



Inclusive Employment Australia Guidelines

Part B: Servicing Requirements

Disclaimer

These Guidelines are not a stand-alone document and do not contain the entirety of an Inclusive Employment Australia Provider's obligations. It must be read in conjunction with the Inclusive Employment Australia Deed 2025-2030 (the Deed), including any other relevant Guidelines and reference Material issued by the Department of Social Services under or in connection with the Deed.

These Guidelines are not legal advice, and the Commonwealth accepts no liability for any action purportedly taken in reliance upon it and assumes no responsibility for the delivery of the Services. These Guidelines do not reduce the obligation of Providers to comply with their relevant legal obligations and, to the extent that these Guidelines are inconsistent with obligations under the *Disability Services and Inclusion Act 2023* (Cth) (DSI Act), Social Security Law, *the Privacy Act 1998*, Work Health and Safety (WHS) Laws or any other legislation or laws relevant to the respective jurisdictions in which Providers operate, the relevant legislation or laws will prevail.

Version History

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Guideline Interpretation and Glossary

Reading notes

These Guidelines, developed by the Department of Social Services (the Department), detail the Objectives and operation of Inclusive Employment Australia.

The Guidelines may be updated or varied from time to time. The Department reserves the right to review and amend the Guidelines as deemed necessary and will provide reasonable Notice of any amendments.

The Guidelines use the following symbols to indicate different elements:

-  This icon represents 'System Steps' — information contained under this dot point will relate to usage of the Department's IT Systems.
-  This icon represents 'Work Health and Safety Steps' — information contained under this dot point will relate to matters of WHS Law.
-  This icon represents 'Documentary Evidence Requirements' — information contained under this dot point will relate to matters of Documentary Evidence.

Related information

Reference information and websites relevant to these Guidelines include:

- [*Disability Services and Inclusion Act 2023*](#)
- [*National Standards for Disability Services*](#)
- [*Social Security Act 1991*](#)
- [*Social Security \(Administration\) Act 1999*](#)
- [*Guide to Social Security Law*](#)
- [*Fair Work Act 2009*](#)
- [*Fair Work Ombudsman - Minimum Wages*](#)
- [*Superannuation Guarantee \(Administration\) Act 1992*](#)
- [*Disability Discrimination Act 1992*](#)
- [*Privacy Act \(1988\)*](#)

Glossary

All capitalised terms in these Guidelines have the same meaning as in the Deed unless otherwise defined below.

Adult Migrant Education Program or **AMEP** has the meaning given to AMEP in the Deed, being the Commonwealth program of that name, administered by the Department of Home Affairs.

Australian Core Skills Framework means the Commonwealth framework of that name used to identify and describe an individual's performance in the core skills of learning, reading, writing, oral communication and numeracy.

Australian School-based Apprenticeship means the Commonwealth program of that name, administered by the Department of Employment and Workplace Relations.

Career Transition Assistance or **CTA** means the Commonwealth program of that name, administered by the Department of Employment and Workplace Relations.

Centrelink Job Plan means a Job Plan which a Participant (Mutual Obligation) has entered into with *Services Australia under the Social Security Act 1991* (Cth).

Centrelink Managed means individuals who have a Centrelink Job Plan and report their participation in requirements to Centrelink. Examples of Centrelink Managed people include:

- those who are Fully Meeting their Mutual Obligation Requirements and are Suspended (and potentially Exited) from the Caseload and have a Centrelink Job Plan
- those who have Mutual Obligation Requirements but have not been Referred to an Employment Services Provider, or
- those who have Quarterly Interview Requirements and are managed by Centrelink.

Change of Circumstances ESAt means a reassessment of the Participants medical conditions, barriers and level of disability.

Change of Circumstances OSA means a reassessment of the Participants need for Ongoing Support.

Communications Method means the communication channel or mode in which notifications can be provided to the Participant, including their nominee where relevant, these can be both verbal scripts for use by the Provider or in writing when sent via email, to their Workforce Australia inbox or via letter.

Complementary Activity means an employment or training program administered by a Complementary Service provider for the Commonwealth for the purposes of providing additional or alternative specialised assistance to Participants. Complementary Activities are a subset of Complementary Services. The following are Complementary Activities for Inclusive Employment Australia, listed alphabetically:

- Adult Migrant English Program (AMEP)
- Career Transition Assistance (CTA)
- Employability Skills Training (EST)
- Self-Employment Assistance (S-EA)
- Skills for Education and Employment (SEE).

Compliance Improvement Plans or **CIPs** are strategic plans developed by Providers to improve compliance with the Deed

Contact Appointment is a type of Appointment with the Provider for the purpose of a Contact, excluding any Contact that is for the purpose the Initial Interview or a Re-engagement Requirement.

Core Skills means a performance rating of a person's skill level under the Australian Core Skills Framework.

Detailed Job Plan has the meaning given to Job Plan (Detailed) in the Deed. In some cases, this Job Plan type may be shown as Detailed Job Plan (Compulsory) or Detailed Job Plan (DSP U35).

Disabled Australian Apprentice Wage Support Program means the Commonwealth program of that name, administered by the Department of Employment and Workplace Relations. This program provides a payment that assists Employers of eligible apprentices with disability.

DSP Recipient (Compulsory Requirements) means a Participant who is in receipt of the Disability Support Pension (DSP), who is aged less than 35 years and has an assessed future work capacity of 8 or more hours work per week, who is participating in Inclusive Employment Australia to meet the compulsory work focused activity in their Participation Plan in order to receive their Income Support Payment. In some cases, DSP Recipients (Compulsory Requirements) may be referred to as a DSP U35 or DSP Compulsory Participation Client.

Engagement Method means the method in which Appointments and Contacts take place. For example, these can be face-to-face, verbal discussion over a phone call or videoconference, or meaningful exchange of email or text messages.

Employability Skills Training or **EST** means the Commonwealth program of that name, administered by the Department of Employment and Workplace Relations.

Employment Goal means a goal that has been identified by the Participant, which is captured in the Job Plan.

Family Member means, in relation to a particular individual (such as a Participant or an Employer):

- any spouse, de facto partner, child, parent, grandparent, grandchild or sibling, including where any of these are adopted relations, of the particular individual
- any child, parent, grandparent, grandchild or sibling, including where any of these are adopted relations, of the spouse or de facto partner of the particular individual, or
- any in-law of any individual referred to above, including any in-law of the particular individual.

Host Agreement means a written and signed agreement between the Provider, a Host Organisation and a Participant in relation to the provision of Specified Activities.

Host Organisation has the meaning given to Activity Host Organisation in the Deed.

Inclusive Employment Australia Provider has the same meaning as Program Provider in the Deed.

Initial Engagement Period means the first 4 weeks (28 days) during which the Participant is receiving Services from the Provider, including the Initial Interview. The Initial Engagement Period does not apply to Ongoing Support (Work Assist) Participants.

Incident means:

- an unplanned, accidental or deliberate event or happening resulting in personal injury (physical or mental), illness or damage to equipment, property, plant, site or building
- an event or happening that had the potential to result in personal injury (physical or mental), illness or damage to equipment, property, plant, site or building, or
- unacceptable or hostile behaviour that could result in legal proceedings or potential personal injury (physical or mental), illness or damage to equipment, property, plant, site or building.

Incident Management Plan means a plan outlining how Provider Personnel will manage situations where participants, staff or visitors display challenging behaviours and how to prevent or manage Incidents.

Incident Report means a written account of an incident involving challenging behaviour that is recorded in the Department's IT System.

Job Interview means any job interview that either the Provider has arranged, or the Participant has secured for themselves.

Job Plan means the employment pathway plan which a Participant (Mutual Obligation) must enter into with their Provider under the *Social Security Act 1991* (Cth) or an agreement between the Provider and Participant that must be entered into by all other Participants in order to receive Services.

Job Search Reporting Period has the meaning given to Job Search Period in the Deed.

Job Seeker Assessment Framework means the overarching structure that brings together the full range of assessment processes, tools and resources, including the Job Seeker Snapshot, Employment Services Assessment, Ongoing Support Assessment, and any other relevant assessments.

Job Seeker Registration means a registration process individuals are required to complete to access services from Employment Service Providers.

Managed Service Plan (MSP) means an arrangement that a Providers can put in place to tailor the way Services are delivered to a Participant who displays challenging behaviours.

Meaningful Engagement Job Plan has the meaning given to Job Plan (Meaningful Engagement) in the Deed. In some cases, this Job Plan type may be shown as Meaningful Engagement Job Plan (Compulsory), Meaningful Engagement Job Plan (DSP U35) and Meaningful Engagement Job Plan (Voluntary).

Observational Work Experience or **OWE** means the Commonwealth program of that name, administered by the Department of Employment and Workplace Relations.

One Main Contact means a Participant is restricted to communicating with one identified Provider staff member for the purpose of a Managed Service Plan.

OSA Allocation means a request for an Ongoing Support Assessment (OSA) made by the Provider in the Department's IT Systems.

Participant (Mutual Obligation) means a Participant who is in receipt of one of the following payment types who has Mutual Obligation Requirements that must be met to receive their Income Support Payment:

- JobSeeker Payment
- Youth Allowance (Other)
- Parenting Payment (Single), after their youngest child turns 14, or
- Special Benefit (Nominated Visa Holders)

Participant (Voluntary) means a Participant who has volunteered to receive Services. This includes:

- those who are not in receipt of an Income Support Payment
- Income Support Payment recipients who do not have Mutual Obligation Requirements or Compulsory Participation Requirements
- Income Support Payment recipients who have an Exemption from their Mutual Obligation Requirements or Compulsory Participation Requirements applied by Services Australia but have volunteered to receive Services
- Participants (Mutual Obligation) who are Fully Meeting their Mutual Obligation Requirements but have volunteered to receive Services, and
- Ongoing Support (Work Assist) Participants.

Participation Plan means the individual plan which a DSP Recipient (Compulsory Requirements) has entered into with Services Australia, which has participation in employment services as a work-related activity.

Participant Sourced Voluntary Work means voluntary work that a Participant has identified and secured for themselves, including voluntary work that the Participant identifies and secure for themselves with a known Host Organisation.

Pattern of Disengagement means a pattern, as identified by a Provider, that shows a Participant has not been meaningfully engaging on more than one occasion.

Pattern of Renewed Engagement means a pattern, as identified by a Provider, that shows a Participant has been meaningfully engaging after having entered into a Detailed Job Plan.

Principal Carer Parent has the meaning given to 'principal carer' under section 5 of the *Social Security Act 1991* (Cth) dealing with family relationships.

Private House or **Private Homes** means places of residence where a person currently resides 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.

Private Property means privately owned land or privately owned or occupied estate or house acreage. It may also encompass Private Homes.

Provider Sourced Voluntary Work means voluntary work that the Provider has identified and secured for a Participant, including Voluntary Work that the Provider itself arranges with a Host Organisation.

Re-engagement Appointment is a type of Appointment with the Provider for the purposes of Re-engagement of a Participant (Mutual Obligation) following an incident (or incidents) of non-compliance with their Mutual Obligation Requirements.

Re-engagement Requirement has the meaning given to Reconnection Requirement in the Deed.

Relocation Assistance Agreement means a written agreement for the purposes of the Relocation Assistance in a form specified by the Department. In some cases, this may be referred to as a RATTUAJ Agreement.

Relocation Assistance to Take Up a Job or **Relocation Assistance** means a payment made by the Provider to or on behalf of a Participant for the purposes of preparing to move, moving and/or settling in a new location in order to participate in Employment.

Risk Assessment means a risk assessment undertaken for an Activity and/or a Participant undertaking an Activity.

Self-Employment Assistance or **S-EA** has the meaning given to Self-Employment Assistance Services in the Deed, being the Commonwealth program of that name, administered by the Department of Employment and Workplace Relations.

Sensitive Information has the same meaning as in section 6 of the *Privacy Act 1998* (Cth).

Skills for Education and Employment or **SEE** has the meaning given to Australian Government Skills for Education and Employment Program in the Deed, being the Commonwealth program of that name, administered by the Department of Employment and Workplace Relations.

SWS Assessment means an assessment to evaluate work productivity of a person with disability in response to an application under the Supported Wage System (SWS).

Third-Party Appointment means an appointment entered into the Participant's Electronic Calendar that is not with the Inclusive Employment Australia Provider.

Transferred Participant means a Participant who transfers between Inclusive Employment Australia Providers during their Period of Service.

Unsubsidised Self-Employment means self-employment where a Participant does not receive a personal income subsidy of any kind.

Valid Reason means a valid reason for non-compliance with Mutual Obligation Requirements as specified in these Guidelines.

Voluntary Work means both Provider-Sourced Volunteer Work placements and Participant-Sourced Volunteer Work placements.

Volunteer Period means the period of time in which a Participant (Mutual Obligation) or DSP Recipient (Compulsory Requirements) is Suspended and chooses to voluntarily engage in Services.

Wage Subsidy Agreement means a written agreement for the purposes of the Wage Subsidy in a form specified by the Department.

Wage Subsidy Agreement Term means the 26-week period from the Job Placement Start Date.

Wage Subsidy Employer means an Employer who meets the eligibility requirements for a Wage Subsidy.

Wage Subsidy Participant means a Participant who meets the eligibility requirements for a Wage Subsidy.

Wage Subsidy Payment means a payment made to a Wage Subsidy Employer in accordance with a Wage Subsidy Agreement.

Wage Subsidy Placement means an Employment position that meets the eligibility requirements for a Wage Subsidy.

Warm Handovers are part of the transfer process between Inclusive Employment Australia Providers. They also are part of the requirements for a provider of the Parent Pathway service, to support a Participant who has Exited Parent Pathways and is Referred to the Inclusive Employment Australia. Warm Handovers occur at the Initial Interview, if the Participant has notified their previous Provider of the Appointment details.

WMS Assessment means an evaluation of the specific work-related requirements of a person with disability in response to a request for assistance under the Employment Assistance Fund (EAF).

Work Readiness means possessing the core skills and behaviours required by Employers, including teamwork skills, communication skills, and a positive attitude and work ethic, including motivation, reliability and a willingness to work.

Chapter 1: Eligibility, Referrals and Direct Registration

Supporting Documents for this Chapter

- [Provider Actions – Steps to ensure Referrals by Services Australia \[LINK\]](#)
- [Direct Registration Form \[LINK\]](#)
- [State and Territory School Disability Funding Arrangements \[LINK\]](#)

1.1 Chapter Overview

Inclusive Employment Australia is an employment service that supports people with disability, an injury or a health condition to find and maintain Employment, including people:

- who have an assessed current baseline work capacity, and an assessed future work capacity with intervention, of less than 30 hours per week due to their disability, injury, or health condition, or
- whose Employment is at risk as they have difficulty fulfilling the essential requirements of their role due to their disability, injury, or health condition.

Participants are generally Referred to Services from Services Australia, through the Department's IT Systems.

Some Participants can choose to volunteer to take part in Services and can Directly Register with a Provider.

Providers must confirm that all persons who are Referred or Directly Registered meet the eligibility criteria for Inclusive Employment Australia before they are Commenced in Services — either the general eligibility criteria or special eligibility criteria. Participants must be Commenced to receive Services from the Provider.

This Chapter outlines:

- general eligibility criteria for Inclusive Employment Australia
- special eligibility criteria that allow identified cohorts of Participants to access Inclusive Employment Australia
- Referral processes, and
- Direct Registration processes.

Note: This Chapter should be read in conjunction with the [Provider Transition Advice \[LINK\]](#) for guidance on eligibility checks for Transitioned Participants who were Referred or Directly Registered and had not yet Commenced under the former Disability Employment Services (DES) program.

1.2 General eligibility criteria

A person is eligible to receive Inclusive Employment Australia Services if they meet the criteria in the following table, unless eligible under specific pathways outlined in 1.3 Special eligibility criteria, and are not already be receiving support from an Other Employment Service Provider as shown on the Department's IT Systems.

Information about general eligibility will be collected through the Job Seeker Snapshot and Employment Services Assessment (ESAt) or Job Capacity Assessment (JCA). In these Guidelines the term 'ESAt' includes JCAs. For more information about these Assessments including the status of Assessments (Current and Valid), see Chapter 2: Assessments.

Note: If a person in an Other Employment Service has a new ESAt that recommends Inclusive Employment Australia, commencement in Inclusive Employment Australia will exit the person from the Other Employment Service.

If a Provider considers a Referred Participant does not meet the general eligibility criteria, the Provider must either:

- dispute the ESAt by requesting a review of the ESAt report as outlined in Chapter 2: Assessments, or
- if a student studying full-time, refer the person back to Services Australia.

Note: A Provider can also dispute an aspect of the ESAt for an eligible Participant, such as the assessed level of work capacity. Refer to 2.4 Employment Services Assessment.

In addition, a Provider that is a Specific Cohort Provider must direct any person who is not a member of their relevant Specific Cohort:

- back to Services Australia if Referred to the Provider by Services Australia, or
- to another Inclusive Employment Australia Provider that would be able to provide Services to the Participant if trying to Directly Register with the Provider.

