



Community Development Employment Projects (CDEP) Scheme

Operational Guidelines 2013-2017

TABLE OF CONTENTS

1. Introduction 3

2. About these Guidelines 4

3. The CDEP Scheme 4

4. Eligibility of CDEP wages participants 4

5. Ineligibility of CDEP wages participants 5

6. CDEP wages 5

6.1. Eligibility to receive CDEP wages 6

6.2. Ineligibility to receive CDEP wages 6

6.3. Income Limits 7

6.4. CDEP Wage Funds 7

*6.4.1.* *Acquittal of CDEP Wage Funds* 7

*6.4.2.* *Pay Processing* 8

*6.4.3.* *Payroll Deductions* 8

6.5. CDEP Wage Rate 8

6.6. Release of Funding 9

6.7. Top-Up Payments 9

7. Employment 9

7.1. Taking up offers of employment 10

7.2. Leaving employment 10

8. Remote Youth Leadership and Development Corps 10

9. Individual Participation Plan 11

10. Hours of Participation 11

11. Leave Entitlements 12

12. Approved Paid Leave 12

13. Absences 12

13.1. Approved Unpaid Absences 12

13.2. Unapproved Absences 12

*13.2.1.* *Reasonable Excuse* 13

14. Relocating to another Region or Location 13

15. Compliance and re-engagement 14

16. Exiting a CDEP wages participant 14

17. CDEPManager 15

18. CDEP Participant Supplement 15

19. Obligations in delivering the CDEP Scheme 15

20. Definitions 16

# Introduction

The Australian Government is introducing significant reforms to employment, participation and community development services in remote Australia to help more people get into jobs and participate in their communities and to better meet the labour needs of employers.

From 1 July 2013, the new Remote Jobs and Communities Program (RJCP) will provide a more streamlined and flexible approach, providing better participation and employment services for people living in the 59 Remote Regions across Australia.

The program will build on the strengths of the four existing programs in remote Australia:

* Job Services Australia
* Disability Employment Service
* Indigenous Employment Program (IEP)
* Community Development Employment Projects (CDEP) program.

The Australian Government recognises that a lot of people have been in CDEP for a long time. This is why the Government is extending CDEP wages until 30 June 2017. If people are currently receiving wages they will continue to receive wages as long as they remain eligible. The extension of CDEP wages will continue to provide stability where employment is not available, not suitable, seasonal or otherwise short term.

Providers will organise and supervise activities and administer CDEP wages for CDEP wages participants. Under the RJCP CDEP wages participants will have access to Remote Employment and Participation Activities (including Remote Youth Leadership and Development Corps (RYLDC) activities if applicable).

Participants who are job-ready will be encouraged to move off CDEP wages into employment with proper wages and conditions.

The Australian Government through the Department of Families, Housing, Community Services and Indigenous Affairs (FaHCSIA) manages the Community Development Employment Projects (CDEP) Scheme. As part of this, the Department is responsible for funding, managing and monitoring funding agreements for the CDEP Scheme.

# About these Guidelines

The purpose of these Guidelines is to provide further guidance to Providers on the management of the CDEP Scheme.

These Guidelines do not include all Funding Agreement details or Eligibility Conditions and do not form part of the FaHCSIA Funding Agreement. They are a guide only and should be read and interpreted in conjunction with the Funding Agreement and the Guidelines for Eligibility to be a CDEP Scheme Participant and Payability of CDEP Participant Payments.

Full Funding Agreement details are included in the:

* FaHCSIA Standard Funding Agreement
* Remote Activity Conditions 3 of the Department of Education, Employment and Workplace Relations Funding Agreement.

**Notes:**

1. These Guidelines may be subject to change and varied from time to time.
2. For the purposes of these Guidelines the following terms will be used:
	* CDEP Scheme Participants will be known as CDEP wages participants
	* CDEP Participant Payments will be known as CDEP wages
	* Guidelines for Eligibility to be a CDEP Scheme Participant and Payability of CDEP Participant Payments will be known as Eligibility Guidelines
	* Other terms used in these Guidelines are found in the Definitions section at the end of these Guidelines.

# The CDEP Scheme

The CDEP Scheme is a key component of the Australian Government commitment to improve the capacity of Indigenous Australians to participate in the economy.

