



Transfers Guidelines V 1.5

Disclaimer

This document is not a stand-alone document and does not contain the entirety of Disability Employment Services Providers' obligations. It should be read in conjunction with the Disability Employment Services Grant Agreement and any relevant guidelines or reference material issued by the Department of Social Services under or in connection with the Disability Employment Services Grant Agreement.

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Transfers Guidelines

Document Change History

Version	Effective Date	End Date	Change & Location
1.5	19 January 2023		Amendment: Updated to remove the limit to the number of DES participant initiated transfers allowed. (The previous limit was five participant initiated transfers). This update reflects the system change being implemented on 18 January 2023.
			Amendment: Updated references to jobactive app to Workforce Australia app.
1.4	14 Sep 2020	18 January 2023	Simplified instructions regarding participants with a current Provider lodged Level 3 or Serious incident report or Reactive MSP.
1.3	9 Mar 2020	13 Sep 2020	Clarified that participants with to a Provider lodged reactive Managed Service Plan or Serious / Level 3 incident report can only be transferred by agreement of all parties and the relevant Relationship Manager
1.2	1 Jul 2019	8 Mar 2020	Clarified Transfer by Agreement lodgment processes Added transfer process for participants with serious incidents
1.1	3 Dec 2018	30 Jun 2019	Updated Grant Agreement clause references Updated links to Transfer by Agreement form
1.0	1 Jul 2018	2 Dec 2018	Original version of document

Background

These Guidelines outline Disability Employment Services (DES) providers' responsibilities and required actions when transferring or receiving transferred participants in Disability Employment Services.

From 19 January 2023 a participant may change providers as many times as they choose, upon request (<u>participant initiated</u> transfer). The participant can use the Workforce Australia app or contact the National Customer Service Line (NCSL) to request a participant initiated transfer.

If the participant chooses not to use, a participant initiated transfer, a transfer can occur where:

- the participant is unable to achieve or maintain a reasonable and constructive relationship with their provider (<u>relationship failure</u> transfer); or
- changing their provider would increase the participant's employment prospects (better servicing transfer); or
- the participant's current provider and a new provider both agree to the transfer (transfer by agreement)
- the participant moves to a new location (relocation transfer); or
- the participant requires a change of provider as a result of an Ongoing Support Assessment, Employment Services Assessment or Job Capacity Assessment (<u>Assessment</u> transfer).

Restrictions on transfers

Participants can normally transfer providers whenever they choose (participant initiated transfers), or where they meet the relevant conditions of specific transfer processes. However, some cohorts do not normally transfer providers, and can do so only under specific conditions:

 A participant who is receiving Post Placement Support or Ongoing Support normally remains with their current provider. A transfer must occur where an Ongoing Support Assessment determines that a participant in Disability Management Services requires Moderate or High Ongoing Support, which is available only from an Employment Support Service provider (<u>Assessment</u> transfer). In other cases, these participants can transfer only where approved by the Department. • A participant with a provider lodged Reactive Managed Service Plan or Level 3 or Serious incident report, or who is a Pre-Release Prisoner, can transfer only by agreement of both providers (transfer by agreement), or where approved by the Department.

Impact of transfers

When a participant transfers to a new provider, the participant's status reverts to 'pending'. While in this state, the participant's service is paused, preventing progress towards payment of the next Service Fee or Outcome Fee. Similarly, periods of employment while at pending status are not counted towards the participant's outcome period.

The receiving provider must immediately facilitate and cooperate with the transfer by conducting an initial appointment and commencing the participant. Commencing a participant resumes progress towards the next Service Fee or Outcome Fee, and ensures that services continue to be provided to the participant without delay.

Funding associated with a participant transfers with the participant to the new provider as follows:

- Service Fees, which are paid in advance to providers for a three month service period, are recovered proportionately from the relinquishing provider based on the amount of time left in the Service Fee period from the date of transfer, and that amount is paid to the receiving provider;
- Outcome Fees, for those participants that transfer while in Post Placement Support, are payable to the provider servicing the participant at the time the Outcome becomes payable; and
- Ongoing Support Fees (Moderate and High), are paid on a pro rata basis to the relinquishing provider and the receiving provider, based on the period of time they serviced the participant in the monthly or quarterly period of Ongoing Support.