(Deed Reference(s): Clause 100.2, 101.2, 106.3, 108.1(a))

- Providers can check a person's eligibility by reviewing the 'Servicing and Eligibility' screen of the Participant's record on the Department's IT Systems.

Note: The Department's IT Systems should not allow a person to be Referred to an Inclusive Employment Australia Provider if the person does not meet the general eligibility criteria.

Once a person is Commenced as an Inclusive Employment Australia Participant:

- their eligibility will generally not be tested again, and
- in most instances Participants who cease to meet eligibility criteria are not Exited.

For more information, see relevant Sections in Chapter 3: Commencements, Transfers, Suspensions and Exits.

General eligibility criteria

Requirement	Criteria
Disability, injury or health condition	<ul style="list-style-type: none">• Must be assessed in a Current and Valid ESAt as having a disability, injury or health condition that impacts capacity to work.
Work capacity	<ul style="list-style-type: none">• Must be assessed in a Current and Valid ESAt as having a current baseline work capacity of less than 30 hours per week and a future work capacity with intervention of less than 30 hours per week.
Australian Residency or Visa	<ul style="list-style-type: none">• Must be an Australian resident or eligible visa holder. This is a person who resides in Australia and is:<ul style="list-style-type: none">○ an Australian citizen○ the holder of a permanent resident visa○ the holder of a protected Special Category Visa○ the holder of a Temporary Protection Visa, or○ the holder of a Safe Haven Enterprise Visa.
Age	<ul style="list-style-type: none">• Must be of legal working age (at least 14 years).• Must not yet be of Age Pension qualifying age. <p>Note: The Department's IT Systems will not allow a person to be Referred to Inclusive Employment Australia outside this age range and will Exit a person who does not meet the age restrictions.</p>

Requirement	Criteria
Study	<ul style="list-style-type: none"> Must not be studying full-time, unless Services Australia confirms it understood the person was a full-time student when it Referred them to Inclusive Employment Australia. <p>Note: Part-time students can Commence in Inclusive Employment Australia to look for work.</p>
Referral	<ul style="list-style-type: none"> Must have an employment service recommendation for the Inclusive Employment Australia (or the former DES program) in a Current and Valid ESAt.
Current work	<ul style="list-style-type: none"> Must not already be working in Open Employment at or above their Employment Benchmark (based on usual hours of employment or hours over the preceding 13 weeks). <p>Note: Supported Employment undertaken by a Participant is not considered as part of current work.</p> <p>Note: A Participant's Employment Benchmark is generally set based on their future work capacity with intervention as assessed by an ESAt. ESAt/JCA exempt Participants — that is, Early School Leavers and Special Class Client Participants — will have a default Employment Benchmark of 8 hours. Ongoing Support (Work Assist) Participants do not have an Employment Benchmark.</p>

Note: See 3.6.4 Participants resuming their Period of Service after Exit for arrangements for Participants who Exit and resume their Period of Service within 13 weeks.

1.3 Special eligibility criteria

A person may also be eligible to receive Inclusive Employment Australia Services if they meet other eligibility conditions that focus on special eligibility cohorts as outlined in this Section. Where a person meets special eligibility criteria to access Inclusive Employment Australia:

- the person will be Directly Registered by the Provider — refer to 1.5 Direct Registration of Participants, and
- the Provider must collect Documentary Evidence to show the person's eligibility.



Special eligibility criteria described below include:

- changes to general eligibility criteria for that special eligibility group, and/or
- additional eligibility requirements related to that special eligibility group.

1.3.1 Eligible School Leavers

Eligible School Leaver (ESL) eligibility helps people with who are seeking to transition from study to post-school Open Employment and require support in Employment.

On Commencement, an ESL Participant will be assigned an Employment Benchmark of 8 hours.

-  Providers must keep a copy of the Direct Registration Form that includes information to show the Participant's eligibility as an ESL Participant, and other evidence of a person's eligibility as an ESL Participant.
-  Providers must Directly Register an ESL Participant on the Department's IT Systems using the Special Placement Flag for 'Eligible School Leaver'.

Note: The other evidence needed to show a person's eligibility as an ESL Participant will depend on their individual circumstances as outlined below.

(Deed Reference(s): Clause 108.3)

ESL Participant eligibility criteria

Variations to general eligibility criteria	Additional eligibility requirements
<p>Disability, injury or health condition:</p> <ul style="list-style-type: none"> The Provider must confirm the person's disability has a major impact on their ability to find and maintain Employment. <p>Work capacity:</p> <ul style="list-style-type: none"> The person does not require a work capacity assessment (i.e. they are ESAt exempt). <p>Age:</p> <ul style="list-style-type: none"> The person must be under 22 years of age. <p>Referral:</p> <ul style="list-style-type: none"> The person does not need an employment service referral (i.e. they are ESAt-exempt). 	<ul style="list-style-type: none"> Must be seeking to transition to Open Employment and be eligible as an ESL Participant, due to: <ul style="list-style-type: none"> studying full-time in their final year of secondary school participating in or intending to participate in an Australian School-based Apprenticeship that forms part of their secondary school curriculum exiting an eligible State or Territory Government post-school employment or work transition program, or participating in or have recently completed NDIS-funded employment assistance. Must need help finding or maintain Open Employment.

Note: Refer to the [State and Territory School Disability Funding Arrangements \[LINK\]](#) supporting document on the Provider Portal for information on eligible State and Territory Government post-school employment and transition to work programs.

Single Period of Service

ESL Participants are restricted to a single Period of Service in Inclusive Employment Australia. Once an ESL Participant has Exited Inclusive Employment Australia, they are no longer eligible to access Inclusive Employment Australia through this ESAt-exempt pathway and must have an ESAt that is both Current and Valid to confirm their eligibility.

Major barriers to Employment

Access as an ESL Participant is restricted to students with major barriers to employment as a result of their disability. This includes those with severe physical or mental impairment that limits their functional capacity relating to mobility, communication, self-care, self-direction, interpersonal skills, work tolerance and work skills.

This is evidenced by additional education funding needed as part of a person's secondary schooling or receiving DSP.



Providers must keep Documentary Evidence related to the person's additional education funding needs. This includes:

- A statement from student's school (or former school) that clearly:
 - names the student
 - states the student's identified disability, and
 - states that due to their disability the student is attending (or previously attended, for secondary students at a TAFE or similar institution):

- a mainstream class at a mainstream school, and names the program providing disability funding to the school for the student
- a disability special class in a mainstream school
- a disability special school, or
- a mainstream class at a mainstream school, for students who are DSP participants.
- If the Participant is a DSP recipient in a mainstream class, either a:
 - letter from Services Australia confirming receipt of the DSP, or
 - screen print out of the Department's IT Systems 'Allowance History' screen showing the student's receipt of the DSP.

Note: A statement from the school must:

- be from the school Principal or similar position, or their representative
- be in the form of a signed letter on the relevant letterhead, or email with identified signature block, and
- include the date and the name and position of the person making the statement.

Students transitioning from secondary schooling

Students can access Inclusive Employment Australia as an ESL Participant to help with transitioning from school to work where they are in either:

- their final year of secondary schooling — this is usually Year 12, but may be earlier if the student, parent or legal guardian, and school have agreed that this will be the student's final schooling year, or
- an Australian School-based Apprenticeship that has been changed to accommodate the job seeker's accessibility needs.

Note: Students who are in year 11 and who have registered as continuing students for Year 12 are permitted to Directly Register and Commence in DES as an ESL from 1 December in the year prior to Year 12.

- 📄 Providers must keep Documentary Evidence related to the person's transition from secondary schooling. This must include one or more of the following:
 - a statement from the school confirming that the student is in their final year of school and is leaving school at the end of the current year
 - a copy of student's most recent school report that shows the school year that the student is currently enrolled in
 - a letter or email from the school Principal (or representative) saying that, after discussing the student's education requirements with the student and their parents or legal guardian, all parties have agreed that the student is in their final year of secondary school
 - a statement from the training organisation setting out the accessibility adjustments that have been made to the delivery of any course as part of an Australian School-based Apprenticeship to accommodate the student's disability, and/or
 - relevant paperwork confirming Disabled Australian Apprentice Wage Support Program approval.

Note: A Provider must obtain and keep proof of an ESL Participant's completion of their final year of secondary schooling.

School leavers and participants in work transition programs

A person can access Inclusive Employment Australia as an ESL Participant to get help finding suitable work if they:

- previously participated in NDIS-funded employment assistance and exited the program within the past 20 Business Days, or
- are in the final six months of, or exited within the past 20 Business Days, an eligible State or Territory Government post-school employment or transition to work program for people with disability.

Providers are encouraged to work in partnership with schools, State and Territory Government funded Training organisations and other relevant local government or community organisations to facilitate placements in Australian School-based Apprenticeships, and support students in both work and study.

If a Provider cannot Commence a person within 20 Business Days of their exit from NDIS-funded employment assistance or a State or Territory Government post-school employment transition to work program for people with disability, the Provider can seek written approval from their Account Manager to do so after that time.

Other information on eligible programs is included in the [State and Territory School Disability Funding Arrangements \[LINK\]](#) supporting document on the Provider Portal.

- 📄 Providers must keep Documentary Evidence related to the person's transition from NDIS funded employment assistance or an eligible State or Territory Government post-school employment or transition to work program. This includes:
 - A statement from the NDIS provider that clearly:
 - names the person
 - confirms the person was participating in a NDIS-funded employment assistance program, and
 - identifies the dates the person started and completed the NDIS-funded employment assistance program.
 - A statement from the State or Territory Government post-school employment or transition to work program provider, that clearly:
 - names the person
 - names the post-school employment or transition to work program
 - confirms the person was in the program, and
 - identifies the dates the person started and completed, or is expected to complete, the program.

Note: A statement must either be in the form of a signed letter on the relevant letterhead or an email with identified signature block. It must include the date and the name and position of the person making the statement.

1.3.2 Special Class Clients

Special Class Client (SCC) eligibility provides access to Inclusive Employment Australia, for people who acquired a disability, injury or illness through being present at a specified extreme event.

On Commencement, an SCC Participant will be assigned an Employment Benchmark of 8 hours.

- 📄 Providers must keep a copy of the Direct Registration Form that includes information to show the Participant's eligibility as an SCC Participant, and other evidence of a person's eligibility as a SCC Participant.
- 💻 Providers must Directly Register a SCC Participant on the Department's IT Systems using the Special Placement Flag for 'Special Class Client'.

Note: SCC eligibility is needed very infrequently. The Department will review use of SCC eligibility and may independently look to confirm that a SCC was present at the declared extreme event.

(Deed Reference(s): Clause 108.2)

SCC Participant eligibility criteria

Variations to general eligibility criteria	Additional eligibility requirements
<p>Disability, injury or health condition:</p> <ul style="list-style-type: none"> The Provider must confirm the person has disability, injury or health condition based on medical evidence directly provided. <p>Work capacity:</p> <ul style="list-style-type: none"> The person does not need to have their work capacity assessed (i.e. they are ESAt exempt). <p>Referral:</p> <ul style="list-style-type: none"> The person does not need an employment service referral (i.e. they are ESAt-exempt). 	<ul style="list-style-type: none"> Must be an identified SCC, in relation to: <ul style="list-style-type: none"> October 2002 Bali bombings December 2004 Asian Tsunami, or July 2005 London bombings.

- 📄 Providers must obtain and keep the following Documentary Evidence:
 - A Statutory Declaration from the Participant saying they were present at either the Bali Bombings, Asian Tsunami, or London Bombings.
 - A Medical Certificate issued by a General Practitioner, or other Record that provides medical evidence verifying the person has a disability, injury or health condition.

1.3.3 NDIS participants

NDIS participant eligibility streamlines access to the Inclusive Employment Australia for those who are receiving NDIS services as it allows access to Inclusive Employment Australia for NDIS participants who have an ESAt that was conducted at any time, and that included a recommendation to another employment service or a recommendation of 'unable to benefit'. More detail is available in 2.4.3ESAt requirements for DSP recipients and NDIS participants.

NDIS participants can be employed at or above their work capacity if in a Supported Employment Service.

NDIS participant eligibility criteria

Variation to general eligibility criteria	Additional eligibility criteria
<p>Work capacity:</p> <ul style="list-style-type: none"> The person does not need a Current or Valid ESAt assessment of their work capacity. <p>Referral:</p> <ul style="list-style-type: none"> The person does not need an employment service referral. 	<ul style="list-style-type: none"> Must be a current NDIS participant. Must have a previous ESAt.

Note: A person who wishes to access Inclusive Employment Australia using the special eligibility criteria for NDIS participants, must disclose to the Provider that they are a NDIS participant, and provide Documentary Evidence as outlined below. If a NDIS Participant does not wish to disclose this information, they may enter Inclusive Employment Australia using the general eligibility criteria, including the requirement to have a Valid ESAt.

- 📄 Providers must keep a copy of the Direct Registration Form that includes information to show the Participant's is a NDIS participant.
- 📄 Providers must obtain and keep one of the following forms of Documentary Evidence:
 - The cover letter for the person's current NDIS plan — a copy of the cover letter can be printed from the NDIS portal.
 - An 'access met' letter, recognising the person's eligibility for NDIS supports.

Note: A person does not need to provide their NDIS plan, and if they do, a copy of the plan should not be kept.

1.3.4 DSP recipients

DSP recipient eligibility streamlines access to the Inclusive Employment Australia for those receiving this Income Support Payment. It allows access to Inclusive Employment Australia for DSP recipients who have an earlier ESAt that was conducted at any time (noting that an assessment generally will have been undertaken as part of determining eligibility for DSP), regardless of whether it included a recommendation to Inclusive Employment Australia or DES, an Other Employment Service or a recommendation of 'unable to benefit'. More detail is available in 2.4.3ESAt requirements for DSP recipients and NDIS participants.

DSP recipient eligibility criteria

Variation to general eligibility criteria	Additional eligibility criteria
Work capacity: <ul style="list-style-type: none"> • The person does not need a Current or Valid ESAt assessment of their work capacity. Referral: <ul style="list-style-type: none"> • The person does not need an employment service referral. 	<ul style="list-style-type: none"> • Must be a current DSP recipient as identified on the Department's IT Systems. • Must have a previous ESAt.


1.3.5 Pre-Release Prisoners

Pre-Release Prisoner (PRP) eligibility allows eligible prisoners or detainees access to Inclusive Employment Australia while they are in custody to maximise their Employment support following their release, this includes those who can leave prison on day release.

State and territory corrective or youth justice services will refer PRPs they consider suitable to Providers. Providers should create links with corrective or youth justice services, so that they are ready to receive Referrals.

Pre-Release Prisoners (PRP) must be Directly Registered by the Provider following a referral from the state or territory corrective services agency or youth justice service if they meet the PRP Participant eligibility criteria.

If a person is Referred to a Provider and does not meet PRP Participant eligibility criteria, the Provider must not Directly Register the person and should advise the relevant state or territory corrective or youth justice service accordingly.

 Providers must apply the 'Pre-Release Prisoner' special client type indicator to the Participant's record in the Department's IT Systems.

 Providers must keep the relevant referral of the PRP Participant.

Note: Refer to 2.4 Employment Services Assessment for further information about ESAt requirements for PRPs.

PRP Participant eligibility criteria

Variations to general eligibility criteria	Additional eligibility requirements
Age: <ul style="list-style-type: none">The person must be at least 15 years of age.	<ul style="list-style-type: none">Must be:<ul style="list-style-type: none">in the final 12 months of their sentencelicensed to engage in paid work, andreferred by a state or territory corrective services agency or youth justice service provider.

Note: The Department's IT Systems will remove the PRP special client type indicator after the person's release, if they are in receipt of an Income Support Payment. Where possible, Providers are encouraged to remove the flag as soon as they become aware the person has been released from custody.


1.3.6 Ongoing Support (Work Assist) Participants

Ongoing Support (Work Assist) eligibility allows people already in Employment to access Ongoing Support. It supports people who are having difficulty meeting the essential functions of their job because of their disability, injury or health condition.

Ongoing Support (Work Assist) Participants can either self-refer or, with their consent, have been referred by their Employer.

When an employee commences as an Ongoing Support (Work Assist) Participant, they immediately start to receive Ongoing Support to maintain their Employment. Chapter 10:Ongoing Support describes how a Provider must arrange an Ongoing Support Assessment and deliver Ongoing Support to an Ongoing Support (Work Assist) Participant.

 Providers must keep a copy of the Direct Registration Form that includes information to show the Participant's eligibility as an Ongoing Support (Work Assist) Participant.

 Providers must Directly Register an Ongoing Support (Work Assist) Participant on the Department's IT Systems using the Special Placement Flag for 'Work Assist'.

