of non-compliance.

5.4. Capability Assessment

Capability Assessments are a key component of the TCF and are conducted by Services Australia.

They are further protections for the most vulnerable participants and provide another opportunity for participants to disclose issues that may be affecting their ability to meet their Mutual Obligation Requirements.

The purpose of the Capability Assessment is to determine whether a participant's Mutual Obligation Requirements are suitable for the participant. Mutual Obligation Requirements

are suitable for a participant if they are appropriate to the participant's circumstances and the participant can meet the requirements.

Even though you do not conduct Capability Assessments, you still have obligations in relation to Capability Assessments.

Irrespective of the outcome, following a Capability Assessment, the participant is returned to the Green Zone by the department with their Demerits reset to zero.

5.4.1 When a Capability Assessment is triggered

Services Australia conducts a Capability Assessment when the participant has:

- completed a Capability Interview that resulted in an outcome of "Capable", and
- in 6 active months, accrued 5 Demerits or a Demerit for a 'fast-track' Mutual Obligation Failure when they already have 3 Demerits.

When the circumstances described above occur:

- the department's IT systems will identify that the participant's Reconnection Requirement for their most recent Mutual Obligation Failure is a Capability Assessment, and
- the Capability Assessment is said to be 'triggered'.

When a Capability Assessment is triggered, the department's IT systems will display the re-engagement notification script that you must read to the participant. This notification informs the participant that they must contact Services Australia to participate in a Capability Assessment as their re-engagement requirement.

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 accrue any further Demerits until they have completed their Capability Assessment and that Capability Assessment is finalised in the department's IT systems.

After triggering the Capability Assessment, participants might commit further Mutual Obligation Failures before the Capability Assessment has been finalised in the department's IT systems. In these circumstances, the participant will not accrue Demerits, but their Income Support Payment may still be suspended to encourage the participant to reconnect with you.

Work Refusal Failure before the Capability Assessment is finalised

You must still comply with your obligations relating to Work Refusal Failures, regardless of whether the Capability Assessment is finalised in the department's IT systems.

For more information, see Work Refusal Failures.

5.4.2 Delivery of the Capability Assessment and recording outcomes

Services Australia will notify you of Capability Assessment outcomes via a noticeboard message on the department's IT systems. Services Australia will record the outcome of the Capability Assessment and will provide information in the participant's record on what Mutual Obligation Requirements are inappropriate and that you must renegotiate with the participant.

5.4.3 Actioning the outcomes of a Capability Assessment

Once Services Australia has finalised the Capability Assessment in the department's IT systems, the participant is moved back to the Green Zone by the department.

The possible outcomes of a Capability Assessment are that the participant is:

- Capable
- Not Capable due to errors in compellable requirements
- Not Capable of meeting current requirements due to ongoing circumstances
- Not Capable due to newly disclosed information, or
- Not Capable due to a change in service eligibility or stream

To ensure the participant does not experience payment suspension or accrue Demerits for requirements that they are not capable of meeting, when a participant is found Not Capable, their Mutual Obligation Requirements must generally be updated to address the nature of the outcome. Following an outcome of Not Capable, the participant cannot accrue further Demerits, until the Job Plan is updated and agreed, if required.

You can view the Capability Assessment outcomes on the Targeted Compliance Framework History Screen in the department's IT systems. Each of the above outcomes are discussed in further detail below.

Capable

If the outcome of the Capability Assessment is that the participant's Mutual Obligation Requirements are suitable for the participant, they will be found Capable and move into the Penalty Zone. The department will then move the participant from the Penalty Zone back to the Green Zone.

Because the Mutual Obligation Requirements are suitable for the participant, they do not need to be updated.

You must advise the participant that their compellable requirements have been assessed as being appropriate to the participant's circumstances and the participant is capable of meeting them.

You must explain to the participant their Mutual Obligation Requirements in their Job Plan and the consequences of non-compliance.

You must review the CMT for the participant as Services Australia may have identified issues that you will need to consider when renegotiating the participant's Mutual Obligation Requirements in the future.

Not Capable

If the outcome of the Capability Assessment is that the participant is Not Capable, irrespective of the reason, you must:

- Review the CMT for service recommendations recorded by Services Australia, and must consider those recommendations before renegotiating the participant's Mutual Obligation Requirements.
- In consultation with the participant, you must update the Job Plan so that it is suitable within 10 Business Days following the finalisation of the Capability Assessment (including making any necessary adjustments to the participants Points Target and/or Job Search Requirements).
- You must explain to the participant their Mutual Obligation Requirements and the consequences of non-compliance.

If the participant is found Not Capable due to a change in service eligibility or stream, you must also advise the participant that their level of servicing or program eligibility has changed as a result of an updated JSCI score or as a result of the finalisation of an ESAt.

5.5. Work Refusal Failures

A participant commits a Work Refusal Failure if they refuse or fail to accept an offer of suitable paid work, including by failing to commence suitable paid work offered to them. Except, a Principal Carer Parent or a participant with a Partial Capacity to Work does not commit a Work Refusal Failure if they refuse or fail to accept an offer of paid work that is for than 15 hours per week. Participants may have their Income Support Payment suspended for a Work Refusal Failure.

You must only start the process to create a Work Refusal Failure in the department's IT systems if you are satisfied the participant has refused or failed to accept an offer of suitable paid work. You must not create a Work Refusal Failure in the department's IT systems if you simply suspect, but are not positively satisfied, that a participant has refused or failed to accept an offer of suitable paid work.

If you are satisfied the participant has committed a Work Refusal Failure (as referred to in Identifying a Work Refusal Failure), you then create a Work Refusal Failure report. The report will be sent through the department's IT systems to Services Australia.

Note: While payment cancellations for a Work Refusal Failure are paused, Services Australia will reject the Work Refusal Failure report without investigation.

Work Refusal Failures reinforce the principle that Income Support Payments for participants should only be available to those who are genuine in their efforts to move into paid work.

You must comply with your obligations relating to apparent Work Refusal Failures regardless of which zone the relevant participant is in.

5.5.1 Identifying a Work Refusal Failure

You have obligations when you become aware that a participant has apparently committed a Work Refusal Failure.

Before deciding to raise a Work Refusal Failure, you must be satisfied, based on sufficient evidence, that a Work Refusal Failure has occurred. This goes beyond simply becoming aware that a Work Refusal Failure may have occurred.

You will usually be alerted that a participant has refused or failed to accept suitable work by a potential employer. You must review any information received and contact the employer for further information if required.

Even if you cannot contact the participant, you must consider whether you are satisfied you have sufficient evidence a Work Refusal Failure occurred based on:

- information provided by a prospective Employer; and/or
- information already known to you (for example, about the participant's circumstances).

When you are in contact with the participant you must:

- discuss the information you have received with the participant to see if there is further information to help you decide whether a Work Refusal Failure has occurred; and
- assess whether the participant had a Valid Reason for the failure.

If, after discussing the information you have received and the circumstances of the apparent Work Refusal Failure with the participant, you assess that:

- the participant has not received an offer of paid work (e.g. they attended an interview, but were not offered the position), you must not determine that the participant committed a Work Refusal Failure; or
- the participant has refused or failed to accept an offer of paid work, you must then assess whether the paid work offered was suitable for the participant. You must consider the following factors when making this assessment, 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 of 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 the principal carer of one or more children, 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 as it would require the participant to spend more than 90 minutes travelling each way using their usual available mode of transport
- for principal carers or participants with a partial capacity to work, commuting between the participant's home and the place of work would be unreasonably difficult, as it would require the participant to spend more than 60 minutes travelling each way using their usual available mode of transport
- the work requires the participant to change residence, in most cases
- 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
- the work is unsuitable to be done by the participant for any other reason, or
- the participant has a partial capacity to work, or is a principal carer of one or more children 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, having regards to all forms of transport (public and private) that are available to and accessible by the participant, or
    - 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 of travel that would be incurred by the participant in undertaking the work, or
        - the reduction in income support, additional tax paid or impact on public housing, or
    - the participant is a principal carer of one or more children, and the participant would be financially worse off, or only marginally better off, as a result of undertaking the work because of the financial cost of providing appropriate care and supervision for the participant's children at the times when the participant would be required to undertake the work.

5.5.2 Timeframe to report a Work Refusal Failure

The Work Refusal Failure report must be created and finalised within 10 Business Days of the incident date.

If this does not occur (e.g. where you are not satisfied a Work Refusal Failure has occurred until after 10 Business Days has 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 on which the participant:

- refused an offer of suitable paid work. 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
  - 3 days after the interview, the incident date is the date that is 3 days after the interview, or
- failed to accept an offer of suitable paid work, 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.

Managing Work Refusal Failures Outside Reporting Timeframes

If you are satisfied that the participant has committed a Work Refusal Failure (see Identifying a Work Refusal Failure) but the Work Refusal Failure report cannot be created (for example, where 10 Business Days have passed since the incident date), you should discuss the matter when next in contact with the participant and provide guidance on accepting and commencing suitable paid work. During this discussion, you should also consider referring the participant to activities to build or improve employability or similar appropriate activities.

5.5.3 You are Satisfied a Work Refusal Failure Occurred

You must document any evidence to support your decision that a Work Refusal Failure has occurred. This may include:

- details of how you became aware that a Work Refusal Failure appeared to have been committed
- any comments from the Employer
- any reasons given by the participant.

In addition to the evidence recorded in the department's IT systems, you must also retain any documentary evidence which is not retained on the department's IT systems.

Contact is successful

When contact is made with the participant at the time you are satisfied a Work Refusal Failure has occurred (see Identifying a Work Refusal Failure), you must:

1 Discuss the evidence with the participant. Based on that discussion, you should assess whether you remain satisfied a Work Refusal Failure has occurred.
2 Identify if there is further information that may assist your decision making. If so, obtain and consider it.
3 Assess whether the participant has a Valid Reason for the Failure.



If you are satisfied the participant committed a Work Refusal Failure and the participant does not have a Valid Reason, you must create and finalise the Work Refusal Failure report by undertaking the following steps in the department's IT systems:

- selecting 'create compliance'
- selecting the appropriate Event Type from the drop-down menu:
  - select 'job seeker failed to accept suitable job' where you consider that the participant refused or failed to accept an offer of suitable paid work, 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 you consider that the participant refused or failed to accept an offer of suitable paid work by failing 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. You 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 paid work. A full list of these drop-down menu options can be found in the Work Refusal Failure reason options supporting document,
  - otherwise accurately answering the questions that will be automatically generated
- confirming that you are satisfied a Work Refusal Failure has occurred. You must record this by:
  - Marking the checkbox that states: *I am satisfied that the participant has committed a work refusal failure as defined in section 42AD of the Social Security (Administration) Act 1999, and that the paid work offered was not unsuitable, as defined by section 40X of the Social Security (Administration) Act 1999 and section 7 of the Social Security (Streamlined Participation Requirements) Instrument 2022*.
  - Using the free text functionality to record what evidence was considered to satisfy that a Work Refusal Failure occurred. The evidence may include a description of an invalid reason which is not contained in the drop-down menu.
    - selecting 'create', which will finalise the Work Refusal Failure report and send it to Services Australia.

Note: The Work Refusal Failure report will be sent to Services Australia. While payment cancellations for a Work Refusal Failure are paused, Services Australia will reject the Work Refusal Failure report without investigation.

By creating and finalising the Work Refusal Failure report as described above, you are confirming that you are satisfied the participant has committed a Work Refusal Failure.

You must advise the participant that the failure has been recorded in the department's IT systems however their payment will not be cancelled while cancellations for Work Refusal Failures are paused. The participant should also be informed that further discussion on their legal requirement to accept and maintain suitable paid work, including any support needs, will occur at the next scheduled appointment.

OR



If, the participant does have a Valid Reason, you must record your decision in the department's IT systems comments section.

No further action is required in relation to the Work Refusal Failure and participants should continue to be serviced at their next scheduled Provider Appointment.

Contact is not successful

When the contact is not successful at the time you are satisfied that a Work Refusal Failure has occurred (see Identifying a Work Refusal Failure) you must:

1. Assess information available to you in relation to the offer of employment, suitability of the work placement, and the participant's circumstances at the time of the failure.
2. Create a Work Refusal 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 failed to accept a suitable job' where you consider that the participant has apparently refused or failed to accept an offer of suitable paid work, 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 you consider that the participant has apparently refused of failed to accept an offer of suitable paid work by failing to commence work on the start date agreed with the potential employer
- recording the incident date
- answering 'no' to the question of whether they are in contact with the participant
- accurately answering the questions that will be automatically generated
- Confirming that you are satisfied a Work Refusal Failure has occurred. You must record this by:

  - Marking the checkbox that states*: I am satisfied that the participant has committed a work refusal failure as defined in section 42AD of the Social Security (Administration) Act 1999, and that the paid work offered was not unsuitable, as defined by section 40X of the Social Security (Administration) Act 1999 and section 7 of the Social Security (Streamlined Participation Requirements) Instrument 2022*.
  - Using the free text functionality to record what evidence was considered to satisfy that a Work Refusal Failure occurred. The evidence may include a description of an invalid reason which is not contained in the drop-down menu.
- selecting 'create'. This will create a draft Work Refusal Failure report.

Work Refusal Failure Resolution Time and Payment Suspension Process

Following the creation of the Work refusal Failure report while not in contact with the participant, they will receive notification advising they have committed a Work Refusal Failure, that they must contact you as soon as possible, and their payment may be suspended after 5 Business Days if they take no further action.

If the participant does not contact you within 5 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 you.

The participant's Reconnection Requirement is to contact you to discuss the Work Refusal Failure. If the participant's Income Support Payment has been suspended, the suspension will be lifted once they contact you and you finalise the Work Refusal Failure report.

If the participant contacts you, you must follow the steps in the Contact is Successful section:

If you are still satisfied a Work Refusal Failure has occurred, and you do not accept that there is a Valid Reason for the Non-Compliance, you must update and finalise the Work Refusal Failure report by undertaking the following steps in the department's IT systems:

- selecting the edit option in the Work Refusal Failure report (by doing so, you are confirming that you are in contact with the participant) selecting 'No' in response to the question of whether you accepted the reason given by the participant. By doing so, you are confirming that you 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. You 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 in the Work Refusal Failure reasons supporting document, and

- selecting ‘submit’, which will send the Work Refusal Failure report to Services Australia. While payment cancellations for a Work Refusal Failure are paused, Services Australia will reject the Work Refusal Failure report without investigation.

Note: The Work Refusal Failure report will be sent to Services Australia. While payment cancellations for a Work Refusal Failure are paused, Services Australia will reject the Work Refusal Failure report without investigation.

OR

1. If you are still satisfied a Work Refusal Failure has occurred, and you accept the Valid Reason the participant has given, you must update the Non-Compliance Event by:

- selecting ‘Yes’ in response to the question of whether you accepted the reason given by the participant.
- selecting a reason from the ‘Reasons accepted’ column of the drop-down menu that will appear. You must select the reason that most closely aligns with the Valid Reason provided by the participant. If the participant provides any other reason why the work was unsuitable (which does not match any of the Valid Reasons options in the drop-down menu), you may use the ‘Other comments’ box to detail any other reason that was accepted, and
  - selecting ‘submit’, which will update the Non-Compliance Event.

2. If you are no longer satisfied that a Work Refusal Failure has occurred, you must update the non-compliance event by:

- selecting ‘Yes’ in response to the question of whether you accepted the reason given by the participant. By doing so, you are confirming that you have determined that the participant has not committed a Work Refusal Failure
- selecting the reason ’Legal requirement’ from the ‘Reasons Accepted’ column.
- Selecting ‘submit’, which will update the Non-Compliance Event.

