Disability Employment Services Deed  
Notice No. 19 – Transition Period

The Department of Social Services (‘DSS’) is providing the following Notice to Disability Employment Services – Employment Support Service (‘DES-ESS’) and Disability Employment Services – Disability Management Service (‘DES-DMS) Providers (‘Providers’), regarding the commencement of a Transition Period under the Disability Employment Services Deed (‘Deed’).

The Transition Period will commence on 2/4/2018 and end on 30/6/2018.

The expectation is that Providers will continue to deliver Services to all Participants until close of business 30/6/2018. However, DSS may consider requests from DES-ESS and DES-DMS Providers who wish to exit before 30/6/2018 on a case-by-case basis.

Please take time to carefully read the attached DES Notice No. 19.

The following table provides a summary of transition arrangements that will support the Transition Period for your reference. Please refer to the DES Notice No. 19 for the definitive summary of the Transition Period requirements.

Unless expressly defined in the table and/or attached Notice, capitalised terms used in the following table and in the attached Notice have the meaning as set out in Annexure A (Definitions) of the Deed.
<table>
<thead>
<tr>
<th>Term</th>
<th>Description</th>
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<tbody>
<tr>
<td>Transition</td>
<td>Transition is the set of arrangements put in place to move the provision of the Services from the existing Deed to the ‘Disability Employment Services Grant Agreement’ commencing on 1/7/2018. The transition arrangements ensure Participants continue to receive Services and are transferred, when required, taking into account their individual circumstances.</td>
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<tr>
<td>Transition Participant</td>
<td>A ‘Transition Participant’ will be identified as such in the Department’s IT Systems and will include Participants who are required to transfer to a different Provider as a result of the Disability Employment Services 2018 Grant Opportunity Restricted Application Process (i.e. the Participant’s current provider will no longer deliver DES-ESS or DES-DMS services in the relevant Employment Service Area (ESA) from 1/7/2018).</td>
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| Ceasing of Referrals and Direct Registrations | The preferred approach for DSS is that Referrals and Direct Registrations during the Transition Period will be to Providers that will continue to provide DES from 1/7/2018. During the Transition Period, DSS will cease Referrals to Providers who will no longer deliver DES-DMS and/or DES-ESS (as relevant) in an ESA from 1/7/2018. Once DSS ceases Referrals to a Provider:  
  - Participants can no longer be Referred to the Provider from Department of Human Services (DHS)-Centrelink;  
  - Participants will not be Referred to the Provider following an Exit and re-Referral;  
  - the Provider’s Site(s) will no longer be available for transfers of Participants; and  
  - the Provider cannot Directly Register a job seeker.  
  DSS will determine the date to cease Referrals, taking into consideration factors including the number of Providers in the ESA that will continue to deliver DES and the mix of contract types (for example, Generalist and Specialist) operating in the ESA.  
  During the Transition Period, exiting Providers must assist job seekers who approach them (for Direct Registration), to identify a suitable continuing DES-ESS Provider or DES-DMS Provider. |
<p>| Joint meetings           | Joint meetings are a mechanism for relinquishing Providers and receiving Providers to exchange information to support a smooth transition for Participants, Providers and Employers (if applicable). The objective of the joint meeting is to facilitate the handover of all past and current information about a Participant, including Employer details (if applicable) and the arrangements in place that support the continuity of Service. Joint meetings should be held for all Participants (excluding those at suspended or pending status) needing to transfer to another Provider. |</p>
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<td>Selection of initial Provider</td>
<td>DSS will provide Participants whose Provider will no longer be delivering DES in the Participant’s ESA, with the opportunity to select who their Provider will be from 1/7/2018. If Participants do not wish to exercise their choice, they will be transferred to a different Provider, close to the Participant’s residential address. Participants whose current Provider will continue to deliver DES from 1/7/2018 will continue to receive Services from this Provider. Where a current Provider exits the market during the Transition Period and prior to 1/7/2018, its Participants will be transferred to a current Provider that will continue to deliver DES after 1/7/2018. Participants will continue to be able to transfer to a different Provider under current transfer rules. When a Participant is transferred to another Provider, their electronic records stored in the Department’s IT System will also transfer to that Provider. Providers should be mindful of their obligations in relation to the transfer of Participants that are set out in the Deed, and should be familiar with the Transfer Guidelines which can be found on the Provider Portal that outline the process of Participant transfers.</td>
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<tr>
<td>Fees payable</td>
<td>A Participant’s Period of Service will continue and will not be reset on 1/7/2018. Service Fees Service Fees that are payable within 13 weeks prior to the start of the new Disability Employment Services Grant Agreement on 1/7/2018 will be paid at the current (pre-1/7/2018) rate under the Deed. If a current Provider exits DES on or before 1/7/2018, Service Fees will be pro-rated to the exit date, meaning DSS will pay the relevant Service Fee proportionate to the amount of time the Provider has left in the program. For Transition Participants, the receiving Provider can claim a pro-rata Service Fee under the new fee schedule in the Disability Employment Services Grant Agreement, for the period from the date that the Transition Participant commences with the receiving Provider until the date that the Participant’s next Service Fee is due. Job Placement Fees Job Placement Fees are payable where the Job Placement Fee Date is on or before 30/6/2018, to the Provider that the Participant is Commenced with on the Job Placement Fee Date. Outcome Fees Education and Employment Outcomes and Bonus Fees will be claimable by the Provider that the Participant is Commenced with at the time the Fee is available, including where a Participant is transferred due to their Provider leaving the market prior to 1/7/2018. Where a Participant’s Anchor Date was prior to 1/7/2018, the Fee will be paid under the current Deed fee schedule. The new Disability Employment Services</td>
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<td>Grant Agreement</td>
<td>Fee schedule will apply where the Anchor Date is after 1/7/2018. Changes to the criteria for Education Outcomes will apply to any claims that fall due on or after 1/7/2018. The 52-week Employment Outcome Fee under the new Disability Employment Services Grant Agreement will be available to Providers for Participants with an Anchor Date of 1/7/2018 onwards.</td>
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<tr>
<td>Ongoing Support Fees</td>
<td>For Transition Participants in Moderate and High Ongoing Support, pro-rata arrangements will exist for relinquishing and receiving Providers. Providers can claim for any instance of Flexible Ongoing Support or Work Based Personal Assistance, if the Provider delivered the Service. Participants who are in Ongoing Support prior to 1/7/2018 will have their current obligations and requirements grandfathered and will not be required to satisfy the eight-hour a week requirement to remain eligible for Ongoing Support under the Disability Employment Services Grant Agreement. This grandfathering arrangement will continue until the Participant Exits the program.</td>
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<tr>
<td>Wage Subsidies</td>
<td>Providers must continue to make payments and deliver appropriate support to the Participant and the Employer if a Wage Subsidy Participant transfers between Providers.</td>
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<td>Further information</td>
<td>DSS will publish the transition advice documents that will include further information about these transition arrangements. Providers will find the transition advice documents published on: <a href="http://www.dss.gov.au/our-responsibilities/disability-and-carers/programmes-services/disability-employment-services">www.dss.gov.au/our-responsibilities/disability-and-carers/programmes-services/disability-employment-services</a> and the Employment and Community Services Network Provider Portal (Provider Portal) at the following location: Provider Portal &gt; DES&gt; Provider Operations &gt; DES 2018 Transition</td>
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Please contact your Account Manager if you have any questions regarding Notice No. 19.