The CDEP Scheme provides CDEP wages to participants engaged in Remote Employment and Participation Activities including RYLDC activities if applicable.

# Eligibility of CDEP wages participants

A person is eligible and can only participate as a CDEP wages participant if they:

* meet, and continue to meet, the eligibility requirements in accordance with the Funding Agreement and the Eligibility Conditions and any further guidance provided in these Guidelines.
* are flagged in CDEPManager as being ‘Wages Eligible’ on 30 June 2013
* are not required to be exited under the Funding Agreement.

# Ineligibility of CDEP wages participants

A CDEP wages participant becomes ineligible to be a CDEP wages participant if they do not meet the eligibility criteria as specified in the Funding Agreement and the Eligibility Conditions and any further guidance provided in these Guidelines.

There is however some scope for the participant’s Provider to obtain approval from FaHCSIA for that person to remain eligible to participate as a CDEP wages participant if they are, or are likely to be, affected by being made ineligible.

Participants will not be eligible to be a CDEP wages participant if they:

* are able and available but refuse an offer to take up Sustainable Employment which the Provider feels the person is reasonably capable of performing;
* complete an employment placement for 13 continuous weeks or more which does not require subsidisation from CDEP wages;
* voluntarily leave an employment placement (this can also be less than 13 continuous weeks);
* voluntarily apply for income support (such as Newstart Allowance, Youth Allowance or Disability Support Pension) from the date of effect the primary income support payment becomes payable to the person by Centrelink;
* do not attend a re-engagement interview after being advised by their Provider that they must attend; or
* have attended a re-engagement interview and
	+ subsequently have Unapproved Absences; or
	+ fail to re-engage in Remote Employment and Participation Activities; or
	+ is not on Approved Paid Leave or Unapproved Unpaid Absence;
* relocate to a location where there is no Provider administering CDEP wages and has not obtained the prior written approval of their Provider; or
* are otherwise determined by FaHCSIA to be ineligible.

Where a CDEP wages participant disagrees with the decision of the Provider making them ineligible to be a CDEP wages participant they may, in accordance with the Funding Agreement, make a complaint against that decision to their local Indigenous Coordination Centre (ICC).

**Important:** If a CDEP wages participant is no longer eligible to be a CDEP wages participant, the Provider must exit the person in CDEPManager in accordance with the Funding Agreement and the Eligibility Conditions and any further guidance provided in these Guidelines.

# CDEP wages

The extension of wages until 30 June 2017 recognises that some people have been receiving CDEP wages for a long time, and continuity of CDEP wages provides stability and certainty until they move into employment.

In order to receive CDEP wages, a person must participate in Remote Employment and Participation Activities (including RYLDC activities if applicable) or be on Approved Paid Leave and must meet other eligibility and participation requirements specified in the Funding Agreement, the Eligibility Conditions and these Guidelines.

A CDEP wages participant must only be paid for the actual number of hours they were engaged in activities (under the ‘No Work No Pay’ rule) which is administered by the Provider.

1.
2.
3.
4.
5.
6.

# Eligibility to receive CDEP wages

To be eligible to receive CDEP wages, a CDEP wages participant must:

* be registered with a Provider and have a status of ‘active’ in CDEPManager;
* sign a Participant Acknowledgement Form and comply with its conditions – the Provider is required to retain the original signed copy and preferably upload an electronic copy in CDEPManager;
* be part of and living within one of the Regions / Locations where CDEP wages is administered;
* be willing to participate in Remote Employment and Participation Activities (including RYLDC activities if applicable) and accept any reasonable offer of Sustainable Employment; and
* provide accurate and timely income information to the Provider in order to enable the Provider to determine the person’s entitlement to participate and receive CDEP wages.

A CDEP wages participant may, with their Provider’s prior written approval, be eligible to return to CDEP wages to take up employment for less than 13 weeks; or move off CDEP wages for a Legitimate Reason (e.g. to move to Carer Payment to take care of a sick family member) and when their circumstances change can return to CDEP wages.

A CDEP wages participant also continues to be CDEP wages eligible if they take up Sustainable Employment and that employment is terminated under circumstances which the Provider determines was not the fault on the part of the CDEP wages participant.

