

# Disability Employment ServicesWork for the Dole Guidelines

**V 1.1**

**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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**Disability Employment Services Work for the Dole Guidelines**

### Document change history

| Version | Effective date | End date | Change & location  |
| --- | --- | --- | --- |
| 1.1 | 3 December 2018 |  | **Narrative:** change from Account Manager/Contract Manager to ‘Relationship Manager on p. 10. p.11, p.16 and p.18 |
| 1.0 | 1 July 2018 | 2 December 2018 | Original version of document. |

### Background

This Guideline sets out the roles and responsibilities of Disability Employment Services Providers (DES Providers) when claiming Places in the Work for the Dole Program. This Guideline does not apply to Employment Services Providers (‘jobactive Providers’).

References to jobactive Providers are primarily included to explain the obligations of DES Providers in relation to these organisations. Any reference to the actions of jobactive Providers is for information purposes only. DES Providers should refer to the jobactive Work for the Dole Guidelines for information about the obligations of jobactive Providers in respect to Work for the Dole.

By participating in Work for the Dole, DES job seekers should be given the opportunity to develop and enhance their ability to work independently; be guided by a Supervisor; improve or enhance their communication skills, motivation and dependability; and, where relevant, work as part of a team.

Work for the Dole activities that DES Providers claim should focus on providing DES job seekers with Work-like Experiences that include skills that are in demand within the local labour market and training relevant to, or a pre-requisite for, the activity that is being undertaken.

### Policy Intent

The overall objective of providing DES access to the Work for the Dole program is to facilitate DES job seeker choice. The overall objective of the Work for the Dole program is to provide work-like experiences for job seekers to improve their job readiness and employability skills, while at the same time benefiting the localcommunity.

### Disability Employment Services Grant Agreement Clauses:

Clause 97 – Work for the Dole

Clause 100 – Safety and Supervision

### Reference documents relevant to this guideline:

DES reference documents relevant to this Guideline include:

* Documentary Evidence Guidelines
* Servicing Job Seekers with Challenging Behaviours Guidelines
* Criminal Records Checks Guidelines

jobactive reference documents relevant to this Guideline, and Published on the Provider Portal for DES Provider reference (and use as relevant), include:

* Work for the Dole Assessment Checklist (Job Seeker)
* Work for the Dole Assessment Checklist (Place)
* Work for the Dole Risk Assessment (Place) Template
* Insurance Readers Guide

### 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.

The term ‘jobactive Provider’ means a contractor, including relevant specialised personnel, engaged by the Department of Jobs and Small Business to deliver services under the jobactive Grant Agreement 2015-2020.

### Participation requirements

| Process | Details |
| --- | --- |
| **Voluntary Work for the Dole***Disability Employment Services Grant Agreement Clauses References:** Clause 97.1
* Clause 97.13
* Clause 97.17
* Clause 97.2(a)
* Clause 97.9(d)
* Clause 97.12
* Clause 97.17
* Clause 97.18
* Clause 100
* Clause 100.3
* Clause 100.4
* Clause 100.5(b)(ii)
* Clause 97.9
* Clause 97.19
 | Work for the Dole is voluntary for DES job seekers. DES Providers **must not** compel DES job seekers to engage in Work for the Dole.While DES Providers may claim Places in Work for the Dole activities after consulting with, and obtaining the approval of a jobactive Provider, DES Providers **must not** themselves identify and secure Work for the Dole Places for DES job seekers. The jobactive Provider will either source an Activity for the DES Provider or refer them to a Lead Provider for an existing Activity that has places available for them to claim.There is no obligation on DES Providers to Place DES job seekers in Work for the Dole activities. Before considering Work for the Dole for DES job seekers, DES Providers **must** read this Guideline in its entirety and familiarise themselves with their obligations in respect to Work for the Dole, including with regard to:* Administrative requirements and costs,
* Work for the Dole Payments (DES Providers do not receive funding for Work for the Dole and must pay for Placements using their own resources)
* Risk assessments, supervision, WHS, monitoring of the Place and ensuring DES job seeker safety,
* National Criminal Records Checks, Working with Children checks and Working with Vulnerable People Checks, and
* jobactive Lead Providers.
 |
| **Participation Requirements***Disability Employment Services Grant Agreement Clauses References:** Clause 97.1
* Clause 97.2
 | DES job seekers over 18 years old may volunteer to undertake Work for the Dole activities, where it is appropriate and safe to do so, and subject to the agreement of the relevant jobactive Provider. DES job seekers **cannot** be Placed in Work for the Dole if: * the DES job seeker does not volunteer,
* the DES job seeker is under 18 years of age,
* the relevant jobactive Provider has not provided their approval for the DES job seeker to be placed in Work for the Dole (this may be the jobactive Lead Provider),
* the number of hours that the DES job seeker will need to engage in Work for the Dole exceeds their Employment Benchmark,
* the Work for the Dole Place does not meet the definition contained in the DES Grant Agreement (i.e. Activities in the Place must be at least 15 hours per-week duration),
* the DES job seeker is not in receipt of an income support payment such as Newstart Allowance or the Disability Support Pension when commenced in the Place,
* the activity is not suitable or appropriate for the DES job seeker, taking into account their disability, injury or health condition, and
* if, for any reason, the relevant jobactive Provider advises the DES place is not suitable or appropriate.