Yours sincerely

Flora Carapellucci
Group Manager
Disability, Employment and Carers Group
Disability Employment Services Deed
Notice No. 19 – Transition Period

Disability Employment Services Providers ('Providers'):

1. The Department of Social Services ('DSS') is providing this Notice No. 19 to notify Providers of Disability Employment Services-Employment Support Service ('DES-ESS') and Disability Employment Services-Disability Management Service ('DES-DMS') that DSS is deeming a Transition Period in accordance with clause 59.1 of the Disability Employment Services Deed ('Deed').


3. Information relating to the Transition Period is available on the Disability Employment Services ('DES') transition page of the Employment and Community Services Network Provider Portal (Provider Portal) at the following location:
   Provider Portal > DES> Provider Operations > DES 2018 Transition
   Information will be available publicly through the DSS website:

4. In accordance with clause 59.4(b) of the Deed, Providers must, in relation to DES-ESS and DES-DMS, continue to provide all Program Services which it is required to provide under the Deed during the Transition Period, except as modified in paragraph 5 of this Notice below.

Ceasing of Referrals

5. Subject to paragraph 6, where a Provider has not been selected to provide Services in an Employment Services Area (ESA) arising from the Disability Employment Services 2018 Grant Opportunity Restricted Application Process conducted by DSS in 2017/18, DSS may, pursuant to clauses 59.5 and 132 of the Deed, cease or reduce Referrals to that Provider in that ESA during the Transition Period, on a date determined by DSS.

6. DSS may, at its absolute discretion and on a case-by-case basis, continue Referrals to one or more Providers in an ESA as outlined in, Ceasing of Referrals and Direct Registration, in the Transition Period Activities section of the Grant Opportunity Guidelines (refer to GOG Attachment A section 9.4, available at: https://www.communitygrants.gov.au/grants/disability-employment-services-2018-grant-opportunity-restricted.)
Assistance and Cooperation

Providers who have not been selected during the Disability Employment Services 2018 Grant Opportunity Restricted Application Process to provide Services in an ESA

7. In accordance with clause 59.6 of the Deed, Providers must provide sufficient assistance and cooperation to:
   a) DSS;
   b) any person nominated by DSS;
   c) another Program Provider or employment services provider; or
   d) any other person,

   where the assistance is necessary in order to enable Services to continue to be provided to a Participant who is transferred to another Program Provider or employment services provider.