Disability Employment Services Grant Agreement Clauses

Clause 80 – Provision of Program Services

Clause 91 – Appointments with Participants

Clause 92 - Initial Interview

Clause 106 - General requirements for a Job Plan

Clause 126 – Reviews of Ongoing Support

Clause 129 - Change of Circumstances Reassessment during Ongoing Support

Clause 132 - Participant initiated transfer

Clause 133 - Relocation of Participant

Clause 134 - Relationship failure, transfer by agreement, transfers by the Department and transfer by assessment

Clause 135 - Provider obligations on transfer

Reference documents relevant to these Guidelines

Contacts Guidelines

Documentary Evidence for Claims for Payment Guidelines

Eligibility, Referral and Commencement Guidelines

Job Plans Guidelines

Targeted Compliance Framework: Mutual Obligation Failures Guidelines

Ongoing Support Guidelines

Relocation Assistance to Take Up a Job Guidelines

Service Fee Guidelines

Servicing Participants with Challenging Behaviours Guidelines

Explanatory Note

All capitalised terms have the same meaning as in Disability Employment Services Grant Agreement. In this document, "must" means that compliance is mandatory and "should" means that compliance represents best practice.

Transfers Guidelines TRIM ID: D23/139979 Arc Record Number: D23/71862

Effective Date: 19 January 2023

Participant initiated Transfer

Who is Responsible:	What is Required:
1. Participant Participant initiates transfer to another provider	A participant may transfer to a new provider, for any reason, as many times as they choose to during their Period of Service. The participant may choose to use a participant initiated transfer rather than another reason if they want to transfer immediately, or do not want to provide justification for the transfer.
Grant Agreement Reference: ■ Clause 132	Note : A participant may not transfer under this process if they have a current provider lodged Reactive Managed Service Plan or Serious/Level 3 Incident Report, or are a Pre-release Prisoner.
	Participants can request a transfer to their nominated provider by:
	 using the Workforce Australia app; or contacting the National Customer Service Line (NCSL).
	Proceed to Step 2.
2. NCSL The NCSL transfers the Participant. Grant Agreement Reference:	Participants using the Workforce Australia app will be required to select a new provider. Where a participant contacting the NCSL has not chosen a provider, the NCSL will redirect the participant to the JobAccess website (https://www.jobaccess.gov.au/) to review the available providers. The NCSL cannot choose a new provider on behalf of the participant.
• Clause 134.2	The NCSL or Workforce Australia app will refer an eligible participant to the new provider of their choice.
	The original and new providers will receive a noticeboard message that the participant has transferred caseloads.
	Proceed to Step 3.
3. The provider The new provider delivers services to the transferred participant.	The new provider must immediately facilitate and cooperate with the transfer so as to enable services to continue to be provided to the participant. This includes contacting the participant to arrange a suitable initial Contact appointment. See the <i>Contacts Guidelines</i> and the <i>Job Plans Guidelines</i> for more details.
Grant Agreement Reference: • Clause 135	Note: Standard compliance rules apply for Activity Tested participants who do not attend. See the <i>Targeted Compliance Framework: Mutual Obligation Failures Guidelines</i> .
	An Initial Interview session type will be used in the Calendar for this appointment. The provider does not have to deliver all of the information and services normally required in the Initial Interview, but must:
	 explain the Program Services that the provider will provide; review and update the participant's Job Plan; and commence delivering Program Services in accordance with their Job Plan.
	The new provider will have access to participant records, personal details and history of events. Some information that relates to previous providers, such as Skills Assessment or Participation Reports will show as completed but the detail will not be accessible to the new provider.
	> End of Process

