



Australian Government

Community
Grants Hub

Improving your grant experience



Disability Employment Services Charter of Contract Management

The Disability Employment Services Charter of Contract Management (the Charter) is applicable to all areas of the Department of Social Services (DSS) that interact with Disability Employment Services providers (providers) and contribute to the effective management and implementation of Disability Employment Services.

The Charter sits alongside the formal legal contract and sets out minimum standards of performance and conduct that providers can expect from DSS.

A better way of working

DSS and providers share mutual goals – which include building a more socially inclusive Australia by assisting people with disability, injury or health condition to improve their economic and social circumstances through participation in work.

The Charter facilitates a way for DSS to work in a cooperative, collegiate, strategic partnering relationship with providers to achieve our mutual goals.

DSS is committed to building a positive working relationship with providers. DSS and providers share the values of respect, integrity, accountability, cooperation, openness and transparency. These values will underpin all aspects of the DSS' partnering relationship with providers.

DSS also has a responsibility to ensure that public funds are spent efficiently, effectively and ethically. It is committed to carrying out

its contract and performance management responsibilities in a way that strikes the right balance between its need to be accountable for public funds, and the need to ensure that providers can work flexibly and innovatively with job seekers.

DSS welcomes provider feedback on any aspect of its relationship or its contract and performance management processes. DSS commits to ensuring that providers can raise issues, problems or complaints and be confident that the issue will be dealt with promptly, fairly and ethically. DSS acknowledges its responsibility to ensure that providers can have confidence that their raising of any issue or dispute will not adversely impact on their relationship with DSS.


DSS will be accountable to the Minister for Social Services on its performance under this Charter.

Principles underpinning the Charter

Partnering - DSS commits to a partnering relationship with providers to facilitate the achievement of improved employment outcomes for all Australians, particularly those who are disadvantaged.

Building a strong and vibrant sector - DSS recognises and acknowledges the mutual dependence of the department as purchaser of Disability Employment Services and providers of those services. DSS commits to strengthening its relationship with the industry and to supporting and helping to build a strong and vibrant sector.

Achieving outcomes - The primary focus of DSS and providers is on obtaining employment and/or education outcomes for disadvantaged unemployed Australians rather than on process.



Continuous improvement – DSS commits to continuously working with the industry to reduce ‘red tape’ and streamline processes.

Supporting innovation - DSS acknowledges the independence of providers and the skills, experience and expertise of those who work in the industry and will support innovation, flexibility, creativity and individualised service to assist job seekers.

Working cooperatively - DSS commits to working cooperatively with providers to attempt to resolve any disputes, complaints or problems as quickly as possible. In working to resolve any disputes, problems or issues, DSS will focus on obtaining a preferred outcome that meets the needs of both DSS and providers.

What providers can expect from the Department

DSS will demonstrate its commitment to these principles and shared values in the following ways.

Communication and feedback

DSS commits to full, open, transparent and consistent communication with providers.

Jointly developing an individually tailored Communication Protocol with each provider

DSS will work with each provider to agree who departmental staff will communicate with on particular issues. Providers will be invited to negotiate with their Account Manager to establish a Communication Protocol that suits their needs. It is intended that each provider will have an individually tailored Communication Protocol in place within 30 days of the start of the contract which will be reviewed as part of regular performance feedback arrangements or as required.

Meeting regularly with each provider

Performance feedback meetings will be held once every 12 months (calendar year) as a minimum, however providers may request a formal feedback discussion at any time by contacting their DES Account Manager. DES Account Managers will have the opportunity to schedule additional feedback discussions if needed, and providers will be notified by their DES Account Manager if and when this is the case.

Providing timely and constructive advice and feedback in relation to routine contract and performance management meetings

Provider feedback discussions can be flexibly conducted as either in-person meetings or by using alternative technologies, e.g. teleconference or videoconference. Providers can discuss their preference with their DES Account Manager.

DSS will provide written feedback within 28 days of conducting a monitoring visit. DSS will provide balanced feedback that includes contract services that the provider is performing well, as well as areas for improvement. DSS will engage in discussion with the provider, prior to a meeting or visit, to enable appropriate preparation.

DSS will ensure that all meetings with providers focus on improving performance and sharing better practice.

Where DSS requests information from a provider, it will do so in a timely manner where possible and will acknowledge the information received and advise the provider of the outcome.

Providing early advice to a provider in relation to perceived performance issues

DSS undertakes to provide advice to providers as soon as possible after it becomes aware of a performance management issue and to give the provider reasonable time to respond to and address the issue before DSS takes further action (this will not apply in cases where it is not appropriate to do so, for example, where fraud is suspected).