5.5.4 You are not Satisfied a Work Refusal Failure Occurred

Contact is successful

If you are not satisfied that a Work Refusal Failure has occurred after discussing the information with the participant, you must record your decision in the department’s IT systems comments section.

Contact is not successful

If you are not satisfied that a Work Refusal Failure has occurred, you must record your decision in the department’s IT systems comments section.

No further action is required in relation to the Work Refusal Failure and the participant should continue to be serviced at their next scheduled Provider Appointment, where you must discuss the legal requirement to accept and retain suitable paid work in return for Income Support Payments and assess if the participant needs further support or assistance to meet this legal requirement.

5.6. Unemployment Failures

Although the department's IT systems functionality is available for you to report Unemployment Failures, you must not submit Unemployment Failures to Services Australia.

Where you identify that a participant may have committed an Unemployment Failure (that is, become aware that a participant became unemployed as a result of a voluntary act that was not reasonable, or was dismissed for misconduct as an employee), you must discuss with the participant their reasons for leaving the job, or whether there was misconduct, at the next appointment with you.

5.7. Pause of Mutual Obligation Requirements

The department pauses Mutual Obligation Requirements when exceptional circumstances are identified that would impact participants' ability to meet (or report) their Mutual Obligation Requirements, or your ability to deliver employment services. Exceptional circumstances may include:

- natural disasters
- major IT system outages
- other significant events such as a pandemic.

When a pause of Mutual Obligation Requirements is in place, the TCF does not apply. Participants can still engage if it is safe and they wish to do so, but there are no compliance consequences if they do not. You must not apply compliance actions during a pause, as all Mutual Obligation Requirements become voluntary during this time.

Where the circumstance is at a localised level such as power outages or public transport disruptions, a pause of Mutual Obligations may not be required. In these cases, you should manage any potential impacts on participants.

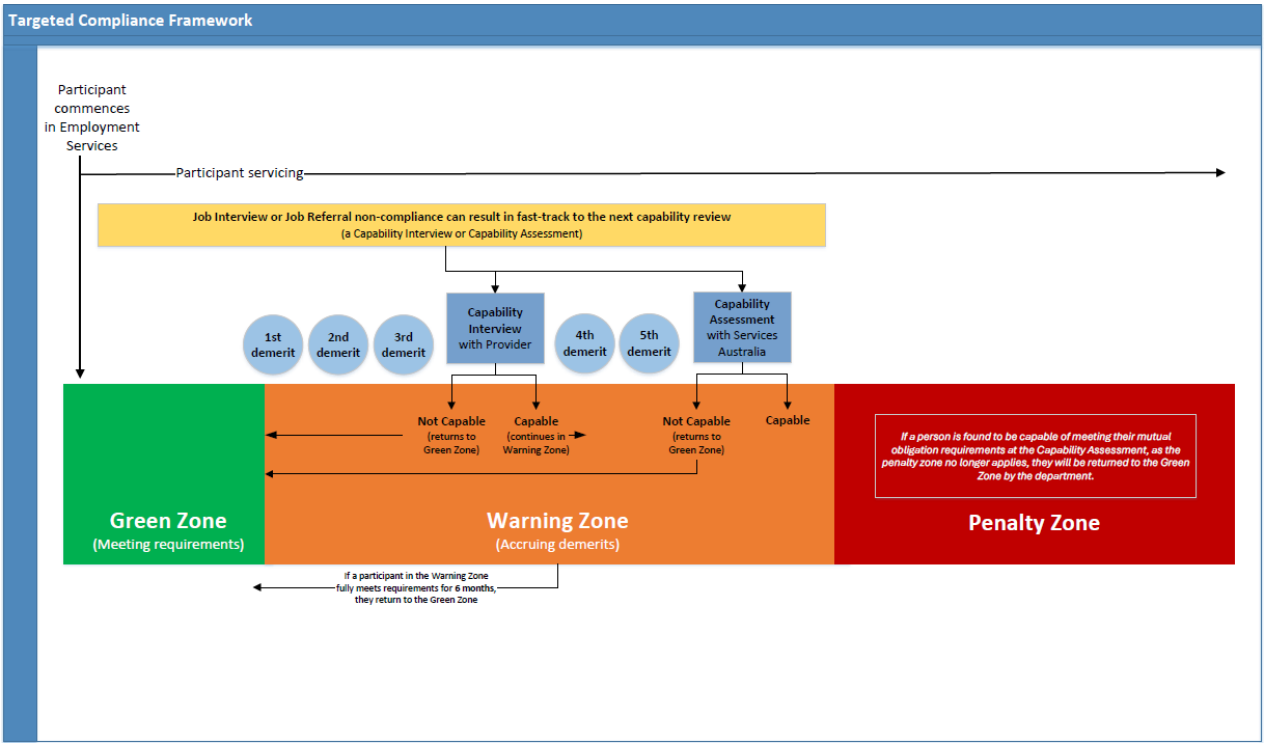
Where appropriate, this may include:

- Adjusting requirements for affected participants.
- Rescheduling provider Appointments or recording that a participant is no longer required to attend.
- Setting Points Reporting Periods and Job Search Reporting Periods to No Longer Required (NLR).
- Recording that a participant is no longer required to attend a job interview or complete a Job Referral task.

- Ensuring participants are given sufficient time before recording a non-attendance result.
- Considering if further support referrals are required.

Note: For more information on the Pause of Mutual Obligation Requirements, refer to the Targeted Compliance Framework Reference Guide.

Diagram: Overview of the Targeted Compliance Framework



Chapter 6. Category 1 participants - Suspensions and Exits

6.1. Category 1 participants can only be suspended when:

- Services Australia applies an exemption, such as a temporary medical incapacity exemption
- the participant is Fully Meeting their Mutual Obligation Requirements
- the participant has either an assessed:
  - temporary reduced work capacity of less than 15 hours per week
  - current and future work capacity of less than 15 hours per week ('partial capacity to work')
  - temporary reduced work capacity of less than 8 hours per week for a DSP recipient (Compulsory Participation Requirements).

During a suspension period, a participant is not required to take part in the program.

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

After a suspension ends, you must reconnect with the participant, update their Job Plan and resume delivering services to the participant.

6.1.1 Suspended participants who volunteer to receive services

If a suspended participant elects to volunteer into the program, you must record a Volunteer Period in the IT System. If the participant chooses to end the Volunteer Period earlier, you must adjust the end date in the IT System. Once a volunteer period is in place, the IT System will revert the participant to their pre-suspended status.

6.2. Exits

Participants may be Exited from the program for a range of reasons. You must discuss the reason for the Exit with the participant, where possible. You must stop delivering services to a participant when they are Exited.

An exit may be one of the following type:

- Effective Exit - an automatic exit performed by the IT Systems
- Provider Exit - a manual exit performed by you
- Department Exit - an exit facilitated by the department.

If a participant's income support payments stop, the exit will occur automatically.

The IT System will automatically notify Services Australia when a participant exits for any reason.

You will only be granted limited access to the participant's records in the IT Systems for 28 calendar days from the date of the participant's Exit.

6.2.1 Effective Exit

A participant will be automatically Exited by the IT Systems when a participant:

- has no recorded contact or instances within 52 weeks, or
- is Suspended and Fully Meeting their Mutual Obligation Requirements by participation in an approved activity expected to continue for more than 13 weeks and does not wish to continue as a participant (Voluntary) (see participants who are Fully Meeting their Mutual Obligation Requirements).

6.2.2 Provider Exit

You may manually Exit a participant if the participant is:

- Suspended and has a partial capacity to work of less than 15 hours per week, or
- a Principal Carer Parent and Suspended and has a long-term Exemption (end date longer than 16 weeks), or
- Suspended and is meeting their Mutual Obligation Requirements by participation in an approved activity for more than 13 weeks. This Exit will normally happen automatically however if a manual exit is required, use the 'Fully Meeting 13 weeks exit reason'. (see participants who are Fully Meeting their Mutual Obligation Requirements for more information)

A DSP recipient (Compulsory Participation Requirements) may be Exited from Services where they:

- are no longer in receipt of Income Support Payments, or are granted an Income Support Payment without Compulsory Participation Requirements, or
- are no longer subject to Compulsory Participation Requirements (for example, they turn 35 years old, or are reassessed by Services Australia as having a work capacity of 0-7 hours), or
- are undertaking a compulsory activity agreed with Services Australia that is not the Program.

If a participant requests to Exit, you must determine whether:

- a Provider Exit is appropriate
- the participant is eligible for a Provider Exit.

6.2.3 Department Exit

The department can facilitate an Exit of a participant from your caseload when required to do so, including where:

- the IT System has not performed an Effective Exit of a participant who has met Effective Exit conditions

- you have failed to perform a Provider Exit of a participant who has met Provider Exit conditions, or
- the department is required to facilitate an Exit of the participant to comply with other requirements.

6.2.4 Participants resuming their Period of Service after Exit

The table below details how a participant's Period of Service is determined based on whether they resume within or after 13 weeks of Exit.

If the participant returns to the program:	Participant's Periods of Service and Period of Registration (if relevant):
within 13 consecutive weeks after their Exit	will continue from the date of the participant's return. You must resume service delivery.
13 consecutive weeks or more after the date of the Exit	Period of Service will restart

Chapter 7. Category 2 participants

This chapter outlines how to:

- check eligibility for Category 2 participants, including a person's legal right to work in Australia.
- complete Direct Registration of Category 2 participants
- deliver the Initial Interview
- schedule appointments.

Supporting Documents

- Direct Registration Form
- Visa Entitlement Verification Online
- Schedule 8 of the Migration Regulations 1994
- Registration Search and Direct Registration

7.1. Voluntary participation

Category 2 participants are individuals that are not required to participate in the program but can volunteer to do so. Participants who volunteer into the program must have work rights in Australia.

Category 2 participants include:

- Individuals on specific Income Support Payments without Mutual Obligation Requirements, including:
  - Carer Payment
  - Parenting Payment Single with the youngest child aged under 6 years
  - Disability Support Pension, without Compulsory Participation Requirements.
- Individuals with employment needs who are:
  - not on an Income Support Payment
  - Centrelink managed

For example, this may include people who:

- are underemployed
- are in a low skilled position and who wish to improve their skills and employment prospects
- need support to retain their job that is at risk.

7.1.1 Checking a person's eligibility

You must confirm that a person is eligible before you can directly register them for the program, including that they:

- reside on Norfolk Island

- require support to address barriers to employment or vocational education
- are of working age (15-66 years)
- have the legal right to work in Australia.

7.1.2 Confirming a non-Australian citizen's legal right to work in Australia

After sighting a non-Australian citizen's international passport, you must confirm their legal right to work in Australia by checking their visa conditions via either:

- Visa Entitlement Verification Online
- Schedule 8 of the Migration Regulations 1994

If you determine that a non-Australian citizen does not have the legal right to work in Australia, or if you have any reservations, you must not proceed with Direct Registration.

If you cannot establish a non-Australian citizen's legal right to work in Australia, you should encourage them to confirm their work rights by contacting the Department of Home Affairs.

7.2. Commencing category 2 participants in the program

Commencing a category 2 participant means that they are:

- registered in the IT System
- have attended their Initial Interview
- signed their Support Plan.

If a participant needs to use the service once only, you are not required to Commence them in the IT System.

7.3. Direct Registration of category 2 participants

You must Directly Register all category 2 participants in the IT System, except those who only require a once-off service.

The Direct Registration process:

- collects information to confirm the person's identity
- creates a Job Seeker Registration Record for the participant, or updates an existing Job Seeker Registration record in the IT System and allocates a Job Seeker Identification (JSID)
- connects the Job Seeker Registration Record with their Services Australia Customer Reference Number (where applicable)
- allows the participant to be Commenced in the IT System and receive services.

7.3.1 Directly registering category 2 participants

The table below outlines steps on how to conduct a registration search and to Directly Register a category 2 participant in the IT System.

Steps

1. Confirm if the participant has a myGov account.
    - If yes, confirm whether the participant has linked their myGov account to the Workforce Australia website and if they have not, you must check that the participant has other contact details recorded to receive notices and are able to access notices. In linking myGov and Workforce Australia accounts, you must take reasonable steps to verify you are linking the correct individual's account information and must not proceed if you are not satisfied you are linking the correct accounts.
    - If myGov authentication cannot be completed, you must:
        - Directly Register the participant using the Direct Registration Form
        - retain a copy of the completed and signed form
        - retain a note that you have sighted relevant identification and the form of that identification (for example, a driver's licence).
2. Follow the steps in the task card: Registration Search and Direct Registration to Directly Register a participant. You can only Directly Register a participant if the participant:
    - is not registered
    - has a current registration and is on your caseload
    - has an inactive registration – you will need to connect them to your caseload.

Note:

- Direct Registration is not applicable if a participant has a current registration and is not connected to you. You will need to connect them to your caseload.
- If the participant is a Services Australia customer and records are not already linked, you must link the JSID to the Customer Reference Number in the IT System.

3. Assess if completing a Job Seeker Snapshot for the participant would be useful in tailoring services to them. If it would be useful, refer to Conducting a Job Seeker Snapshot.
4. Help the participant to establish their career profile in the IT System.

7.4. Initial Interview for category 2 participants

The Initial Interview is the first appointment that a participant will have with you and must be conducted at the time of registration. Completion of the Initial Interview must be recorded in the IT System. Where possible, the interview should be conducted in person.

The purpose is to:

- explain employment services

- discuss the participant's needs.

7.4.1 Conducting the Initial Interview

The table below outlines the steps you must follow when conducting an Initial Interview.

Steps
1. Confirm the participant's identity, refer to Acceptable identity documents. Explain the privacy policy in line with Part A of these guidelines. Obtain a signed Privacy Notification and Consent Form. 2. Explain the program and the range of support available. 3. Discuss: • their experiences, workplace barriers, abilities and aspirations to develop an understanding and plan of their support needs • any activities they are currently engaged in and any activities they are interested in participating in • options for referral to supports and training **Important**: If a participant discloses or you have concerns that a participant is experiencing or is at risk of family and domestic violence, refer to Responding to disclosures family and domestic violence. 4. Develop an initial Support Plan, documenting a participant's short, medium and long-term employment and skills goals and the pathway to progress towards them. Consider how services should be tailored for the participant 5. If appropriate, provide them with: • a list of suitable job vacancies • advice about the best ways to look for and find work • information about skills shortage areas and local employment opportunities. 6. Provide: • the Service Guarantee and Code of Conduct • details of the current National Minimum Wage • the Fair Work Ombudsman website and contact details. 7. Arrange for the participant to sign all relevant forms including the Support Plan and Privacy Notification and Consent Form. 8. Book the next appointment with the participant. Tell them if they should prepare anything before their next appointment.

7.5. Appointments and engagement with category 2 participants

When and how you meet with category 2 participants should be based on their needs and circumstances. As a guide, it is expected that you will engage at least 3 times over each 3-month period. There is no consequence for category 2 participants if they do not engage.

You can engage with participants either:

- one-on-one or via third party engagements, for example, with the participant's family or carer, NDIS Local Area Coordinator or Support Worker
- through group-based activities, for example, pre-employment or employment-related information sessions or training delivered by you.

7.6. Exiting category 2 participants

You can manually Exit a Category 2 participant who does not wish to continue as a participant or when servicing of the participant ends.

To Exit a Category 2 participant, insert an 'end date' against their special placement flag via the personal details screen in the department's IT systems before you perform the manual Exit from your caseload.

Chapter 8. Participant Support Plan and Voluntary Job Plan

Note: This chapter applies to both category 1 and category 2 participants.

Supporting Information and Documents

- Support Plan Template
- Explanation of the Job Seeker Snapshot Questions

8.1. Support Plan

A Support Plan is an agreement between you and the participant which outlines an agreed pathway to achieve their employment and educational-related goals.