(Deed Reference(s): Clause 108.4)

Ongoing Support (Work Assist) Participant eligibility criteria

Variations to general eligibility criteria	Additional eligibility requirements
Disability, injury or health condition: <ul style="list-style-type: none">The Provider must confirm the person has a disability, illness or health condition. Work capacity: <ul style="list-style-type: none">The person does not need a work capacity assessment (i.e.t they are ESAt-exempt).	<ul style="list-style-type: none">Must be assessed by the Provider as needing Ongoing Support to keep their job.Must have been working in that job over a consecutive period of at least 12 weeks, or there is an expectation that the job will last for at least 12 weeks.

Variations to general eligibility criteria	Additional eligibility requirements
Referral: <ul style="list-style-type: none"> The person does not need an employment service referral (i.e. they are ESAt-exempt). Current work: <ul style="list-style-type: none"> The person must be working. 	

Disability, illness or health condition

- 📄 Providers must obtain and keep the following Documentary Evidence of the Participant's disability, illness or health condition:
 - Recent medical evidence from a suitably qualified professional identifying:
 - the nature of the person's disability, injury or illness
 - how long the condition(s) has lasted / is expected to last
 - how the condition affects (or conditions affect) the person and their ability to do their job

Note: Evidence should be from within the last 2 years. If the condition described is permanent, the Provider can determine that older evidence adequately describes the effect of the injury, disability or health condition.

Current work

Providers should generally work with the person's Employer to collect appropriate Documentary Evidence of their eligibility and need for Ongoing Support (Work Assist) through the [Employer Form \[LINK\]](#) available on the Provider Portal.

If the person has not agreed to disclose their disability or request for support to their Employer, the evidence usually provided through the Employer Form must be collected from the person using alternative evidence listed below.

- 📄 A fully completed and signed Employer Form is acceptable Documentary Evidence of the person's current Employment. Alternatives to the Employer Form include:
 - Evidence of Employment over the past 12 Consecutive Weeks, such as Payslips or a signed and dated statement by the employee or their Employer confirming:
 - Employer name
 - Employment details, including date Commenced
 - Employment has lasted/will last for at least 12 weeks, and
 - employee's hours of Employment each week (usual and current).
 - Evidence of difficulty carrying out job requirements through a signed and dated statement by either the employee or their Employer confirming:
 - that they are having difficulties fulfilling the essential requirements of their job, due to the impact of their injury, disability or health condition, and
 - why do they consider that they need Inclusive Employment Australia assistance.

A Participant cannot receive Ongoing Support (Work Assist) if:

- the only support they need is available through Employment Assistance Fund (EAF)
- they are currently being supported in Other Employment Services.

- 📄 Providers must keep a file note stating why they assessed the Participant as requiring Ongoing Support (Work Assist).

1.4 Referral of Participants

An initial Referral connects a person with a Provider based on a ESAt that has recommended Inclusive Employment Australia — or Disability Employment Services — as the most appropriate employment service. Referred Participants will have been assessed under the Job Seeker Assessment Framework (refer to 2.2 Job Seeker Assessment Framework for further information).

This includes people who have a recommended program referral of Inclusive Employment Australia in their Valid ESAt who have been in Workforce Australia Online for up to 12 months.

A Referral may occur when the ESAt report has been submitted or after an Exemption period as part of a deferred Referral.

Referred Participants are already Registered on the Department's IT Systems. The Referral will have been made by Services Australia, the Department, or the National Customer Service Line (NCSL). A Referral may also be made by another Inclusive Employment Australia Provider in the case of a Transferred Participant.

1.4.1 Referral processes

Referral to Inclusive Employment Australia by Services Australia will occur when there is a Current and Valid ESAt (refer to 2.4 Employment Services Assessment for further information).

An ESAt will usually refer the person to Inclusive Employment Australia, rather than an Other Employment Service, if:

- the person's disability, injury or health condition is their main barrier to work, and
- the person is eligible for Inclusive Employment Australia and able to benefit from Inclusive Employment Australia.

Where the ESAt finds that the person is eligible for and able to benefit from Inclusive Employment Australia, the Services Australia Assessor will, as part of their recommendations, identify a Provider. At this stage of the process, the person is considered to be an Inclusive Employment Australia Participant.

The Assessor will help each Participant to review local Providers and choose the Provider that best meets their needs and will Refer the Participant to the Provider. If a Participant does not wish to choose their own Provider, they will be allocated a Provider.

Participant choice of their Provider is an important element of Inclusive Employment Australia. Participants will be able to choose a Provider delivering Services in their area based on where they live, including any relevant Specific Cohort Providers, if applicable. Participants are encouraged to review Provider options on the JobAccess site, ahead of their ESAt.

Note: Services Australia does not offer a choice of Providers when conducting an ESAt for a person who Directly Registered with a Provider, because the person exercised choice when Directly Registering. The person will be Referred back to the Provider they Directly Registered with. The person can choose to transfer to another Provider whenever they wish after this point.

If the person has transferred from an Other Employment Service to Inclusive Employment Australia, Services Australia will Refer the Participant to an Inclusive Employment Australia Provider. The Provider must cooperate and work collaboratively with the Other Employment Service Provider to support the Participant's smooth transition into Inclusive Employment Australia, in the same way that two Inclusive Employment Australia Providers must cooperate when a Participant transfers from one Provider to another, if requested to do so under these Guidelines. Refer to relevant Sections in Chapter 3: Commencements, Transfers, Suspensions and Exits for more information about Commencing Participants transferring from Other Employment Services.

(Deed Reference(s): Clause 106)


1.4.2 Receiving Referrals

Creating Appointment sessions

A Referral is actioned by Services Australia through scheduling the person in an Initial Interview against an available session (see 3.2.2 Initial Interview).

Providers are responsible for ensuring that Participants can be referred to them by having sessions available in the Electronic Calendar on the Department's IT Systems. It is up to Providers to determine how many sessions they make available in the Electronic Calendar to manage their current and potential Caseload.

If there are no available appointments within the next 2 to 5 Business Days, the person cannot be Referred to that Provider.

-  Providers must create sessions in the Provider's Electronic Calendar to ensure that they can receive a Referral — appropriate session types for Initial Interviews are 'Initial appointment' or 'All Appointment Types'.

(Deed Reference(s): Clause 112.1)

More detailed information is available in the [Provider Actions – Steps to ensure Referrals by Services Australia \[LINK\]](#) supporting document.

Confirming Registration details, eligibility and Participant details

When a Provider receives a Referral from Services Australia, the Provider must:

- review information in the ESA and Registration Record to confirm they are current, and
- confirm that the Participant is eligible to Commence.

Note: Although Services Australia and the Department's IT Systems confirm the person's eligibility when they are Referred, the person's circumstances may change before they can be Commenced. For example, if a person has already started work at an average number of hours per week equal to or greater than their Employment Benchmark, they must not be Commenced.

If a Provider considers that a person is not eligible for Inclusive Employment Australia, the Provider must:

- advise the person that they are not eligible
- Exit the person from the Inclusive Employment Australia, and
- if the person has Mutual Obligation Requirements and reports they have been working at least 15 hours per week, advise the person to contact Services Australia for an assessment of whether they are Fully Meeting their requirements.

(Deed Reference(s): Clause 106.3)

1.5 Direct Registration of Participants

Providers can Register certain people who approach them directly seeking employment services. This is known as Direct Registration.

To be eligible for Direct Registration, a person must:

- not be currently Referred to a Provider
- not be currently Referred to an Other Employment Service, and
- meet general or special eligibility criteria for the Inclusive Employment Australia — refer to 1.2 General eligibility criteria and 1.3 Special eligibility criteria.

If the Provider becomes aware that the person does not meet the Inclusive Employment Australia general or special eligibility criteria, the Provider must not proceed with the Direct Registration process.

Note: After completing the Direct Registration process, a Provider may need to request an ESAt to confirm eligibility (see next actions under 1.5.6 Submitting the Job Seeker Registration).

(Deed Reference(s): Clause 108)


1.5.1 Participant Registration

A person must be Registered on the Department's IT Systems before they can receive Services. The Job Seeker Registration process:

- collects information to confirm the person's identity
- records any special eligibility the person meets, if applicable — when the Registration shows that special eligibility applies, the Department's IT Systems checks that eligibility instead of general eligibility
- creates a Job Seeker Registration record or updates an existing Job Seeker Registration record for the person on the Department's IT Systems and allocates a Job Seeker Identification (JSID)
- connects the person's Job Seeker Registration record with their Customer Reference Number (CRN) in Services Australia's IT system — this provides relevant information about the person's income support status and participation requirement details, and
- allows the person to be referred for an ESAt and/or to be Commenced by the Provider to start receiving Services.

Unlike the Referral process by Services Australia, when a Provider Directly Registers a Participant:

- the Provider may need to request an ESAt on behalf of the Participant
- if the Provider referred the person for an ESAt, the person will be Referred back to the Provider if the ESAt confirms the person is eligible to receive Services, and
- if the person meets all general eligibility criteria or special eligibility criteria, the Provider can Commence the person as an Inclusive Employment Australia Participant.

 If a person will be using special eligibility to access Inclusive Employment Australia, the Provider must collect information and Documentary Evidence to show the person meets special eligibility as detailed in 1.3 Special eligibility criteria.

(Deed Reference(s): Clause 108)

1.5.2 Direct Registration Form

Providers must collect information about a Directly Registering person using the unaltered, complete **Inclusive Employment Australia Direct Registration Form** available on the Provider Portal.

The Direct Registration Form obtains:

- Personal Information so that the person can be Directly Registered, and
- the person's consent to use that Personal Information.

The Provider must ensure the person understands the information contained in the Direct Registration Form. This may require use of an interpreter. The person can choose to also have an advocate present.

All relevant Direct Registration Form questions must be answered. All relevant fields must be correctly completed, including proof of identity checks. The form must be signed and dated by the person (or their legal guardian) and by the Provider representative.

- 📁 The Direct Registration Form must be kept on file as Documentary Evidence to support the Participant's Direct Registration and Commencement in Inclusive Employment Australia.

1.5.3 Proof of Identity

To confirm the identity of the person, the Provider must sight originals or certified copies of acceptable documentation as outlined in the table below.

Acceptable identity documents

Option A:	Option B:
<ul style="list-style-type: none"> • One of the following: <ul style="list-style-type: none"> ○ current passport ○ current driver's licence, or ○ other form of photo identification from an Australian Government department or agency. 	<ul style="list-style-type: none"> • Two of the following: <ul style="list-style-type: none"> ○ financial institution (bank) documents showing name and signature or name and address ○ birth certificate or extract ○ certificate of Australian citizenship ○ Medicare card ○ vehicle registration papers with current address, or ○ other identification displaying the person's name, such as a statement from a community Elder if the person is a First Nations person.

A Provider must certify on the Direct Registration Form that they have sighted the proof of identity documents (including any Photo ID). A copy of the documentation must not be kept.

(Deed Reference(s): Clause 113.1)

1.5.4 Job Seeker ID search

Each Job Seeker Registration record has a unique JSID. Providers must search for any existing JSID for the person on the Department's IT Systems before creating a new Registration Record. This is important to:



- reduce unnecessary data entry and minimise duplicate Records, and
- ensure relevant information about the person's eligibility and history are considered.

📁 Providers can search for an existing Registration Record on the Department's IT Systems 'Job Seeker Search' screen by:

- [RESERVED]

Actions following Job Seeker ID search

Search results	Action
Active record found	Review record found and update details as needed on the Department's IT Systems. 📁 [RESERVED]
Inactive record found	Re-register the person, updating details as required on the Department's IT Systems.

Search results	Action
	 [RESERVED]
No record found	Create a new Registration Record on the Department's IT Systems.
	 [RESERVED]

1.5.5 Linking the Customer Reference Number to the Registration record


Providers must obtain and link the person's CRN to their JSID. This is important because:

- it transfers important information from Services Australia, such as the person's Income Support Payment type, recent Referrals and Mutual Obligation Requirements, and
- no Inclusive Employment Australia claims can be lodged if a CRN is not linked to a Participant's JSID.

If a person knows their CRN, Providers should ask that they supply it as part of the Direct Registration Form. People already have a CRN if they are receiving (or previously received) an Income Support Payment.

If the person does not know their CRN or does not have one, Services will need to verify the person's details. The Provider should contact Services Australia Participation Solutions Team on 1300 306 325 with the person present, if possible. Otherwise, the Provider must advise the person to contact Services Australia and request a CRN for the purpose of Registering for employment services.


Services Australia will provide the person's CRN if a record is found. If a record cannot be found, the Provider must request the creation of a CRN by Services Australia.

-  To link a CRN and JSID, select the 'Link' button found on the 'Registration' screen on the Department's IT Systems.

Note: An error message will appear if the data held by Services Australia does not match the CRN and details entered.

1.5.6 Submitting the Job Seeker Registration

Submitting a Job Seeker Registration record for a person completes their Registration.

-  The Department's IT Systems will show if a Direct Registration cannot be completed. This can happen if the person is:
 - ineligible for Inclusive Employment Australia — in this case, the Provider should advise the person they are not eligible for Inclusive Employment Australia and that they should contact Services Australia for further help if needed, or
 - already Registered with an Inclusive Employment Australia Provider or an Other Employment Service Provider.

Next actions

If the Provider successfully completes the Direct Registration process, the person's status on the Provider's Caseload will either be Pending or Eligibility Not Yet Determined. At this stage of the process, the person is considered to be an Inclusive Employment Australia Participant.

The Provider can Commence the person immediately, or at the next available Initial Interview opportunity, if the Participant:

- meets the requirements at 1.2 General eligibility criteria, including having an Inclusive Employment Australia (or the former DES program) employment service Referral in a Current and Valid ESAt, or
- meets one of the eligibility requirements at 1.3 Special eligibility criteria and is:
 - ESAt-exempt – includes ESL Participants, SSC Participants and Ongoing Support (Work Assist) Participants
 - an NDIS participant with a previous ESAt
 - a DSP Recipient with a previous ESAt, or
 - a PRP Participant with a Current and Valid ESAt.

Those who are successfully Directly Registered but require a Current and Valid ESAt cannot be immediately Commenced in Inclusive Employment Australia. However, once the person is Directly Registered, the Provider can refer them for an ESAt as described in 2.4 Employment Services Assessment to determine their eligibility.

If the ESAt confirms that the Directly Registered person is eligible to receive Inclusive Employment Australia Services, Services Australia will refer the person back to the Directly Registering Provider. The person's status on the Provider's will change to Pending. Providers must confirm that the person is eligible to be Commenced.

If an ESAt determines that Directly Registered person is not eligible for Inclusive Employment Australia, the person will be Exited.

For more information about Commencing or Exiting a person, see the relevant Sections in Chapter 3: Commencements, Transfers, Suspensions and Exits.

Chapter 2: Assessments

Supporting Documents for this Chapter

- [Provider Actions – Completing a Program Summary \[LINK\]](#)
- [Explanation of Job Seeker Snapshot Questions \[LINK\]](#)
- [Job Seeker Snapshot Overview and Factors Fact Sheet \[LINK\]](#)
- [Job Seeker Snapshot Off-line Form \[LINK\]](#)
- [Assisting Participants in Crisis Fact Sheet \[LINK\]](#)
- [Verification of medical conditions form \(SU684\)](#)
- [Medical Evidence Required for Making an ESAt Referral Fact Sheet \[LINK\]](#)
- [ESAt requirements by cohorts Fact Sheet \[LINK\]](#)

2.1 Chapter Overview

Assessments are an important tool to understand a Participant's individual needs and to support tailoring of Services. This Chapter outlines information related to the Job Seeker Assessment Framework and Provider responsibilities for specific assessments. Providers are encouraged to consider other forms of assessment where appropriate to support tailoring of support to Participants.

Assessments related to the Job Seeker Assessment Framework are:

- Job Seeker Snapshot
- Employment Services Assessments (ESAs), and
- Ongoing Support Assessments (OSA).

Other specific assessments outlined in this Chapter are:

- Skills Assessment
- Workplace Modification Services (WMS) Assessment, and
- Supported Wage System (SWS) Assessment.

Providers are also expected to undertake:

- functional capacity evaluation, physical assessment or other assessments to determine the Participant's needs, abilities or limits, and
- any other assessment they have that is reliable that would assist with identifying appropriate supports for a Participant.

Providers must consider the results of any assessments, to ensure that the supports and services they provide align with the Participant's:

- assessed current baseline work capacity and future work capacity with intervention
- type and nature of disability, injury, or health condition
- strengths, skills, experience, and aspirations, and
- Vocational and Non-Vocational Barriers.

This Chapter does not include Compliance-related assessments (i.e. the Capability Interview and Capability Assessment). Details related to these assessments can be found in Chapter 12: Compliance.

Note: In these Guidelines, the term 'ESAt' also includes any relevant Job Capacity Assessment (JCA). A JCA is an assessment conducted for a person who is applying for DSP. Information about the JCA can be found in the Social Security Guide — see [1.1.J.10 Job capacity assessment \(JCA\) | Social Security Guide](#).