Encouraging the use of recognised quality accreditation frameworks to reduce departmental monitoring activities

DSS will encourage providers to invest in and implement continuous improvement through quality accreditation or business excellence frameworks. DSS will take such processes into account when planning or conducting monitoring activities in relation to that provider with the aim of reducing red tape. It is expected that a demonstrated commitment to, and implementation of, such a framework will reduce the need for DSS to undertake certain monitoring activities in relation to that provider.



Responding to queries as promptly as possible

DSS undertakes to respond to all queries as promptly as possible. If it is not able to respond to a query within 10 working days, DSS commits to advise providers about the progress of their query and provide a realistic, reasonable estimate of when a response will be provided. Providers can assist by supplying as much information as possible that will assist the department to respond.

Listening to and acting on providers' feedback

All meetings between DSS and providers will include opportunities for providers to give feedback on any aspect of the relationship. Supplying as much information as possible will assist the department to respond.

Providers are encouraged to provide feedback directly to their Contract Manager, Account Manager or State Manager or to the Group Manager, Disability, Employment and Carers Group. Feedback can also be provided via a third party. DSS will respect the confidentiality of any information, if requested to do so by the provider unless it is not appropriate to do so.

Providers may raise any issue with any senior DSS staff member at any time.

Facilitating innovation and sharing 'better practice'

In addition to its commitment to make every meeting with providers an opportunity to share and discuss better practice, DSS commits to working with the industry to foster and encourage innovation, continuous improvement and better practice.

Problem solving

DSS commits to working cooperatively with providers to attempt to resolve any disputes, complaints or problems as quickly as possible without recourse to the Dispute Settling Mechanism in the first instance.

In working to resolve any issues with providers, DSS will focus on obtaining an outcome which meets the needs of both. In supporting ongoing and long term business partnering relationships, DSS will seek to apply certain principles to the resolution of issues. These include:

- considering the issue from the perspective of all parties – including employers and job seekers
- considering the underlying factors giving rise to the issue
- encouraging the provider's input into the range of possible solutions or options to deal with the issue, and
- considering the outcome in terms of productivity and relationships.

If a provider has a problem, issue or a complaint that they are not able to resolve with their Contract Manager, they are encouraged in the first instance to raise the matter with their Account Manager or State Manager. If this does not resolve the issue providers are encouraged to raise it with the Group Manager, Disability, Employment and Carers Group, who will attempt to facilitate a resolution, including, if necessary, consultation with more senior executives.

If a provider does not wish to raise the issue with the Account or State Manager, they can approach the Group Manager, Disability, Employment and Carers Group, directly.

As part of its commitment to continuous improvement, DSS, in consultation with industry, will analyse the issues raised through the problem-solving process and the action taken to resolve the issues. Feedback on the results of this analysis will be provided to the industry.



Dispute Settling Mechanism

DSS will approach problem solving, disagreements and disputes in a professional and constructive manner. DSS believes that adversarial dispute resolution based on litigation or enforced arbitration is undesirable and contrary to the principles of strategic partnering.

If, after accessing the options for problem-solving set out in the Charter, the provider remains dissatisfied with the outcome or handling of the matter, as a last resort DSS will appoint a mediator to attempt to resolve the issue. The mediator will be an appropriately skilled and qualified independent person agreed by DSS and the provider (and a relevant peak body if desired by the provider).

The Contract (Section 6C - Resolving Problems) sets out procedures for the resolution of any dispute or problem that cannot be resolved using the processes set out in this Charter.

Consultation

DSS commits to open consultation with providers about issues that affect their operations.

Open, transparent consultation with providers about proposed Contract Variations before such Variations are finalised and wherever possible over the development or amendment of Guidelines.

Such consultation may involve the establishment of a Working Group, including provider representation.

Providing reasonable notice of implementation of new or amended Guidelines

Wherever possible, providers will be given reasonable prior notice of the intention of DSS to introduce new or amended Guidelines. DSS will also ensure that it communicates such changes effectively and allows a 'settling in' period wherein providers not complying with the new or amended Guidelines (because they were not aware of or did not fully understand the changes) will be given an opportunity to address the non-compliance before being penalised.

Consistency

DSS will implement on-going staff training and development processes to improve the consistency of the advice and information given to providers. DSS will also ensure Quality Assurance and other systems are in place to monitor and review the consistency of advice provided.

Providers are encouraged to use feedback processes described in this Charter to raise any issues of inconsistency with DSS, which undertakes to address any instances of inconsistent advice promptly.

Personal Conduct

DSS staff will be professional and outcomes focused in their dealings with providers. DSS staff will behave in accordance with the Australian Public Service (APS) Code of Conduct and APS Values and the values embodied in this Charter.

DSS will adhere conscientiously to the Commonwealth Procurement Rules with respect to principles of probity, and ethical and fair dealings with all providers.