A Support Plan is intended to be used as a tool to build engagement with a participant. It does not replace a Job Plan.

You must develop a Support Plan for each category 1 and category 2 participant (except for category 2 participants who need a once-only service), taking into account the results of any assessments. A Support Plan should be created within the first two appointments.

Refer to the Provider Portal for a Support Plan Template.

8.2. Developing a Support Plan

The Support Plan is a living document to be created with the participant. While it is not mandatory for the participant to complete the Support Plan, it is recommended as it helps tailor support to participants.

When developing the Support Plan, ensure the participant understands:

- the purpose and contents of the plan
- the roles and responsibilities of both you and the participant
- how the plan will be tracked, reviewed, and updated over time.

8.2.1 Goals Description

Identify the participants goals related to employment and education. The participant can set short-, medium-, or long-term goals.

Make sure the goals are:

- specific, measurable, achievable, relevant, and time-bound (SMART)
- realistic and tailored to the participant's individual circumstances
- written in the participant's own words, reflecting what is meaningful and motivating to them.

8.2.2 Skills, Strengths, Barriers, and Challenges

Identify the participant's skills, strengths, barriers, and challenges that may influence their progress towards their goals.

You are encouraged to review the Job Seeker Snapshot, ESAt, and other assessment results alongside broader discussions to gain an in-depth understanding of the factors influencing the participant's progress and include relevant factors where appropriate.

8.2.3 Action Plan

The purpose of the action plan is to capture agreed actions that you and the participant will take to work towards the goals. When outlining the actions:

- ensure all steps are specific, measurable, achievable, relevant, and time bound
- identify the resources, programs, and activities they will access
- identify how barriers and challenges will be addressed
- set clear and realistic timeframes for each step.

8.2.4 Provider Assistance

When outlining the steps that you agree to take to support the participant's action plan:

- ensure all steps are specific, measurable, achievable, relevant, and time bound
- identify what resources, programs, and activities you will arrange
- set clear and realistic timeframes for each step.

8.2.5 Declaration

Before signing the Support Plan, ensure it accurately reflects the participant's decisions and goals by providing them an opportunity to review it and confirm their satisfaction and understanding.

8.3. Monitoring and updating the Support Plan

Regular contacts with the participant are essential to ensure the Support Plan remains relevant to the participant's circumstances and continues to support their progress towards their goals.

You will work with the participant to:

- review progress and achievements, recording completed steps and attained goals
- assess any changes in circumstances and update goals, strengths, barriers, steps
- celebrate with the participant the goals that have been achieved.

8.4. Storage of Support Plans

Support Plans may contain sensitive information about the participant. It is your responsibility to ensure that all support plans are kept confidential and securely stored.

Support Plans can be maintained either electronically or in a paper-based format. They do not need to be stored or uploaded to the department's IT Platform.

A summary of Support Plan actions or themes will need to be provided quarterly to the department as part of your quarterly reporting requirements.

Departmental staff may require access to Support Plans for auditing or performance monitoring purposes.

8.5. Voluntary Job Plan for mobility allowance

If a participant is claiming or receiving (the higher or standard rate of) mobility allowance, you must negotiate and approve with the participant a voluntary Job Plan containing a suitable voluntary Activity.

This plan is a voluntary agreement and is not a Job Plan as defined under Social Security Law.

The voluntary Job Plan must include activities relevant to the participant's circumstances. You must manage and record the voluntary Activity in the participant's Electronic Calendar, as you would for other participants.

Chapter 9. Activity management

This chapter outlines the different types of Activities and how to:

- identify suitable activities
- arrange activities for participants
- manage participation in activities
- engage with host organisations
- manage work health and safety for activities
- manage and report incidents
- ensure supervision for activities.

Note: This chapter applies to both category 1 and category 2 participants.

Supporting Information

- WHS Employment Assistance Program Incident Report
- Incidents and Insurance
- Public and Products Liability Incident Report

Supporting Documents

- WHS Incidents and Insurance Readers Guide – Participants
- WHS Incidents and Insurance Readers Guide - Providers
- Incidents and Insurance page of the Provider Portal
- Provider training resources - Provider Portal

Templates

- WHS Incidents and Insurance Readers Guide – Participants
- WHS Employment Assistance Program Incident Report
- Public and Products Liability Incident Report
- Competent Person Register Example Template (optional)

9.1. Purpose of activities

Taking part in Activities helps participants to:

- improve their skills, including communication skills
- become more job ready
- work independently and work as part of a team.

You should help participants understand the value of engaging in Activities (both vocational and non-vocational) and how it can help them to progress towards their Education and employment goals.

9.2. Types of Activities

There are a range of activities you can arrange or refer participants to. Examples include:

Job Search and Application Skills

- résumé writing sessions
- sessions on how to apply for jobs using different methods (e.g. online and in person)
- interview preparation sessions
- employer meet-and -greet sessions

Education and Training

- Accredited vocational education and training
- higher education short courses
- non-accredited vocational education and training
- Skills for Education and Employment (SEE) (available online)

Work Preparation and Experience

- voluntary work (organised by the participant or sourced by you)
- paid work trials
- Observational Work Experience
- work with a social enterprise or supported employment provider

Self-Employment

- self-employment and entrepreneurship training and support

Non-Vocational Supports and Interventions

Such as receiving, participating in or undertaking:

- social support services, for example housing, parenting courses, domestic violence or crisis/trauma services
- legal services
- financial support services and financial counselling
- assistance to address transport access
- programs which address disability, injury or health concerns
- appointments with general practitioners and specialists (doctors)
- appointments with allied health professionals, such as physiotherapists, occupational therapists and pain management services
- self/help groups and peer support services
- cultural services and social groups
- other health services, such as drug and alcohol treatment, and/or
- mental health services, for example Headspace or psychological counselling.

You are encouraged to innovate and deliver activities that support diverse pathways to employment. Participants can also find self-initiated activities and tasks.

Participants can participate in other programs while they are participating in the program, including:

- Skills for Education and Employment (SEE)
- Adult Migrant Education Program (AMEP)
- Other Government Programs
- Australian Defence Force Reserves.

9.3. Identifying suitable Activities for participants

You must provide the participant with a choice of Activities that suit their personal circumstances and would be safe for them to participate in. Participants may also be required to undertake an activity to meet either:

- an Activity Requirement
- a Reconnection Requirement

You must work with the participant to find activities that will:

- address their vocational or non-vocational barriers
- improve their work readiness and assist them to progress towards employment.

To determine if an activity benefits a participant, you must consider their:

- eligibility for the activity
- age
- disability (if relevant)
- education level
- skills, experience and aspirations
- vocational and non-vocational barriers
- cultural background
- caring responsibilities
- assessed work capacity
- access to transport.

9.3.1 Prohibited activities

You must not refer, support or arrange for a participant to take part in any Activity that involves:

- illegal activities or any tasks the participant is not permitted to undertake under the law (e.g. tasks requiring a license that the participant does not hold)

- work for any organisation owned or operated by the participant or a member of their family
- displacement of an existing employee of the host organisation, which could include reducing an existing employee's:
  - hours of work (full-time, casual, or part-time)
  - customary overtime hours.
- tasks associated with the sex industry or involving nudity, including retail or hospitality positions
- tasks directly involving gambling
- doing any tasks in the participant's own home
- contravening Commonwealth, State or Territory laws relating to discrimination or work health and safety.

9.4. Arranging Activities

You must arrange Activities as early as possible during each participant's Period of Registration. This includes referring participants to:

- complementary programs
- non-vocational interventions
- education, training, or other suitable opportunities.

Important: You must comply with your work health and safety obligations and make sure activities don't proceed if there are safety issues. Refer to:

- Managing Work Health and Safety
- Managing Work Health Safety Incidents

9.4.1 Sourcing Activities

Activities can be sourced in several ways, for example:

- through in-house service provision (as per the training outlined below)
- purchased from an external provider
- by referral to programs and services within the local community or online, including government funded or private and community-based organisations
- self-directed or sourced by a participant.

Training

You must develop and deliver face-to-face training on an as-needs basis to cover the following areas:

- digital literacy skills
- practical support to build job search skills and workplace skills required for industries within Norfolk Island

- self-employment skills, including starting, planning for and managing a new business.

You must tailor the training content to each participant's existing knowledge and individual needs.

9.4.2 Referring participants to an Activity

Before referring a participant to an Activity, confirm if:

- the participant is eligible to take part in that Activity refer to the relevant activity chapter to check eligibility)
- the Activity is suitable for the participant (refer to Identifying suitable activities for participants).

Explain the Activity to the participant, including:

- what the activity involves
- any consequences of not commencing the activity on time
- the frequency of contact the participant must maintain with you while they are participating in the activity
- how to access the WHS Incidents and Insurance Readers Guide – Participants for Work Health and Safety guidance.

When referring participants to local services, help them connect to the service.

9.4.3 Arranging transport to and from activities

Participants are generally expected to arrange their own transport.

You must arrange transport if:

- the participant does not have access to a vehicle or does not have a driver's licence, and other transport options such as public transport are not available
- the Activity is at an isolated location
- the location is only accessible via unsealed roads or tracks.

Include and record any transport arrangements you make in the relevant activity risk assessment.

9.5. Managing participation in an activity

The table below outlines steps on how to support and record participant's engagement in an activity on the IT System.

Steps
1. Ensure Work Health and Safety obligations are met. Ensure the participant has: • training, equipment and clothing • access to appropriate facilities (e.g. toilets and drinking water) at the activity location.

Steps
Refer to Managing Work Health and Safety 2. Create activity records in the department's IT systems, including: • participants referred to or placed in the activity • the required hours of participation for each participant. Refer to the department's training resources for guidance on how to establish, schedule, and manage activities in the department's IT systems. 3. Monitor attendance. • Minimise any disruptions to the participant's attendance (e.g. arranging appointments outside activity times where possible). • Refer to the Commencement and Suspensions and Targeted Compliance Framework and Mutual Obligation Failures for category 1 participants on how to record attendance and monitor requirements. • Refer to relevant activity chapters for specific requirements. 4. Provide or ensure adequate supervision to make sure the participant has a safe environment for their tasks. Refer to Supervision for activities. 5. Monitor the participant's progress, behaviour and satisfaction. 6. Ensure the participant is benefiting from the activity. • Seek feedback from the participant regularly. • Address any complaints or safety concerns. 7. Record the participant's completion of the activity in the department's IT systems, including: • **Reason for exit:** The reason the participant stopped participating in the activity (completion exit reason). • **End date:** The last date the participant was involved in the Activity. • **Hours participated:** The total number of hours the participant engaged in the Activity.

9.6. Collaborating with other organisations

You must collaborate with other organisations and services to provide a comprehensive range of activities and supports for participants.

Examples of organisations to engage with include:

- other service providers, including private and community-based service providers
- education and training institutions

- local government.

You must ensure host organisations meet all requirements for the activities they host, including Work Health and Safety. Activities may include:

- observational work experience placements
- provider sourced voluntary work

9.6.1 Eligible host organisations

You must only arrange or refer participants to a host organisation that:

- has a valid ABN
- has not engaged in or condones any illegal operations or promotes or unlawful conduct
- is not associated with the sex industry
- does not promote or condone:
  - gambling deemed inappropriate by the department
  - violence, self-harm or suicide
  - any discrimination, including on the grounds of race, language, sex, religion or disability
- does not provide services or behaves in a manner that could bring the participant, provider or department into disrepute.

9.6.2 Managing host organisation agreements

Host Organisation Agreements (the agreement) help all parties involved in an activity to understand their roles and responsibilities. The following activities must be arranged under an agreement:

- observational work experience
- provider sourced voluntary work

Templates for both are available on the Provider Portal (under Work Experience)

The table below outlines important actions for managing host organisation agreements.

Important
You must: • discuss and document the host organisation's obligations regarding the activity in the agreement • ensure the obligations imposed on the host organisation: – align with the type of activity – are sufficient and enable compliance with the contract • ensure the agreement is signed by all relevant parties before the participant begins the activity. • retain hard or soft copies of agreements, including any required documentary evidence.

What to include in the agreement

You are responsible for the risk of any non-compliance with the contract. To help you comply with your obligations under the contract, you must ensure the agreement includes the following (at a minimum):

- **Activity details:** tasks participants will undertake during the Activity
- **Support and accommodation:** how the host organisation will support and accommodate participants' varying needs and capabilities (including work restrictions)
- **Supervision:** details of how the host organisation will supervise participants during the Activity
- **Training and induction:** Information provided to participants before starting the Activity, including any tasks that participants must complete before commencement
- **Attendance requirements:** the host organisation's obligation to report participant attendance to you, where required
- **Work Health and Safety obligations:** details of the host organisation's obligations concerning work health and safety and incident reporting.

9.6.3 If you suspect misuse or breach

The table below outlines key steps you must take if you suspect or become aware that a host organisation has engaged in prohibited conduct.

Steps
1. Ensure no participant begins or continues taking part in an Activity hosted by the organisation

2. Notify the department immediately and provide requested information.

3. Cease, vary or adjust the activity if requested by the department.

If the department determines that a host organisation has engaged in prohibited conduct and is no longer eligible (refer to Eligible host organisations), you must immediately comply with the direction provided by the department.

The department may direct you to cease arranging or referring participants to activities hosted by that host organisation.

9.7. Managing work health and safety for activities

9.7.1 Work health and safety requirements

You must ensure a safe system of work is established and maintained for each Activity, both before the Activity begins and throughout its duration.

You must ensure:

- you comply with your work health and safety obligations and fulfill your obligations under the contract
- Activities do not proceed where work health and safety issues cannot be addressed
- personnel, subcontractors, third party IT vendors and agents comply with all relevant laws and requirements, including commonwealth, state, territory, or local authority regulations and WHS Laws
- the host organisation (if applicable) adheres to all work health and safety requirements
- take reasonable steps to minimise the risk of injury to participants and others during an Activity.

Before arranging or referring a participant to an Activity, you must ensure the Activity:

- is permitted under relevant state and territory laws
- complies with the requirements of the contract
- aligns with any advice from local authorities.

If there are safety concerns

You must:

- work with the department, host organisations, and other relevant parties to appropriately manage any safety issues related to the Activity
- ensure each participant knows how to raise safety concerns or lodge a complaint about an Activity
- address safety concerns promptly. If a safety concern cannot be resolved (including those raised by a participant), you must immediately stop the participant's involvement in the activity.

Refer to Managing work health and safety incidents.

9.7.2 Conducting risk assessments for activities

You must comply with requirements outlined in the contract and this guideline for risk assessments related to Specified Activities. This includes Activities hosted by your organisation.

The risk assessment process aims to:

- determine if an Activity is safe to proceed before participants are referred
- identify potential risks linked to the tasks that participants will undertake during the Activity
- assess if the Activity is suitable for referred participants, considering risks from personal circumstances.

Types of risk assessments

The table below outlines the 2 types of risk assessments required for Activities, which must be conducted and updated in line with this guideline.

Risk assessment type	Description
Activity risk assessment	Focuses on risks related to a potential or actual Specified Activity. You must complete an activity risk assessment for each Specified Activity you arrange, before it commences.
Participant risk assessment	Assesses risks specific to each participant's involvement in the Specified Activity. You must undertake a participant risk assessment for each participant before their involvement in any Specified Activity.

Note: 'Risk Assessment' refers to both activity and participant risk assessments. You may document these together, provided all requirements in these guidelines are met.

You must ensure risk assessments are:

- conducted by a competent person before the activity commences (Refer to Maintaining a register of competent persons)
- updated as necessary
- comply with relevant laws, departmental policies, and procedures on work health and safety.