# Ineligibility to receive CDEP wages

A CDEP wages participant becomes ineligible to receive CDEP wages if they do not meet the eligibility criteria as specified in the Funding Agreement and Eligibility Conditions and any further guidance provided in these Guidelines.

Participants will not be eligible to return to CDEP wages if they:

* are a full-time student who is receiving AUSTUDY or ABSTUDY Living Allowance or Youth Allowance;
* are a full-time secondary student;
* are receiving Sickness Allowance; or
* is a recipient of New Enterprise Incentive Scheme (NEIS) payments.

A CDEP wages participant must not receive CDEP wages if:

* they are absent from, or do not participate in Remote Employment and Participation Activities (including RYLDC activities if applicable) (for reasons other than Approved Paid Leave);
* they are on Approved Unpaid Leave;
* they exceed the Quarterly income limits; or
* in any other circumstances as advised in writing by FaHCSIA.

Where a CDEP wages participant disagrees with the decision of the Provider making them ineligible to be a CDEP wages participant they may, in accordance with the Funding Agreement, make a complaint against that decision to their local Indigenous Coordination Centre (ICC).

# Income Limits

CDEP wages participants are subject to the below income limits:

* a gross quarterly income from sources other than CDEP wages of more than $5,166;
* a gross quarterly income of more than $5,166 from CDEP wages;
* has a partner, who is not a CDEP wages participant, who has a gross quarterly income of more than $10,332; or
* other income limits as notified by FaHCSIA.

If a CDEP wages participant exceeds the above income limits the participant will not be able to access CDEP wages as specified in the Funding Agreement.

If a CDEP wages participant exceeds the income limits and does not notify their Provider as soon as practicable, the CDEP wages participant may be determined by FaHCSIA to be ineligible for CDEP wages.

# CDEP Wage Funds

CDEP Wage Funds are paid to Providers for the purpose of paying CDEP wages to eligible CDEP wages participants in return for their participation in approved Remote Employment and Participation Activities (including RYLDC activities if applicable).

CDEP Wage Funds are based on the CDEP Wage Rate (Adult) for each CDEP wages participant who is ‘active’ in CDEPManager.

CDEP Wage Funds are also used for the payment of leave entitlements (for example, sick leave) that are accrued by the CDEP wages participant during their engagement with a Provider.

Providers continue to be entitled to CDEP Wage Funds even while CDEP wages participants registered with them are on Approved Paid Leave.

CDEP Wage Funds are also used for the purposes of paying Top-up Payments to eligible CDEP wages participants; for more information see section on Top-up Payments.

**Important:** CDEP Wage Funds must not be used for the purpose of paying managers, supervisors and administrative staff working for Providers.

# *Acquittal of CDEP Wage Funds*

*(This section is not applicable to the Torres Strait Regional Authority)*

CDEP Wage Funds must be acquitted within 60 days of the end of each financial year. Funds are acquitted by submitting to FaHCSIA an independently audited Acquittal Report for the CDEP Wage Funds in accordance with the Funding Agreement.

Providers should be able to acquit the amount of funds released compared with the amount of wages paid out by them from their payroll system. They can also cross check this against the Wage Entitlement report in CDEPManager.

Providers must keep financial accounts and records in a retrievable condition for at least seven years after expiry or earlier termination of the Funding Agreement and ensure that CDEP Wage Funds are administered in such a way that all receipts and expenditure of CDEP Wage Funds are clearly and separately identified in the Provider’s accounts for acquittal purposes.

Where the Provider retains an amount of unspent funding, the Provider must identify and report on that amount until it is acquitted in accordance with the Funding Agreement.

# *Pay Processing*

Providers will need to make CDEP wage payments to eligible CDEP wages participants from CDEP Wages Funds through their own payroll system.

Providers have flexibility to determine the frequency and method of payment of CDEP wages to eligible CDEP wages participants however Providers should consult CDEP wages participants about any proposed changes to ensure no adverse financial effect on participants.

# *Payroll Deductions*

Providers may choose to provide a payroll deduction service to CDEP wages participants but are not required to do so under the Funding Agreement.

CDEP wages participants will need to talk to their Provider to see if they are able to set up deductions from their CDEP wages.

# CDEP Wage Rate

The CDEP Wage Rate is the rate that an eligible CDEP wages participant must have the opportunity to earn.