2.2 Job Seeker Assessment Framework

The Job Seeker Assessment Framework informs Participants of the employment services they are eligible for and supports them in making relevant choices. The Job Seeker Assessment Framework is intended to be ongoing and dynamic, to support Participant disclosure and engagement, and to minimise reporting duplication for Participants.

A person's circumstances must be assessed through the Job Seeker Snapshot, and where relevant an ESAt, to ensure they are referred to an appropriate employment service with suitable supports.

- If the person registers with Services Australia, these assessments are conducted before the person is Referred to Inclusive Employment Australia.
- If the person Directly Registers with the Provider, the Provider is responsible for ensuring that required assessments are undertaken. The Provider is also responsible for updating the Job Seeker Snapshot when there is a change of circumstances.

An ESAt report will include:

- an employment service referral recommendation – to Inclusive Employment Australia or another employment service, and
- a Provider Referral– to a Provider (of the Participant's choice wherever possible) that delivers Inclusive Employment Australia Services in a particular location.

Throughout these Guidelines are references to a Participant's 'assessed work capacity'. Assessed work capacity is determined by the ESAt and is:

- the higher of a Participant's current baseline work capacity and future work capacity with intervention, or
- if relevant, a Participant's temporary reduced work capacity.

2.3 Job Seeker Snapshot and Job Seeker Classification Instrument

The Job Seeker Snapshot is a questionnaire completed by Services Australia, or the Provider. The results of the Job Seeker Snapshot will inform the Participant of the employment services that they are eligible for and supports them in making relevant choices. It includes questions that determine the Participant's Job Seeker Classification Instrument (JSCI) score and helps identify if the Participant requires an ESAt.

If the Job Seeker Snapshot identifies that further assessment is needed, the Provider should consider if this is required. If further assessment is needed, the person can be referred to Services Australia for an ESAt. The ESAt can result in the person being Referred to Inclusive Employment Australia. For further information, see the [Job Seeker Snapshot Overview and Factors Fact Sheet \[LINK\]](#).

Note: The JSCI is a statistical tool that determines a Participant's risk of becoming long-term unemployed. The JSCI score is not used in Inclusive Employment Australia, however information from the Job Seeker Snapshot will help determine the Funding Level that is assigned for an Inclusive Employment Australia Participant, see Chapter 11: Payments to Providers for more information. Performance and Payments are informed by broader Participant characteristics, including information in the ESAt.

2.3.1 Conducting the Job Seeker Snapshot

If a Participant does not have a completed Job Seeker Snapshot or has an inactive Job Seeker Snapshot upon Referral, the Provider must conduct the Job Seeker Snapshot with the Participant.


A Provider must also review the Participant's Job Seeker Snapshot during each Capability Interview — refer to 12.4.7 Capability Interviews.

(Deed Reference(s): Clause 113.1(i), 113.5(b), 139.9(b))

The Job Seeker Snapshot is conducted in the Department's IT Systems. Providers can use an interim [Job Seeker Snapshot Off-line Form \[LINK\]](#), available on the Provider Portal, to record responses if the Department's IT Systems are temporarily unavailable. Any information obtained this way must be recorded in the Department's IT Systems as soon as possible.

If a Provider needs to conduct a Job Seeker Snapshot, the Provider must ensure:

- the Job Seeker Snapshot is conducted privately and in a professional, disability inclusive, culturally appropriate manner
- the Participant has given their consent for the Provider to collect and use the Sensitive Information collected through the Job Seeker Snapshot (refer to relevant Sections in [Part A Guidelines: Chapter 6: Privacy \[LINK\]](#))
- an interpreter (including Auslan) is provided when requested by the Participant
- the Participant understands they may have a support person of their choice with them
- the Participant is informed their responses to the questions will not affect their payments in any way and that the questions are designed to ensure they receive the Services and support best suited to their needs
- the Participant is encouraged to provide open and honest responses to all questions so that Providers can deliver tailored Services to best meet the Participants needs, and
- the Participant understands some of the questions in the Job Seeker Snapshot are voluntary questions and the Provider will inform the Participant if a question is voluntary before the question is asked.


 Where a Participant provides documentation to support their answers in the Job Seeker Snapshot, it is good practice for the Provider to keep a copy of this document, where appropriate.

If a Participant discloses a need for crisis assistance or other support, the Provider should refer them to appropriate services. Please refer to the [Assisting Participants in Crisis Fact Sheet \[LINK\]](#) on the Provider Portal for further details.

Services Australia may also assist with Social Work referrals, child support payments and crisis payments.

The Provider may, at any time, record changes in the Participant's personal circumstances (for example a loss of licence) or include new information (for example education attainment) in a Participant's record by updating the Job Seeker Snapshot. Providers must update the Job Seeker Snapshot with the change of circumstances within 5 Business Days of the Provider becoming aware of the change in circumstances. Timely updating is important as the change may result in Change of Circumstance ESAt and/or have implications for the Participant's participation requirements as outlined in Chapter 5: Participation requirements.

(Deed Reference(s): Clause 16.6, 147.1)

 Providers must record a detailed description of the changes in the Participant's circumstances that triggered the need to conduct the update in the appropriate field at the end of the Job Seeker Snapshot in the Department's IT Systems.

The Job Seeker Snapshot may recommend a person has a further assessment through an ESAt. If a change of circumstances is likely to change a person's assessed work capacity or employment services referral recommendation from the previous ESAt, then a referral for a Change of Circumstances ESAt should be actioned, even if the Job Seeker Snapshot did not identify the need for further assessment.

2.4 Employment Services Assessment

An ESAt is an assessment of a person's medical evidence and other relevant circumstances by a Services Australia Health or Allied Health Professional.

The ESAt:

- considers the person's circumstances, including evidence from medical professionals
- determines how many hours per week the person can work, including both their:
 - current baseline work capacity (how many hours the person can currently work), and
 - future work capacity with intervention (how many hours the person may be able to work within the next 2 years with recommended interventions)
- identifies Vocational and Non-Vocational Barriers
- recommends Interventions and supports, and
- recommends the most appropriate employment program for the person.

The ESAt will inform eligibility for Referral to some Specific Cohort Providers.

In addition, Services Australia may use the ESAt to inform decisions about eligibility for payments or allowances, such as Mobility Allowance or Youth Disability Supplement.

Information about ESAts can be found in the Social Security Guide — see [1.1.E.104 Employment services assessment \(ESAt\) | Social Security Guide](#).

Information for Participants about ESAts can be found on [Services Australia's website](#). This includes information about the impact of ESAt on Income Support Payments.

Note: In these Guidelines, a 'Current' ESAt means an ESAt that has been completed within the last 2 years. A 'Valid' ESAt means an ESAt that was conducted at any time and the person has not had a significant change of circumstances that would make the ESAt invalid.

- 🖥️ Providers can view relevant ESAt information via the 'Servicing and Eligibility' screen of the Participant's record on the Department's IT Systems.

2.4.1 When is an ESAt required?

An ESAt is required if the person:

- is a new Participant who does not have a Current and Valid ESAt recommending Inclusive Employment Australia (or the former DES program), subject to certain exceptions as outlined in 2.4.2 When is an ESAt not required?
- is returning to Inclusive Employment Australia more than 13 weeks after their Exit and does not have a Current and Valid ESAt recommending Inclusive Employment Australia (or the former DES program), subject to certain exceptions as outlined in 2.4.2 When is an ESAt not required?
- is a DSP Recipient or a NDIS participant without an ESAt — refer to 2.4.3 ESAt requirements for DSP recipients and NDIS participants, or
- has a significant change in circumstances requiring a New ESAt — see Change of Circumstance ESAt outlined below.

A Provider may need to refer a Participant for an ESAt as part of the Direct Registration process.

Where a Provider disagrees with the outcomes of an ESAt, they may query this with Services Australia — see 2.4.7 Actioning the outcomes of the ESAt report.

The Provider must ensure that the Participant has any necessary information and documents and provides them to Services Australia before the ESAt is requested. An ESAt cannot be conducted without primary medical evidence (see 2.4.4 Medical evidence for ESAts). If there has been a

significant change of circumstances, new medical evidence should be provided to support the ESAt referral.

(Deed Reference(s): Clause 106.3, 107.1, 107.2, 108.1, 147.1, 154.5, 154.6)

ESAts requirements for Pre-Release Prisoners

As noted in Section 1.3.5 Pre-Release Prisoners, Providers must Directly Register Pre-Release Prisoners (PRP) who meet the eligibility criteria as a PRP Participant.

Providers must check if the PRP has a Current and Valid ESAt. The Provider should notify the corrective or youth justice service where a PRP requires an ESAt. The corrective or youth justice service must be involved in the process and must agree to the referral for an ESAt.

The Provider is responsible for coordinating with the corrective or youth justice service, the Participant and Services Australia to ensure an ESAt is completed. This includes:

- establishing when the Participant is available to participate in the ESAt
- supporting the Participant to source and provide medical evidence to Services Australia (see 2.4.4 Medical evidence for ESAts)
- contacting Services Australia to request an ESAt and book an appointment (see 2.4.5 Requesting an ESAt appointment)
- notifying the corrective or youth justice service of the ESAt appointment details, and
- continuing to liaise with all parties until the ESAt is completed, including coordinating any rescheduling requirements.

Change of Circumstance ESAt

A Change of Circumstances ESAt may be required if the Participants change of circumstances is likely to impact on their assessed work capacity or employment services referral recommendation. This may include:

- there is a new medical condition that impacts the Inclusive Employment Australia Participant's functional ability, and/or
- there is a significant change to the functional impact of the Participant's medical condition(s), and/or
- the ESAt does not reflect the Participant's current barriers or circumstances.

A referral for an ESAt must be of genuine benefit to the Participant and should not be requested if the identified barriers:

- will not have a significant impact on the Participant's ability to work or participate in other activities, including Inclusive Employment Australia, or
- are being actively addressed by the Provider or other services.

When requesting an ESAt, Providers are required to complete the Program Summary as part of the referral for a Change a Circumstance ESAt. For further information refer to [Provider Actions: Completing a Program Summary \[LINK\]](#) supporting document on the Provider Portal.

- 📄 Providers must enter or edit comments included as part of the using comment functionality in the Program Summary on the Department's IT Systems. To limit comments provided to Services Australia select the relevant comments and export selected to create a PDF with the comments.

2.4.2 When is an ESAt not required?

An ESAt is not required if the person is:

- a Participant commencing a new Period of Service in Inclusive Employment Australia who has a Current ESAt (within the last 2 years) that is still Valid and recommends Inclusive Employment Australia (or the former DES program) — see 2.4.3 ESAt requirements for DSP recipients and NDIS participants for exceptions to this rule
- an Eligible School Leaver (ESL) Participant — see 1.3.1 Eligible School Leavers
- a Special Class Client (SCC) Participant — see 1.3.2 Special Class Clients
- an Ongoing Support (Work Assist) Participant — see 1.3.6 Ongoing Support (Work Assist) Participants
- a DSP Recipient or NDIS participant that has a Valid ESAt, regardless of when it was conducted — see 2.4.3 ESAt requirements for DSP recipients and NDIS participants
- a Participant who returns to Inclusive Employment Australia within 13 weeks and there has been no significant change to their circumstances that is likely to impact on their assessed work capacity or employment services referral recommendation
- a Participant (Mutual Obligation) is Fully Meeting their Mutual Obligation Requirements via an approved Activity, or
- a Participant (Mutual Obligation) or DSP Recipient (Compulsory Requirements) who is expected to be granted an Exemption from their participation requirements for an extended period and are unlikely to benefit from an ESAt being conducted while the Exemption is current.

2.4.3 ESAt requirements for DSP recipients and NDIS participants

If a DSP recipient and/or NDIS participant has had a previous ESAt (including a JCA) they can immediately Commence in Inclusive Employment Australia. This includes ESAts that are more than 2 years old (i.e. does not need to be a Current ESAt).

The previous ESAt can be used to commence a DSP Recipient and/or NDIS participant in Inclusive Employment Australia, if the baseline work capacity and future work capacity with intervention are less than 30 hours per week, regardless of the referral recommendation. This includes referral recommendations to Inclusive Employment Australia, former disability employment services (including the DES program), other employment services or a recommendation of 'unable to benefit'.

If the DSP recipient or NDIS participant have had a significant change in circumstances since the previous ESAt, that may change their assessed work capacity, a new ESAt should be requested.

A DSP recipient or NDIS participant can choose to remain in Inclusive Employment Australia if they wish to, even if a Change of Circumstances ESAt recommends a different employment service. This applies to DSP recipients and/or NDIS participants who have Mutual Obligation Requirements, Compulsory Participation Requirements or are participating voluntarily.

2.4.4 Medical evidence for ESAts

Providers must ensure that a person has appropriate medical evidence supporting their medical condition(s).

Medical evidence is required because:

- Services Australia cannot assess that a person has a Partial Capacity to Work (PCW) unless there is evidence of a verified condition from the person's treating medical practitioner.

- A person is eligible for Inclusive Employment Australia only if they are assessed as having a PCW. That is, the ESAt must assess the person is not able to work for 30 hours or more per week.

Providers can help to make an ESAt operate effectively and as scheduled by:

- advising the person of the need for medical evidence
- checking what medical evidence, the person has supplied to Services Australia
- supporting the person to supply medical evidence to Services Australia before requesting the ESAt
- helping the person obtain new medical evidence, if needed.

If a Participant is in the Intensive Service and waiting to obtain medical evidence, the Provider (in consultation with the Participant) may decide to move the Participant to the Flexible Service until the ESAt is completed.

Forms of medical evidence

Primary medical evidence must be available to support an ESAt referral. Primary evidence does not need to be complex and can be provided in any format.

Primary medical evidence must contain:

- the diagnosis — i.e. the medical condition(s) affecting the Participant
- details of the medical practitioner who made the diagnosis
- sufficient information for the ESAt assessor to assess how the medical condition(s) affect the person's capacity to work or take part in other activities.

The [Verification of medical conditions form \(SU684\)](#) can be used to help collect the medical evidence needed. Providers can print this form and give it to the person to take to their next appointment with their medical practitioner.

Supporting medical evidence can also be considered in an ESAt. Supporting evidence may contain information that provides context and additional details but cannot be used instead of the primary medical evidence.

Providing medical evidence

A person can securely upload their medical evidence online via Services Australia digital services. Digital services may include the person using their Centrelink online account or the Express Plus Centrelink Mobile app. Information on how to do this is available on the [Services Australia website](#).

If a person can access digital services, they should be encouraged to do so wherever possible.

If a person cannot access digital services, options to provide information to Services Australia include:

- Participant can visit their local Centrelink Service Centre to hand in documents.
- Copy of documents can be posted to:
 - Services Australia
Disability Services
PO Box 7806
CANBERRA BC ACT 2610.
- Providers can fax the evidence on the person's behalf to 1300 786 102, ensuring the person's name and Customer Reference Number (CRN) are clearly written and visible.

Providers must not attempt to email the medical evidence to Services Australia.

If every reasonable effort has been made to support the person but medical evidence is still not available, Providers should contact Services Australia.

In exceptional circumstances, Services Australia may be able to refer the person to an appropriately qualified health professional within the agency who can assess the impacts of an Intellectual Disability or a suspected mental health condition (e.g. Psychosis). This assessment can then be used as primary medical evidence for an ESAt.

For further information on medical evidence for ESAts see the [Medical Evidence Required for Making an ESAt Referral Fact Sheet \[LINK\]](#) supporting document on the Provider Portal.

2.4.5 Requesting an ESAt appointment

Providers can request an ESAt appointment by sending an email to Services Australia's FOCUS Response Team, at FOCUS.RESPONSE.TEAM@servicesaustralia.gov.au.

Providers must take due care to ensure that they only include as much information about a Participant as is needed for Services Australia to arrange an ESAt. Protected or Sensitive Information must not be included in any emails to Services Australia. This includes information or an opinion about a Participant's medical conditions or medical evidence.

To ensure an ESAt request can be processed, Providers must include the following details in their request. An optional template is available underneath the table below to use in the email request.

Details required in ESAt request

Detail(s)	Explanatory Notes
Participants JSID or CRN	<ul style="list-style-type: none">• This will be used by Services Australia to identify the Participant's Centrelink record and assess your request.• If the JSID or CRN is not correct, your request may be declined.
State / Territory	<ul style="list-style-type: none">• This information helps Services Australia identify the Participant's time zone and allocate the request to a suitably skilled staff member.
Reason for Referral	<ul style="list-style-type: none">• Direct Registration — ESAt is required as part of the Direct Registration process.• Change of Circumstances New Condition(s) — existing Participant advises they have new conditions not assessed in their Current ESAt.• Change of Circumstances Exacerbation of Existing Condition(s) — existing Participant advises the impact of their already-assessed conditions have changed significantly.• Pre-Release Prisoner — when an ESAt is required as part of prison-based employment servicing.
Interpreter Language	<ul style="list-style-type: none">• If an interpreter is required, the language required (e.g. Auslan, etc.).
Special Considerations	<p>Any special circumstances relating to the request. For example:</p> <ul style="list-style-type: none">• the Participant has a confirmed job due to start soon, and an urgent ESAt is required to ensure they receive the right on the job supports, or• the Provider recommends the ESAt be conducted face-to-face.