All Work for the Dole Activities **must** be added into the DES job seeker’s Job Plan as a voluntary activity. Eligible DES job seekers receive an Approved Program of Work Supplement of $20.80 per fortnight while they are undertaking Work for the Dole activities to assist with the cost of participating in this activity. |

### Role of stakeholders

| Process | Details |
| --- | --- |
| **Role of Disability Employment Services Provider in relation to Work for the Dole Coordinators** *Disability Employment Services Grant Agreement Clauses References:** Clause 97.3
* Clause 97.1
* Clause 97.13
* Clause 97.17
* Clause 97.18
* Clause 97.19
* Clause 97.2(a)
* Clause 97.9(b)
* Clause 97.12
* Clause 100
* Clause 100.5(b)(ii)
 | DES Providers **must not** source, create, set-up, identify or secure Work for the Dole Activities or Places. This also means that DES Provider **must not** create a Work for the Dole Place or Activity in the Department’s IT System. DES Providers are, however, eligible to claim Places in Work for the Dole set-up by jobactive Providers after first consulting with, and obtaining the approval of, the relevant jobactive Provider for the Placement of each DES job seeker in a Work for the Dole activity. Once a Work for the Dole Place is claimed, the DES Provider **must** work collaboratively with all relevant parties.Further information about the obligations of jobactive Providers is contained in the jobactive Work for the Dole Guideline.  |
| **Role of Disability Employment Services Provider in relation to jobactive Providers***Disability Employment Services Grant Agreement Clauses References:** Clause 97.14
* Clause 97.17(a)
 | The Provider that sources and sets up Work for the Dole Activities and Places (i.e. a jobactive provider) is best placed to take on the Lead Provider role and the additional responsibilities this role involves, particularly in terms of providing a single point of contact for Activity Host Organisations and coordinating other providers. DES Providers do not source, create, set-up, identify or secure Work for the Dole Activities or Places - and for this reason, DES Providers **must not**, under any circumstances, take on the Lead Provider role.The DES Provider **must** liaise with the jobactive Lead Provider to ensure that the personal circumstances such as working capabilities, restrictions and capacity can be accommodated by the Host Organisation for that Work for the Dole Activity. The jobactive Lead Provider may discuss the personal circumstance of the DES Participant with the Host Organisation to determine whether they can be accommodated and whether the Work for the Dole Place will be suitable.The DES Provider **must** work collaboratively with jobactive Providers if a referral has been obtained and in all other instances where the DES Provider has interaction with a jobactive Provider in respect to Work for the Dole.In consultation with the jobactive Lead Provider, DES providers may provide additional assistance to the Host Organisation, or to the Lead Provider, if the particular needs/circumstances of the DES Participant require it. Further information about the obligations of jobactive Providers is contained in the jobactive Work for the Dole Guideline. |
| **Disability Employment Services Provider***Disability Employment Services Grant Agreement Clauses References:** Clause 97.1
* Clause 97.3
* Clause 97.9
* Clause 97.13
* Clause 97.17
* Clause 100
 | Requirements for DES Providers are as set out in the Disability Employment Services Grant Agreement and throughout these Guidelines.If a DES Provider wants to claim a Work for the Dole Placement for a DES job seeker it **must:****Managerial*** consult with, and obtain the approval of, the relevant jobactive Provider for the Placement of each DES job seeker Placed in a Work for the Dole activity
* collaborate with jobactive Providers
* **not** renegotiate the cost of a Work for the Dole Place that has already been agreed between the Host Organisation and the jobactive Lead Provider. The DES Provider **must** retain written evidence of any agreed changes, and
* comply with all relevant Commonwealth, state or territory or local authority legislation and regulations, including work health and safety.

**Operational*** **not** take on the Lead Provider role including by claiming the first Work for the Dole Place for a Work for the Dole Activity in the Department’s IT System
* check the risk assessment (Place) that has been completed by the jobactive Provider, update it if necessary (including to take into account the DES job seeker’s disability, injury, health conditions and work restrictions) and take all reasonable steps to ensure that the safety of DES job seeker and the general public are protected
* ensure all DES job seekers referred to a Work for the Dole Place have a current risk assessment (job seeker)
* manage DES job seekers in Work for the Dole Places
* provide the necessary assistance and support to DES job seekers to help them to transition into Employment as quickly as possible
* provide DES job seekers with a copy of the relevant insurance documentation for Work for the Dole (DES Providers **must** ensure that they do not inadvertently provide DES job seekers with insurance documentation for the National Work Experience Programme or PaTH Internships), and
* comply with processes outlined in the Insurance Readers Guide.

DES Providers **must** retain documentation relating to each Work for the Dole Place and **must** provide these Records to the Department of Social Services upon request. |
| **Lead Providers***Disability Employment Services Grant Agreement Clauses References:** Clause 97.9
* Clause 97.17
* Clause 97.18
 | The jobactive Lead Provider is the Provider that has the Activity Host Agreement with the Host Organisation and Host Organisations **should** only need to deal with one jobactive Provider unless otherwise agreed by the Host Organisation. A DES Provider is not permitted to be the Lead Provider.If the DES Provider accidentally claims the first place of an activity, and is therefore assigned responsibility to be the Lead Provider, they **must** immediately notify the Department of Jobs and Small Business through the Work for the Dole inbox (workforthedole@jobs.gov.au) with the subject heading of ‘DES Correction’.A DES Provider is **not** entitled to any payment for Work for the Dole. **Responsibilities of DES Providers in respect to Lead Providers**Where DES Providers commence a DES job seeker into an activity, they **must**: * check the risk assessment (Place) as part of conducting the risk assessment (job seeker) and ensure that any required actions (for example, supply of personal protection equipment) that have been identified are undertaken
* conduct and update the risk assessment (job seeker) as necessary;
* after first obtaining the consent of the DES job seeker, pass on the DES job seeker’s details (including any relevant personal circumstances / work restrictions) to the jobactive Lead Provider and ensure these are included in the Activity Host Organisation Agreement
* collaborate with the jobactive Lead Provider in performing this responsibility to ensure Host Organisation relationships are maintained
* pay all Work for the Dole Payments associated with claiming and placement of a DES job seeker to the jobactive Lead Provider or to the Activity Host Organisation.
 |