The age of the CDEP wages participant determines the CDEP wage rate they will receive.

The CDEP Wage Rates as at 1 July 2013 are:

* for a Youth CDEP wages participant – $217.71 per week (GST exclusive)
* for an Adult CDEP wages participant (i.e. someone who is not a CDEP Youth Participant) – $287.57 per week (GST exclusive).

The CDEP Wage Rate increases annually in-line with the Consumer Price Index and takes effect on 1 July each year.

Providers will receive written notification of any increase to the CDEP Wage Rate in accordance with the Funding Agreement.

# Release of Funding

CDEP Wages Funds are released to each Provider’s bank account in advance at the start of each Quarter.

The Wage Entitlement report in CDEPManager shows a Provider exactly how much they are entitled to receive in CDEP Wage Funds.

CDEP Wages Funds are calculated daily for each CDEP wages participant registered with the Provider dividing the applicable CDEP Wage Rate (Adult) by seven – giving a daily amount for each CDEP wages participant.

An initial payment will be made by no later than 15 July 2013. Subsequent payments will be made no later than 2 weeks after the commencement of each Quarter.

Once CDEP Wage Funds are released, the actual released amount is displayed on the Provider Details screen in CDEPManager.

The amount of CDEP Wage Funds paid to the Provider for each Quarter under an estimate of the Provider’s CDEP Wage Funds entitlement for that Quarter. The entitlement is calculated (usually at the end of the financial year) in accordance with the Funding Agreement.

**Important:** CDEP Wage Funds must be easily identified as having been received and expended accordingly.

# Top-Up Payments

Top-Up Payments are available to CDEP wages participants for their participation where they exceed the number of hours necessary for them to earn the CDEP Wage Rate – usually 15 hours per week – noting that the hours required for the participant to earn the CDEP Wage Rate will depend on the relevant award or industrial instrument they are engaged under.

Providers may use CDEP Wage Funds to make Top-up Payments to eligible CDEP wages participants. Top-up Payments can only be paid where there are excess CDEP Wage Funds left over from CDEP wages. For example, if a Provider has Youth CDEP wages participants on their caseload who are being paid at the Youth rate they may have an excess of CDEP Wage Funds because CDEP Wages Funds are calculated at the CDEP Wage Rate (Adult).

**Important:** CDEP wages participants may earn income from other sources however in order to maintain eligibility for CDEP wages they must not exceed income limits in accordance with the Funding Agreement and the Eligibility Conditions and any further guidance provided in these Guidelines.

# Employment

The Australian Government believes that a job contributes strongly to personal, social and economic development, and is essential to Closing the Gap on Indigenous disadvantage. This is why the Government wants to encourage CDEP wages participants who are job-ready to move into Sustainable Employment with proper wages and conditions.

The Government also recognises that many CDEP wages participants reside in communities where there is limited access to employment opportunities, limited labour market or the majority of work is short-term.

1.

# Taking up offers of employment

Where a participant moves off CDEP wages and completes an employment placement for 13 continuous weeks or more which does not involve any subsidisation from CDEP wages, they will not be able to return to CDEP wages because they have demonstrated they are ready for work.

Where employment is not available, suitable, or otherwise short-term, CDEP wages participants will be able to retain their eligibility to be a CDEP wages participant if they move into employment of less than 13 continuous weeks with their Provider’s prior written approval.

Where possible, CDEP wages participants should be placed in Sustainable Employment, which:

* requires the CDEP wages participant to perform tasks that they are reasonably capable of performing
* is of at least 13 continuous weeks or more in duration and does not require any support from CDEP Wage Funds
* would be at least as generous as the minimum terms and conditions of employment (including CDEP wages) in relation to that work
* is at least as financially beneficial as the position they would be in if they continued to receive CDEP wages.

# Leaving employment

Where a CDEP wages participant leaves employment voluntarily, or if the employment ceases or is terminated as a result of the CDEP wages participant bringing the employment to an end, the CDEP wages participant will lose their eligibility to be a CDEP wages participant. This is the case where it is Sustainable Employment (13 continuous weeks or more) or short term (13 weeks or less) – in accordance with the Funding Agreement and the Eligibility Guidelines and any further guidance provided in these Guidelines.