Key considerations for assessments

When conducting or arranging a Risk Assessment, you must consider:

- the role of the host organisation
- relevant participants
- the working environment, including:
  - the nature and locations of tasks participants will perform, such as:
    - whether the activity will take place in a non-public area (e.g. a private residence worksite with a tradesperson)
    - working with a sole trader (e.g. a butcher or hairdresser who operates from a small shop or private residence)
    - working alone with another person
    - work involving alternative hours (e.g. early start or night shifts)
    - working in a labour hire environment across multiple workplaces
  - the participant's personal circumstances, including their:
    - work capabilities
    - health or other personal issues
- level of experience
- the level of supervision required
- the nature, cause and likelihood of any risks
- consequences of an incident occurring
- effective controls, such as training and Personal Protective Equipment.

Reviewing, maintaining and updating Risk Assessments

You must review risks regularly and take appropriate action on those risks where required.

As part of your obligation to ensure that there is a safe system of work in place for each activity, after conducting or updating any Risk Assessment you must:

- determine appropriate actions to mitigate risks
- ensure these actions are implemented.

If you identify that a safe system of work is not in place for an activity (including from an Activity Risk Assessment), you must not:

- arrange the Activity
- refer any participants to the Activity.

If participants are already involved, you must immediately cease their participation in the Activity.

The department may use its discretion to modify, cease or vary the:

- activity
- proposed activity
- type of activity.

Documenting risk assessments

You may choose how to document your risk assessments, but you must ensure they meet the department's minimum standards and requirements. For example, verbal risk assessments are not acceptable.

Refer to example templates and checklists available on the Provider Portal.

The table below outlines the minimum documentation requirements for risk assessments.

Minimum requirements
You must: • retain records for each Risk Assessment and any actions taken in line with each Risk Assessment • create and maintain a register of any Competent Persons that you engage to conduct any Risk Assessment. Refer to Maintaining a register of competent persons below. • provide these retained records, including the Competent Person register, to the department upon requested.

Maintaining a register of competent persons

The Competent Person Register Example Template (optional) is available on the Provider Portal. It is optional to use the template, but you must ensure your register includes the same required headings.

Your register of Competent Persons must include:

- the **Full Name** of the competent person
- their **Qualifications, training, or experience**, with details explaining their relevance (if not clear from the title or description). This includes:
  - the qualification they hold, including Course ID (if a formal qualification was undertaken)
  - details of internal or informal training
  - number of years relevant experience
  - date of qualification/training completion, if applicable
  - refresher training due date, if applicable
- **Licence number**, identifying their ability to conduct Risk Assessments.

9.7.3 Managing work health and safety incidents

You must notify the department immediately of any activity-related accidents or near misses where a participant is in attendance, including travel to, from, or during the activity.

Refer to the WHS Incidents and Insurance Readers' Guide- Providers which provides information on:

- how to manage critical and non-critical WHS incidents
- process for when a participant is injured at an activity
- your responsibilities
- how to complete incident reports.

Key reporting requirements

The table below outlines the key reporting requirements for different incident types.

Incident type	Reporting
If the incident is a Critical WHS Incident	You must report **within one hour** of the incident via the WHS Incident Report available on the department's IT systems. If the WHS Incident report is not available, you must report via the WHS Employment Assistance Program Incident Report.
If the incident is a non-critical WHS Incident	You must report **on the same day** of the incident via the WHS Incident Report available on the department's IT systems
If an incident involves misconduct or threatening behaviour	When misconduct or threatening behaviour occurs, you must complete both: • a Job Seeker Incident Report • a WHS incident report. You must report **on the same day** of the incident (within 24 hours where possible).
If an incident involves a host organisation	The host organisation must complete a **WHS Employment Assistance Program Incident Report** when the incident involves a participant's accident, injury, death or near miss. The report is available on the Incidents and Insurance page on Provider Portal.

Responding to an incident

The table below outlines the steps you and activity supervisor must take to manage an incident when it occurs.

Steps
1. **Provide medical attention:** the supervisor must provide or arrange emergency medical assistance, including contacting emergency services where required.

Steps
2. **Protect others:** the supervisor must take reasonable steps to protect other participants and people at the activity from unnecessary trauma, where possible. 3. **Notify the WHS Regulator of**: • incidents involving death or injury, in line with relevant state or territory laws • dangerous incidents that expose someone to serious risks, even if no injuries occurred. 4. **Follow WHS Regulator directions**: the supervisor must comply with any instructions provided by the WHS Regulator. 5. **If the incident is a Critical WHS Incident**, inform your Provider Lead via phone within one hour. You must ensure there are impartial reporting mechanisms to allow participants to report incidents, lodge complaints, or provide feedback confidentially.

9.7.4 Insurance

Refer to the WHS Incidents and Insurance Readers Guide - Providers for information about the department's purchased insurances to cover participants in a range of activities:

- **Personal Accident insurance**: covers participants for personal injury while undertaking activities, including direct travel to, from, or during the activity.
- **Public and Products Liability for participants insurance**: covers legal liability during approved activities if a participants negligence causes:
  - personal injury to a third party
  - damage to a third party's property.

The guide also provides information on:

- how to make claims
- what to do if a third party suffers an injury at an activity or there is damage to property.

Important: You must not admit fault or accept responsibility for any alleged negligence that may result in a third-party claim.

You must:

- comply with any instructions issued by the department or the department's insurance broker.

  The department may issue safety recommendations to you to reduce the likelihood of similar incidents. You must comply with any directions related to activities, in accordance with your contractual obligations.
- maintain a copy of all incident notifications and records supporting evidence in any insurance claims.

Refer to the Incidents and Insurance page on the Provider Portal for:

- insurance policies, which outline what's covered and standard exclusions
- WHS Incidents and Insurance Readers Guide – Participants that outlines information you can provide to participants. This guide is also published on the department's website under Insurance arrangements for Employment activities.

Purchasing additional insurance

Your organisation is contractually obligated to maintain insurances as outlined in the contract.

To ensure adequate coverage for participants, your organisation must either:

- purchase additional insurance if needed
- modify tasks in the proposed activity so that no part of the activity would be excluded under the department's insurance coverage.

It is important to keep a full copy of all insurance policies you rely on for compliance with additional insurance requirements.

You must confirm that the host organisation has appropriate insurance coverage. If host organisation coverage is insufficient, you can purchase or fund additional coverage for the Activity.

9.8. Supervision for Activities

You must ensure proper supervision is in place for activities involving participants.

Supervision refers to the direct monitoring and management of participants while they are participating in activities. Supervisors may be engaged or employed by:

- you or a subcontractor to oversee activities
- host organisations to oversee activities that they provide.

9.8.1 Requirements for supervisors

For any Activity you deliver or arrange, you must ensure:

- your staff and supervisors have adequate qualifications
- you conduct relevant background checks on your staff and supervisors before their involvement in the Activity

Supervisors must complete any additional statutory requirements before assuming responsibility for participants.

All supervisors and relevant personnel of activities, including any host organisation or subcontractor directly involved in the Activity (especially those with close contact with participants), must:

- be a fit and proper person to be involved in the relevant Activity
- have a high level of skill, knowledge, training or experience in:
  - the activity they are involved in

  - working with, training, and supervising individuals in such activities
- possess relevant work health and safety training.

9.8.2 Supervision of vulnerable individuals

You must provide continuous supervision for the full duration of any Activity involving:

- elderly, disabled, or vulnerable individuals
- children (excluding other participants).

9.8.3 Responsibilities of supervisors

You must ensure each supervisor engaged or employed by your organisation or a subcontractor is aware that they must:

- provide adequate supervision during organised Activities
- ensure participants are doing appropriate tasks and operating in a healthy and safe environment
- notify you if a participant is absent from Activities or a participant is non-compliant with requirements.

9.8.4 Background checks

You must comply with the Contract, these guidelines, and local jurisdictional requirements to determine whether an Activity requires relevant Personnel to undergo background checks. If required, these checks must be arranged.

'Checks' includes:

- Criminal Records checks
- National Police checks
- Working With Children checks
- Working with Vulnerable People checks

The table below outlines where checks are required for Activities.

Checks are required for Activities where:

• legislation requires checks to be conducted
• the activity must meet industry standards or legal requirements that exclude individuals with specific criminal convictions
• participants or supervisors will have regular or unsupervised contact with:
  – children
  – elderly or vulnerable people
• the department determines that the activity requires checks.

Unless otherwise directed by the department, you must:

- arrange required checks before organising or allowing participation in an activity
- contact relevant state or territory organisations to conduct checks where required, in line with local regulations.

If checks take time to process, you must arrange interim or alternative activities for participants awaiting results.

If an activity is repeated, or a participant is expected to engage in another activity in the future, you must ensure that previously conducted checks remain valid. Further checks must be conducted if required or if the initial check is no longer valid.

9.8.5 Results of background checks

If a background check shows that a person is ineligible to supervise specific activities:

- they must be excluded from supervision in that activity
- alternative activities should be suggested.

The results of checks are considered Personal Information. You must comply with contract obligations related to the use, disclosure, and management of this information. Refer to Part A of the guidelines.

Chapter 10. Activities

This chapter outlines how to manage participation in:

- the Skills for Education and Employment Program
- voluntary work
- observational work experience
- non-vocational assistance and interventions.
- Education and Training

Note: This chapter applies to both category 1 and category 2 participants.

10.1. Skills for Education and Employment (SEE)

Supporting Information and Documents

- Job Seeker Snapshot
- Skills for Education and Employment (SEE) Program
- Task card - adding a referral to SEE - Knowledge Base Article KB0014580
- Differentiating between AMEP and SEE

10.1.1 Purpose of the SEE program

The SEE program addresses literacy, numeracy, and digital skill gaps that can prevent individuals from finding employment or advancing in education.

It offers both accredited and non-accredited online training to help participants:

- build foundation skills in language, literacy, numeracy, and digital literacy (LLND)
- progress towards recognised qualifications up to Certificate III
- improve communication, engagement, and confidence
- prepare for employment or further study.

10.1.2 About the SEE program

The SEE program is delivered in 2 streams:

- General SEE Delivery
- SEE First Nations

More information about the program and the streams is available on the Skills for Education and Employment (SEE) Program page of the department's website.

10.1.3 Eligibility

A participant's eligibility for Norfolk Island Employment Services will already cover most SEE eligibility criteria. To be eligible for SEE, the participant must be either:

- an Australian citizen, or

- a permanent visa holder, or
- on a provisional or temporary visa with working rights and eligible for the Adult Migrant English Program

and

- aged 15 years and over and left school, and
- need help with their reading, writing, maths, English language or digital skills.

Participants don't need to be on any income support payment or have Mutual Obligation Requirements to take part in the SEE program.

10.1.4 Managing participation in the SEE program

You must engage with SEE providers who offer distance learning options and ensure you are familiar with the program's service offering. Refer to the SEE page on the Provider Portal for information about the program, including suitability for SEE, role of providers, available SEE providers, SEE learning modules, case studies, and a range of other resources.

The table below outlines steps in the referral process for the SEE program.

Steps
1. Identify a potential referral: • you must actively identify participants who may benefit from the SEE program • refer to Differentiating between AMEP and SEE to see which English language skills program will best suit a participant. 2. Discuss the program with the participant: • clearly explain the purpose and benefits of the SEE program, including its online delivery and flexible training options. 3. Make the referral in the IT System: • refer to Knowledge Base Article KB0014580 on how to add a referral to SEE. Following referral, the SEE provider will conduct a Pre-Training Assessment (PTA) to assess the participant's capability levels and determine their capacity to benefit from the program. The SEE provider will: • notify you of the outcome • commence the participant in a course of study aligned to their goals and capabilities, if training is recommended. 4. Monitor placements - you should work closely with SEE providers to: • review the participant's assessed capability levels • set up agreed communication protocols on attendance and progress:

Steps
– If a participant is unable to self-report their weekly attendance, you must do this on their behalf. Seek the participant's confirmation of attendance and ensure they understand the consequences of a false declaration. – Once the SEE provider enters actual attendance records in the system, or forwards records to you, follow up any inconsistency in attendance with the participant.

Exiting the SEE program

If a participant stops attending training and cannot be contacted to provide a reason, the SEE provider will exit the participant from SEE and notify you. You are not required to take any action in the system.

Completion of SEE

Average participation in SEE lasts around **8 months.** SEE participants have up to **2 years in a single referral** period to complete their chosen courses or qualifications. They can continue to access the program, which may involve repeated referrals, until they achieve an exit benchmark, such as:

- **Certificate IV** in a foundation course
- **Certificate III** in a mainstream VET course

After 2 years in the program, if a new Pre-Training Assessment (PTA) suggests further capacity to benefit, participants may again access the program.

10.2. Voluntary Work

10.2.1 Benefits of Voluntary Work

Voluntary Work placements provide participants with the opportunity to develop skills and improve employment prospects while also benefiting their community.

Participants doing Voluntary Work:

- can gain points under the Points Based Action System. Refer to PBAS points values for tasks and activities in the Points Based Activation System factsheet.
- may meet their Mutual Obligation Requirements. For further information, refer to the Targeted Compliance Framework and Mutual Obligation Failures.

Activity Codes in the department's IT systems:

Activity Code: VWRK – Voluntary work (Community/non-profit sector)

Note: The VWRK code is only for Provider Sourced Voluntary Work. This code should not be used for participant sourced voluntary work in the IT system, as it is reported by participants directly through their PBAS Reporting processes.

10.2.2 Eligibility

Voluntary Work placements are available to participants who are:

- aged 15 years or over, and
- registered with Norfolk Island Employment Services Program.

Participants are not required to be receiving an Income Support Payment.

10.2.3 Types of Voluntary Work

Voluntary Work can be either:

- Provider Sourced Voluntary Work
- participant sourced voluntary work

This chapter excludes voluntary work managed by Services Australia.

Note: Unpaid work performed under a community service order is not considered to be Voluntary Work.

Provider Sourced Voluntary Work

Provider Sourced Voluntary work refers to Voluntary Work placements that you as a provider organise for participants. You may arrange Voluntary Work for participants if:

- the participant would benefit from this Activity
- the Activity is suitable and safe.

Participant sourced voluntary work

Participant sourced voluntary work refers to voluntary work arranged by participants to meet their Points Based Activation System (PBAS) requirement.

If a participant is doing participant sourced Voluntary Work:

- they can report hours retrospectively as a Job Search related task
- documentary evidence is not required for reporting hours
- you should not create this as an activity in the IT System.

You should discuss how the activity benefits and improves the participant's employment prospects, such as networking and gaining experience. You should also encourage participants to diversify their job search efforts if their voluntary work isn't contributing to their employment prospects.

10.2.4 Requirements of Voluntary Work placements

Voluntary Work placements must:

- offer opportunities to gain vocational and non-vocational skills, including teamwork, taking directions from a supervisor, independence, and communication.
- be unpaid
- not primarily promote a particular religious or political view

- not involve more than 50 hours per fortnight, and not more than 25 hours per week
- not include participation outside core business hours, including on a public holiday, unless a participant chooses to do so and has agreed in advance.

Note: State-based laws may apply to Voluntary Work placements. Check with your relevant State/Territory government for more information.

Duration

The Voluntary Work placement for a participant should not exceed 26 weeks, unless:

- you determine it is the most suitable option for the participant
- a Voluntary Work. Refer to the Targeted Compliance Framework and Mutual Obligation Failures.

Voluntary host organisations

Participants can only be placed in host organisations that provide a community service and are either:

- a not-for-profit organisation or a charity
- a not-for-profit arm of a for-profit organisation.

Voluntary Work can be conducted in an eligible host organisation's place of business where all other requirements specified in the guidelines have been met. Voluntary Work cannot be undertaken in a participant's home.

Note: Government sector agencies are not-for-profit organisations for the purpose of voluntary work.