### Work for the Dole activities

| Process | Details |
| --- | --- |
| **Vulnerable cohorts***Disability Employment Services Grant Agreement Clauses References:** Clause 97
* Clause 100.5
 | When Placing DES job seekers in Work for the Dole, DES Providers:* **must** exercise care and judgement when placing DES job seekers in Activities that involve vulnerable cohorts to ensure a suitable match. Consideration **should** be given to the job seeker’s disability, injury or health condition as well as the type of interaction that is likely to take place in the Activity. For example, some activities may involve working directly with vulnerable cohorts (e.g. in an aged care facility) while others may involve indirect contact (e.g. a maintenance Activity at a youth community centre)
* **should** consult with the relevant jobactive Provider, regarding the characteristics the Host Organisation is seeking in DES job seekers for their activities when assessing the suitability of a DES job seeker for a Place
* **must** always ensure there is continuous\*, adequate and appropriate supervision of the DES job seeker in an activity which involves vulnerable cohorts, and
* **must** ensure that all relevant checks have been undertaken based on the type of checks required for employees of the Host Organisation and any other checks the Provider deems appropriate. (See [Exclusions and exceptions](#_Exclusions_and_exceptions) below for a list of excluded Activities). For the purposes of this Guideline, ‘checks’ refer to criminal records checks and/or Working with Children checks, or Working with Vulnerable People Checks.

Vulnerable Cohorts include:* Children (under 18 years of age)
* Vulnerable Youth
* the elderly
* the homeless
* people with disability
* people with mental illness
* people who do not speak English
* refuge residents (including men and women), and
* any other cohort that the Provider or the Department identifies as vulnerable.

\*Note: ‘Continuous Supervision’ means that a DES job seeker **must** be with or alongside the Supervisor or within the Supervisor’s line of sight at all times while undertaking the Activity. |
| **Activity types***Disability Employment Services Grant Agreement Clauses References:** Clause 97.10
* Clause 97.5
* Clause 97.3
 | **Individual Hosted Activities**Individual Hosted Activities are undertaken by individual DES job seekers and involve DES job seekers being provided with a Work-like Experience with a Host Organisation. It is possible to have Individual Hosted Activities with multiple Places. For example, one Host Organisation may have: * multiple individual retail-type Places in their opportunity shops in either the same or different locations. This would be entered into the system using the standard model
* multiple individual Places, involving different tasks (for example, five Places for planting trees, two Places for weeding and another two Places for collecting rubbish).

An Individual Hosted Activity with multiple Places is different from a Group Based Activity. A sequence of DES job seekers may undertake the Place if the original DES job seeker leaves (with the approval of the relevant jobactive Provider). Where the DES Provider has commenced a DES job seeker in an Individual Hosted Activity, and the DES job seeker subsequently leaves the relevant Work for the Dole Place, the DES Provider **must**, if the Activity Host Organisation wishes to continue the relevant Work for the Dole activity, use its best endeavours to replace the DES job seeker in that place in a timely manner with a suitable replacement DES job seeker and in consultation with the relevant jobactive Provider.Individual Hosted Activities may be a **single Place** for one DES job seeker or **multiple Places** in Individual Hosted Activities for a number of individual jobactive and/or DES job seekers. DES Providers need to be aware that if a DES job seeker is referred to an Individual Based Activity with multiple Places the DES participant may be participating alongside jobactive participants.Examples of Individual Hosted Activities may include:* retail tasks in a charity shopfront
* warehousing
* sorting of goods such as clothing or electrical items
* cleaning
* mowing lawns
* weeding
* rubbish collection
* maintaining and tending a community garden
* administration tasks such as filing
* ongoing work in a social enterprise such as filing, building furniture or making jewellery, and
* assisting at an animal shelter in tasks such as dog walking and grooming.

DES Providers **must** provide any extra support that the DES job seeker requires to safely participate in the activity once it has claimed a Place.**Group Based Activities**Where a DES provider wishes to place a DES job seeker in a Group Based Activity, they **must** consult with the jobactive Lead Provider as early as possible prior to claiming a place in the activity to ensure the place is appropriate for the DES job seeker. In Group Based Activities DES job seekers carry out tasks as part of a specific group project. Group Based Activities are generally one-off projects but may last longer than six months and up to 12 months. Projects lasting longer than six months may have six-month rotating groups of DES job seekers working and supervised as a team. DES Providers **must** provide any extra support that the DES job seeker requires to safely undertake the activity, including using their own staff to supervise the activity, where agreed. Examples of Group Based Activities may include:* + building garden beds for a community garden
	+ helping to establish a social enterprise
	+ archiving hard copy files to an electronic system
	+ establishing a community news letter
	+ designing and preparing a Cultural Festival
	+ construction of a bus shelter
	+ renovating a Community Hall
	+ setting up a database
	+ painting a structure, and
	+ landscaping new developments.