Where a CDEP wages participant leaves employment, where it is not at the fault of the participant, then the participant will retain their eligibility to be a CDEP wages participant and the Provider should recommence the CDEP wages participant in activities as soon as practicable.

# Remote Youth Leadership and Development Corps

Participants on Remote Youth Leadership and Development Corps (RYLDC) placements are often required to participate for more than 15 hours a week – the usual hours of participation for a CDEP wages participant.

Where a CDEP wages participant is required to participate for additional hours under the RYDLC, they may elect to voluntarily apply for income support so they can continue to participate in the RYLDC; these participants will not lose their eligibility to be a CDEP wages participant, provided they remain eligible in accordance with the Funding Agreement and the Eligibility Guidelines and any further guidance provided in these Guidelines.

If the CDEP wages participant is not offered Sustainable Employment or does not complete the RYLDC placement at no fault of their own, they can return to CDEP wages, provided they remain eligible in accordance with the Funding Agreement and the Eligibility Guidelines and any further guidance provided in these Guidelines.

If after the RYDLC placement, the CDEP wages participant is offered Sustainable Employment and does not take up the employment offer then the participant will lose their eligibility to be a CDEP wages participant.

In addition, if the CDEP wages participant voluntarily leaves during the RYDLC placement, the CDEP wages participant will lose their eligibility to be a CDEP wages participant.

# Individual Participation Plan

A CDEP wages participant serviced by an RJCP Provider must have an Individual Participation Plan in place.

When a CDEP wages participant meets with the Provider, the Provider must first check CDEPManager to determine whether the participant is eligible to receive wages.

The Individual Participation Plan must detail the range of activities to be undertaken, the hours to be worked and the days to be worked. The Plans should also include any interventions for non-vocational barriers required and must include the CDEP wages participant’s:

* work goals and aspirations
* educational achievements
* work history
* skills profile
* training needs

Each CDEP wages participant must be given all reasonable opportunities to undertake sufficient activities to enable them to earn the applicable CDEP Wage Rate.

# Hours of Participation

The hours worked by a CDEP wages participant depends on the type of activity being undertaken and the relevant award or industrial instrument they are engaged under. Award rates vary and it is up to the Provider to find out the applicable rate.

On average, CDEP wages participants participate for about 15 hours per week – they are not required to participate for a minimum or maximum number of hours but they must be given the opportunity to participate for the number of hours required to earn the applicable CDEP Wage Rate (see examples below).

When a CDEP wages participant signs a Participant Acknowledgement Form, they agree to record the number of hours of participation in a timesheet or record of attendance which must be checked and approved by the Provider.

***Example 1:*** *An Adult CDEP wages participant is undertaking an activity as a truck driver in Western Australia. The award rate for a truck driver in Western Australia is currently $18.89 per hour. The CDEP wages participant would need to participate for 15 hours a week ($287.57 / $18.89 = 15.2 hours).*

***Example 2:*** *If a CDEP wages participant is engaged in a Community Development activity which is not covered by an award rate, they would be entitled to the National Minimum Wage rate which is currently $15.96 per hour. They would need to participate in an activity for 18.0 hours a week ($287.57/$15.96 = 18.0 hours).*

*Community service activities that are covered by an award would be paid at the applicable award rate.*

***Example 3:***  *If a CDEP wages participant is on a work placement, the number of hours the participant needs to work are agreed between the employer and the Provider. Any hours worked over the number of hours required to earn the CDEP Wage Rate need to be covered by the employer.*

# Leave Entitlements

CDEP wages participants accrue leave entitlements such as sick leave under the terms and conditions of the engagement with their Provider.

Providers are solely responsible for meeting all costs associated with leave entitlements.

Leave entitlements cannot be transferred from one Provider to another.

Sick leave cannot be paid out to participants when they leave a provider unless it is a specific condition of the employment instrument under which they are engaged.

# Approved Paid Leave

CDEP wages participants may take ‘Approved Paid Leave’ and remain eligible for CDEP wages.

Providers must not allow CDEP wages participants to take paid leave for the purposes of commencing full-time secondary or tertiary studies. The exception to this rule is any payable accrued leave being paid out when a participant is exited from CDEP, prior to the cessation of the participant’s activities and commencement of study.