The Host Organisation must:

- meet the requirements in Collaborating with other organisations.
- be adequately insured and, at minimum, have public liability and personal accident insurance.

Work health and safety for provider sourced voluntary work

You must:

- follow the instructions set out in Managing Work Health and Safety for activities.
- ensure a Risk Assessment has been completed by a competent person, in line with Conducting risk assessment for activities.
- retain records of actions taken for any incidents during voluntary work placements, in line with Managing Work Health and Safety incidents.

Insurance coverage

Participants in Provider Sourced Voluntary Work are covered by:

- personal accident insurance

- public and product liability insurance.

Note: For participants who are Fully Meeting their mutual obligations through Voluntary Work, this coverage does not extend to Provider Sourced Voluntary Work placements if Services Australia extends a placement beyond the initial expected end date.

10.2.5 Arranging placements

Before placing a participant in voluntary work, you must:

- discuss the opportunity with the participant to determine their interests, experience and suitability for the placement
- ensure the voluntary placement meets all the requirements provided above
- confirm the participant has completed any background checks required (refer to Background Checks).
- identify any assistance or items required by the participant (e.g. specific clothing or transport).

10.2.6 Managing Provider Sourced Voluntary Work placements

The table below outlines steps you must take to manage voluntary work placements.

Steps
1. Create an activity record in the department's IT systems, in line with the department's training resources: • provide an activity description outlining the voluntary work tasks to be taken • select the activity type set as Voluntary Work - Community/non-profit sector • include details of the core competencies the participant will gain during the placement. 2. Confirm commencement of the placement: • confirm with the Host Organisation the start date recorded in the Voluntary Work Host Organisation Agreement • confirm the commencement in the department's IT systems within 5 Business Days of the start date. 3. Proactively monitor the placement for its duration. Stay in contact with both the Host Organisation and the participant to ensure: • you are aware of any changes in circumstances that may affect the placement • the Host Organisation is operating in line with the Voluntary Work Host Organisation Agreement • participants are not reporting hours as a Job Search related task • any issues are resolved quickly.

4. Check if the participant is meeting their Mutual Obligations through Voluntary Work. Refer to the Targeted Compliance Framework and Mutual Obligation Failures.
5. When the participant completes the placement, in the department's IT systems:
    - exit the participant from the placement
    - end the Activity (if no other participants are expected to undertake the activity).

Refer to the Managing participation in an activity.

10.3. Observational work experience

Supporting Information and Documents

- Observational Work Experience Host Organisation Agreement template
- OWE Contact Card
- OWE Fact Sheet
- Department's training resources
- PBAS points values for tasks and activities in the Points Based Activation System factsheet
- Host Organisation Agreement template

10.3.1 Benefits of Observational Work Experience

Observational Work Experience (OWE) enables participants who are not yet job-ready to do voluntary, short-term, unpaid, observational work experience placements. It provides participants with the opportunity to build soft skills and gain a better understanding of the workplace and potential career opportunities.

OWE is an effective way to support participants to build employability skills, such as attendance and communication.

Participants can gain points under the PBAS. Refer to PBAS points values for tasks and activities in the Points Based Activation System factsheet.

Note: The TCF will not apply for non-attendance in OWE unless participants fail to meet their points requirement, refer to the Targeted Compliance Framework and Mutual Obligation Failures.

10.3.2 Eligibility

Participants must be over the age of 15 and registered in the Norfolk Island Employment Support Program.

Participants are not required to be receiving an Income Support Payment.

10.3.3 Requirements for OWE placements

You must ensure OWE placements:

- only involve observations (allowing participation in meetings and discussions) and the participant does not have any tasks to complete
- are no more than:
  - 4 weeks in duration
  - 50 hours per fortnight, and generally not more than 25 hours per week
  - 8 hours per day (excluding breaks) and include at least one 30-minute break every 5 hours
- do not include participation on a public holiday.

Participants may attend OWE placements outside core business hours only if they agree to this beforehand.

OWE placements do not need to lead to employment at the host organisation. You have discretion over how many placements a participant can take (including with the same host).

Work Health and Safety

You must:

- follow the guidelines in Managing Work Health and Safety for activities.
- ensure a Risk Assessment has been completed by a Competent Person, in line with Conducting risk assessment for activities.
- retain records of actions taken for any incidents during Voluntary Work placements, in line with Managing Work Health and Safety incidents.

Host Organisations

OWE placements can be in the following entities:

- for-profit organisations
- not-for-profit organisations
- your organisation, related entities or subcontractors.

Host Organisation requirements and prohibitions (Eligible Host Organisations) also apply to OWE placements.

Completing Host Organisation Agreements

When completing Host Organisation Agreements for OWE placements, you must comply with the requirements in the Collaborating with other organisations.

You must use the Host Organisation Agreement template (available on the Provider Portal).

The agreement must be signed by the participant, the Host Organisation and yourself before the participant starts the placement. You must:

- ensure all fields are completed accurately

- explain the terms and conditions clearly to both the participant and host to ensure they understand their responsibilities
- provide the participant with:
  - OWE Participant Contact Card
  - OWE Participant Fact Sheet (both available on the Provider Portal).

10.3.4 Arranging OWE placements

Before placing a participant in an OWE placement, you must:

- discuss the opportunity with the participant to determine their interests, experience and suitability for the placement
- ensure all the OWE requirements outlined above are met
- confirm the participant has completed any background checks required (refer to Background Checks).
- identify any assistance or items required by the participant (e.g. specific clothing or transport).

10.3.5 Managing OWE placements

The table below outline steps on how to manage an OWE placement.

Steps
1. Determine contact of participant and Host Organisation: • agree on the preferred method, frequency, and timing of contact • ensure frequency of contact aligns with the length and nature of the OWE placement. 2. Create an activity record in the department's IT systems for the OWE placement with details of what the participant will be doing. An Activity ID will be generated automatically. The participant must be referred using the relevant activity record in line with the department's training resources. 3. Confirm commencement of the placement: • confirm with the host organisation that the participant has commenced on the agreed start date as recorded in the OWE Host Organisation Agreement • update the department's IT systems to confirm the commencement within 5 Business Days of the scheduled start date. 4. Monitor the placement for its duration. Stay in contact with both the Host Organisation and the participant to ensure: • you are aware of any changes in circumstances affecting the placement

Steps
• the Host Organisation meets the requirements outlines in the OWE Host Organisation Agreement • any issues are resolved quickly. 5. When the participant completes their OWE placement, in the department's IT systems: • exit the participant from the placement • provide an exit reason • close the activity (only if no other participants are expected to undertake the activity). Refer to Managing participation in activities.

10.4. Non-vocational assistance and interventions

10.4.1 Purpose of non-vocational assistance and interventions

Non-vocational assistance and interventions are a broad range of activities for participants to manage or overcome barriers to employment.

Participants can take part in Activities at any time to address Non-Vocational Barriers to employment, if you determine it is in their best interest. They will remain on your caseload while receiving non-vocational assistance or interventions.

10.4.2 Types of assistance and interventions

Non-vocational assistance and interventions may include:

- parenting courses
- financial courses
- mental health support services
- cultural services
- personal development (e.g. self-esteem, confidence-building)
- anger management courses
- treatment for behavioural addictions.
- drug or alcohol treatment/rehabilitation programs
- counselling
- medical or health related services
- securing stable housing
- addressing barriers associated with caring responsibilities
- addressing financial instability or difficulty

- overcoming transport access issues

Arranging these interventions may include the assistance of a professional such as a:

- doctor
- counsellor
- psychologist
- social worker
- allied health professional
- rehabilitation provider

It may also include self-help and support services:

- self-help programs
- support groups
- driving lessons
- referrals to appropriate government, health, community or private organisations.

Activity Codes in the department's IT systems:

ASNV - Non-vocational Assistance
INTV – Interventions

These activity codes support you to correctly select the activity type and relevant activity sub-type (where applicable) when you create activities on Workforce Australia Online for Providers.

10.4.3 Qualifying for points under PBAS

Participants can gain points under PBAS for non-vocational assistance and interventions. Refer to the Targeted Compliance Framework and Mutual Obligation Failures.

Participants don't have a Points Requirement if they are in a full-time residential or intensive drug and alcohol treatment or rehabilitation.

Refer to Targeted Compliance Framework and Mutual Obligation Failures.

10.4.4 Administrative requirements

You must enter all non-vocational assistance and intervention activities into the department's IT systems, in line with the department's training resources. You must also retain invoices or letters of acceptance (hard or soft copy) for any non-vocational interventions.

10.5. Education and Training

10.5.1 Purpose of Education and Training

Education and training helps participants to increase their skills and complete courses and/or gain qualifications that will enhance their ability to gain secure and meaningful employment.

Activity Codes in the department's IT systems:

- AETV (accredited)
- NETV (non-accredited)

These activity codes support you to correctly select the activity type and relevant activity sub-type (where applicable) when you create activities on Workforce Australia Online for Providers.

10.5.2 Eligible Education and Training courses

Participants can undertake an education or training course of less than 12 months:

- by selecting an eligible course that is listed on Your Career as either:
  - a Fee-Free TAFE course
  - subsidised by a state or territory government in
- where you approve that course for the participant, they can do so by selecting a course not subsidised or not listed on Your Career

10.5.3 Qualifying for points under PBAS

Participants undertaking an eligible Education and training course will earn points towards their Points Target under PBAS where this is applicable to their circumstances. They can choose to undertake these courses at any time during their Points Reporting Period. You should guide their choice but unless specified by these guidelines, you do not need to approve the participant to undertake these courses.

Participants undertaking an eligible Education and training course over 15 hours per week will not have a minimum Job Search requirement.

Refer to Mutual Obligation Requirements.

10.5.4 Approval of a course of study

Participants can study a course not listed as eligible on Your Career or a non-accredited course if the course is less than 12 months in duration and you determine it is appropriate to the participant and improves their employment prospects.

Courses considered to improve a participant's employment prospects include:

- courses that will lead to qualifications in an in-demand area of identified skill needs
- courses that will address a skills gap necessary for them to find work
- courses that will lead directly to employment

- courses that are year 12 or an equivalent level for Early School Leavers.

Areas of identified skills needs may include:

- identified on the Skills Priority List as in shortage and/or of high to moderate future demand (Skills Priority List | Jobs and Skills Australia)
- a higher education short course listed on www.courseseeker.edu.au/courses, or
- information sources relevant to the local area.

Any course you approve must be a Certificate I course or higher (but not a Masters or Doctorate course, except in the circumstances listed in - approval of courses of 12 months or longer in duration, or certain non-accredited courses as outlined below).

10.5.5 Approval of courses of 12 months or longer in duration

For category 1 participants you can only approve full-time courses of 12 months (2 semesters) or longer, or Masters or Doctorate courses, except in the following circumstances:

- Participants in receipt of Special Benefit (Nominated visa holder - 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 have a Job Search requirement, where appropriate for their circumstances.
- Participants in receipt of Youth Allowance (other) can continue to study in a course which is longer than 12 months in duration if they have exceeded the allowable time for their course under Youth Allowance (student) but have less than 12 months of study remaining to complete their course.
- Participants who are single Principal Carer Parents who have 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.
- Participants in receipt of Parenting Payment Single.
- Participants who are Parenting Payment recipients who transferred to JobSeeker Payment or Youth Allowance (other) or, in some limited instances, was granted the Disability Support Pension and then transferred to JobSeeker Payment or Youth Allowance (other), are able to continue their studies in the same course they commenced while receiving the previous Income Support Payment type for which they receive PES.
- Services Australia has approved participation in a full-time course for participants prior to entering employment services if they have been identified as requiring training under the SEE Program or AMEP.

- Participants are a Category 2 participant and only accessing Vet Financial assistance.

Services Australia can also approve participation in a full-time course for any participant prior to entering employment services if:

- they have 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
- they are prepared to meet any additional expenses involved.

For removal of doubt this section does not apply to participants who are solely engaging with the program as a Category 2 participants and accessing support under the VET Financial Assistance component of the program.

10.6. Role of your organisation

You should:

- encourage participants to build on their existing skill sets and help them access appropriate and targeted skills and training opportunities that increase their ability to find work
- monitor participants undertaking education or training, and support them to complete their course
- support participants to update their résumé and profile to reflect the new qualification.

You are required to obtain copies of any qualifications or statements of attainment from the participant.

You may also consider supporting costs associated with studying in accordance with the requirements outlined in Purchasing goods and services to support participants.

Where study is undertaken online, you can request documentary evidence from participants of the online hours that they complete.

You must retain evidence (either hard copy or soft copy) of timesheets or other records of attendance. Where participants are recording their own attendance, you are not required to keep documentary evidence.

You must retain evidence (either hard copy or soft copy) of qualifications, statements of attainment or similar where relevant.

Chapter 11. Employment Outcomes

This chapter outlines how to record employment outcomes for both category 1 and category 2 participants.

11.1. Types of Employment Outcomes

You must record Employment Outcomes in both the IT system and the Quarterly Report to the department. This applies to each participant that you helped achieve sustainable employment through an employer, apprenticeship, traineeship or self-employment.

An Employment Outcome has 2 types: Full Outcome and Partial Outcome.

Full Outcome

A full outcome is recorded when a participant is in employment, self-employment or an apprenticeship/traineeship and:

- has a 100% reduction in Income Support Payments or
- meets their required work hours for the duration of the Outcome Period.

A Full Outcome is recorded only where the participant has completed a 12-week full or Partial Outcome and

- maintains a 100% reduction in Income Support Payments or
- meet hourly requirements for 14 consecutive weeks within the 26-week period after the 12-week outcome was recorded.

Partial Outcome

A Partial Outcome is recorded when a participant is in employment, self-employment or apprenticeship or traineeship and

- has a 60% reduction in Income Support Payments, or
- meets a percentage of their required work hours.

A Partial Outcome is recorded only at the 4- and 12-weeks mark. There are no 26-week outcomes available.

11.2. Vacancy management

11.2.1 Checking minimum wage

You must ensure that the relevant minimum wage is satisfied for all vacancies sourced by you. The minimum wage may be set out in the Modern Award that relates to the Vacancy. Where this is not in place, the National Minimum Wage will apply. Refer to the Fair Work Ombudsman's Minimum Wage Fact Sheet.

While you are not required to verify that minimum wage conditions apply to jobs sourced by participants themselves, it is important to ensure participants are informed and supported.

If you become aware that a job does not meet National Minimum Wage standards, you must advise the participant:

- of the issue and remind them about:
  - the National Minimum Wage
  - the role of Fair Work Ombudsman
- how to seek help from the Fair Work Ombudsman.

11.2.2 Placing a participant into a vacancy

Where a participant is successful in gaining Employment, you must:

- place the participant into the relevant vacancy in the IT System
- record the Job Placement start date.

You must remain in regular contact with participants, including awareness of gaining Employment.

The table below outlines the steps to record the employment vacancies (sourced by you or participants) in the IT System.

Steps
1. Enter: • Job description • Employer details • Hours • Salary • Whether the vacancy was sourced by the participant 2. Select the vacancy type. **Note**: • Outcome requirements and documentary evidence requirements may differ according to the vacancy selected. • The vacancy type 'normal position' should be used when the more specific vacancy types are not applicable. 3. Enter the Job Placement start date. Refer to below on entering the Job Placement start date.

Entering the Job placement start date

The Job Placement start date must be recorded within **56 calendar days** of:

- the participant commencing in the job or

- the date of the significant increase in income/significant increase in pre-existing Employment.

The department's IT systems will not allow you to:

- backdate a Job Placement start date by more than 56 days
- amend vacancy details outside the 56 day period.

You will need documentary evidence to enter Job Placement start date in the department's IT systems. This can take a range of forms, including a file note that records how you became aware of the employment or written communication about the employment from the participant or employer.