All activities, whether Group Based Activities or Individual Hosted Activities, **must** have adequate and appropriate supervision. |
| **Community Support Projects***Disability Employment Services Grant Agreement Clauses References:** Clause 97.15
* Clause 97.16
 | Community Support Projects (CSPs) are projects that contribute to recovery efforts following a disaster event.DES Providers **must not** claim places in Work for the Dole Activities that include assisting with recovery efforts as part of a CSP without first obtaining written permission from the Department of Social Services through a Relationship Manager.In the event that the Department of Jobs and Small Business determines that an Activity in which a DES job seeker has already been placed is required to assist with recovery efforts, the DES Provider **must not** allow DES job seekers to assist with recovery efforts without first obtaining the written permission of the Department of Social Services.  |
| **Exclusions and exceptions***Disability Employment Services Grant Agreement Clauses References:** Clause 97.2(a)
 | In addition to the types of Work for the Dole activities not permitted under the DES Grant Agreement, DES Providers **must not** knowingly claim a place for a DES job seeker in a Group Based Activity or Individual Hosted Activity, that includes: * + working for a family member or spouse, or the DES job seeker’s own organisation
	+ in for-profit businesses (except for CSPs or a not-for-profit arm of a for-profit organisation)
	+ tasks that primarily promote a particular religious or political view
	+ tasks associated with the sex industry or involving nudity (including retail or hospitality positions)
	+ tasks involving gambling
	+ unlawful activities, and
	+ anything that might bring the DES job seeker, the Work for the Dole Program, the Provider or the Department of Social Services or the Department of Jobs and Small Business into disrepute.

DES Providers **must not** place a DES job seeker in a Group Based Activity or an Individual Hosted Activity that includes a residential or overnight accommodation component.The Provider **must** only place DES job seekers in Work for the Dole activities as allowed by law. Similarly, DES job seekers cannot participate in Activities if it will cause a breach of visa conditions. |
| **Displacement** *Disability Employment Services Grant Agreement Clause Reference:** Clause 97.2(a)
 | DES Providers **must** **not** knowingly claim Places in Activities that displace paid workers. Displacement can occur where the activity:* + involves the same tasks that would normally be done by a paid worker, including a worker in casual or part-time work, and/or
	+ reduces the hours usually worked by a paid worker or reduce the customary overtime of an existing employee.

In addition, a displacement can occur where:* + an organisation has downsized its workforce in the previous 12 months—for example, through redundancies or termination—and the places that are being proposed are doing the same tasks as those roles made redundant, and/or
	+ it is being used as a stop-gap measure while an organisation is undertaking recruitment exercises or as a way of meeting ad-hoc needs in lieu of creating paid employment opportunities.

If a DES Provider becomes aware of displacement for a Work for the Dole activity filled by a DES job seeker, the DES Provider **must** advise: * DSS through its Relationship Manager, and
* the relevant jobactive Lead Provider.
 |
| **Private Property***Disability Employment Services Grant Agreement Clause Reference:** Clause 97.15
 | The following activities are not permitted in Work for the Dole unless it is a CSP. DES Providers **must** **not** claim a Place in a Work for the Dole Activity that:* + requires DES job seekers to enter private homes or grounds, unless the Department of Social Services and the Department of Jobs and Small Business agrees otherwise in writing for the individual DES job seeker to engage in the Activity. For example, where an activity involves DES job seekers collecting items from private homes or grounds, the DES Provider will need to seek the agreement of both Departments through a written request to the DSS Relationship Manager, or
	+ involves working exclusively on private property.

**Note:** The term ‘private property’ means privately owned land or privately owned or occupied estate or house acreage. It may also encompass private homes or grounds.The term ‘private homes’ means places of residence where individuals currently reside and the ‘grounds’ to which a private home is attached. This may include entry into an apartment, unit, house or boarding facility, or grounds such as courtyards, gardens or balconies that are attached to the main dwelling and privately occupied. |
| **Checks***Disability Employment Services Grant Agreement Clauses References:** Clause 16
* Clause 100.5
* Clause 97.17
 | Before the DES job seeker can be engaged in a Work for the Dole Activity the DES Provider **must** identify and arrange for Checks to be conducted in accordance with the Grant Agreement and the *Disability Employment Services Criminal Records Checks Guidelines*. Depending on the nature of the activity, the checks required may include a National Criminal Records and/or Working with Vulnerable People Check.The DES Provider **must** also conduct and pay for any check identified as required by the relevant jobactive Provider for DES job seekers before the DES job seeker can be engaged in a Work for the Dole Activity.Before conducting a check for a DES job seeker, the DES Provider **must** ensure that the DES job seeker understands the reason for the check, what information will be collected, how that information will be used and consent obtained from the job seeker prior to any information being shared with other organisations. Providers should keep in mind the timeframes required for checks to be processed by external parties and how this may impact on the timeliness of placing and commencing a DES job seeker in a Place.If a check uncovers an issue that might reasonably impact on the DES job seeker’s suitability for an activity, the DES Provider must assess whether the DES job seeker should be referred to the activity in line with the Grant Agreement and this Guideline.If the DES job seeker is considered unsuitable for the Activity, and still wants to participate in a Work for the Dole activity, the Provider must endeavour to commence the DES job seeker in a suitable alternative Activity.  |
| **Provision of training***Disability Employment Services Grant Agreement Clause Reference:** Clause 97.2(a)
 | Training within a Work for the Dole Activity can be offered to a DES job seeker if it forms part of, or is required by, the Work for the Dole Activity. However, DES Providers **must not** knowingly place Participants in Work for the Dole where training is the primary element of the Activity. Under no circumstances can training represent the majority of the activity and there **should** be minimal classroom type training. Examples of acceptable training are: * work health and safety training
* ‘on the job’ training related to the placement, and
* use of tools and equipment to be used in the placement.
 |
| **Supervision***Disability Employment Services Grant Agreement Clauses References:** Clause 100.5
* Clause 100.6
 | DES Providers **must** ensure that DES job seekerswill be adequately and appropriately supervised at all times. In addition, for activities involving vulnerable cohorts, supervision **must** be continuous.\*Before claiming a Place for a DES job seeker, DES Providers **should** carefully consider the appropriate ratio of Supervisor(s) to job seekers, depending on how many DES job seekers and jobactive job seekers there are and the nature of the Activities, to ensure the health, welfare and safety of job seekers and members of the public.Before a DES job seeker can participate in Work for the Dole activities, the DES Provider **must** ensure that all Personnel and Supervisors involved in the Activity are:* + fit and proper persons to be involved in the activities
	+ have a high level of skill/knowledge, training and/or experience in:
	+ the part of the activity in which they are engaged, and
	+ working with, training and supervising persons in such activities.
	+ have relevant work health and safety training, and
	+ have checks as specified in the Grant Agreement and have met any additional statutory requirements before being given responsibility for supervising DES job seekers.