Transfer due to Relocation

Who is Responsible: What is Required: 1. Participant When a participant notifies Centrelink of a change of address, Centrelink will record the new address and notify the Department via the Department's IT Participant relocates/changes Systems. residential address. **Note**: A participant may not transfer under this process if they have a current Grant Agreement Reference: provider lodged Reactive Managed Service Plan or Serious/Level 3 Incident Clause 133 Report, or are a Pre-release Prisoner. Clause 134 Participants in Employment Assistance When the Department's IT systems detect a change of address, the participant will receive a message requesting them to consider whether it is appropriate to change to a provider closer to their new address. The current provider should also contact the participant to discuss the matter if a transfer may be appropriate. If the participant wants to change their provider, they will have five business days to call the National Customer Service Line (NCSL) and request a transfer. If the participant calls the NCSL after five days and requests a transfer, the participant can still transfer if they use a participant initiated transfer (if the participant chooses) or transfer by agreement. The participant does not need to contact the NCSL if they do not wish to transfer their provider. The provider will continue to deliver Program Services to the participant without interruption. The NCSL will facilitate a transfer to the participant's nominated provider if it meets normal participant choice program settings, otherwise the NCSL will require the participant to select a provider that satisfies those settings. Proceed to Step 2. If the NCSL cannot confirm that the participant has changed address, the transfer will not be approved. The participant's existing provider must continue to provide Program Services to the participant at no additional cost to the Department. The participant is still able to change their provider via a participant initiated transfer. **End of Process** Participants in Post Placement Support or Ongoing Support Participants in Post Placement Support or Ongoing Support will not be prompted to change their provider following a change of address. **End of Process** If the provider does not consider it possible to continue to service the participant following a change of address, a transfer may be appropriate. See 'Transfer by Agreement' or 'Transfer due to Better Services for the participant with another provider'. 2. The Department The participant will be transferred by the NCSL to the chosen provider. The relinquishing provider and the gaining provider will receive a noticeboard The Department notifies the message, and the participant will receive the details of their new provider via providers and the participant of SMS and/or email if those are identified as being a preferred method of the transfer. contact. **Proceed to Step 3**

Who is Responsible:

3. Provider

The new provider arranges an initial Contact appointment and starts delivering services to the participant.

Grant Agreement References:

- Clause 91
- Clause 134
- Clause 135.1
- Clause 135.2

What is Required:

The new provider must immediately facilitate and cooperate with the transfer so as to enable services to continue to be provided to the participant. This includes contacting the participant to arrange a suitable initial Contact appointment.

Note: Standard compliance rules apply for Activity Tested participants who do not attend. See the *Targeted Compliance Framework: Mutual Obligation Failures Guidelines*.

An Initial Interview session type will be used in the Calendar for this appointment. The provider does not have to deliver all of the information and services normally required in the Initial Interview, but must:

- explain the Program Services that the provider will provide;
- review and update the participant's Job Plan; and
- commence delivering Program Services in accordance with his or her Job Plan.

If the participant is seeking to relocate for employment through *Relocation Assistance to Take Up a Job*, the two providers should discuss their roles and responsibilities, including support to be provided to the participant and expenses to be covered under the initiative, including any wage subsidies. If an agreement cannot be reached, the Account Manager or delegate should be notified. The Department will not pay the same expenses to both providers – Refer to the *Relocation Assistance to Take Up a Job Guidelines*.

The new provider will have access to participant's records, personal details and history of events. Some information that relates to previous providers, such as Skills Assessment or Participation Reports will show as completed but the detail will not be accessible to the new provider.