8. The sufficient cooperation and assistance that a Provider must provide under paragraph 7 includes, without limitation:
   a) the transfer of records;
   b) the re-direction of Participants; and
   c) attendance at meetings, including with receiving Providers, at such time and with persons nominated by DSS (‘joint meetings’).

9. Providers must at all times, in relation to the Deed, act in a manner that maintains the good reputation of the Services, and act in good faith towards DSS and Customers in accordance with clause 13.1 of the Deed.

Providers continuing to provide Services during and post the Transition Period

10. A Provider that will continue to provide DES from 1/7/2018, may receive additional Referrals during the Transition Period in accordance with clause 81.4 of the Deed. From the date on which Providers receive additional Referrals, the Providers must provide sufficient assistance, cooperation and Services in accordance with clause 113.4 and 113.5 of the Deed.

11. Providers may initiate, organise and facilitate joint meetings in the last two weeks of June 2018 in preparation for the transfer of a Participant identified in the Department’s IT Systems as a ‘Transition Participant’. A 'Transition Participant' will be identified as such in the Department’s IT Systems and will include Participants who are required to transfer to a different Provider as a result of the Disability Employment Services 2018 Grant Opportunity Restricted Application Process.

Transfer of Participants

12. The transfer of Participants to Providers will depend on a number of factors including, the post 1/7/2018 capacity of Providers, Provider specialisation, availability of Transition Participants in an ESA and the Providers nominated by Transition Participants.

13. DSS will monitor the number and type of Participant transfers occurring and, in particular, transfers from Providers that will not be continuing to deliver Services from 1/7/2018. Providers are required to transfer Participants in accordance with the Transfer Guidelines. Providers are reminded of, among others, their obligations under clause 13.2 of the Deed.
14. It is intended that the transfer of Participants’ electronic Records will occur in the Department’s IT Systems on the transition weekend commencing 30/6/2018, or earlier, where appropriate.

15. DSS will provide directions and information relating to the arrangements for the transfer of Participants’ physical Records in accordance with clause 59.7. Details will be available in advice documents released by DSS on the Provider Portal and the DSS website, as outlined above in paragraph 3.

Transfer of Participants on a Provider’s caseload who has not been selected during the Disability Employment Services 2018 Grant Opportunity Restricted Application Process

16. Where a Provider has not been selected to provide Services in an ESA:
   a) Participants on that Provider’s caseload, including Direct Registration Participants, will be transferred to another Program Provider; and
   b) these Participants will be given the opportunity to nominate another Program Provider, during the Transition Period, to transfer on the transition weekend commencing 30/6/2018, or earlier, where appropriate.

Providers who have received and accepted an Invitation to Treat (ITT) and/or have been successful during the Disability Employment Services 2018 Grant Opportunity Restricted Application Process

17. A Provider that has accepted an Invitation to Treat (ITT) and/or have been successful during the Disability Employment Services 2018 Grant Opportunity Restricted Application Process may be transferred Transition Participants on the transition weekend commencing 30/6/2018, or earlier, where appropriate.

Service Fees

18. During the Transition Period, a Provider relinquishing a Participant on its caseload, who is identified in the Department’s IT Systems, or otherwise identified by DSS as a ‘Transition Participant’ will be credited on a pro-rata basis for the relevant 13-week period up to the exit date in accordance with clause 121.9 of the Deed.

19. A Provider receiving a Transition Participant on its caseload prior to 1/7/2018 will be credited a corresponding pro-rata Service Fee in accordance with clauses 121.7 and 121.8 of the Deed.

20. A Provider receiving a Transition Participant on its caseload on or following 1/7/2018 will be credited a pro-rata Service Fee in accordance with the Disability Employment Services Grant Agreement. The pro-rata Service Fee will be calculated in accordance with the fee schedule in Annexure B1 of that Agreement.

Related information

21. It is anticipated that the Disability Employment Services 2018 Grant Opportunity Restricted Application Process outcomes will be publicly announced in April 2018.

22. Information relating to the timing of the grant opportunity process is available on the DSS Community Grants Hub website. [Link]

Enquiries regarding the process should be directed to the Community Grants Hub Hotline which can be contacted on 1800 020 283 or via email to support@communitygrants.gov.au. (The
Hotline operates from 9.00 am to 5.00 pm AEDT, Monday to Friday, excluding ACT and National public holidays).

23. Please contact DESTransition@dss.gov.au or your DSS Account Manager if you have any questions about this Notice.