The Job Placement start date is the date on which the participant first commences in a job, unless one of the following circumstances apply.

Circumstances	The Job Placement start date is
For pre-existing Employment	The day on which the increase in hours or earnings occurred.
For Full Outcomes based on a significant increase in income	The day on which the increase in earnings occurred.
For a trial or probationary period of employment funded by you which leads to ongoing Employment with the Employer	The first day of the ongoing Employment.
For a job with a paid induction period or employer-funded work trial	Either (based on what you decide): • the date on which the participant commences the induction/work trial • the first day of continuous employment following the induction as the Job Placement start date.
For volunteer work/work experience/unpaid work that leads to ongoing Employment	The first day of the ongoing employment.

For an employment outcome to track, the Job Placement start date must be aligned with the participant's Commencement on your caseload.

If the Job Placement start date falls within 28 calendar days of the participant's Exit or transfer to another provider, the Employment Outcome will not be tracked if the participant has already Commenced with another provider prior to that date.

Chapter 12. Purchasing goods and services to support participants

This chapter outlines how to purchase goods and services to support participants, including examples of:

- approved purchases
- prohibited purchases.

Note: This chapter applies to both category 1 and category 2 participants.

12.1. Purchases to support participants

You can proactively support participants to overcome difficulties in finding or keeping employment by purchasing work-related goods and services. The cost of any such purchase is to be made by you from within the Services to participants, employers and the community payment.

Purchases must:

- provide participants with the work-related tools, skills or experience that correspond with their difficulties in finding and keeping a job in the Norfolk Island labour market
- comply with any work, health and safety laws that may apply
- withstand public scrutiny
- not be a prohibited purchase
- not bring you, the program or the department into disrepute.

12.1.1 Purchasing goods or services

Steps
1. Before making the purchase, confirm that the goods or services: • relate to overcoming difficulties in finding or keeping employment, refer to Examples of appropriate purchases below. • would not be considered a prohibited purchase, refer to Examples of prohibited purchases below. 2. Make the purchase. 3. Record the purchase on the participant's Support Plan.

Examples of appropriate purchases

- Interpreting services, including phone interpreters and translation of important documents e.g. qualifications, training certificates and transcripts
- Costs for non-government programs
- Foundation or life-skills programs such as time management or budgeting
- Phone or data cards or vouchers, mobile phones, hardware and software packages (including laptops) required for finding and keeping a job or participating in training
- Out of pocket medical and health related costs such as tests, medicines and aids directed by a medical professional
- Rent and crisis accommodation (after all other options have been exhausted)
- Food vouchers
- Non-vocational professional services delivered by suitably qualified people, such as:
  - Drug and alcohol counselling and rehabilitation
  - Mental health and family counselling
  - Personal development, for example self-esteem and confidence building
  - Anger management support
- Driving lessons, driving tests and driver's license fees
- Essential work items such as work-related clothing, tools, equipment, pre-employment medical checks, police or working with vulnerable people or working with children checks
- Non-accredited training and licensing, such as:
  - Software training e.g. Excel or MYOB
  - Barista training
  - Asbestos awareness
  - Manual handling
- Accredited training and licensing, such as:
  - Security or forklift licences
  - White card
  - First Aid Certificate
  - Responsible servicing of alcohol certificate
  - Responsible conduct of gambling certificate

Examples of prohibited purchases

- Gifts, cash and incentives to participants or employers, including payout of loans, credit cards or 'buy now pay later' facilities
- Goods or services which attract an incentive for a provider or its staff

- Penalties, fines or court fees (examples of penalties include costs associated with participation in any alcohol interlock program or traffic offender intervention program)
- Any illegal goods or services or those that could bring you, the program or the department into disrepute.

Chapter 13. Sustaining employment support

This chapter outlines how to:

- support participants to sustain employment
- determine if a participant needs support to sustain employment.

Note: This chapter applies to both category 1 and category 2 participants.

13.1. Supporting participants to sustain employment

In some cases, participants will require support to sustain their employment after starting a job, unsubsidised self-employment or education that may result in a job. While support needs may decrease as employment progresses, you must continue providing support at a level and duration that matches the needs of the participant.

This support may include:

- ongoing contact with the participant to support the placement
- advocating for participant interests with employer, including participants with a disability
- mentoring and advice for participants and employers to address challenges and promote job retention
- advice or training to employers and their staff, for example, cultural or disability awareness training
- job modifications
- for participants with a disability, support to get funding for workplace modifications and equipment through the employment assistance fund.

13.1.1 Determining if a participant needs support to sustain employment

Steps
1. When a participant starts a job, assess any initial support needs of both the participant and the employer. 2. Document this on the participant's Support Plan. • If the participant declines sustaining employment support, this should also be documented on the participant's support plan. 3. Implement specific support actions and maintain regular communication with the participant and employer to ensure: • the support you provide adapts to the changing needs of the participant as they continue in the role • progress is monitored and issues are addressed promptly

Steps
• a collaborative relationship with the employer is fostered to create a supportive workplace for the participant. 4. Document support provided, including any adjustments, on the participant's Support Plan. 5. If the participant meets exit requirements, Exit the participant.

Chapter 14. Vocational Education and Training (VET) Assistance

This chapter outlines how to:

- Support participants to apply for and assess their eligibility for VET Assistance under the Norfolk Island Employment Support Program
- Ensure VET course eligibility and that the course is delivered by an approved Registered Training Organisation (RTO)
- Sign up and onboard participants into the program appropriately
- Administer course fee assistance and air travel and accommodation assistance in line with program requirements
- Monitor participant progress and manage changes in circumstances
- Meet reporting and compliance obligations, including documentation and communication with the department
- Guide participants to make complaints appropriately
- Exit participants from the program appropriately

Supporting Information and Documents:

- VET Assistance – Application Form
- VET Assistance – Letter of Offer
- VET Assistance – Course Fee List
- VET Assistance – Authority to Release Information Form
- VET Assistance – Air travel and accommodation assistance claim form
- VET Assistance – Change request form (Letter of Offer amendments)
- VET Assistance – Withdrawal notification form
- VET Assistance – Letter of Rescission

14.1. Eligibility for VET Assistance

14.1.1 Participant eligibility

To receive VET assistance, participants must meet the following conditions:

- Must be at least 15 years old, or in Year 10 (or above). If under 15 years old, participants must provide a letter of approval from their school principal.
- Must be enrolled in an eligible VET course (as per VET Course eligibility)
- Must meet the eligibility requirements for the course and the equivalent Qld funded program (excluding the Qld residency requirement)

- Must be an Australian or New Zealand citizen or Australian permanent resident (including humanitarian entrants), or a temporary resident with the necessary visa and work permits on the pathway to permanent residency
- Must be living on Norfolk Island throughout the delivery of the course through to completion
- Cannot receive any other government funding for the same course
- Cannot receive VET Assistance for more than two separate courses every four years, except in exceptional circumstances

14.1.2 VET Course eligibility

To receive VET Assistance, the participant's course must meet the following conditions:

- It must be delivered by a training provider that is a Registered Training Organisation (RTO) based in Qld
- It must be eligible for subsidy under a Qld funded program
- It must be delivered online (excluding the off-the-job training component)
- It must lead to a qualification under the Australian Qualifications Framework at one of the following levels:
  - Certificate I
  - Certificate II
  - Certificate III
  - Certificate IV
  - Diploma
  - Advanced Diploma.

14.1.3 Registered Training Organisation (RTO) eligibility

Qld training providers who are a Registered Training Organisation (RTO) based in Qld

Currently there are no training providers located on Norfolk Island, therefore, to be eligible for VET Assistance, the VET Course must be delivered online by a training provider based in Qld.

The Australian Government has partnered with the Qld Department of Trade, Employment and Training to deliver apprenticeships and traineeships on Norfolk Island.

Qld TAFE have been identified as a preferred training provider, delivering bespoke VET study options with tailored support to the Norfolk Island Community, recognising its unique context and remoteness.

Further information on how to find a training provider, can be found online via the Qld skills gateway on the Department of Trade, Employment and Training's website: Queensland Skills Gateway: Department of Trade, Employment and Training

14.1.4 Participant method of study eligibility

Online

Since there are no training providers located on Norfolk Island, courses must be completed online.

Some courses may require participants to complete "off-the-job training" in Qld which they may apply for an exception in this case. This must be approved by the department.

Participants can choose to study a course as a:

- School-based apprenticeship
- School-based traineeship
- Full-time apprenticeship
- Full-time traineeship
- Full-time VET course
- Part-time VET course

If participants need to change how they study a course, they must first get approval from their training provider and then inform you.

14.2. Application process for VET Assistance

14.2.1 When do participants apply for VET Assistance?

Participants must apply for VET Assistance before enrolling in an eligible VET Course.

14.2.2 How do participants apply for VET Assistance?

Participants complete the VET Assistance application form and submit all required supporting documents to you either in person or via email.

Supporting Documents

Participants must provide documents to prove their eligibility for VET Assistance.

Examples include:

a. A birth certificate, passport or visa
b. A Norfolk Island driver's licence
c. A utility bill showing their Norfolk Island address
d. A bank statement confirming their Norfolk Island address
e. A letter from a government agency, such as Centrelink, showing their Norfolk Island address
f. A superannuation statement
g. A rental agreement, mortgage statement, or property rates notice

Initial Interview

Participants engage in an Initial Interview in person with you at your premise.

Eligibility assessment

You must complete an eligibility assessment to ascertain if the participant meets the eligibility requirements to receive VET Assistance.

14.2.3 Successful applications for VET Assistance

Letter of Offer

Participants with successful VET Assistance applications will need to sign a legally binding Letter of Offer. You will prepare the letter based on the participant's details from their application. The Letter of Offer will outline the amount of VET Assistance the participant is eligible for, what the remainder of their VET Course Fee List will be, how the payments will be made and any conditions the participant must meet.

Participants must sign the Letter of Offer within four weeks of being approved for VET Assistance. If the letter is not signed within this time, the offer may be withdrawn.

Participants will not be eligible for VET Assistance, nor will you make any payments until the Letter of Offer is signed.

The Letter of Offer will also include a payment schedule that outlines:

a. The name and code of the participants eligible VET Course
b. The training provider they have chosen to study through
c. The total cost of the eligible VET Course
d. The total amount of VET Assistance they are eligible for
e. The gap fee or remainder of the VET Course they are required to pay
f. When and how the payments will be made

Authority to Release Information Form

Participants must sign an Authority to Release Information Form provided by their chosen training provider. This allows you to monitor participant's course progress and offer targeted support when needed.

14.3. Delivery of VET Assistance

Through the implementation of the new Norfolk Island Employment Support Program - VET Assistance, the Australian Government, will support eligible Norfolk Island residents to access financial assistance, comparable to funding programs available in Queensland, to support them to complete an apprenticeship, traineeship or VET qualification whilst living on Norfolk Island.

14.3.1 Course fee assistance

Course fee assistance reduces the cost of VET courses for eligible Norfolk Island residents, making it similar to the funding programs available to Qld residents. This assistance is paid directly to you to pay for participant's eligible VET Course on their behalf.

You must pay participant's course fee assistance directly to their training provider, upon receiving an invoice from them for the eligible VET Course.

If the participant's VET Course costs more than the course fee assistance they are eligible for, participants must pay the remaining amount out of pocket.

Course fee assistance is informed by the Qld Department of Trade, Employment and Training and is subject to change. Changes will be communicated to you by the Department.

14.3.2 Air travel and accommodation assistance for apprentices and trainees

Air travel and accommodation assistance for apprentices and trainees helps cover the cost of air travel and accommodation for participants studying an eligible apprenticeship or traineeship and are required to complete "off-the-job training" in Qld as part of their course requirements. This assistance is paid as a reimbursement to participants by you once they have provided proof that they have passed the "off-the-job-training" component of their course.

Air travel and accommodation assistance will be paid to participants as a reimbursement by you.

You must only pay air travel and accommodation assistance into a bank account registered in the participant's name.

If air travel or accommodation assistance is paid to participants who did not complete their "off-the-job-training", participants must pay back the reimbursement to you.

Eligibility for air travel and accommodation assistance for apprentices and trainees

Participants who are studying an eligible apprenticeship or traineeship and need to travel to Qld for "off-the-job training" as part of their course, may be eligible for financial assistance to help cover the cost of:

- Air Travel
- Accommodation

Travel and accommodation assistance is only available to participants studying an eligible course as a:

- School-based apprenticeship
- School-based traineeship
- Full-time apprenticeship
- Full-time traineeship

Air travel assistance is available once per block period of "off-the-job training":

- 1 x return economy ticket from Norfolk Island to Brisbane airport per block period.

In the event a participant misses their flight, they will not be eligible to request additional air travel or accommodation assistance.

Accommodation assistance rates variations are dependent on whether participants are a school-based or non-school-based apprentice or trainee.

Accommodation assistance is available once per block period of "off-the-job-training":

- <amount> per training day (Non-School based apprentices and trainees)
- <amount>per training day (School-based apprentice and trainees)

Assistance type	Non-school-based	School-based	Limit
Air travel	1 x return economy ticket from Norfolk Island to Brisbane Airport	1 x return economy ticket from Norfolk Island to Brisbane Airport	Once per block period
Accommodation	<amount>per training day	<amount>per training day	As per block period of training

Accompanying parent/guardian air travel and accommodation assistance

Participants under the age of 18 years old can make a request to you for one parent or guardian to accompany them.

The accompanying adult is entitled to 1 x return flight per block period from Norfolk Island to Brisbane (the same as the participant). No additional accommodation subsidies will be paid to the accompanying adult as the expectation is that they will board with the participant.

Air travel and accommodation assistance is informed by the Qld Department of Trade, Employment and Training and the Qld Department of Education and are subject to change. Changes will be communicated to you by the department.

How do participants apply for air travel and accommodation assistance?

Participants can apply for air travel and accommodation assistance by completing the air travel and accommodation assistance claim form and submitting it to you.

Participants must submit their air travel and accommodation assistance claim form to you within 6 months of completing their "off-the-job-training" component of their eligible course.

Participants must provide proof from their training provider to you that they have passed the "off-the-job-training" component of their course before their air travel and accommodation assistance claim form will be considered.

14.4. Communication and monitoring

14.4.1 Contact with participants

You must:

- Conduct the initial meeting with participants in person
- Conduct quarterly catch-up meetings via phone/video conference or in person with participants once a quarter to discuss VET Course progress and offer tailored support
- In the event a participant is experiencing difficulties in meeting their obligations under the program, you will meet with the participant in person to offer tailored support
- Meet with participants in person prior to them Exiting the program

14.4.2 Contact with the RTO

- Initiate contact with the RTO to enrol the participant and negotiate a payment schedule
- Contact the RTO on a quarterly basis to receive participant progress reports
- Meet with the RTO (via videoconference) as soon as possible in the event a participant is at risk or no longer meeting their obligations or requirements under the program
- Contact the RTO to confirm if a participant has paused, ceased or completed their VET course either successfully or unsuccessfully

14.4.3 Community engagement

- Regularly advertise the program in the local newspaper and social media
- Attend community and school-based employment/career expo events
- Regularly meet with the school VET coordinator to discuss the program
- Regularly meet with businesses to promote the program
- Regularly conduct information sessions about the program at the school and in the wider community
- Develop and maintain positive relationships with the Norfolk Island Country University Hub and the knowledge and learning centre

14.5. Repayment of VET Assistance

14.5.1 Change of circumstances

Changes to the Letter of Offer

If unexpected events affect participants' ability to complete their VET course, they can request changes to their Letter of Offer by completing a Change of Request Form (for Letter of offer Amendments).