DES Providers **must** ensure, throughout the Activity that supervisors on all Work for the Dole activities meet the above requirements.If there are to be changes in the supervisor arrangements (for example a new Supervisor is introduced) during an Activity, the supervision details **should** be updated in the relevant risk assessments.DES Providers **must** ensure that Supervisors notify them of any non-attendance or non-compliance as soon as practicable, but by no later than at the end of the relevant working week. \*Note: ‘Continuous Supervision’ means that a DES job seeker **must** be alongside the Supervisor or within the Supervisor’s line of sight at all times while undertaking the activity. |

### Claiming a Place and Commencing DES job seekers in Work for the Dole

| Process | Details |
| --- | --- |
| **Claiming a Work for the Dole Place****(Provider)***Disability Employment Services Grant Agreement Clauses References:** Clause 97.4
* Clause 97.5
* Clause 97.6
* Clause 97.7
 | DES Providers **must** speak with and obtain the approval of the relevant jobactive Provider before placing a DES job seeker in a Work for the Dole Activity. After first obtaining the approval of the relevant jobactive Provider, DES Providers are able to claim a Work for the Dole Place up to 10 Business Days prior to the start date of the relevant Work for the Dole Activity. When claiming the Place, Providers **must:*** identify and assign a Job Seeker ID to each Work for the Dole Place they claim, and
* commence the DES job seeker in the Place within 10 Business Days of the *activity start date*. If this does not occur, the Work for the Dole Place will automatically be readvertised to those Providers to which the activity was first advertised.

Where a DES Provider claims a Work for the Dole Place that is *currently available* to start, the Provider **must**, after obtaining the approval of the relevant jobactive Provider**:*** identify and assign a Job Seeker ID to the Place, and
* commence the DES job seeker in that Place within 10 Business Days of *claiming the Place*. If this does not occur, the Work for the Dole Place will automatically be readvertised.

To ensure the Host Organisation’s needs are met, where a DES Provider claims a Work for the Dole Place they **must** utilise as much of the Work for the Dole Place as possible. A sequence of DES job seekers may undertake the Place if the original DES job seeker leaves but only after consulting with and obtaining the approval of the relevant jobactive Provider. DES Providers **should** refer new DES job seekers to incomplete Work for the Dole Places before claiming new Work for the Dole Places. |
| **Commencing a DES job seeker in a Work for the Dole Place***Disability Employment Services Grant Agreement Clauses References:** Clause 97.10
* Clause 97.11
 | DES Providers **must** consider a DES job seeker’s disability, injury or health condition, background, skills and work experience and only commence DES job seekers in Work for the Dole activities that are suitable to the capabilities of the DES job seeker.Before commencing a DES job seeker in a Work for the Dole Place the DES Provider **must**:* + ensure that the DES job seeker will be adequately supervised
	+ if the DES job seeker requires extra support from the DES Provider to successfully participate, provide for this
	+ as part of conducting the risk assessment (job seeker), examine the risk assessment (Place) to ensure that the Work for the Dole Place is appropriate and safe for the DES job seeker, taking into consideration any relevant circumstances (including the impact of the job seeker’s disability, injury or illness) and work restrictions (see [Work Health and Safety](#_Work_health_and_1) below), and
	+ ensure that relevant checks (for example, criminal records checks and Working with Vulnerable People Checks) have been finalised (see [Checks](#_Checks) in this Guideline).