# Absences

In order to receive CDEP wages, a CDEP wages participant must participate in Remote Employment and Participation Activities (including RYLDC activities if applicable) or be on Approved Paid Leave.

1.
2.
3.
4.
5.
6.

# Approved Unpaid Absences

CDEP wages participants may take Approved Unpaid Absences from activities for Legitimate Reasons (which prevent the participant from participating or re-engaging in activities) with the Provider’s prior written approval and still remain eligible for CDEP wages.

# Unapproved Absences

Where a CDEP wages participant is not on Approved Paid Leave and is absent from their Remote Employment and Participation Activity (including RYLDC activity if applicable) without having sought prior written approval from their Provider to be absent, the Provider must contact the participant on the day of the absence or as soon as practicable to determine whether there is a Reasonable Excuse for the absence.

Where a CDEP wages participant is, or has been, on a period of Unapproved Absence on three separate occasions within a six month period, the CDEP wages participant must attend, at the Provider’s request, a re-engagement interview to review, as applicable their Individual Participation Plan with the Provider.

Where a CDEP wages participant continues to be absent from their activity without their Provider’s written approval (that is, is determined to be on an Unapproved Absence) after re-engagement attempts (including attending the re-engagement interview) the Provider may determine that the CDEP wages participant will lose their eligibility to be a CDEP wages participant.

A CDEP wages participant may request from their Provider to cease to participate or not engage in Remote Employment and Participation Activities (including RYLDC activities if applicable) for Legitimate Reasons and be placed on a period of Approved Unpaid Absence – the CDEP wages participant will not be eligible to receive CDEP wages during this absence.

# *Reasonable Excuse*

Where the Provider determines that the CDEP wages participant has no Reasonable Excuse for missing their activity, the CDEP wages participant will be determined by the Provider as having an Unapproved Absence for the period of their absence and will not be entitled to be paid CDEP wages.

Where a Reasonable Excuse has been determined by the Provider, the Provider must place the CDEP wages participant on Approved Paid Leave for the missed period and agree with the CDEP wages participant on a date the CDEP wages participant will re-engage in Remote Employment and Participation Activities (including RYLDC activities if applicable). The CDEP wages participant will be entitled to be paid CDEP wages for the period of Approved Paid Leave.

**Important:** CDEP wages participants must not be paid CDEP wages during a period of Unapproved Absence, in accordance with the No Show No Pay rule administered by the Provider. Where a CDEP wages participant fails to engage, the Provider must attempt to re-engage the CDEP wages participant as soon as possible.

# Relocating to another Region or Location

CDEP wages participants must only be engaged with one Provider at any time and must not be transferred to another Provider unless they have been directed, in writing, by FaHCSIA or DEEWR to do so.

A CDEP wages participant can continue to receive CDEP wages if they relocate to another Region/Location and if:

* the Provider in the new Region/Location administers CDEP wages;
* the CDEP wages participant continues to meet the eligibility criteria in accordance with the Funding Agreement, the Eligibility Conditions and these Guidelines.

# Compliance and re-engagement

Compliance arrangements are closely aligned for CDEP wages participants and job seekers on income support through a system that engages job seekers and breaches them only where they do not participate or they continually do the wrong thing.

Where a CDEP wages participant is absent from their Remote Employment and Participation Activity (including RYLDC activity if applicable) and not on Approved Paid Leave or on Approved Unpaid Absence, the Provider will be required to make an immediate attempt to contact the CDEP wages participant.

Where a CDEP wages participant provides a Reasonable Excuse for their non-attendance (for example, due to genuine illness or family responsibilities) the Provider and CDEP wages participant can agree on a return date and no further action is required if the CDEP wages participant re-engages.

If no Reasonable Excuse is determined and an Unapproved Absence is recorded against the CDEP wages participant, the Provider will be required to administer the ‘No Work No Pay’ rule.

Where an Unapproved Absence occurs three times in a six month period, the CDEP wages participant will be required to attend a ‘re-engagement interview’ where the CDEP wages participant’s IPP will be reviewed. The purpose of this interview is to identify any barriers to participation contributing to the CDEP wages participant’s absences before a CDEP wages participant loses eligibility for CDEP wages. This re-engagement approach also promotes an expectation of ‘jobs first’ activity for CDEP wages participants, provides more targeted case-management for CDEP wages participants facing complex barriers to participation, maximises participation in Remote Employment and Participation Activities (including RYLDC activities if applicable), and provides a single, consistent approach for Providers to work with all job seekers.