End of Process

Transfer due to Relationship Failure or Better Services with another provider

Who is Responsible:	What is Required:	
1. Provider or participant	Provider requested transfer	
Provider or participant requests a transfer due to a relationship failure or for better servicing reasons. Grant Agreement Reference: Clause 134	If a provider, after taking all reasonable action to resolve the situation, cannot achieve or maintain a reasonable and constructive service relationship with a participant, the provider can apply to the NCSL for a participant transfer. The provider should forward to the NCSL for review and determination a completed <u>Transfer due to relationship failure Form</u> (available on the DES Provider Portal or at Attachment A), with evidence to support the request.	
0.0000 20 .	Proceed to Step 2	
	Participant requested transfer	
	If a participant applies to the NCSL for a transfer, the NCSL should approve the transfer in line with the principle that participants can transfer upon request (unless the participant is ineligible for this transfer type as noted below).	
	Proceed to Step 3	
	Note : A participant may not transfer under this process if they have a current provider lodged Reactive Managed Service Plan or Serious/Level 3 Incident Report, or are a Pre-release Prisoner.	
2. NCSL	When a transfer request is received from a provider, the NCSL may take into	
The NCSL reviews the request and determines if the participant is to be transferred. Grant Agreement Reference: Clause 134	 account any relevant matter including, but not limited to, the following: the ability of the provider and the participant to work together to service the participant's needs; whether the services outlined in the participant's Job Plan and the Service Guarantee are available from the provider. For example, a participant may receive more appropriate services from a Specialist Service provider; whether the participant, general public or any staff member of a provider is likely to be harmed as a result of a continuing relationship (harm may include violence or harassment) or whether there is a lack of sensitivity to the cultural needs of groups such as Indigenous participants and participants from culturally and linguistically diverse backgrounds; or the reasons provided by the participant as to why he or she would receive better services that could enhance their employment prospects from the other provider. The evidence for this decision could include: evidence of counselling, conflict resolution or mediation services; entries on the participant's file; ongoing entries by NCSL staff in the Department's IT Systems; or Participant Incident Report/s (as relevant). The NCSL may also contact the provider or the participant for more details regarding the request to transfer as part of their investigation into the relationship failure. If the NCSL approves the transfer, proceed to Step 3	

Who is Responsible:	What is Required:
3. NCSL The NCSL approves the transfer.	If the transfer is approved, NCSL staff will arrange for the transfer of the participant. The original and new providers will receive a noticeboard message that the participant has transferred caseloads. Proceed to Step 5
4. NCSL The NCSL determines not to approve the transfer. Grant Agreement Reference: Clause 134.2	If the application to transfer is not approved, the NCSL will notify the requesting party of the result of the determination. The participant will not be transferred and the original provider must continue to deliver Program Services to the participant. Where a provider or a participant is not satisfied with the result of the determination, they may request that the decision be reviewed. If a participant or a provider requests an internal review they must contact the NCSL to request a review within 14 business days of the original decision. Reviews are preferably requested in writing to nationalcustomerserviceline@dese.gov.au and are to be processed within five business days from receipt of a review request where possible. If NCSL review determines that the transfer should occur, the process will continue from Step 3.
5. Provider The new provider delivers services to the transferred participant Grant Agreement Reference: Clause 135	The new provider must immediately facilitate and cooperate with the transfer so as to enable services to continue to be provided to the participant. This includes contacting the participant to arrange a suitable initial Contact appointment. See the Job Plans Guidelines for more details. An Initial Interview session type will be used in the Calendar for this appointment. The provider does not have to deliver all of the information and services normally required in the Initial Interview, but must: • explain the Program Services that the provider will provide; • review and update the participant's Job Plan; and • commence delivering Program Services in accordance with their Job Plan. The new provider will have access to participant records, personal details and history of events. Some information that relates to previous providers, such as Skills Assessment or Participation Reports will show as completed but the detail will not be accessible to the new provider. Note: Standard compliance rules apply for Activity Tested participants who do not attend. See the Targeted Compliance Framework: Mutual Obligation Failures Guidelines. • End of Process