Participants may apply for:

a. A revised payment schedule
b. A switch between full-time and part-time study
c. An extension of their VET course completion deadline

Participants must request any changes in writing to you before the Letter of Offer expires.

Changes cannot be made after the Letter of Offer has expired.

Withdrawing from a VET course

In the event participants withdraw, postpone, or stop studying indefinitely, they are to complete a withdrawal notification form.

After considering the participant's request to withdrawal, postpone, or stop studying indefinitely in the course, you must issue them a Letter of Rescission.

This will officially cancel their VET Assistance.

Participants may be required to repay the VET Assistance they accessed, unless they withdrew due to exceptional circumstances.

This will be subject to the decision of the department.

14.6. Participant obligations

Participants receiving VET Assistance must:

- Notify you of any changes that may affect their ability to complete their VET Course
- Inform you immediately if they change their name, address, or contact details
- Complete the authority to release information form with their training provider to allow you to monitor their course progress
- Keep track of their VET Course requirements and maintain satisfactory progress
- Inform you if they decide to withdraw from their course

14.7. Your responsibilities

You must:

- Assess VET Assistance applications and determine participants eligibility for VET Assistance
- Provide clear guidance on how much VET Assistance participants are eligible for, and any remaining costs participants must cover.
- Issue participants a Letter of Offer and co-sign it
- Pay participants' VET course fee assistance directly to their training provider
- Process participants' air travel and accommodation assistance reimbursements once they have provided proof that they have completed their "off-the-job-training"
- Monitor participants' VET Course progress and offer support as needed
- Maintain accurate and detailed reporting of all participant engagement activities

- Inform the Department of Infrastructure, Transport, Regional Development, Communications, Sport and the Arts as soon as possible in the event a participant is at risk of being unable to meet program obligation and requirements.

Chapter 15. Servicing participants with challenging behaviours

This chapter outlines how to:

- recognise challenging behaviours
- manage and report incidents related to challenging behaviours
- service participants after an incident.

Note: This chapter applies to both category 1 and category 2 participants.

Supporting Information and Documents

- Temporary Site Closure requirements on the Provider Portal
- Incident Reporting
- Post-Incident Servicing
- Managed Service Plan letter template [DOCX 35 KB]

15.1. What is challenging behaviour?

Challenging behaviour is any behaviour that a reasonable person would consider unacceptable or hostile and that creates an intimidating, frightening, threatening, offensive or physically dangerous situation in the workplace or other location.

Challenging behaviours may be displayed by a participant or their children who attend appointments or activities with them.

Challenging behaviours may include:

- physical violence against any person, for example, hitting, kicking, punching, biting, spitting on or throwing objects at a person
- acting in a way that would cause a person to have a reasonable belief that assault was intended
- adopting a physical position or state or producing an object that a reasonable person would consider constitutes a serious or imminent threat of physical violence
- oral or written (for example, email or communication through social media) threats, abuse or harassment, inappropriate touching or stalking of staff members or other participants
- damaging, defacing or destroying property intentionally or through inappropriate and aggressive behaviour such as throwing objects or punching and kicking property
- theft of property, illicit drug taking on your premises, use of your equipment or property for illegal purposes
- swearing, making offensive noises or gestures, inappropriate or suggestive comments, vilification
- causing injury to oneself, for example, cutting or indications of suicide or self-harm

- any other behaviour that is deemed inappropriate and warrants an incident being recorded.

A participant may demonstrate challenging behaviour through digital interactions (including over the phone, email or social media), written communication or face-to-face interactions. For example, at your office or while attending training, courses, work placements or internships.

Participants who ask questions and outline their views on their entitlements and servicing, in an appropriate way, is not considered to be displaying challenging behaviours, provided they are not using abusive or offensive language towards your staff.

15.2. Managing challenging behaviours

15.2.1 Incident management plan

You must have an incident management plan in place that outlines:

- your organisation's approach to managing:
  - situations where participants, staff or visitors display challenging behaviours
  - situations that may escalate to become a challenging behaviour incident
- strategies for dealing with children of participants at appointments or activities who exhibit challenging behaviours.

Your incident management plan should include guidance for your staff to determine:

- the best strategy to deal with the challenging behaviour based on relevant factors and circumstances of a participant
- when it is appropriate to:
  - contact emergency services or seek police involvement for support
  - discuss the participant's behaviour with them, considering the safety of others around
  - temporarily close the site
  - require a participant to remove their child from the premises if the child is exhibiting challenging behaviours and poses a threat to others
  - take action in line with the situation, contract and WHS laws if a participant displays challenging behaviours at an activity. For further information, refer to Managing Work Health and Safety Incidents.

15.3. If there is a serious threat

The table below outlines the steps you must take if you or your staff believe, or have reason to believe, that a participant's challenging behaviour poses a serious threat to the life, health, and safety of an individual.

Steps
1. Immediately call 000 and advise them of the situation. 2. Notify Services Australia. 3. Follow the Public Interest Certificate (PIC)/Class PIC requirements when disclosing personal and sensitive information. For further information, refer to the Public Interest Certificates in Part A of these guidelines. 4. Consider if the site should be temporarily closed.

15.3.1 Notifying Services Australia

Given the shared interaction of participants with the program and Services Australia, if a participant has made threats towards Services Australia staff, you must escalate and notify about the threat to keep staff and other Services Australia customers safe.

Note: Your organisation should establish an effective working relationship with its local Services Australia office to share information. Contact your Provider Lead if support is required to engage with Services Australia.

The table below outlines the steps you must take if a participant has made threats towards Services Australia staff.

Steps
Important: If it's an emergency, call 000 immediately. 1. Call the Services Australia Service Centre (the office closest to your site's location or the location of the threat) to advise of the risk. 2. If you are unable to contact the local Services Australia Office or are not sure who to call, contact the Services Australia Security Hotline on +61 1800 046 021 • This hotline is managed by Services Australia regional security advisers. It is operational nationally from 7 am to 7 pm, Monday to Friday. • The regional security advisers will ensure the issue is escalated appropriately. – Disclosing Personal and Sensitive Information – You must adhere to your legal obligations for the handling, use and disclosure of Personal and Sensitive Information when notifying Services Australia or emergency services. For further information, refer to Managing Privacy and Protected Information in Part A of these guidelines.

15.4. Reporting an incident

You must manage all incidents in line with the Managing work health and safety and report each incident by submitting a job seeker incident report.

If a challenging behaviour incident is also considered to be a WHS incident, you must notify the department as required under your contractual obligations.

The incident report provides a written record that:

- can inform staff about the history of a participant's challenging behaviour and assist with post-incident servicing of the participant
- allows you to assess the likelihood of further incidents and determine appropriate future servicing arrangements for the participant to manage the safety of staff, other participants and the general public.

The incident report can be requested under Freedom of Information Act and an individual has the right to access (with limited exceptions) their personal information or documents held by department or its providers.

The records created by your staff or the department may also be released as part of court proceedings.

15.4.1 Completing an incident report

You must complete an incident report in the department's IT systems within 24 hours of the challenging behaviour incident occurring.

If there are any technical issues in completing or submitting the incident report in department's IT systems, you must notify the department by phone call or email within 24 hours of the incident, and complete the report in the department's IT systems at the earliest opportunity.

If it is not possible for the staff member who witnessed the incident to complete the incident report, another staff member can complete the incident report.

The table below outlines the steps you must take to complete the incident report. Refer to Terminology for incident reporting to ensure consistency in reporting.

Steps
1. Select the type of the incident. Refer to Types of Incidents. 2. Select the nature of the incident that occurred. Refer to Nature of Incident. 3. Enter incident detail (mandatory to complete) • provide a comprehensive, accurate and factual record of the incident, • include only necessary and appropriate comments, free from jargon • consider and convey the severity and specific details of any threat. For example, use of exact words or language used by the participant at the time of the incident. For examples of incident reports, refer to Examples of Incidents. **Note**: An incident report can be backdated up to 14 calendars days in the department's IT systems.

4. Submit the report. Once submitted, only the 'comment' and 'police reference number' fields can be edited.
    - You can view the record in the IT system, including the date of the incident and the severity level (refer to Incident severity matrix).
    - The participant's records will have an incident report alert (in the top-right hand corner) for any incidents in the last 24 months.
    - Under the incident report screen, you can view the number of active incident reports and Services Australia incident reports for a participant that is registered with your organisation.
    - The incident report alert displays the number of active incident reports, giving a visual indicator of potential risk.

Terminology for incident reporting

The tables below, labelled A to E, provide descriptions for the terms used in reporting incidents within the department's IT systems. Please select all categories that apply.

Table A: Types of Incidents

Type	Behaviour or action displayed during the incident
Assault – no weapon	Actual, attempted or threat of physical attack: • strike • touch or • applies force • spitting • without a weapon, either directly or indirectly upon a person.
Assault – weapon	Actual, attempted or threat of physical attack • strike • touch or • applies force • with a weapon (including an improvised weapon), either directly or indirectly upon a person.
Health and Safety	Any event where the person requires first aid or medical attention due to: • physical or psychological injury • stress reaction • illness

Type	Behaviour or action displayed during the incident
	• disease • or exposure.
Self-Harm	Any incident where a person causes or indicates deliberate injury to themselves
Abuse	The use of language: • to insult or cause offence • such as discriminatory language based on the grounds of age, disability, race, religion, sex, intersex status, gender identity and sexual orientation.
Behaviour	Any incident where a customer acts in a counterproductive manner, including: • offensive language • gestures • refusal to leave or disruptive on premises • excessive contacts • intimidation/coercion • harassment and stalking.
Property	Any incident where a person causes damage to the property or damage to contents of the property, that is, furniture or office equipment within the site.

Table B: Nature of Incident

Nature of Incident	Description
Actual	Where there is a factual occurrence
Threat – Provider	Expression of the intention to do something to you
Threat - Other	Expression of the intention to do something to an 'other' person/organisation

Table C: Emergency Services and Site safety impact

Action	Impact
Were the emergency services contacted?	The Incident required assistance from 000 emergency services (either during or after the Incident) If yes, how many of the emergency services were contacted (select multiple options if relevant)? • Police • Ambulance • Fire
What is the number for Police reference recorded?	Police event number
Was the site safety impacted?	If yes, how was site safety impacted (select multiple options if relevant)? • Impacted Provider staff (with injury) • Impacted Provider other (with injury) • Non-compliance with restriction • Site closure Refer to Table D for further information.

Table D: Site Impact

Impact	Description
Impact Provider staff (with injury)	Where your staff was physically or psychologically injured
Impact Provider other (with injury)	Where an 'other' person/organisation was physically or psychologically injured (note: this could include another participant, a security guard, a member of public or family member of a participant).
Non-compliance with restriction	Breach of existing service channel restrictions applied under an MSP and the participant displays aggressive or counter-productive behaviour and a refusal to leave when reminded of the MSP. Note: Selecting this category as an impact will increase the severity level of the incident.

Impact	Description
	If the participant leaves immediately when reminded of the MSP and does not display challenging behaviours during the interaction - an incident record is not required.
Site Closure	Where the incident warranted a temporary site closure

Table E: Examples of incidents

Example of incident	Nature of the incident	Type of incident	Emergency Services	Site safety impacted
'Participant 1 attended the site today and started yelling. He demanded that we restore his payments. I explained he needs to visit Centrelink to discuss. Participant 1 swore at me before leaving the building and said that he would really hurt someone at Centrelink if they didn't restore his payments today. He then punched a hole in the wall. Contacted local Services Australia office (Centrelink) to warn them of the threat made by participant 1. Site Manager arranged for the wall to be repaired. Post-incident contact was made with the participant to discuss their behaviour'.	Actual	Abuse Behaviour Property	No	No
'Participant 2 came in and saw an EC to discuss attending a program. I overheard participant 2 start to raise his voice at the EC. I went over to support the EC. Participant 2 looked at me and told me to 'piss off'. I explained I was there to support EC. Participant 2 started yelling and told the EC he would 'smash her head in, the next time he sees her'. Participant 2 was asked to leave the premises. All impacted staff were offered employment assistance program. Post-incident contact was made with the participant to discuss their behaviour'.	Actual Threat - Provider	Abuse Behaviour Assault no-weapon	No	No

Example of incident	Nature of the incident	Type of incident	Emergency Services	Site safety impacted
'Participant 3 ran into the office with some papers. He scrunched them up and threw them into my face. 'There you go *******' he said. He kicked the door on the way out causing it to smash. Participant 3 is on an MSP & knows he can't attend the office. You contacted police. All impacted staff were offered Employment Assistance Program. Site Manager arranged for the door to be repaired. Post-incident contact made with you to discuss their behaviour'.	Actual	Abuse Behaviour Assault weapon	Yes Police	Yes Non-compliance with restriction

15.4.2 Incident severity matrix

The matrix is an automated process which assigns a severity level to an incident. The matrix removes subjectivity when determining the severity of an incident based on key information about the incident.

The matrix assesses the importance of all incidents being considered in the context of 'organisational tolerance' not 'personal tolerance'.

Based on information recorded in an incident report, a severity level will be automatically assigned to the incident:

- **Low Severity**: An incident or behaviour that is a low risk to the life, health or safety of an individual or to property. You may issue a verbal warning or a warning letter.
- **Moderate Severity**: An incident or behaviour that is a moderate risk to the life, health or safety of an individual or to property. Incident requires follow-up and may require escalation. An MSP should be considered.
- **Serious Severity**: An incident or behaviour that is a serious risk to the life, health or safety of an individual or to property. Incident requires follow-up and must be escalated to the Employment Region Lead if there is a Temporary Site Closure (see Temporary Site Closures advice on the Provider Portal). An MSP, including restrictions on access to services, must be considered.

The above incident severity levels are the same for Services Australia and provider-lodged incident reports. This is to ensure consistency and align processes and terminology across the department and Services Australia.

15.5. Servicing the participant after an incident

The table below outlines how to continue servicing the participant after an incident occurs.

Steps
1. Contact the participant via telephone after an incident occurs: • discuss their behaviour or change in behaviour • allow the participant an opportunity to disclose any contributing factors or any changes to their personal circumstances, such as: – death in a family – carer's responsibilities – mental health issues (past or present) – drug or alcohol dependencies (past or present) • warn the participant of the implications of ongoing challenging behaviours – warnings can be given verbally or in writing – warnings must be recorded in the participant's record in department's IT systems under the 'comments section' or in the 'free text section' of the incident report if the warning was a result of an incident. 2. Consider if you or the participant need to do a Change of Circumstances Reassessment through the Job Seeker Snapshot. This will help you gain a better understanding of any underlying issues that triggered the behaviour, such as the participant's personal circumstances, barriers or vulnerabilities. 3. Allow the participant an opportunity to improve their behaviour. They may only require a short 'cooling off' period. 4. Consider the severity of the participant's behaviour or incidents, including any safety concerns the behaviour may raise. 5. Based on the information gathered, determine if an MSP is required to outline any service restrictions, servicing strategies to address the underlying issues leading to the participant's behaviour during the incident.

15.6. Managed Service Plans

Managed Service Plans (MSPs) are arrangements that your organisation can put in place to tailor how the program is delivered to participants who display challenging behaviours. This includes:

- using Servicing Strategies to help address any barriers or personal circumstances contributing to behaviour
- applying service channel restrictions to help manage the impact of behaviour (refer to Managing communication under an MSP).

MSPs prioritise the safety of staff and participants while ensuring participants stay connected to employment services and, where applicable, can meet their Mutual Obligation Requirements.

You must record all MSP arrangements and restrictions that you approve and put in place in the MSP screen on the participant's record in department's IT systems.