DES Providers **should** place one DES job seeker into each Work for the Dole Place. However, there may be situations where two DES job seekers fill one place—for example, two DES job seekers with low Benchmark Hours. This would be subject to the agreement of both the Host Organisation and the relevant jobactive Provider and should be arranged prior to claiming the activity and placing the DES job seekers.Where a DES Provider has a DES job seeker commenced in an Individual Hosted Activity and the DES job seeker subsequently leaves, the DES Provider **must** endeavour, in consultation with the relevant jobactive Provider, to identify and place another suitable DES job seeker in that Place and do so in a timely manner.Where a DES job seeker commences in and subsequently leaves a Group Based Activity before its conclusion, their DES Provider **should**, in consultation with the relevant jobactive Provider, endeavour to identify and place another suitable DES job seeker in that Place within five Business Days. This is to minimise the delay in progressing group based projects. |

### Work Health and Safety and Risk Management

| Process | Details |
| --- | --- |
| **Work health and safety** | DES Providers **must** ensure that at the commencement and throughout the Activities there is a safe system of work in place. DES Providers **must** consult, coordinate and cooperate with the jobactive Lead Provider, other Providers (including jobactive Providers involved in Work for the Dole that are not Lead Providers), Host Organisations and the Department of Social Services and the Department of Jobs and Small Business, as appropriate, in order to ensure that any work health and safety issues that arise in relation to a Work for the Dole Place are appropriately managed. |
| **Insurance** *Disability Employment Services Grant Agreement Clauses References:** Clause 100.2(b)
* Clause 100.4(g)
 | The Department of Jobs and Small Business purchases personal accident insurance and public and product liability insurance that covers DES job seekers who undertake Work for the Dole activities. However, these policies have exclusions and the amount and form of these insurances is at the Department of Jobs and Small Business’ discretion. For further information on the insurance policies, please refer to the Insurance Readers Guide and insurance policies that are available on the Provider Portal. The DES Provider **must** ensure that the Activity Host Organisation has adequate insurance coverage appropriate to the Activity and the Work for the Dole Placement. The DES Provider **must** also check that the risk assessment (Place) identifies whether the Work for the Dole Place meets the requirements of the Department of Jobs and Small Business’ insurance policies for DES job seekers or if the activity task(s) fall within any of the insurance policies exclusions. If the Place does not meet the requirements of the Department of Jobs and Small Business’ insurance policies, the DES Provider **must** either not commence the DES job seeker in the Place or purchase additional insurance to mitigate this risk. |
| **Risk assessment (Place)***Disability Employment Services Grant Agreement Clauses References:** Clause 97.2(a)
* Clause 97.9(b)
* Clause 97.12
* Clause 100.2(b)
* Clause 100.4(a)

  | The DES Provider **must** examine the risk assessment (Place) and satisfy itself that the place is appropriate for the DES job seeker and that there is a safe system of work in place. If the jobactive Provider that sourced the place has not conducted the risk assessment (place), the DES Provider **must not** commence the DES job seeker in the Work for the Dole place.The DES Provider **must not** conduct the risk assessment (Place).The DES Provider **must** be satisfied that the risk assessment (Place) identifies and records all work health and safety issues and any other concerns at the site or premises where a DES job seeker will undertake the activity. For example, all hazards and risks that may cause harm, such as:* + physical (noise, heat, cold, dust, step/stairs, slippery surfaces, lifting, manual handling)
	+ chemical (acids, poisons, asbestos, flammable and hazardous substances)
	+ biological (radiation, lead)
	+ psychological, arising from fatigue, shift-work (mental tiredness) and bullying, and
	+ work that is inherently dangerous (working with electricity, heavy machinery, at heights or requiring formal competency/operator tickets)
	+ electrical equipment (all electrical equipment is tested and tagged e.g. machinery, power tools, kitchen appliances)
	+ warehousing, traffic management and driving (traffic and pedestrian interactions marked appropriately with safe clearances and walkways, vehicles and mobile plant registered and well maintained)

emergency preparedness (emergency drills/procedures, floor maps, exit signs, fire extinguishers and first aid kits are in place).The DES Provider **must** also ensure that the risk assessment (Place) includes:* + whether the Host Organisation and Competent Person are satisfied that the Host Organisation has adequate work health and safety processes in place to deliver the activity safely
	+ all steps and measures that will be put in place to mitigate any identified issues and concerns
	+ the nature, scope and duration of any training, including work health and safety training, required to be undertaken by the DES job seeker to conduct the activity task(s) safely at commencement and for the duration of the activity
	+ whether any specific personal protection equipment and clothing is required for the DES job seeker to participate safely in the activity and if this material will be provided by the Host Organisation, the jobactive Lead Provider or the DES Provider
	+ whether the activity will involve direct or indirect interaction with Children, the elderly or other Vulnerable Cohorts (including the DES job seeker) and whether relevant checks should be undertaken, and by whom.
	+ confirmation that:
* where the activity involves people from vulnerable cohorts (including DES job seekers), the Host Organisation will provide Continuous Supervision for the duration of the Activity
* the Supervision arrangements, including the level (that is, ratio and frequency) of Supervision that will be provided to the DES job seeker and the experience, skills and knowledge of the Supervisor(s), and
* the Organisation has undertaken relevant checks on Supervisors and that Supervisors meet any additional statutory requirements, prior to being given responsibility for the Supervision of DES job seeker
	+ whether the Host Organisation and Competent Person are satisfied that the Host Organisation is compliant with legislative and regulatory obligations imposed on it in relation to work health and safety
	+ confirmation that the Host Organisation is satisfied it has current and appropriate insurance to cover any risks associated with the Work for the Dole Place
	+ whether there are appropriate facilities (access to drinking water and toilets) that will be available to the DES job seeker for the duration of the activity, and
	+ any other reason(s) that it would otherwise not be appropriate for the potential Work for the Dole Place to proceed including any work health and safety issues that could not be reasonably and appropriately managed.