Transfer by Agreement

Who is Responsible:	What is Required:
1. Participant or provider All parties agree to a transfer. Grant Agreement Reference: Clause 134.1 (b)	A participant may discuss with their provider the option of transferring to a different provider. The current provider should inform the participant of their transfer options and discuss whether a transfer by agreement would be appropriate.
	Note : A participant who has a current provider lodged Reactive Managed Service Plan or Serious/Level 3 Incident Report, or who is a Pre-release Prisoner, can transfer with the agreement of both providers.
	The current provider or the participant may approach a new provider regarding a Transfer by Agreement.
	When the original Provider, the new provider and the participant agree, a participant is eligible for Transfer by Agreement.
	The reason for the transfer may include transport or financial difficulties or that the new provider would be more appropriate to the participant's needs, for example, a Specialist Service provider.
	When considering a transfer request, the current provider should assess the participant's assistance requirements and level of engagement and make a decision on whether the transfer may be beneficial.
	 If all parties agree to the transfer, proceed to Step 3 If all parties do not agree to the transfer, proceed to Step 2
2. The provider Existing provider continues to deliver services to the participant. Grant Agreement Reference:	If all parties do not agree to a transfer, the participant will not be transferred and the provider must continue to deliver Program Services to the participant.
	If the participant feels that they can demonstrate that they will receive better services that could enhance their employment prospects from another provider, they may contact the NCSL to request a transfer due to Relationship failure or better servicing.
• Clause 134.2	> End of Process
3. The provider The original provider, the new provider and the participant	Where all parties agree to the transfer, a request for a Transfer by Agreement must be completed by both the current and proposed providers and the DES participant. There are two options for lodgement:
complete and sign the transfer	Participant – Online lodgement on the Workforce Australia website
form.	(Note : This option not available for participant who has a current provider lodged Reactive Managed Service Plan or Serious/Level 3 Incident Report, or who is a Pre-release Prisoner)
	The DES participant can request an online Transfer by Agreement on the Workforce Australia website. The DES participant's request will first be sent to the proposed provider and, if that provider agrees, will be sent on to the DES participant's current provider. If both providers agree, the DES participant will be automatically transferred.
	The current and proposed providers must action the request for a transfer by agreement within three business days of receiving the request otherwise the request will be automatically declined and the participant notified.
	If either the current or proposed provider declines the request, the transfer will not be actioned and the participant will be notified of the reason via a form generated by the Department's IT Systems.

Who is Responsible: What is Required: Provider - Lodgement through the Employment Services System (ESSWeb) The current or proposed provider can request a transfer by agreement in ESSWeb using the *Transfer by Agreement Form*, which is available on the Provider Portal or at Attachment B. When all parties agree and sign the *Transfer by Agreement Form*, the current provider must enter the details into the Department's IT Systems to action the transfer. The current provider must retain a copy of the signed form. Where either the current or the proposed provider declines the transfer request, all parties will be advised via the Department's IT system. Participants with a current provider lodged Reactive Managed Service Plan (MSP) or Serious/Level 3 Incident Report Participants who have a current provider lodged Reactive MSP or Serious/ Level 3 Incident Report cannot transfer using the online request process. The current provider must complete the Transfer by Agreement Form, including: marking 'Yes' in the relevant section to indicate that participant has a provider lodged Reactive MSP or Serious / Level 3 Incident Report; discussing with proposed provider the circumstances relating to the Reactive MSP or Serious/Level 3 Incident Report, before proposed provider signs the Form; and lodging the Transfer by Agreement Form, as outlined above. Pre-release Prisoners Pre-release Prisoners cannot have a Transfer by Agreement completed through the online request process. In this case, the current provider must lodge the Transfer by Agreement Form using ESS Web, as outlined above. **Proceed to Step 4** 4. Provider The gaining provider must immediately facilitate and cooperate with the transfer so as to enable services to continue to be provided to the participant. The new provider arranges an This includes contacting the participant to arrange a suitable initial Contact initial Contact appointment and appointment. delivers services to the transferred participant. An Initial Interview session type will be used in the Calendar for this appointment. The provider does not have to deliver all of the information and *Grant Agreement Reference:* services normally required in the Initial Interview, but must: Clause 135.1

- explain the Program Services that the provider will provide;
- review and update the participant's Job Plan; and
- commence delivering Program Services in accordance with his or her Job Plan.

The new provider will have access to the participant's records, personal details and history of events. Some information that relates to previous providers, such as Skills Assessment or Participation Reports will show as completed but the detail will not be accessible to the new provider.

Note: Standard compliance rules apply for Activity Tested participants who do not attend. See the *Targeted Compliance Framework: Mutual Obligation Failures Guidelines*.