At this interview, Providers must advise their CDEP wages participants that if they subsequently have an Unapproved Absence or fail to re-engage in the future they may lose their eligibility to be a CDEP wages participant.

# Exiting a CDEP wages participant

Before exiting a CDEP wages participant from being eligible for CDEP wages, a Provider will be required to consider whether the loss of CDEP wages will have any financial impact on individuals and families.

Where a CDEP wages participant has lost their eligibility to be a CDEP wages participant and the Provider feels the person is impacted, the Provider should immediately contact Centrelink with the CDEP wages participant so that social security payments can be processed.

Where a CDEP wages participant loses their eligibility to be a CDEP wages participant they must be exited from CDEPManager immediately.

The Provider must enter the last date that the CDEP wages participant participated in a Remote Employment and Participation Activity (including RYLDC activity if applicable) including the amount of accrued leave.

The Provider is also required to provide the CDEP wages participant with an Employment Separation Certificate. The certificate is available in CDEPManager and should provide details of all separation and other lump sum payments made to the participant, including accrued leave entitlement. The certificate is a critical component of Centrelink’s assessment of the person’s eligibility for income support.

# CDEPManager

Details on CDEP wages participants are captured in CDEPManager.

FaHCSIA uses information in CDEPManager to release CDEP Wage Funds to Providers who then make CDEP wage payments from CDEP Wage Funds using their own payroll system.

If a CDEP wages participant goes off CDEP wages, the Provider will need to enter an end date for that CDEP wages participant in CDEPManager. If a CDEP wages participant returns, or a new eligible CDEP wages participant commences with the Provider, the Provider will need to enter a start date in CDEPManager. CDEPManager will not allow the Provider to enter a start date for an individual who is not eligible for CDEP wages.

These ‘start’ and ‘end dates’ form the basis of the wages funding.

Providers are given access, training and ongoing support to CDEPManager by FaHCSIA.

**Important:** A CDEP wages participant on Approved Paid Leave should not be exited from CDEPManager – Providers continue to be entitled to CDEP Wage Funds even while CDEP wages participants registered with them are on Approved Paid Leave.

# CDEP Participant Supplement

The CDEP Participant Supplement (CPS) is not a compulsory payment and is up to the CDEP wages participant to decide if they want to claim it. The CPS is paid by Centrelink to eligible CDEP wages participants.

CPS can be claimed at any time while the CDEP wages participant is in receipt of CDEP wages.

People who are currently receiving CDEP wages will continue to be paid the CPS if they are eligible and registered with Centrelink.

# Obligations in delivering the CDEP Scheme

If the Provider has CDEP wages participants registered with them, the Provider must ensure that they manage the registration of these CDEP wages participants in accordance with the Funding Agreement and the Eligibility Conditions and any further guidance provided in these Guidelines.

Providers must ensure that their engagement of participants complies with all relevant legislation, awards and industrial instruments.

Providers must also make available to FaHCSIA any documentation that is requested.

In accordance with the Funding Agreement, Providers must have in place a customer feedback process which deals with feedback, including Complaints lodged by Customers.

# Definitions

**‘Approved Paid Leave’** means leave as provided for under the terms and conditions of the CDEP Scheme Participant’s engagement with their Provider and other paid leave approved in accordance with these Guidelines and includes periods for which the Provider or the Commonwealth has determined the person had a Reasonable Excuse;

**‘Approved Unpaid Absence’** means a period of approved unpaid leave as provided for in clause B3.6 of the Eligibility Guidelines for which a CDEP Scheme Participant’s Provider has given prior approval after having determined that the CDEP Scheme Participant has Legitimate Reasons for ceasing to participate or not re-engaging in Remote Employment and Participation Activities.

**‘CDEPManager’** means the computer information system provided by the Commonwealth that is to be used by the Commonwealth and a Provider as the primary tool for managing CDEP Scheme Participant numbers and details.