Where a risk assessment (Place) identifies significant work health and safety concerns that cannot be mitigated to create a safe working environment and/or cannot be adequately managed by the Provider and/or the Host Organisation, it **must****not** be considered a suitable Work for the Dole Place.**Updates to the risk assessment (Place)**DES Providers must arrange to be notified immediately about all updates to the risk assessment (place). If the proposed or actual changes to the Work for the Dole Activity include risks that cannot be mitigated or adequately managed, the DES Provider **must**not allow the DES Participant to continue engaging in the activity. The DES Provider **must** also notify their DSS Relationship Manager and email details of the Activity to workforthedole@jobs.gov.au . |
| **Risk assessment (job seeker)***Disability Employment Services Grant Agreement Clauses References:** Clause 97.2
* Clause 100.2
* Clause 100.3
 | DES Providers **must**, in accordance with the Grant Agreement, undertake a risk assessment (job seeker) for each individual DES job seeker participating in a Work for the Dole Place. The risk assessment (job seeker) **must** ensure that the Work for the Dole Place is suitable and safe for DES job seeker(s) being referred as per the Grant Agreement, including in respect to the job seeker’s disability, injury or health condition. Where a Place is not suitable for a DES job seeker the DES job seeker **must not** be referred to the Place. The format of the risk assessment (job seeker) is not prescribed. The Department of Jobs and Small Business has developed a Work for the Dole – Assessment Checklist (Job Seeker) to assist jobactive Providers to check that they cover Grant Agreement and Guideline requirements for the risk assessment (job seeker). Use of the checklist is not mandatory for DES and does not replace the risk assessment (job seeker). DES Provider may make use of this checklist but must take extra care to take into consideration the DES job seeker’s disability, injury or health condition in the assessment. DES Providers **must** keep a record of each risk assessment (job seeker) conducted and provide these to the Department of Social Services upon request. A verbal risk assessment (job seeker) does not meet the Department of Social Services’ requirements.As part of conducting the risk assessment (job seeker) the DES Provider **must**:* + check the risk assessment (Place) to ensure that the Work for the Dole Place is appropriate for the DES job seeker, taking into consideration any relevant circumstances including the DES job seeker’s disability, injury or health condition, and Benchmark Hours, and
	+ determine if relevant checks (for example, criminal record checks and Working with Vulnerable People Checks) have been finalised.

The risk assessment (job seeker) **must** specify the relevant activity details and cover:* any training, including work health and safety training, required for the DES job seeker to participate safely, and ensure that training is of sufficient length and quality
* any specific personal protection equipment, clothing or materials required for the DES job seeker to participate safely, and ensure that such materials will be provided to the DES job seeker prior to commencing
* that the level of supervision being provided is adequate and appropriate for the DES job seeker
* that appropriate facilities (such as toilets and access to drinking water) will be available to the DES job seeker for the duration of the Activity
* that the DES job seeker has been advised of the work health and safety and incident reporting processes and escalation
* that the DES job seeker has been provided with the location or access to the Job Seekers Insurance Guide for Work for the Dole
* any checks required have been completed (for example, National Criminal Records and/or Working with Vulnerable People/Children Checks), and
* the DES job seeker’s personal circumstances and work restrictions. This could include, but is not limited to:
* disability, injury or health condition
* Benchmark Hours
* working capabilities and capacity
* transport restrictions
* carer responsibilities
* specific injuries
* pregnancy
* allergies or other health issues (e.g. diabetes), or
* history of aggressive behaviour.

In addition, the Provider **must** obtain the consent of the DES job seeker to discuss with the relevant jobactive Provider the personal circumstances of the DES job seeker to determine whether they can be accommodated and whether the Work for the Dole Place will be suitable. A risk assessment (job seeker) which **must** be conducted for each DES job seeker against each Place they are referred and updated as necessary if there are changes to the risk assessment (Place) or changes to the activity tasks or circumstances.**Competent Person**Risk assessments **must** be conducted by a Competent Person. If the DES Provider does not itself have a Competent Person, it **must** engage a Competent Person for this purpose. A ‘Competent Person’ is a person who has acquired through training, qualification or experience the knowledge and skills to carry out risk assessments and other specific work health and safety tasks (refer to the *Model Work Health and Safety (WHS) Act 2011 at* [*Safe Work Australia*](https://www.safeworkaustralia.gov.au/law-and-regulation/model-whs-laws) ).DES Providers **should** keep documentation, for example a register, of their Competent Person(s) including their name and a description of the training, qualification or experience of the Competent Person. DES Providers **must** provide these details to the Department of Social Services upon request. |
| **Reporting and managing incidents***Disability Employment Services Grant Agreement Clauses References:** Clause 100.4(f)
* Clause 100.7
* Clause 100.8
 | DES Providers **must** report and manage any incidents involving DES job seekers.The Host Organisation may choose to liaise directly with the jobactive Lead Provider rather than the DES Provider either in the first instance or on an ongoing basis to resolve any incidents. In these cases, the DES Provider should work cooperatively with the jobactive Lead Provider to help manage this process.**Incidents**If a DES job seeker or member of the public sustains an injury during an Activity, the DES Provider **should** ensure, first and foremost, that they and/or their personnel encourage the injured person to seek appropriate medical attention or call emergency services depending on the nature of the incident. Where an incident results in the death of a DES job seeker the Supervisor **must** call emergency services and try and protect other job seekers from unnecessary trauma where possible.**When must an Incident be reported?**When notified of an incident occurring the DES Provider **must** notify QBE Insurance (Australia) Ltd , Arthur J. Gallagher Pty Ltd and their Relationship Manager within 24 hours of any incident and/or near miss during the activity, including those that result in accident, injury or death of: * any job seeker (including where the incident occurred while the job seeker was travelling to or from an Activity)
* any Personnel involved in the delivery or supervision of the activity
* members of the general public.