15.6.1 Notifying participants about the MSP arrangements

After you approve an MSP, you must immediately notify the participant of the MSP arrangements in writing. Your notification must include how the participant can request the restrictions to be reviewed or appealed at any time. Your approval of an MSP must be recorded in the department's IT systems.

Provide the participant a copy of the written notification in person, postal delivery (i.e. registered post) or by email. For an example template, refer to Managed Service Plan letter template [DOCX 35 KB] available on the Provider Portal.

Where a participant has an MSP in place, an MSP Alert will appear in the top right-hand corner of a participant's record in department's IT systems. The alert displays:

- Service Channels and the level of restrictions, in a traffic light format
- if one main contact is in place, and
- if Servicing Strategies are in place.

This system generated pop up notification will appear for all participants with incidents or MSPs in the department's IT systems, including those created by Services Australia since 4 July 2022.

15.6.2 Determining when an MSP is appropriate

Where you decide it is appropriate to apply an MSP for a participant, you must consider the following:

- Is this a reactive or proactive MSP?
- How long will the MSP apply for?
- How often will your review of the MSP be conducted? (minimum 2 reviews per year)
- What is an appropriate servicing strategy for the participant?
- Will there be any restrictions placed on the method of communication available to the participant for the duration of the MSP?
- In your organisation, who will be selected as the single point of contact (as one main contact) for the participant to reach out to under the MSP?
- Is the MSP approved by your site manager or equivalent? Once approved, please record the approval in department's IT systems

- What are appropriate ongoing measures to be implemented under the MSP to encourage improved behaviour from the participant?

Reactive or proactive MSP

There are 2 types of MSP:

- **Reactive** MSP – follows a challenging behaviour incident and is linked to an Incident Report in department's IT systems.
- **Proactive** MSP – where there has not been an incident but your staff assesses a change in a participant's behaviour and has identified barriers or personal circumstances that may increase the risk of an incident.
  - An example of a Proactive MSP might be where a participant has presented to your Site intoxicated on several occasions, without causing any incident. While an incident has not occurred, you might assess that there is a risk of one occurring in the future and, as such, may put a Proactive MSP in place.

Length of an MSP

The length of an MSP will be based on the severity of the participant's behaviour or incidents. The table below provides recommended steps for the different durations of MSPs.

Duration	Purpose
Short term MSPs – less than one month Used as an immediate response to an incident allowing a cooling off period	Gives you time to: • consider any contributing personal factors, or any other circumstances on the day e.g. physical environment, staffing • determine if a longer-term MSP is necessary • convey this to the participant to ensure they understand the changes to servicing under the MSP.
Long term MSPs – one month to 12 months	Gives you time to: • assist the participant address any barriers or personal circumstances • provide support and manage interactions between you and the participant ensuring safety of all involved.
Extending a long-term MSP – over 12 months	You must review the MSP to understand if the participant still needs support to address any outstanding issues that caused their challenging behaviours

Duration	Purpose
	Consider if: • there continues to be risks to people or property from the participant • further time would be beneficial to better identify and address issues displayed by the participant through the use of other servicing strategies (not already used) with the participant and escalate to department where necessary.

Reviewing an MSP

You must review a participant's MSP at least twice a year (at a minimum) and when:

- there are significant changes in the participant's circumstances
- a further incident occurs
- the participant requests a review.

Participants can request a review or appeal of their MSP at any time by contacting you or department's National Customer Service Line (NCSL).

The review will help you determine if you should:

- end an MSP and return a participant to standard servicing
- extend an MSP unchanged
- vary the MSP and set a new review date.

Important: MSPs are not automatically renewed. You must review the MSP before the end date to ensure any restrictions for the safety of staff and other participants are still in place.



The department's IT systems automatically populate review dates depending on the length of the MSP. You can amend these dates at any time. A noticeboard message will display when a review is due.

In your review of the MSP, you must:

- allow the participant an opportunity to review the MSP with you
- work through the MSP with the participant where it is safe to do so
- work with the participant, where possible, to reach agreed outcome on the MSP
- discuss options with the Provider Lead to extend, vary or transition to standard servicing.

You should consider how the participant will be serviced when the MSP has been lifted and the participant returns to standard servicing.

Determining appropriate servicing strategies

You should include at least one servicing strategy in a participant's MSP. When deciding what servicing strategies to apply for a participant:

- ensure the selected strategy is appropriate to the circumstances and proportionate to the behaviour and risk identified by your staff
- where possible, discuss the appropriate strategies you wish to use with the participant before it is included in the MSP.

Consider the following factors when applying appropriate servicing strategies:

- if a participant indicates they generally feel better at a particular time of day, reasonable steps should be taken to hold the interview at that time (if practicable)
- an individual could be provided with the opportunity to have a support person (such as a family member or friend) who can attend any interviews
- if the participant makes any other reasonable requests in relation to the conduct of an interview or other communications, reasonable steps should be taken to accommodate those requests
- an interview should not continue if the participant becomes particularly distressed.

Servicing strategies

The table below outlines internal and external referrals to services, which you may consider to be useful for the participant to access as part of the MSP.

Strategy	Description
Anger Management Counselling	This can include general counselling.
Change of Circumstances Reassessment (CoCR)	A reassessment of a participant's level of disadvantage, using the Job Seeker Snapshot, which may inform if a participant requires a Job Capacity Assessment or ESAt.
Financial Planning	Referral to assistance with financial planning.
Housing/Accommodation	Referral for housing/accommodation assistance.
Legal Aid	Referral to legal aid.
Welfare Agency	Referral to a welfare agency including, for example, drug and alcohol counselling, grief counselling, social or community program or course, or family relationship counselling.

Managing communication under an MSP

You must have face to face servicing or telephone servicing available at all times to ensure the participant remains connected to the program.

You may decide to apply one of the following channel restrictions to servicing the participant for the duration of the MSP. This allows you to manage the impact of a participant's challenging behaviours.

The table below outlines the type of communication channels and their restrictions under an MSP.

Type	Effect
Face-to-face - available	The participant is not restricted from face-to-face services and can therefore attend any time.
Face-to-face - partial restriction	There are limitations on how, when and where the participant may access face-to-face services. For example, a participant is directed to attend the site at a particular time on a particular day.
Face-to-face - full restriction	Participant cannot attend, in person, a site where you deliver services.
Telephone - available	Participant can contact you by phone at any time.
Telephone - partial restriction	There are limitations on how and when the participant can telephone you. For example, a participant is directed to call one main contact only.
Telephone - full restriction	Participant cannot contact you by telephone.
Writing - partial restriction	There are limitations on how the participant can write to you. For example: 1. the participant is directed to write to a single specific address, or 2. the participant is directed to write to their one main contact only.
Writing - full restriction	Participant cannot contact you through any written channel (email, letter or social media).

An example of a combination of restrictions is where you fully restrict face-to-face servicing and in writing servicing but continue with a partial restriction of telephone servicing.

Using a one main contact

You may nominate one main contact from your organisation in the MSP with details of how the participant should contact or work with their one main contact. Consider having a back-up one main contact in the MSP if the primary one is unavailable.

You may want to maintain a verbal option with at least one main contact to allow the participant to contact you on the same day for issues like rescheduling appointments.

15.6.3 If a participant does not comply

If a participant does not follow the servicing arrangements and service channel restrictions in their MSP, you must:

- lodge an incident report in department's IT systems
- check if the participant had received the written notification about the MSP.
  - If they were not aware of the MSP, record this in the incident report.

If a participant repeatedly breaches their MSP or continues to be a threat to your staff, you must escalate the matter to your Provider Lead.

The Provider Lead will refer the case to the relevant team in the department for review and support to manage the participant's behaviour.

15.6.4 When there is a relationship failure

You are encouraged to have in place, alternative servicing strategies for early intervention with participants.

You must demonstrate that you have genuinely attempted to implement servicing arrangements with the participant with challenging behaviours, as outlined in this chapter.

Where you determine that you the relationship with you and the participant is beyond repair, you must contact the Provider Lead. The Provider Lead will refer the case to the relevant team in the department for review and support.

Chapter 16. Servicing employers

This chapter outlines how to support Norfolk Island employers to:

- fill vacancies
- build capability to manage and retain employees
- access financial assistance such as wage subsidies, employment assistance fund and the supported wage system
- provide ongoing support for placed participants.

Supporting Information and Documents

- Job Access
- Employment assistance fund
- Wage Subsides Operations Guide

16.1. Providing support to employers

You must establish and maintain effective relationships with employers on Norfolk Island and deliver high quality and responsive support that is tailored to their recruitment and workforce needs.

All support delivered to employers should be tracked and reported as part of quarterly reporting.

Refer to Part A of these guidelines for Quarterly Reporting.

16.1.1 Support to fill vacancies

You must support employers to fill their vacancies based on their workforce and recruitment needs. Your primary focus should be to connect employers to participants on the caseload or other locals. Some participants may need support to gain relevant skills or other job or work modifications.

You must record every vacancy you source and place participants into in the department's IT systems.

Examples of support

- Identify employers' skill needs and arrange activities that provide development opportunities to prepare participants to meet those needs.
- Arrange Observational Work Experience or Voluntary Work with potential employers (Host Organisations).
- Promote and market the abilities of participants to employers, including participants with a disability and provide support to introduce measures to retain employees, for example, through workplace modifications
- Referral of suitable participants to vacancies, including apprenticeships and traineeships.

- Support to build capability to support diverse groups, for example through provision of cultural awareness training
- introduce workplace adjustments to support participants with a disability.

Sourcing suitable candidates

If you have used all options to source local employees and are unable to find a suitable candidate due to skills shortage, you must support employers to source through other means, such as skilled migration or other schemes.

You must not engage migration agents or perform the function of a migration agent. The support you provide may include identifying suitable schemes, understanding the scheme requirements, including associated costs, completing necessary paperwork and so on.

You must also develop and provide information for the newly arrived workforce to Norfolk Island to support their settlement and sustainment of the labour market. For further information, refer to

Servicing the community, including stakeholder .

16.1.2 Support to build employer capability

You must support employers by providing guidance on:

- creating accessible, safe and inclusive workplaces to assist them to build their confidence in managing employees with disability
- job design and job customisation
- employee retention strategies to assist them to effectively onboard participants, including those with a disability
- introduce workplace adjustments to support participants with a disability
- access other government and resources available to support employees with a disability in the workplace, such as:
  - Job Access
  - Employment Assistance Fund (EAF)

16.1.3 Financial assistance

Wage subsidies

Wage subsidy is a financial incentive you can offer to prospective employers for positions that are likely to result in ongoing sustainable employment for participants who are:

- on a Disability Support Pension
- assessed by Services Australia as having a partial capacity to work.

Wage subsidy contributes to the initial costs of hiring a new employee, reducing the risk to employers in offering a job opportunity.

Wage subsidies are funded from within the Services to participants, employers and the community payment. Refer to Part A of these guidelines for provider payments. You must decide if you will or will not offer a wage subsidy to an employer.

Organising a wage subsidy

The table below outlines the steps on how to organise a wage subsidy.

Steps
1. Before the start of a job placement, negotiate a Wage Subsidy agreement with the eligible employer that outlines the terms and conditions of the wage subsidy. 2. Agree on the maximum value of the wage subsidy with the employer. **Note**: The maximum wage subsidy may be reduced if the placement is shorter than planned and must not exceed the participant's gross wages paid. 3. Ensure the value of the wage subsidy is less than the wages paid to the participant.

4. Ensure both you and the employer sign the Wage Subsidy agreement.

Note:

- The Australian/Commonwealth Government is not party to any wage subsidy agreement made between the provider and employer and is therefore not liable for any disputes in relation to this arrangement.
- The wage subsidy agreement made should be separate from Supported Wage System assessments.

Employment assistance fund

The employment assistance fund provides financial assistance for work-related modifications and services. It is available for eligible people with disability or health conditions who are:

- looking for work
- about to start a job
- self-employed, or
- currently working.

It is also available to employers of eligible employees with disability.

It may reimburse the cost of work-related modifications and services, including:

- the cost of modifications to the physical work environment and work vehicles
- adaptive equipment for the workplace
- information and communication devices
- Auslan interpreting services
- assistance for co-workers to learn sign language
- specialist services for employees with specific learning disorders and mental health conditions
- disability and deafness awareness training, and
- mental health awareness training.

Accessing employment assistance fund

You must support a participant or employer to access the employment assistance fund, available through JobAccess (www.jobaccess.gov.au). You may act on their behalf, if needed.

Where required, a workplace modification assessment may be used to assess the application for the employment assistance fund. These assessments:

- identify the work requirements, work environment, nature of the participant's disability and barriers to performing work tasks as a result of their disability

- conduct research into available modifications that will be suitable to respond to the identified barriers, and
- discuss and recommend with the employer and participant the potential modifications which are available to improve access to work and work productivity.

Workplace Modification Assessments are done free of charge by National Panel of Assessors' providers.

Supported Wage System

The Supported Wage System (SWS) lets employers pay an employee with disability based on their productivity. Employers or providers can apply for the SWS, for employees in open or supported employment.

SWS is available for:

- new employees with disability
- current employees with disabilities, if they can't do as much work, and risk losing their job.

To be eligible for the SWS, the employee with disability must:

- be an Australian citizen or permanent resident
- be 15 years of age or older
- have no outstanding workers compensation claims against their current employer
- meet the Disability Support Pension (DSP) impairment criteria – this is an assessment by Services Australia.

The job related to the SWS application must:

- be covered by industry awards or laws that allow employment under the SWS
- be for at least 8 hours a week.

For more details, download an overview of the SWS or the SWS handbook. There are 2 versions of the handbook – one for SWS in open employment and one for SWS in supported employment.

16.1.4 Ongoing support

You may offer ongoing support after job placement, especially for participants with partial capacity to work. This support must be funded through your allocated fees or sourced from other government or community programs.

Note: The formal ongoing support program available to those in Inclusive Employment Australia cannot be accessed for participants in this program.

Example of ongoing support

- social and behavioural help
- cognitive help
- vocational help
- physical help and personal care
- workplace environment help
- special help (counselling, treatment of episodic conditions, prevention of harm).

Chapter 17. Servicing the community, including stakeholder engagement

This chapter outlines how to support the:

- broader Norfolk Island community through stakeholder engagement
- integration of newly arrived workers.

17.1. Servicing the community

You must provide high-quality, responsive support to the community and take a lead role in stakeholder engagement activities. Regular engagement with key stakeholders should aim to:

- promote the program and services available
- identify gaps in community services
- ensure participants can access a wide range of support and activities
- establish clear employment pathways
- streamline referral processes
- address skills shortages and labour market needs
- advocate for participants and create job opportunities
- develop place-based service delivery approaches and innovations.

The table below provides examples of key stakeholders when servicing the community.

Examples of key stakeholders
• On-Island reference groups • Employers, including host organisations • NDIS providers or local area coordinators • Private and community-based service providers • Education and training institutions • Healthcare organisations • Employer stakeholders, such as local business councils. • Peak bodies and industry representatives • Other service providers

You must ensure stakeholder engagement activities are tailored to the community's unique needs and local labour market conditions.

You should offer a range of engagement activities, such as on-Island reference groups, job fairs, local events, employer meetings, and community workshops to connect participants with employers.

You must track and report, as part of your quarterly reporting, all services to the community and any insights resulting from stakeholder engagements, such as gaps in key services.

Refer to Part A of these guidelines for Quarterly Reporting.

17.1.1 Resources to support newly arrived workers

You must work with the community to develop resources that support the successful settlement of newly arrived workers, such as those who come to Norfolk Island through migration schemes. Include topics on:

- unique aspects of living remotely, such as limited supplies and retail operations
- insight into local customs the historical background of Norfolk Island
- where to access advice and support
- opportunities to connect socially within the community.

Ensure resources are publicly accessible, including on your website and through other channels like local employers.