Detail(s)	Explanatory Notes
	<p>Note: Providers should not include any highly Sensitive, Personal or Protected Information in the email. If exceptional circumstances apply (e.g. the Participant has suspected or confirmed mental health conditions and cannot access medical evidence), Providers should call the FOCUS Response Team on 1800 110 608.</p>
For Pre-Release Prisoners only	<ul style="list-style-type: none"> • Name of the corrections facility or institution. • Contact name and number in the corrections facility or institution. • Date and time(s) the participant is able to participate in an Assessment.

Template

<p>ESAt request:</p> <p>Participant's JSID or CRN:</p> <p>Participant's State / Territory:</p> <p>Reason for Referral:</p> <p>Interpreter Language:</p> <p>Special Contact Considerations:</p>
<p>Pre-Release Prisoners Only:</p> <p>Faculty Name:</p> <p>Faculty Contact:</p> <p>Date / Time Participant is available:</p>

ESAts are conducted as phone assessments by default. If a face-to-face ESAt is required, Providers should include this in the ESAt request email. If a face-to-face ESAt cannot be accommodated on site, a videoconference ESAt may be conducted. Providers must advise Services Australia when requesting an ESAt, if relevant, if a Participant has displayed or threatened violent behaviour, as indicated by a Serious Incident Report (see Chapter 13: Servicing Participants with challenging behaviours).

If Services Australia determines that an ESAt appointment is appropriate, the FOCUS Response Team will respond within 2 Business Days to confirm if the request is appropriate and if the ESAt will proceed.

Services Australia will prioritise the ESAt request based on the Participant's needs. Services Australia will contact the Provider again once the ESAt appointment is booked so the Provider is aware of the appointment details.

Providers should contact the FOCUS Response Team on 1800 110 608:

- if the FOCUS Response Team does not respond within 2 Business Days
- for all urgent enquiries (for example, highly vulnerable Participants).

2.4.6 Preparing a person for the ESAt

When a Provider refers a person to an ESAt appointment, the Provider must advise the person of the following:

- the reason for the ESAt

- that the ESAt is an interview to assess their work capacity and/or their eligibility for specialist employment services assistance
- the importance of disclosing all their barriers to employment at the ESAt appointment
- the importance of providing any new or further medical evidence via their Centrelink online account prior to the appointment
- they may have an interpreter or support person (such as a nominee, medical practitioner, Family Member, support worker, NDIS provider, advocate) present to assist them, and
- if applicable, that they may be referred to a different service after the assessment that better meets their needs.

Services Australia will review the ESAt request to determine if an ESAt is required. If there is information missing, or an ESAt is not required, Services Australia will reply to the Provider via email to let them know.

- 📧 When Services Australia books an ESAt appointment, they will send the Participant notification of the appointment details, including the contact number if they want to reschedule the appointment. The Provider will be alerted to the ESAt appointment in the Department's IT Systems.

When ESAt appointment has been scheduled in the Participant's Electronic Calendar, the Provider must confirm with the person the:

- date and time of the ESAt appointment
- that they are to contact the Services Australia using the contact information available on their appointment notification at least 24 business hours before the appointment time if they cannot attend
- if the Participant has Mutual Obligation Requirements, attendance at the ESAt is compulsory and if they do not attend, their Income Support Payments may be suspended — the Department's IT Systems will trigger a notification of the requirement to attend
- reasons for the ESAt including the importance of collecting information about their circumstances so they get support that matches their needs and capability, and
- need for full disclosure when discussing barriers to employment to ensure they receive the most appropriate assistance.

2.4.7 Actioning the outcomes of the ESAt report

When the ESAt assessor submits the ESAt report, it will appear on the Department's IT Systems with a status of 'submitted.'

A submitted ESAt takes effect immediately.

As the Current ESAt, it may:

- establish or update the Participant's current baseline work capacity and/or future work capacity with intervention, that is used to determine their:
 - Employment Benchmark, and
 - Mutual Obligation Requirements or Compulsory Participation Requirements, if applicable
- recommend a temporary reduced work capacity, including the duration of the temporary reduction
- make a referral recommendation, for the employment services the person is eligible to access, and

- support a Referral to a Provider of the person's choice. For Participants who Directly Register with a Provider, this Referral will be to the Provider who made the Direct Registration ESAt referral.

Providers must support and action any changes resulting from the ESAt, as needed.

The ESAt report status will change to 'finalised' 28 days after it is submitted.

Requesting a review of the ESAt report

Providers can request a review of an ESAt if new information is made available that might change the outcome of the ESAt (including the employment service referral recommendation), or there appears to be an error in the report.

To request a review, Providers must contact Services Australia by sending an email to FOCUS.RESPONSE.TEAM@servicesaustralia.gov.au and outline the request, including their reason(s).

If the Services Australia Assessor does not agree to change the recommendations, the Provider must accept the Assessor's decision as final.

A review must be requested within 28 calendar days of the ESAt report being submitted. Once the Department's IT Systems change the ESAt status to 'finalised,' Services Australia is not able to make any changes to the report.

If the Participant disagrees with the ESAt, or would like a further explanation of the content, they should contact Services Australia.

(Deed Reference(s): Clause 107.1, 107.2)

Releasing the ESAt report

If a person asks to see their ESAt report, they can be given a copy of the report unless it contains a statement like: "This report contains information which if released to the client, might be prejudicial to his/her health". In this case, Providers should direct the person to the Department's Freedom of Information (FOI) team. The [Freedom of Information](#) page on the Department's website contains information for the public on how to submit an FOI request.

Additional information regarding the disclosure of information and privacy considerations can be found in [Part A Guidelines: Chapter 6: Privacy \[LINK\]](#).

Note: JCA reports available on the Department's IT Systems include only information relevant to the person's participation in employment services (equivalent to the information contained in an ESAt). If the Participant wishes to view additional JCA information used for DSP claims or reviews, the Provider should direct the person to [Services Australia](#).

2.5 Skills Assessment

When a Participant commences in Pre-Employment Support, during the Initial Engagement Period (see 3.3 The Initial Engagement Period), a Provider must conduct a Skills Assessment to build their understanding of the Participant's support needs and servicing requirements. This will assist the Provider to tailor the supports delivered to the Participant.

There is no formal version of a Skills Assessment, rather Providers must conduct the assessment using their own resources.

The Skills Assessment should be comprehensive and consider all the relevant circumstances of the Participant.

The Skills Assessment should identify:


- Vocational Barriers and Non-Vocational Barriers the Participant may have including skill gaps, if relevant, and
- options for the Participant's pathway to employment including appropriate Interventions, Training, Education, and work experience activities.


It may include an assessment of the Participant's:

- Work Readiness
- current employment skills and experience, including an assessment of their existing skills set and aptitude for various types of work
- future skill needs
- current educational achievements
- skills and experience in direct relation to the local labour market, including areas of skill shortage
- job search experience and capability, including the quality of their résumé and any written applications, and
- Training or other support needs that will be required to help the Participant find and keep a job.

If the Skills Assessment identifies that a Participant identified as an Early School Leaver has completed a Year 12 or equivalent qualification, the Provider must request evidence of the qualification and provide that evidence to Services Australia. If Services Australia accepts the provided evidence the Provider must update the Participant's Job Seeker Snapshot to reflect the higher educational qualifications.

Note: An Early School Leaver is a person who receives Youth Allowance (Other), is under 22 years of age and has not completed Year 12, a senior secondary education qualification, or a qualification at Certificate III level or above.

 Providers should enter comments on the Participant's Summary in the Department's IT Systems with details of the request.

 Providers may be requested by the Department to provide details regarding the qualification to the Department or Services Australia.

(Deed Reference(s): Clause 115)

2.6 Ongoing Support Assessments

OSAs provide an independent assessment of a Participant's need for Ongoing Support, including for Ongoing Support (Work Assist) Participants.

OSAs are undertaken by assessors, who are employed by National Panel of Assessors (NPA) Providers, at no cost to Providers.

A Provider must request an initial OSA be completed as soon as possible upon identifying that a Participant would benefit from Ongoing Support.

Each OSA will be valid for either 1, 2 or 5-years, as recommended by the assessor. Providers must ensure that the OSA review is completed before its due date to continue providing Ongoing Support.

Providers must also request a Change of Circumstances OSA if:

- the Participant could benefit from a higher Level of Ongoing Support than their Current Assessment has recommended, or
- if Flexible Ongoing Support may be more appropriate for an Ongoing Support (Work Assist) Participant, having reached 26-weeks in their period of Ongoing Support.

Further details of Provider's requirements in relation to OSAs are outlined in 10.4 Ongoing Support Assessments.

(Deed Reference(s): Clause 125.3, 125.4, 129, 133)

2.7 Workplace Modification Services Assessment

Providers may assist or act on behalf of a Participant or Employer to make an application in respect to accessing financial support under the Employment Assistance Fund (EAF) for workplace assessments and modifications. The process to make an application for EAF assistance is outlined in 9.8 Employment Assistance Fund.

Note: A Provider may make an application for a Participant receiving Pre-Employment Support, Post Placement Support or Ongoing Support. The EAF is available when a people with disability is about to start a job or is currently working, as well as for help to find and prepare for a job.

Where required, a WMS Assessment may be undertaken to assess the application for the EAF.

WMS Assessments:

- identify the work requirements, work environment, nature of the Participant's disability and barriers to performing work tasks because of the Participant's disability
- conduct research into available modifications that will be suitable to respond to the identified barriers, and
- discuss and recommend with the Employer and Participant the potential modifications that are available to improve access to an inclusive and accessible workplace and supports work productivity with reasonable adjustments

WMS Assessments are undertaken by assessors, who are employed by NPA providers, at no cost to Providers, Participants or Employers.

During the WMS Assessment process, a Provider may be contacted by the assessor to provide additional information or clarify any ambiguities in the EAF application.

Access to information about the EAF can be found on the [JobAccess website](#).

2.8 Supported Wage System Assessment

Providers may assist or act on behalf of an Employer to make an application in respect of the SWS for a Participant on their Caseload.

SWS Assessments are undertaken by assessors, who are employed by NPA providers, at no cost to Providers, Participants or Employers.

A Provider may be contacted by the assessor to supply background information about the role and tasks involved. In practice, the Provider may draw upon the job support provided to the Participant/employee to identify and record the key tasks of the Job Placement.

Before the SWS Assessment is conducted, the assessor may also seek to confirm with the Provider whether:

- all the necessary modifications to the work environment and job have occurred to maximise the employee's participation
- that appropriate training has been provided to the employee in all duties to be performed, and
- agreement has been reached that the employee is unable to work at the productivity level that would be expected by the minimum standards for that position.

Information about SWS can be found on the [JobAccess website](#).

(Deed Reference(s): Clause 121.3)

Chapter 3: Commencements, Transfers, Suspensions and Exits

Supporting Documents for this Chapter

- [Provider Actions – Completing a Program Summary \[LINK\]](#)
- [Privacy Notification and Consent Form \[LINK\]](#)
- [Inclusive Employment Australia Service Guarantee \[LINK\]](#)
- [Inclusive Employment Australia Code of Conduct \[LINK\]](#)
- [Meaningful Engagement Participant Fact Sheet \[LINK\]](#)
- [Transfer by Agreement Form \[LINK\]](#)
- [Transfer Due to Relationship Failure Form \[LINK\]](#)

3.1 Chapter Overview

This Chapter:

- outlines the processes for Commencing an eligible person as a Participant, and what Providers should be aware of when undertaking this action
- describes the Participant's Period of Service and Period of Registration, and the relationship a Participant has with their Provider during their Period of Registration
- explains when and how a Participant can transfer or be transferred to another
- outlines how a Participant can be Suspended, and how a Participant (Mutual Obligation) or DSP Recipient (Compulsory Requirements) can volunteer to continue receiving Services during the Suspension, and
- outlines how and when the Participant can be Exited, including a Provider's responsibilities for Exiting Participants.

This Chapter should be read in conjunction with Chapter 1: Eligibility, Referrals and Direct Registration, Chapter 2: Assessments and Chapter 4: Job Plans.

Providers should refer to the [Provider Transition Advice \[LINK\]](#) in relation to Commencement of Transitioned Participants.

3.2 Commencements


3.2.1 Commencing Participants in Inclusive Employment Australia

To Commence a Participant, the Participant must:

- attend an Initial Interview (see 3.2.2 Initial Interview), and
- sign a Job Plan (see Chapter 4: Job Plans), unless:
 - the Participant transfers from an alternative Site with the same Provider — the Participant does not require a new Job Plan if there is an approved Job Plan.
 - the Participant has a Centrelink Job Plan — the Participant's Centrelink Job Plan must be left in place and they will be Commenced when the Provider records attendance at the Initial Interview.

Once these actions have been completed, the Participant's status on the Provider's Caseload will change to from Pending to Commenced.

(Deed Reference(s): Clause 108.1(d), 108.2(c), 108.3(c), 108.4(c))

 To Commence a Participant, a Provider must undertake the following steps in the Department's IT Systems:

- Step 1: Schedule and conduct an Initial Interview with the Participant.
- Step 2: Result the Initial Interview as 'Attended' in the Participant's Electronic Calendar.
- Step 3: Create and approve a Meaningful Engagement Job Plan, unless:
 - the Participant already has a Centrelink Job Plan, or
 - the Transferred Participant has a Detailed Job Plan — see Section below on Job Plan considerations for Participants transferring from another Provider.

Period of Service and Period of Registration

A Participant's Period of Service starts when they are Commenced in Inclusive Employment Australia. It continues as the Participant receives Services, including where they transfer to other Providers, until they Exit the program. Once a Participant has Commenced a Period of Service, they can continue to receive Services even if they no longer meet the Inclusive Employment Australia eligibility criteria.

A Participant's Period of Registration starts when they Commenced with a Provider. It continues until the Participant Exits from the Provider's Caseload. If the Participant transfers Providers, they start a new Period of Registration with their new Provider.

Both the Period of Service and Period of Registration end when a Participant is Exited.

Participants must be Commenced in a timely manner

Providers must ensure Participants are Commenced within 10 Business Days of the Referral (excluding Transitioned Participants). This includes think time for Participants to agree to their Job Plan (if requested and applicable). For further information please refer to Chapter 4: Job Plans and the [Provider Transition Advice \[LINK\]](#).

Note: A Participant (Mutual Obligation) or DSP Recipient (Compulsory Requirement) is required to participate in Inclusive Employment Australia and their Income Support Payment may be contingent upon Commencement in the program.

Determining the appropriate service offer

When a Participant is Commenced, they start in Pre-Employment Support. The Provider must determine if the Participant should receive Work Preparation or Job Search under Intensive Services or should receive Flexible Services.

includes information about Intensive Services and Flexible Services to help Providers determine the appropriate Pre-Employment Support Service for a Participant.

If the Provider does not have enough information about the Participant to decide which phase and service offer to Commence the Participant in, the Provider should start the Participant in the Intensive Service Work Preparation phase and review this decision at a future Appointment.

Note: If the person is Commenced as an Ongoing Support (Work Assist) Participant, they will start in the Ongoing Support phase (see Chapter 10: Ongoing Support).

Commencement of Participants undertaking residential treatment programs

Participants who are Pending on a Provider's Caseload and participating in residential treatment programs must not be Commenced until their residential treatment program has ended. This is because a Participant who enters a residential treatment program will have limited ability to participate in activities that are external to their residential treatment program, including taking phone calls or using computers to access the internet.

- 📅 Providers must document the reasons for delays in Commencement of the Participant, using comment functionality in the Participant's Summary on the Department's IT Systems.

Participants with sensitive Records (restricted access)

Participants with Sensitive Information in their Records may be allocated to a Provider's Caseload and the Participant's contact details will not be visible.

Services Australia will contact these Participants and Refer the Participant to an Initial Interview with the Provider. Participants must provide their contact details to the Provider at the first appointment.

Participants with a history of Incidents or a Managed Service Plan

Provider staff can see the details of a Participant's Incident history and current Managed Service Plan in the Department's IT Systems when they have a Pending status. Provider staff should review these details before the Initial Interview so they can:

- implement appropriate interview safety measures to protect Participants and staff, and improve engagement with the Participant, and
- if appropriate, implement a proactive Managed Service Plan limiting face-to-face servicing where appropriate.

For more detail see Chapter 13: Servicing Participants with challenging behaviours, which includes information about Incident reporting and Managed Service Plans.

3.2.2 Initial Interview

The Initial Interview is the first Appointment that a Participant will have with the Provider.

The Provider must conduct an Initial Interview for all Participants who:

- were Referred by Services Australia
- Directly Registered for assistance, or
- are Transferred Participants.