**‘CDEP Participant Payments known in this document as CDEP wages’** means a payment (expressed as a fortnightly rate) made from CDEP Wage Funds that a CDEP Scheme Participant (known in this document as CDEP wages participants) receives for participating in Remote Employment and Participation Activities in accordance with the Agreement. CDEP Participant Payments include:

1. payments made to CDEP Scheme Participants for hours worked or participating in Remote Employment and Participation Activities up to a maximum of the CDEP Wage Rate (Adult) or CDEP Wage Rate for CDEP Youth Participants as applicable;
2. leave entitlements paid to CDEP Scheme Participants in respect of leave accrued as a CDEP Scheme Participant; and
3. Top-Up Payments.

**‘CDEP Scheme’** means the scheme known as the Community Development Employment Projects Scheme and which is administered under the Agreements.

**‘CDEP Wage Funds’** means the Funding that is paid to a Provider to pay CDEP Scheme Participants for participating in Remote Employment and Participation Activities.

**‘DEEWR’** means the Commonwealth Department of Education, Employment and Workplace Relations or such other government agency or department as may administer or perform the functions of that department from time to time.

**‘FaHCSIA’** means the Department of Families, Housing, Community Services and Indigenous Affairs or such other government agency or department as may administer or perform the functions of that department from time to time.

**‘Funding Agreement’** means the Remote Activity Conditions 3 - CDEP Scheme (RAC3) document which forms part of the Remote Jobs and Communities Program Funding Agreement 2013-2018 executed between the Commonwealth and RJCP Providers, as amended or extended by the Parties from time to time in accordance with its terms.

**‘Individual Participation Plan’** means a document prepared by a Remote Jobs and Communities Program Provider setting out an individualised pathway to employment for each participant.

**‘in Gaol’** means:

1. the person is being lawfully detained (in prison or elsewhere) while under sentence for conviction of an offence and not on release on parole or licence; or
2. the person is undergoing a period of custody pending trial or sentencing for an offence.

**‘Legitimate Reasons’** includes circumstances where a CDEP Scheme Participant is incapable of participating, or it would be unreasonable in the circumstances to require the CDEP Scheme Participant to participate.

**‘Locations’** means CDEP locations that fall outside of the RJCP Remote Regions.

**‘Participant Acknowledgement Form’** means an agreement between you and each CDEP Scheme Participant, stating that they and you are aware of and comply with the CDEP Scheme requirements.

**‘Provider’** means the applicable RJCP Provider with whom the relevant CDEP Scheme Participant is registered with in CDEPManager and which is contracted by the Commonwealth to administer CDEP Wage Funds.

**‘Quarter’** means a period of 3 months commencing on 1 July, 1 October, 1 January or 1 April.

**‘Reasonable Excuse’** is any excuse that might have made it unreasonable to expect the person to attend or participate in an appointment or activity, including both the person’s immediate circumstances (such as lack of transport on a particular day) and broader factors, such as any ongoing barriers to participation that person may have, but only:

1. if the person notified the excuse to the Provider before the start of the activity or before the time of the appointment or the contact (as relevant); or
2. where the person did not give the above prior notification, if there were circumstances in which it was not reasonable to expect the person to have done so, but does not include circumstances where the person’s failure to attend or participate was because they were in Gaol.

**‘Regions/Locations’** means one of 59 geographical areas identified and CDEP locations that fall outside of the RJCP Remote Regions.

**‘Remote Employment and Participation Activities’** means the activities provided by a RJCP Provider under RAC1 of the RJCP Funding Agreement.

**‘Remote Regions’** means one of 60 geographical areas identified and displayed at: http://www.deewr.gov.au/lmip/default.aspx?LMIP/EmploymentData as varied by the Commonwealth from time to time at its absolute discretion.

**‘Sustainable Employment’** means employment (and may comprise one or more employment arrangements):

1. which reasonably requires the person to perform work which, in the Provider’s opinion, the person is reasonably capable of performing;
2. of at least 13 continuous weeks or more in duration;
3. which does not involve any subsidisation, or support, from CDEP Wage Funds;
4. for which the terms and conditions for the work would be at least as generous as the minimum terms and conditions of employment (including wages) applicable under law in relation to that work; and
5. which is at least as financially beneficial as the position the person would be in if the person were to continue receiving CDEP Wage Payments.

**‘Unapproved Absence’** has the meaning provided for in clause B3.2b.