End of Process

Transfer by Assessment

Who is Responsible:	What is Required:
1. The provider	A participant may need to change provider due to an assessment when:
The Ongoing Support Assessment recommendation results in a Disability Management Service participant's transfer to Employment Service Support. Grant Agreement References: Clause 122.4 Clause 126.3(b) Clause 134.3(a)	 an Ongoing Support Assessment (OSA) recommends that a Disability Management Service (DES-DMS) participant requires the Employment Support Service (DES-ESS) of Moderate or High Ongoing Support (See Ongoing Support Guidelines) or an Employment Services Assessment (ESAt) or Job Capacity Assessment (JCA) recommends DES-DMS or DES-ESS when the participant is currently in the other service.
	An ESAt or JCA recommended referral is normally actioned by the responsible assessor, but providers can request a transfer if the referral is not made.
	If the participant needs to move to another site, either with the current or another provider, in order to receive the new service, the participant can be transferred to another provider of their choice.
	Proceed to Step 2.
2. The Department's IT Systems Participant transfers to new provider.	The original provider should organise a discussion with the participant to review the assessment recommendation and ascertain the participant's choice of provider.
	The original provider will organise a teleconference with the NCSL, and the participant will confirm their choice of provider. The NCSL will arrange for the transfer of the participant. The original and new providers will receive noticeboard messages that the participant has transferred.
	Proceed to Step 3.
3. The provider The provider delivers services to the transferred participant. Grant Agreement Reference: Clause 135.1	The new provider must immediately facilitate and cooperate with the transfer so as to enable services to continue to be provided to the participant. This includes contacting the participant to arrange a suitable initial Contact appointment.
	An Initial Interview session type will be used in the Calendar for this appointment. The provider does not have to deliver all of the information and services normally required in the Initial Interview, but must:
	 explain the Program Services that the provider will provide; review and update the participant's Job Plan; and commence delivering Program Services in accordance with his or her Job Plan.
	The new provider will have access to participant's records, personal details and history of events. Some information that relates to previous providers, such as Skills Assessment or Participation Reports will show as completed but the detail will not be accessible to the new provider.
	Note: Standard compliance rules apply for Activity Tested participants who do not attend. See the <i>Targeted Compliance Framework: Mutual Obligation Failures Guidelines</i> .
	> End of Process

Attachment A - Transfer due to Relationship Failure form





Transfer due to Relationship Failure Form

Disability Employment Services (DES) providers should complete this form to request transfer of a DES participant where, after taking all reasonable actions to resolve their problems, the DES provider and the participant can no longer work together to service the participant's needs. The form <u>may not</u> be used for participants who have a provider lodged reactive Managed Service Plan or Serious or ES Level 3 incident report on their record in ESSWeb.

It is recommended that the following participant be transferred from this DES Site due to relationship failure

Participant details	Action taken
Title	The following actions have been taken to resolve differences with the participant:
Family name	Complaints process used
First name(s)	Change of consultant
Job seeker ID	Temporary withdrawal of contact (eg, remote servicing due to site ban)
	Change of site
Provider contact details	Use of CRRS
Family name	Other (please specify)
First name(s)	
Signature	
Site / org codes	
Site name	Evidence of action undertaken
Telephone	Job Seeker Incident Report (attached)
Email	Police Report
Date	Other evidence (attached)

Email this form and any attachments to the National Customer Service Line (NCSL) at (nationalcustomerserviceline@dese.gov.au)

Notes

- This request may be declined if evidence showing action taken to resolve the issues with the participant is not provided.
- A Customer Service Officer may contact you to confirm or clarify some of the information submitted with the request.
- Transfer requests will generally be processed within 10 working days of receipt of all relevant information.
- You can request a review if you believe that the administrative process was not correctly followed, or if information not originally considered has become available to you, by writing to the NCSL within 14 days of the request being declined. The request will be processed within 5 working days of receipt wherever possible.

Attachment B - Transfer by Agreement form





Transfer by Agreement Form

Participant details	Section A – Participant	Instructions
Title		All sections must be completed and signed to
Family name		demonstrate the transfer is supported by the participant, current and proposed providers.
First name(s)		The current provider must keep the completed
Preferred name		form as evidence the transfer was agreed to. Please refer to the DES Transfers Guidelines
Job seeker ID		before completing this form.
Reason for transfer		Does this participant have a current provider lodged Reactive Managed Service Plan or Serious / Level 3 Incident Report?
Signature		No Yes ₹>
Date		Providers must discuss before agreeing to the transfer
Provider details	Section B - Current provider	Section C - Proposed provider
Site / org codes		
Site name		
Contact name		
Telephone		
Email		
Transfer Approved?	Yes No If No, why not? 3	Yes No If No, why not? 🎨
Approver		
Position / Title		
Signature		
Date		