Note: Transitioned DES Participants will have an Initial Appointment instead of an Initial Interview. Providers should refer to the [Provider Transition Advice \[LINK\]](#) for more information on the Initial Appointment.

Scheduling the Initial Interview

When a Participant is Referred, Services Australia will schedule the Initial Interview as part of the Referral process.

- 📅 Providers will be alerted when the Initial Interview is booked by Services Australia in the Electronic Calendar.

A Directly Registered Participant's Initial Interview will be scheduled:

- by Services Australia after confirming the person's eligibility in an ESAt, or
- by the Provider, if the Participant does not require an ESAt to confirm eligibility.

Providers must consider a Participant's personal circumstances when scheduling Initial Interviews.

- 📅 Providers must schedule the Initial Interview in the Electronic Calendar. If scheduled on the same day as the Participant Directly Registered, the Provider must record that the Initial Interview was directly booked with the Participant to avoid a notification being sent to the Participant.

The Initial Interview will need to be scheduled for 60 to 90 minutes but can be longer at the discretion of the Provider.

Providers must deliver the Initial Interview face-to-face where it is:

- safe, inclusive and accessible
- beneficial to the individual Participant, and
- reasonable in the circumstances.


When it is unreasonable to conduct the Initial Interview face-to-face, Providers may:


- change the appointment type to include via a phone call, videoconferencing, or at a mutually agreed and appropriate outreach location (excluding the Participant's Private Home or any Private Property), or
- help the Participant transfer to a Provider that is more suitable.

It would be unreasonable to require a Participant to attend a face-to-face appointment where:

- they reside in an area that is affected by:
 - extreme weather conditions
 - a natural disaster
 - public transport strikes, and/or
 - lack of access to reasonable transport
- there are relevant cultural reasons
- travel time and/or cost is not reasonable
- the location is not accessible due to the Participant's disability, illness or injury
- they are participating in full-time Education or Training
- they are Employed and their hours restrict their availability to attend
- they are not medically fit to attend, and/or
- they have health considerations (including COVID-19 considerations) that impact on the Participant's ability to attend, such as:
 - being immunocompromised or being a household contact of someone who is immunocompromised
 - under State or Territory Health Orders, and/or
 - other relevant health considerations.

In addition, Providers may decide not to schedule a face-to-face Initial Interview where a Participant has a history of Incidents and Managed Service Plans (including Services Australia Incidents and Managed Service Plans) and poses a risk to other Participants and Provider staff that cannot be managed at the Site.

 Where a Provider determines face-to-face servicing is not appropriate for an Initial Interview, they must record why it is not suitable for the Participant, including what other alternative solutions were explored.

 Providers must record their reasons for not conducting the Initial Interview face-to-face using the comments functionality in the Participant's Summary on the Department's IT Systems.

Conducting an Initial Interview

In preparing for the Initial Interview, Providers must:

- check available information on the Department's IT Systems
- contact the Participant, if possible, to check any accessibility requirements or reasonable adjustments (for example, assistance with parking or transport if attending face-to-face), and
- organise access to an interpreter, where required.

At the start of the Initial Interview, the Provider must:

- confirm the Participant's identity
- explain the privacy policy for Inclusive Employment Australia, including:
 - why their Personal Information will be collected
 - what information will be collected and why it is needed
 - organisations that may handle their Personal Information and why
 - that their consent is not required for Personal Information that is required by law, and
 - how they can make a privacy complaint
- obtain a signed [Privacy Notification and Consent Form \[LINK\]](#)
- confirm the Participant's preferred Engagement Method(s) and preferred arrangements for Contacts i.e. face-to-face on Site or at an agreed and appropriate outreach location (excluding the Participant's Private Home or any Private Property), by a phone call or videoconference.




During the Initial Interview, the Provider must:

- ensure that the Participant is aware Services the Provider can offer, including:
 - the Objectives of the Inclusive Employment Australia, and
 - the range of Services and support available as part of Inclusive Employment Australia
- explain and provide a copy of the [Service Guarantee \[LINK\]](#) and [Code of Conduct \[LINK\]](#)
- discuss the Participant's experiences and personal circumstances, workplace barriers, abilities, and aspirations, to develop an understanding of the support the person needs
- discuss whether the Participant is currently undertaking any Education and Training, paid Employment, Volunteer Work or other activities
 - for Transferred Participants, this discussion may also include a review of prior tasks and activities undertaken to meaningfully engage
 - for Participants transferred from Other Employment Services, this discussion may also include a review of prior tasks and activities undertaken in their Job Plan or Goal Plan
- if deemed appropriate, provide:
 - an initial list of appropriate Vacancies
 - advice about the best ways to look for and find work and about local job opportunities, and
 - information about Skills Shortage areas
- explain the consequences of not participating appropriately in Services:
 - for Participants (Mutual Obligation), explain their rights and obligations under the Social Security Law, the TCF, and the consequences of not meeting their Mutual Obligation Requirements
 - for DSP Recipients (Compulsory Requirements), explain their rights and responsibilities under the Social Security Law and the consequences of not participating in accordance with their Job Plan
 - for Participants (Mutual Obligation) and DSP Recipients (Compulsory Requirements), explain that they may be compelled by their Provider to attend a compulsory Contact Appointment if they do not satisfy the Meaningful Engagement Requirement and are not in contact with the Provider
 - for Participants with a pending DSP claim, explain how their participation in Inclusive Employment Australia as their Program of Support can affect their eligibility for the DSP, and
 - for Participants (Voluntary) explain the consequences of not participating appropriately, and
- identify a date and time to book the next Contact Appointment.

By the end of the Initial Interview, the Provider must:

- explain the purpose of a Job Plan
- prepare or update a Job Plan and explain the contents of the Job Plan, noting:
 - if entering into a Meaningful Engagement Job Plan:
 - the Meaningful Engagement Job Plan only includes the Meaningful Engagement Requirement — refer to 4.6 Contents of a Meaningful Engagement Job Plan
 - provide a copy of the [Meaningful Engagement Fact Sheet \[LINK\]](#)
 - explain the Meaningful Engagement Requirement and expectations around how a Participant is to meaningfully engage and what happens if they cannot fully satisfy the requirement, including that:
 - the Participant is required to engage with their Provider to prepare for, seek or maintain employment”
 - meaningful engagement will include attendance at Provider Appointments, other forms of Contact and undertaking tasks and activities that help the Participant to achieve their Employment Goal
 - for the Initial Engagement Period, the Participant needs only to stay in contact with the Provider (i.e. attend Contact Appointments)
 - Participants who have a documented Period of Disengagement will be found to not be satisfying the Meaningful Engagement Requirement, and
 - Participants who have a documented Period of Disengagement and are not fully satisfying the Meaningful Engagement Requirement will be required to entered into a Detailed Job Plan that lists mandatory requirements
 - if entering into a Detailed Job Plan:
 - the Detailed Job Plan need only include the pre-populated requirements — refer to 4.7 Contents of a Detailed Job Plan
 - the Detailed Job Plan can be adjusted based on the Participant’s previous Job Plan and any notes a Relinquishing Provider has added in the Program Summary, and
 - tasks and activities are to be reviewed over the Initial Engagement Period
 - the Provider must not enter into a Job Plan if there is a Centrelink Job Plan — these Participants’ Job Plans are managed by Services Australia

(Deed Reference(s): Clause 112, 113.1, 113.3)

-  Providers must record a result of ‘Attended’ for the Initial Interview in the Participant’s Electronic Calendar by close of business the day the person attends it.
-  Providers must record the Participant’s preferred Engagement Methods and preferred method for Contacts, and update as circumstances change.
-  Providers may use the comments functionality in the Participant’s Summary on the Department’s IT Systems to capture preferred Engagement Methods and preferred arrangements for Contact Appointments.

Privacy Notification and Consent Form

The Provider must give each Participant the Privacy Notification and Consent Form and seek express written consent to collect their Sensitive Information by asking the Participant to sign it. The form ensure the Participant is aware of the types of Personal Information they may be required to provide and how this information will be used and disclosed.

This must be done at the Initial Interview, if not already completed as part of the Direct Registration process.

- Providers must keep the signed Privacy Notification and Consent Form, as described in Records Management Instructions outlined in [Part A Guidelines: Chapter 6: Privacy \[LINK\]](#).

Proof of Identity

The Provider must sight proof of identity acceptable documentation at the Initial Interview. A copy of this documentation must not be kept.

If an Initial Interview is conducted via a phone call or videoconference, the Participant must email their identity documents to the Provider. The Provider must not keep this information and must delete the email once the Participant has been Commenced in the Service.

A list of acceptable documents is included in .

Third-party attendance

At any Appointment, including the Initial Interview, the Participant may wish to have a third-party attend. This may include a Family Member or carer(s), support person and/or an advocate. Providers should accommodate third-party attendance, unless the third-party demonstrates challenging behaviours.

Warm Handovers for Transferred Participants

When a Participant transfers from one Provider to another, the Participant must be given the option to participate in a Warm Handover as part of their Initial Interview. Details on the Warm Handover process are included under 3.4Transfers.

Participants transitioning from Other Employment Services

Providers may be requested to assist with the transition of a Participant from Other Employment Services.

Parent Pathways

Parents of young children (under 6 years of age) can volunteer to participate in the Parent Pathways service. This service provides a 'mentor' to support Participants as they undertake early intervention pre-employment support to help them work towards and achieve goals to improve their future economic security.

When a parent's youngest child turns 6 years old, they are no longer eligible for Parent Pathways. At this time, some parents may have Mutual Obligation Requirements and be required to participate in employment services, including Inclusive Employment Australia. In this case, parents will be Referred by Services Australia to Inclusive Employment Australia after they have exited Parent Pathways.

As part of the transition from Parent Pathways, the parent may choose to have a Warm Handover meeting as part of their Initial Interview. In this instance, a Warm Handover means a meeting between the Inclusive Employment Australia Provider, Participant, and the Participant's former Parent Pathways mentor.

Warm Handovers are optional. The Participant has responsibility for advising their Parent Pathways mentor of the Initial Interview appointment details.

During the Warm Handover, the Provider should take note, if shared, of:

- the Participant's Employment Goals as captured by their Parent Pathways Goal Plan
- any Activities the Participant was undertaking while in the Parent Pathways service, and
- details of the Participant's achievements and progress during Parent Pathways.

This information would be used to inform the Employment Goal captured in the Participant's Job Plan and suitable tasks and activities discussed as part of the plan for meaningful engagement during the Initial Engagement Period.

Additional considerations for NDIS participants

Providers should seek to confirm at the Initial Interview if a Participant Referred to them is a NDIS participant, however, the Provider must make it clear that it is up to the Participant whether or not they disclose this information.

Note: If the Participant is using the specific eligibility criteria for NDIS participants to enter Inclusive Employment Australia (outlined in 1.3.3 NDIS participants), the Participant must have shown evidence of their NDIS plan or eligibility for NDIS supports during the Direct Registration process.

Providers may ask the Participant about their NDIS plan to develop Services that support the Participant's needs. It is up to the Participant to choose if they would like to share their plan with anyone other than their NDIS provider who they have an active service booking with. If the Participant provides a copy of their NDIS plan, the Provider must not keep a copy of the NDIS plan.

A Participant may wish to include a NDIS partner or provider at their next scheduled appointment. This could be the Local Area Coordinator, the Participant's support coordinator, their NDIS employment service provider or other party. The Participant has responsibility to advise those they invite of the appointment details.

The purpose of seeking to meet with a NDIS representative is to ensure all parties are working collaboratively towards supporting the Participant's Employment Goals and gain clarity on Participant supports to be delivered under either Inclusive Employment Australia or NDIS.

3.2.3 Steps when a Participant fails to Commence

Participants with participation requirements

Once a Participant (Mutual Obligation) or DSP Recipient (Compulsory Requirements) is Referred to Inclusive Employment Australia, they must attend the Initial Interview, agree a Job Plan and Commence in the Program in order to continue receiving Income Support Payments (other than a Participant receiving Parenting Payment).

Note: If there is a pause to participation requirements (refer to 5.2.1 Mutual Obligation Requirements and 5.2.2 DSP compulsory participation requirements for further information), Participants (Mutual Obligation) and DSP Recipients (Compulsory Requirements) will not be required to attend the Initial Interview. The Initial Interview will still show in the Participant's Electronic Calendar, but if they don't attend their Income Support Payment will not be affected. The Participant will need to attend to meet their participation requirements when the pause ends.

If the Participant does not attend the Initial Interview, the Provider must attempt to contact the Participant within five Business Days to schedule another Initial Interview.

As part of scheduling another Initial Interview, Providers must issue a formal notification, to a Participant (Mutual Obligation) or DSP Recipient (Compulsory Requirements), and must advise the Participant of the consequences of failing to attend:

- that failure to attend the next Appointment may result in their Activity Tested Income Support Payments being suspended by Services Australia
- if the Participant attends their Initial Interview within 28 days of the payment suspension, their payments will be reinstated and backdated to the date of the suspension, and

- if the Participant fails to attend an appointment within 28 days of the suspension, their payments will be cancelled. They will be Exited from employment services and may need to reapply Income Support payments.

If a Participant provides an Acceptable Reason why they cannot attend the second scheduled Initial Interview, the Provider must 'Cancel' or 'Reschedule' the Initial Interview instead of resulting it as a 'Did Not Attend' in the Department's IT Systems. The Provider must reschedule the Initial Interview as soon as possible. Unless otherwise agreed with the Participant, a new Initial Interview should be made at least 48 hours into the future.

If a Participant (Mutual Obligation) does not attend the second scheduled Initial Interview, and does not have a Valid Reason, their Income Support Payment will be suspended until the Participant attends an Initial Interview. This will be triggered in accordance with the processes for a Mutual Obligation Failure, as outlined in 12.4 Compliance actions - Mutual Obligation Failures.

This temporary Income Support Payment suspension mechanism is designed to encourage attendance at an Initial Interview when all other appropriate attempts to engage the Participant have failed. It is triggered after a 'Did Not Attend - Invalid' result is entered in the Department's IT Systems.

- 📅 The Provider must enter the 'Did Not Attend – Invalid' result and reason for failing to attend the second scheduled Initial Interview into the Department's IT Systems, by no later than close of business on the day of the Appointment.

Note: While Participants (Mutual Obligation) will generally be compelled to attend their Initial Interview there are circumstances in which their requirements may be paused.

If a DSP Recipient (Compulsory Requirements) does not attend the second scheduled Initial Interview, and does not have a reasonable excuse, the Provider must report their non-attendance as outlined in 12.7.3 Reporting DSP non-compliance.

Until the Participant is automatically Exited due to Income Support Payment cancellation, Providers are encouraged to continue to try contact the Participant, to engage them in the Service and assist them to have their Income Support Payment restored.

Participants (Voluntary)

Participants (Voluntary) have 3 opportunities to attend their Initial Interview with their Provider before the Provider must Exit them due to non-attendance.

3.3 The Initial Engagement Period

The Initial Engagement Period is the first 4 weeks of a Participant's Period of Registration. It starts from the Initial Interview (see previous 3.2.2 Initial Interview). The Initial Engagement Period applies for new entrants to Inclusive Employment Australia and Participants who have transferred from another Inclusive Employment Australia Provider but does not apply to Ongoing Support (Work Assist) Participants.




The Initial Engagement Period allows time for the Provider to build a positive relationship with a Participant and assess the Participant's skills, needs and strengths. It allows the Provider to tailor their Services to the Participant, considering any barriers (including personal circumstances) that may impact on a Participant's ability to transition to ongoing sustainable Employment or effectively maintain their current Employment.

During the Initial Engagement Period for each Participant, the Provider must:

- conduct an Initial Interview

- conduct the Job Seeker Snapshot if the Participant does not have a current JCSI — refer to 2.3.1 Conducting the Job Seeker Snapshot
- if the Participant is receiving Pre-Employment Support:
 - conduct a Skills Assessment — refer to 2.5 Skills Assessment
 - determine if the Participant should be engaged in Intensive Service Work Preparation, Intensive Service Job Search or Flexible Service — refer to Chapter 6: Pre-Employment Support
 - assist the Participant to identify relevant tasks and activities they will participate in, as part of meaningfully engaging — this may include tasks and activities the Participant identifies as aligning to their Employment Goal(s) and/or tasks and activities the Provider has identified that will help the Participant to prepare for, find and keep a job, noting:
 - if the Participant has a Meaningful Engagement Job Plan, the Provider must capture agreed tasks and activities (outside of the Job Plan) and provide a copy to the Participant
 - if the Participant has a Detailed Job Plan, the Provider must capture agreed tasks and activities in the Participant's Job Plan, and
 - assist the Participant to prepare a résumé and load the completed résumé onto their Workforce Australia profile
- if the Participant is receiving Post-Employment Support or Ongoing Support:
 - review comments included in the Participant's Program Summary by a Relinquishing Provider, if relevant
 - identify the types of supports that will assist the Participant to keep their job, and
 - assist the Participant to identify relevant tasks and activities they will participate in, as part of meaningfully engaging — this would generally be Contacts with the Provider and maintaining their Employment, noting:
 - if the Participant has a Meaningful Engagement Job Plan, the Provider must capture agreed tasks and activities (outside of the Job Plan) and provide a copy to the Participant
 - if the Participant has a Detailed Job Plan, the Provider must capture agreed tasks and activities in the Participant's Job Plan, and
 - assist the Participant to capture their hours of Employment as Personal Events, if appropriate — refer to 5.3.4 Capturing Personal Events.