**All Incidents – both Personal Accident and Public and Products Liability**DES Providers **must** complete the incident report form provided on the Provider Portal, giving full details of the incident (irrespective of whether a claim is being made at the time). * A *personal accident/non Medicare expenses claim form/incident report* **must** be completed when an incident involves a DES job seeker’s accident, injury or death and a copy of the form sent to:
* QBE Insurance (Australia) Ltd
* Arthur J. Gallagher Pty Ltd
* the Provider’s Relationship Manager
* Department of Jobs and Small Business via email to workforthedole@employment.gov.au
* A *public and products liability claim form/incident report* is used when a third party alleges a DES job seeker has been negligent and caused accident, injury or death, or property damage*.* Once completed, the *public and products liability claim form/incident report* **must** be sent to:
* Arthur J. Gallagher Pty Ltd
* the Provider’s Relationship Manager
* Department of Jobs and Small Business via email to workforthedole@employment.gov.au

The incident report **must** identify if the incident was caused by an instance of misconduct by a DES job seeker. Misconduct is defined as being something that would, if the DES job seeker was a paid employee, normally result in the paid employee being terminated from paid employment. It is important that DES job seekers have access to reporting mechanisms in the event they wish to report an incident, lodge a complaint or provide positive/constructive feedback confidentially. The DES Provider needs to ensure that there is an internal, impartial and easily accessible complaints mechanism that can be used by DES job seekers regardless of the nature of the complaint.For further information in relation to the process for reporting incidents and completing incident forms refer to the Insurance Readers Guide. **Recording Requirements in ESS**The DES Provider **should** record details of incidents or accidents in the ‘Job Seeker Participant Event’ screen in the Employment Services System (ESS). The DES Provider is also able to report any instances of misconduct or threatening behaviour on the ‘Job Seeker Incident Report’ screen of the ESS, whether or not the incident is associated with a police report.For further information on the incident reporting process, see the Insurance Readers Guide, and Servicing Participants with Challenging Behaviour Guidelines. |

### Managing job seekers

| Process | Details |
| --- | --- |
| **Managing DES job seekers undertaking Work for the Dole activities***Disability Employment Services Grant Agreement Clause Reference:** Clause 100.6
 | DES Providers **must** ensure that:* timesheets are kept for DES Participants and arrangements are in place for Host Organisations or Supervisors to advise the DES Provider (through the jobactive Lead Provider as appropriate) when a DES job seeker does not attend their activity;
* endeavour to replace any DES job seeker who leaves a Work for the Dole Place early; and
* contact is maintained with the DES job seekers to ensure their safety in the activity, and to ensure that they continue to focus on looking for work as well as participating in Work for the Dole activities.
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### Work for the Dole Fees

| Process | Details |
| --- | --- |
| **Work for the Dole Fees and Payments***Disability Employment Services Grant Agreement Clauses References:** Clause 97.1
* Clause 97.17
* Clause 97.18
 | DES Providers are not entitled to receive any Work for the Dole Fees or Payments when placing DES job seekers in any Work for the Dole Activity. The Department’s IT System will automatically block Work for the Dole Fee and other Work for the Dole payments to DES Providers who claim a Work for the Dole Place.**Work for the Dole Payments**DES Providers will be required to cover the cost of a DES job seeker in a Work for the Dole Place (defined in the DES Grant Agreement as ‘Work for the Dole Payments’) including the Lead Provider payment (to the jobactive Lead Provider). DES Providers are not eligible to claim any job placement or outcome fees for placing DES job seekers in Work for the Dole. The transfer of funds from DES Providers to a Host Organisation, or to a Lead Provider, will happen outside of the Department’s IT System. The DES Provider **must** ensure that records of all Work for the Dole Payments are retained on file. |

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### Documentation

| Process | Details |
| --- | --- |
| **Documentation***Disability Employment Services Grant Agreement Clauses References:** Clause 100.2(c)
* Clause 16.2
* Clause 97.9(a)
* Clause 97.9(b)
* Clause 97.12
* Clause 97.17
 | DES Providers **must** thoroughly document all Work for the Dole Places claimed. Documentary evidence that DES Providers **must** retain on file include:* Written approval from the relevant jobactive Provider to claim a place
* A copy of the risk assessment (Place), and any subsequent updates or changes made to the risk assessment (Place) while the DES job seeker is participating in the placement.
* A copy of the risk assessment (job seeker), and any subsequent updates or changes made to the risk assessment (job seeker).
* A copy of the Activity Host Organisation Agreement (executed by the jobactive Lead Provider) and copies of any subsequent changes made to the Host Organisation Agreement while the DES job seeker is participating in the placement.
* Copies of all Criminal Records Checks, Working with Vulnerable People Checks, and Working with Children checks conducted by the DES Provider.
* Documentation of Work for the Dole Payments, including:
	+ what the agreed charges, costs and expenses are for the DES job seeker in respect to Work for the Dole
	+ any invoices associated with the participation of the DES job seeker in Work for the Dole
	+ the method of payment, and to whom the Work for the Dole Payment will be made, and
	+ proof of payment.
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