(Deed Reference(s): Clause 113.5, 113.6, 113.7, 116, 134)

-  Providers can capture information within a Participant's résumé using comment functionality in the Participant's Summary on the Department's IT Systems.
-  Providers must have sufficient records of agreed tasks and activities for each Participant with a Meaningful Engagement Job Plan.
-  Providers should capture agreed tasks and activities for each Participant with a Meaningful Engagement Job Plan in the Program Summary on the Department's IT Systems, and update as required.

3.3.1 Connecting Participants to Workforce Australia Online profiles

Providers should support Participants to register with and use Workforce Australia Online for Individuals. This allows the Participants to access online tools, information, and learning modules available on the [Workforce Australia website](#).

As part of the Initial Engagement Period, the Provider should discuss with each Participant if they have connected their myGov profile to Workforce Australia Online. If not, the Provider should, where

appropriate, support the Participant to do so. This will enable the Participant to use all the features of the online platform, including viewing Appointments, Activities and scheduled Job Interviews in their Electronic Calendar and undertake and report on Job Search efforts.

3.4 Transfers



Participants may transfer between Providers for a range of reasons and at any time during their Period of Service. Transfers can be initiated by the Participant, a Provider or the Department to available Providers in their Employment Service Area (ESA).

A transfer changes the Participant's Referral from their current Provider ('Relinquishing Provider') to the new Provider ('Gaining Provider'). This means the transfer will end the Period of Registration with the Relinquishing Provider and start a new Period of Registration with the Gaining Provider. The Period of Service will be maintained.

Participants transfer to the Gaining Provider's Caseload with a 'Pending' status. The Gaining Provider must undertake an Initial Interview to Commence the Participant. The Gaining Provider then becomes the Provider for the Participant and delivers Services to the Participant.

The status of the Participant on the Relinquishing Provider's Caseload will change to 'Exited'. At this point, the Relinquishing Provider ceases to be the Participant's Provider and will have limited access to the Participant's record on the Department's IT Systems for the next 28 calendar days.

(Deed Reference(s): Clause 109, 148)

-  Providers should ensure that details of support delivered to Participants are entered into the Department's IT Systems before the Participant is Exited.
-  Providers capture the support provided using comment functionality in the Program Summary on the Department's IT Systems.

3.4.1 General considerations for transfers

Warm Handovers

Both the Gaining and Relinquishing Providers must assist, facilitate, and cooperate with the transfer of a Participant. Providers are to do this through a Warm Handover.

(Deed Reference(s): Clause 149.1)

A Warm Handover is a meeting between the Gaining Provider, Relinquishing Provider, and Transferred Participant. The Warm Handover is intended to improve the continuity of support during their Period of Service — through the sharing of appropriate information about tasks and activities being undertaken and progress towards ongoing Employment.

A Relinquishing Provider must offer the Participant a Warm Handover as part of their transfer. If the Participant requests attendance, the Relinquishing Provider must attend the Warm Handover, even though the Participant will be Exited from the Provider's Caseload at the time of the Appointment.

In offering a Warm Handover, the Relinquishing Provider must:

- explain the process of a Warm Handover, including the benefits from having them in attendance at their Initial Interview with the 'new' Provider
- discuss the types of Personal or Sensitive Information they may need to consider sharing at the Warm Handover, with their consent
- ask the Participant whether or not there is any information that the Participant does not wish to be shared at the Warm Handover

- advise the Participant that once the Initial Interview has been scheduled, they will need to contact them and provide the appointment details (i.e. time, date, new provider name and location), and
- attend the Initial Interview with the Participant, as requested.

The Gaining Provider must confirm with the Transferred Participant if they want to participate in a Warm Handover as part of their Initial Interview.

If a Participant has accepted a Warm Handover, the Gaining Provider must ensure the Participant understands that it is their responsibility to contact their previous Provider, to inform them of the details of their Initial Interview (i.e. time, date, and location).

Note: The Participant may also wish to have others in attendance at their Initial Interview, as a support person or advocate (see relevant details under 3.2.2 Initial Interview). This is not prohibited by the attendance of the Relinquishing Provider.

Participants can choose not to have a Warm Handover.

- 📅 Relinquishing Providers must record the details of the Warm Handover off-Calendar as the Participant will be Exited when the appointment details are set.

Program Summary

Relinquishing Providers must complete a Program Summary for the Participant within 5 Business Days of the Participant's Exit.

(Deed Reference(s): Clause 154.15)

The Program Summary provides Inclusive Employment Australia Providers and Services Australia Assessors with information on the Participant's progress in Inclusive Employment Australia, achievements, and barriers to achieving and/or maintaining sustainable Employment.

When creating or updating the Program Summary as part of transfer arrangements, the Provider must enter information about the Participant's progress during their Period of Registration, including:

- information on the Participant's current Job Plan and Job Plan history, such as:
 - Documentary Evidence that informed the Provider's determination to enter into a Detailed Job Plan with the Participant, if relevant, or
 - Documentary Evidence that informed the Provider's determination to re-enter into a Meaningful Engagement Job Plan with the Participant, if relevant
- information on the Participant's current level of engagement against their Job Plan, including any emerging or confirmed Pattern of Disengagement or Pattern of Renewed Engagement
- information of any assistance purchased or provided, including Wage Subsidies
- information on the status of any tasks and activities currently being undertaken by a Participant, particularly those included as part of the Participant's plan for meaningful engagement
- details of the Participant's progress against their Employment Goal
- details of the Participant's achievements, including any Education and Training courses completed
- information on the Participant's Vocational and Non-Vocational Barriers to Employment
- information on servicing/engagement strategies delivered by the Provider and the results of these strategies on the Participant's level of engagement
- information on reasonable adjustments that have improved or could improve the Participant's engagement levels, and

- details of any Permissible Breaks and/or Voluntary Changes in Employment.

Providers must ensure that information recorded in the Program Summary is a factual account of the Services delivered to a Participant. The Program Summary must not include any judgements or personal opinions.

A Gaining Provider will have access to the comments entered as part of the Program Summary and cannot edit comments entered by the Relinquishing Provider.

- 📄 Providers must enter or edit comments included as part of the using comment functionality in the Program Summary on the Department's IT Systems. There are 5 topics, and a comment should be entered under each.

For further information refer to [Provider Actions: Completing a Program Summary \[LINK\]](#) supporting document on the Provider Portal.

Transferring Funding

The Funding for a Transferred Participant follows the Participant. This means that:

- The Service Fee period will end when the Participant transfers Providers. The Relinquishing Provider will be paid a pro-rata amount, based on the number of days in the Service Fee period that the Participant was engaged by the Relinquishing Provider since the Commencement date or last Service Fee Payment up to the transfer date. The Gaining Provider will start to receive Service Fees effective from the Participant's Commencement date.
- Outcome Fees achieved after the transfer date will be paid to the Gaining Provider. There is no pro-rata amount available to the Relinquishing Provider.
- Flexible Ongoing Support Fees will be paid to the Relinquishing Provider for Instances that occurred prior to the transfer date. Flexible Ongoing Support Fees will be paid to the Gaining Provider for Instances that occur from the transfer date.
- Moderate or High Ongoing Support Fees will be paid to the Relinquishing Provider on a pro-rata basis for the proportion of the Payment period before the transfer occurs. The Participant will commence a new Moderate or High Ongoing Support Payment period with the Gaining Provider from the transfer date.

3.4.2 Transfer types

Transfer due to change of address

When the home address of a Participant in Pre-Employment Support is updated to an address in a different ESA, the Department's IT Systems will generally notify the Participant that they may wish to change Providers in the new ESA. The Participant will not receive this notification if they are in Post Placement Support or Ongoing Support.

The Participant will only be transferred if the Participant responds to the contact to request a transfer.

Note: When a Participant's home address is updated to an address in a remote ESA, the Participant will be automatically Referred to the Community Development Program and will be Exited from Inclusive Employment Australia by the Department's IT Systems (see 3.6 Exits for more details).

Participant initiated transfers

Participant choice is a key principle of Inclusive Employment Australia. All Inclusive Employment Australia Participants (excluding those exceptions below) can transfer to a new Provider at any time and do not need to provide any reason for the transfer. There is no limit to the number of times a Participant can transfer to another Provider.

Participants can request a transfer to their preferred Provider by:

- using the Workforce Australia app, or
- contacting the National Customer Service Line (NCSL).

Following the request for a transfer, the Participant will be Referred to their chosen new Provider. The Department's IT Systems will notify the Relinquishing Provider and Gaining Provider of the transfer.

A Participant cannot choose to transfer to another Provider if they:

- have a Provider-lodged reactive Managed Service Plan
- have a Level 3 or Serious Incident Report, or
- are a Pre-Release Prisoner.

These Participants can transfer only with the agreement of both the Gaining Provider and the Relinquishing Provider (see the section below for more details).

Transfer by agreement

A Participant can transfer to another Provider after both the Relinquishing Provider and the Gaining Provider sign a [Transfer by Agreement Form \[LINK\]](#) to show that both Providers agree to the transfer. The Relinquishing Provider must enter the form details into the Department's IT Systems to action the transfer.


 The Relinquishing Provider must keep a copy of the signed Transfer by Agreement Form.

Transfer by agreement is the only way that a Participant can be transferred to another Provider if they:

- have a Provider-lodged reactive Managed Service Plan
- have a Level 3 or Serious Incident Report, or
- are a Pre-Release Prisoner.


The Gaining Provider and Relinquishing Provider must note in the Transfer by Agreement Form that they have discussed relevant details about the Participant's servicing arrangements. This ensures the Gaining Provider has an understanding of any servicing challenges associated with the Participant. If the Gaining Provider does not agree to the transfer after the discussion, they must not sign the Transfer by Agreement Form.

Note: Providers do not need to use the Transfer by Agreement Form when transferring a Participant between the Provider's own Sites. However, Providers must record the reason for the move, and that the 'Transfer by Agreement' option was used without a signed form in the Program Summary on the Department's IT Systems.

 Providers must enter a reason the using comment functionality in the Program Summary on the Department's IT Systems.

Transfer due to relationship failure

If a Provider thinks they cannot maintain a reasonable and constructive servicing relationship with a Participant, a [Transfer Due to Relationship Failure Form \[LINK\]](#) can be completed and must be forwarded to the NCSL (nationalcustomerserviceline@dewr.gov.au) for investigation. The NCSL will consider a Provider's request based on the evidence provided, including if the process outlined in Chapter 13: Servicing Participants with challenging behaviours has been followed.

 Providers will need to submit documentation of the relationship breakdown, including any Incidents, and efforts to resolve the relationship issues.

Participants may also request a transfer due to relationship failure without needing to submit evidence of the relationship failure.

If the NCSL approves a transfer due to relationship failure, the Participant will be sent a notification advising them of their new Provider and the date and time of their next appointment.

If the NCSL does not approve the transfer, it will notify the Provider and/or the Participant (dependent on the requesting party).

3.5 Suspensions and Volunteer Periods

Participants are not required to participate in Services when Suspended.

A Suspended Participant can volunteer to receive Services from the Provider during the Suspension. This is referred to as a Volunteer Period. This process is outlined under 3.5.2 Volunteering during a Suspension.

During a Suspension, the Participant's Period of Service is paused, and the Provider is not required to deliver Services to the Participant. A Suspension ends the current Service Fee period, which is paid on a pro-rata basis. If the Participant is in Ongoing Support, the Provider must cease to deliver Ongoing Support Instances or Contacts and will not receive any Ongoing Support Fees.

The Participant's Period of Registration, Period of Service, progress towards Service Fees and eligibility for Ongoing Support Fees resume:

- during any Volunteer Period, or
- when the Suspension ends.

Following a period of Suspension, the Provider must hold the first Contact Appointment face-to-face as part of the Re-engagement process (unless it would be unreasonable to conduct the appointment face-to-face) to reconnect with the Participant and update the Participant's Job Plan accordingly. Updating the Job Plan can help to ensure that the Participant is aware of their participation requirements.

(Deed Reference(s): Clause 151, 152, 153)

Effect of Suspensions on Outcomes

Participants can achieve an Outcome while they are Suspended. If a Participant is in Post Placement Support (or Ongoing Support) and progressing towards an Outcome when they are Suspended, the Outcome Period continues during the Suspension while the Participant remains Employed. The Provider can claim an Outcome Fee if it can demonstrate that the Participant met the conditions of an Outcome during the Suspension.

Information on Outcome conditions is at 9.5 Employment Outcome conditions, and information about claiming Outcome Fees is at .

3.5.1 When are Participants Suspended?

Suspension of Participants with Mutual Obligation Requirements

Participants (Mutual Obligation) have participation requirements and therefore can only be Suspended by Services Australia. A Participant (Mutual Obligation) may be Suspended when Services Australia:

- applies an Exemption, such as a temporary medical incapacity exemption
- determines that the Participant is Fully Meeting their requirements, or
- assesses that the Participant has a temporary reduced work capacity of less than 15 hours per week.

A Participant (Mutual Obligation) can be Fully Meeting their requirements if they fall within a qualifying category and participate in 30 hours per fortnight of an approved Activity or combination of approved Activities (i.e. paid Employment, Voluntary Work, and/or approved study). For more information, refer to 5.2. Obligation Requirements.

Providers can notify Services Australia that a Participant is undertaking an approved Activity that would fully meet their Mutual Obligation Requirements through the Department's IT Systems. This notification will result in the Participant being Suspended if Services Australia determines the Participant is Fully Meeting their Mutual Obligation Requirements.

Participants receiving Pre-Employment Support who are Suspended because they are Fully Meeting their Mutual Obligation Requirements for more than 13 weeks will be notified that they are eligible to Exit Inclusive Employment Australia and will be automatically Exited if they do not volunteer to remain in Inclusive Employment Australia.

Note: Participants who are Fully Meeting their requirements will enter into a Centrelink Job Plan.

More details are available in the [Participants who are Fully Meeting their Mutual Obligation Requirements \[LINK\]](#) supporting document included under Chapter 5: Participation requirements.

Suspension of DSP Recipients with compulsory participation requirements

DSP Recipients (Compulsory Requirements) have participation requirements and therefore can only be Suspended by Services Australia. A DSP Recipient (Compulsory Requirements) will be Suspended when Services Australia:

- applies an Exemption, such as a temporary medical incapacity exemption, or
- assesses that the Participant has a temporary reduced work capacity of less than 8 hours per week.

Suspension of Volunteers

A Volunteer (Non-Mutual Obligation) can be Suspended by the Provider when the Participant advises that they cannot or do not wish to receive Services for a time.

A Volunteer (Non-Mutual Obligation) who is no longer meaningfully engaging must be Suspended. No longer engaging includes not attending Appointments, not undertaking tasks or activities or otherwise no longer being in contact with the Provider. They will remain Suspended:

- for a maximum of 6 months, after which the Provider must Exit them, or
- until such time as they contact the Provider to confirm if they would like to continue to receive Services.

The Provider must enter the Suspension period on the Department's IT Systems. If a Volunteer (Non-Mutual Obligation) has a Suspension period entered by the Provider, and asks to resume Services, the Provider must end the Suspension in the Department's IT Systems.

A Volunteer (Mutual Obligation) cannot be Suspended by the Provider because the Participant already has a Suspension due to a Services Australia decision. Instead, if a Volunteer (Mutual Obligation) advises they cannot or do not wish to receive Services, the Provider must end the Volunteer Period for the Participant.

3.5.2 Volunteering during a Suspension

Participants with participation requirements

A Participant (Mutual Obligation) or DSP Recipient (Compulsory Requirements) can volunteer to receive Services during a Suspension. The Provider must record the agreed Volunteer Period and

provide Services for the duration of the Volunteer Period when a Suspended Participant advises they want to voluntarily participate.

- Where a Participant elects to volunteer while Suspended, the Provider must record the agreed start and end dates for the Volunteer Period in the Department's IT Systems. Where the Participant chooses to end the Volunteer Period earlier than originally agreed, the Provider must adjust the end date for the Volunteer Period in the Department's IT Systems.

The Participant's status during the Volunteer Period will be the same as their status immediately prior to when they were Suspended. For example, a Participant who was Commenced prior to the Suspension will revert to Commenced when they start the Volunteer Period.

A Participant (Mutual Obligation) who volunteers during a Suspension is a Volunteer (Mutual Obligation) for the duration of the Volunteer Period. For the purposes of these Guidelines, a DSP Recipient (Compulsory Requirements) who volunteers during a Suspension is also considered a Volunteer (Mutual Obligation) for the duration of the Volunteer Period.

Providers must ensure the Participant's Job Plan is replaced with one that only includes voluntary requirements during the Volunteer Period — refer to 4.4 Entering into a Job Plan.

If a Volunteer (Mutual Obligation) has a Centrelink Job Plan, Providers must not replace the Centrelink Job Plan.

Providers should review the appropriate service offer if the Participant is receiving Pre-Employment Support — refer to 6.3 Movement within Pre-Employment Support.

Participants who do not have participation requirements

A Volunteer (Non-Mutual Obligation) does not have a Volunteer Period added if they wish to receive Services when they have a Suspension. The Provider must instead end the Suspension so the Participant can receive Services.

3.6 Exits

Participants may be Exited from Services for a range of reasons. An Exit may be:

- an automatic Exit performed by the Department's IT Systems (Effective Exit)
- a manual Exit performed by the Provider (Provider Exit), or
- an Exit performed by Departmental staff (Departmental Exit).

If possible, a Provider must discuss the reason for the Exit with the Participant.

When a Participant is Exited, the Provider must cease delivering Services. The Participant's Period of Service and Period of Registration will end.

The Department's IT Systems will automatically notify Services Australia when a Participant Exits for any reason.

- Providers will only be granted limited access to the Participant's Records in the Department's IT Systems for 28 calendar days from the date of the Participant's Exit.

Providers should ensure that details of Ongoing Support provided to Participants have been entered into the Department's IT Systems before the Participant is Exited.

(Deed Reference(s): Clause 153.5, 154)

3.6.1 Effective Exits

A Participant will be automatically Exited from Inclusive Employment Australia by the Department's IT Systems when a qualifying condition occurs.

An Effective Exit will occur when a Participant:

- is referred to an Other Employment Service
- is identified in the IT System as receiving Flexible Ongoing Support has no recorded Flexible Ongoing Support Instances for any consecutive period of 52 weeks, or
- does not volunteer to receive Services when Fully Meeting their Mutual Obligation Requirements and eligible to be Centrelink Managed, as described below.

When a Provider or Services Australia determines that a Participant is undertaking an approved Activity that will be Fully Meeting their Mutual Obligation Requirements for 13 weeks or longer, the Participant will typically receive a notification that:

- their program has been Suspended
- they do not need to participate in employment services
- they can elect to participate voluntarily with their Provider, and
- they will be Exited from employment services in 2 weeks from the notification unless they contact their Provider and volunteer to receive employment services before that date.

The Effective Exit will occur at the end of the 2 weeks unless the Participant who is Fully Meeting their requirements has an active Volunteer Period in place.

Note: If the Participant is in Post Placement Support or Ongoing Support when Services Australia determines that the Participant will be Fully Meeting their Mutual Obligation Requirements for 13 weeks or longer, the Participant will not receive a notification and there will not be an Effective Exit.

3.6.2 Provider Exits

Providers must manually Exit from Inclusive Employment Australia a Participant who:

- has completed a 52-week Employment Outcome and does not wish to receive Ongoing Support
- has completed a 52-week Employment Outcome and the Provider or an Ongoing Support Assessor determines that the Participant does not need further support
- advises they do not wish to receive Services, and the Participant is:
 - a Volunteer (Mutual Obligation) who was eligible to be Centrelink Managed because they are Fully Meeting their Mutual Obligation Requirements for at least 13 weeks
 - a Participant (Mutual Obligation) or DSP Recipient (Compulsory Requirement) who has had a change in their income support status such that they no longer have participation requirements — for example, they stop receiving Income Support Payments or commence Education or Training and start to receive Austudy, Abstudy or Youth Allowance (Student),
 - a Principal Carer Parent who has a long-term Exemption (i.e. end date longer than 16 weeks),
 - Ongoing Support (Work Assist) Participant, or
 - a Volunteer (Non-Mutual Obligation)
- has a Change of Circumstances ESAt that recommends Services are no longer appropriate, unless an NDIS participant or DSP recipient who wishes to continue to receive Pre-Employment Support
- is an Ongoing Support (Work Assist) Participant and the Provider or an Ongoing Support Assessor determine that the Participant no longer requires Ongoing Support
- is an Ongoing Support (Work Assist) Participant who is no longer Employed
- is a Principal Carer Parent who has a long-term Exemption (i.e. end date longer than 16 weeks) who is no longer in contact with the Provider



- is a Volunteer (Non-Mutual Obligation) receiving Pre-Employment Support or Post Placement Support who has been Suspended for a period 6 months or more, including through multiple consecutive Suspensions, or
- is receiving Moderate Ongoing Support or High Ongoing Support who has been Suspended for more than 12 months, unless the Department has approved a longer exemption (refer to 10.8.1 Suspending Ongoing Support for further information).

(Deed Reference(s): Clause 154.8, 154.9, 154.10, 154.11, 154.12, 154.13, 154.14)

If a Participant advises their Provider they wish to Exit, the Provider should determine if the Participant is eligible for a Provider Exit (as described above) and if the Participant is aware of the Services the Provider can offer.

Note: Providers must not perform an Exit when requested by a Volunteer (Mutual Obligations) who is volunteering while they have an Exemption to their participation requirements, unless that Participant is a Principal Carer Parent who has a long-term Exemption.

The Provider must advise a Participant when they do not approve a request for an Exit and must continue to deliver Services.

-  Provider Exits and reason for Exit must be entered in the Department's IT Systems.
-  Documentary Evidence must be retained that provides a concise record of any information provided by, or relating to, the Participant that influences the Provider's decision to Exit the Participant.

Participants (Voluntary) who apply for Income Support Payments

A Volunteer (Non-Mutual Obligations) who is Commenced may seek to apply for Income Support Payments. Providers must recommend the Participant contact Services Australia if they would like to apply for Income Support Payments. The Participant should also be encouraged to advise Services Australia that they are already receiving Services through Inclusive Employment Australia, to ensure this is taken into consideration when Services Australia make a potential Referral.

If a Participant's application for Income Support Payment is successful, and the Participant has participation requirements because of their Income Support Payment, the Participant must be Exited.

3.6.3 Departmental Exits

The Department can Exit a Participant from a Provider's Caseload when required to do so. The Department will perform Departmental Exits when:

- the Department's IT Systems has not performed an Effective Exit of a Participant who has met Effective Exit conditions
- a Provider has failed to perform a Provider Exit of a Participant who has met Provider Exit conditions, or
- the Department is required to Exit the Participant to comply with other requirements.

3.6.4 Participants resuming their Period of Service after Exit

An Exited Participant may be eligible to resume their previous Period of Service if they return within 13 weeks. Resuming their Period of Service means that the Participant:

- continues to receive Services from the date they return, and
- does not need to meet the Inclusive Employment Australia general or special eligibility criteria, as they are returning based on their eligibility at the time of their original Commencement.

(Deed Reference(s): Clause 154.4 – 154.6)

Participants who are eligible to resume their previous Period of Service will return to their previous Provider in the phase that they were undertaking when they Exited. The Provider is responsible for determining if the Participant should be in a different phase based on their circumstances when they resume, and for making appropriate adjustments in the Department's IT Systems.

Upon their return, a face-to-face Contact Appointment should be entered into the Participant's Electronic Calendar as part of the Re-engagement process, during which the Provider will either need to create a new Job Plan or update the previous approved Job Plan — depending on whether or not the previous approved Job Plan has been cancelled within the Department's IT Systems. Providers should also consider if a Change of Circumstances ESAt or Change of Circumstances OSA would be required.

Note: If a Participant resumes their Period of Service after Exit but transfers prior to Re-engagement, the process for the Gaining Provider and Relinquishing Provider is the same as it would be for any other Transferred Participant.

Chapter 4: Job Plans

Supporting Documents for this Chapter

- [Creating, updating, or withdrawing a Job Plan \[LINK\]](#)
- [Changing Job Plan type workflow \[LINK\]](#)
- [Meaningful Engagement Job Plan template for Participants \(Mutual Obligation\) \[LINK\]](#)
- [Detailed Job Plan template for Participants \(Mutual Obligation\) \[LINK\]](#)
- [Meaningful Engagement Job Plan template for DSP Recipients \(Compulsory Requirement\) \[LINK\]](#)
- [Detailed Job Plan template for DSP Recipients \(Compulsory Requirement\) \[LINK\]](#)
- [Meaningful Engagement Job Plan template for Participants \(Voluntary\) \[LINK\]](#)
- [Verbal script for Job Plan agreement online by Participants \(Mutual Obligation\) and DSP Recipients \(Compulsory Requirement\) \[LINK\]](#)
- [Job Plan codes and requirements, by Phase and Participant Type \[LINK\]](#)

4.1 Chapter Overview

All Participants receiving Services are required to have a Job Plan. The Participant will start with a Meaningful Engagement Job Plan. Each Participant's Job Plan must always be up to date and include requirements that are achievable and appropriate for the person's unique needs and circumstances.

This Chapter explains requirements relating to Job Plans, including:

- the Meaningful Engagement Job Plan, and
- the Detailed Job Plan.

Provider staff have been delegated authority under Social Security Law to:

- require a Participant (Mutual Obligation) or DSP Recipient (Compulsory Requirements) to agree to a Job Plan
- approve a Job Plan on behalf of the Participant (with the Participant's agreement via signed hard copy or verbally), and
- vary the terms of a Job Plan — This includes requiring a Participant to agree to compulsory requirements in the Detailed Job Plan when required.

This Chapter should be read in conjunction with Chapter 5: Participation requirements and Chapter 12: Compliance.

4.2 What is a Job Plan?

The Job Plan outlines what a Participant (Mutual Obligation) and DSP Recipient (Compulsory Requirements) must do in return for receiving their payment from Services Australia.

For Participants (Voluntary), the Job Plan sets out what the Participant agree to do continue to receive Services from the Provider.

Inclusive Employment Australia has two Job Plan types:

- Meaningful Engagement Job Plan, and
- Detailed Job Plan.

There are different templates for the Meaningful Engagement Job Plan and Detailed Job Plan for the following Participants:

- Participant (Mutual Obligation)
- DSP Recipient (Compulsory Requirement) or
- a Participant (Voluntary) – Meaningful Engagement Job Plan only.

The Department's IT Systems will automatically create the correct template when exporting the Job Plan as a PDF.

4.2.1 Job Plans for Participants (Mutual Obligation)

For Participants (Mutual Obligation), the Job Plan becomes the 'employment pathway plan' they must have under Social Security Law. Participants (Mutual Obligations) are required to comply with any compulsory requirements in their Job Plan. Participants (Mutual Obligations) must enter into a Job Plan. Failure to enter into the Job Plan when requested is considered a Mutual Obligation Failure. Details relating to Mutual Obligation Failures, including failure to agree to a Job Plan, are included in 12.4 Compliance actions - Mutual Obligation Failures.

4.2.2 Job Plans for DSP Recipients (Compulsory Requirement)

For DSP Recipients (Compulsory Requirement), the Job Plan supports the 'participation plan' they have with Services Australia and can also be accepted as a 'participation plan' required under Social Security Law. DSP Recipients (Compulsory Requirement) must enter into a Job Plan. Failure to enter into the Job Plan must be reported to Services Australia, as outlined in 12.7.3 Reporting DSP non-compliance.

4.2.3 Job Plans for Volunteers

Participants (Voluntary) must have a Job Plan to receive Services, unless the Participant has a Services Australia Job Plan — as noted in Chapter 3: Commencements, Transfers, Suspensions and Exits. Participants (Voluntary) do not need to enter into a Job Plan.

Failure to enter into the Job Plan will mean that a Participant (Voluntary) cannot be Commenced and therefore will be either Suspended or Exited from the service in accordance with the guidance in Chapter 3: Commencements, Transfers, Suspensions and Exits.

4.3 Provider obligations

Provider staff have delegated powers under Social Security Law to require Participants (Mutual Obligation) to enter into a Job Plan and to approve or update it as required.

The Provider's main obligations relating to the Job Plans for each Participant, include:

- ensuring each Participant always has a current Job Plan during their Period of Registration
- ensuring the Job Plan enables Participants (Mutual Obligation) and DSP Recipients (Compulsory Requirements) to meet their obligations under Social Security Law
- ensuring that the Job Plan is in a form approved by the Department
- entering Job Plan information into the Department's IT Systems, noting:
 - tasks and activities will be agreed to as part of a plan for satisfying the Meaningful Engagement Requirement, managed outside of the Meaningful Engagement Job Plan — refer to 5.5 Meaningful Engagement Requirement, or
 - tasks and activities will be specified in a Detailed Job Plan as either a compulsory or voluntary requirement
- determining when a Detailed Job Plan must be entered into
- for Participants (Mutual Obligation) with a Detailed Job Plan:
 - setting an appropriate Job Search Requirement — refer to 5.7 Job Search, and
 - assessing the Participant's capability to take personal responsibility for self-reporting their requirements — refer to 5.10 Personal responsibility for reporting attendance, and

- actively monitoring and recording each Participant's compliance with their participation requirements, including the Meaningful Engagement Requirement – refer to Chapter 12: Compliance.

(Deed Reference(s): Clause 134, 136, 137)

Under Social Security Law, when developing a Job Plan, Providers must consider if the requirements are suitable based on:

- the Participant's education, experience, skills, and age
- the impact of any disability, injury, or health condition on the Participant's ability to work, to look for work, or to participate in Activities
- the impact of family and caring responsibilities on the Participant's ability to work, to look for work or to participate in Activities
- the participation opportunities available
- the state of the labour market and the transport options available
- the length of travel time needed to follow participation requirements, and
- the financial costs (such as travel costs) of following participation requirements and the Participant's capacity to pay for these costs.

4.3.1 Training

It is essential that each staff member understands how to develop a Job Plan. In particular how to develop a tailored Detailed Job Plan in partnership with the Participant that meets their needs, personal circumstances, and ability to comply.

(Deed Reference(s): Clause 61.3, 143.1(a))

4.3.2 Ensuring Participants understand their rights and responsibilities

Before a Job Plan is negotiated and approved by the Participant, Providers must discuss the content of the Job Plan and ensure that each Participant understands what is being agreed to and the potential consequences, if any, of not agreeing to enter into the Job Plan or failing to meet Job Plan requirements.

The Provider must also ensure the Participant is aware of their rights, responsibilities and obligations under the Social Security Law and other Commonwealth policies, including:

- their right to think time to consider the Job Plan before agreeing to it — refer to 4.8.1 Think time
- that the Participant notify their Provider, and request a review of their requirements, if:
 - there is a change in their circumstances
 - they need more personalised support
 - they believe the tasks and activities they are required to do are not suitable, and/or
 - they are having difficulty meeting their participation requirements, including the Meaningful Engagement Requirement
- the possible consequences of not agreeing with their Job Plan, and
- if relevant, the Complaints and review processes should a Participant not agree with the requirements set within their Job Plan, including moving onto a Detailed Job Plan — refer to 12.3.1 Provider Obligations [Targeted Compliance Framework] and 12.7.1 Provider Obligations [DSP non-compliance].

If a Participant (Mutual Obligation) is entering into a Detailed Job Plan, the Provider must also ensure the Participant is aware of their personal responsibility to self-report their participation against their

Job Plan, unless the Participant is assessed as not being capable of self-reporting — refer to 5.10 Personal responsibility for reporting attendance.

(Deed Reference(s): Clause 113.1(l),134.19)

4.3.3 Interpreters, nominees, and support persons

When a Participant asks, or if the Provider considers it appropriate, the Participant can bring a support person with them to review their Job Plan, to serve as a trusted adviser.

Providers must use an interpreter if a Participant with hearing impairment or a language barrier requires it — for example, a Culturally and Linguistically Diverse (CALD) Participant or First Nations Participant. This is to ensure the Participant understands their participation requirements before they negotiate and agree to their Job Plan.

Where a Participant has court appointed nominee arrangements in place as they are unable to manage their own affairs — for example with state and territory guardianship or financial management orders in place — the nominee should be involved in the negotiation of the Job Plan to ensure it appropriately reflects reasonable requirements for the Participant.

If a Participant has a support person or court appointed nominee in attendance, Providers should still promote self-determination and autonomy by the Participant, such that a Participant is fully involved in the decision-making process. This includes deciding and agreeing to tasks and activities (either as a part of their plan to meet the Meaningful Engagement Requirement or included in the Detailed Job Plan).

4.4 Entering into a Job Plan

Detailed information on entering into a Job Plan is available in the [Creating, updating, or withdrawing a Job Plan \[LINK\]](#) supporting document on Provider Portal.

All Participants must have a Job Plan. The Job Plan must be agreed before a Participant can Commence in Inclusive Employment Australia and must be updated so that always remain current. The Job Plan is valid from the day on which it is signed (which includes agreement to the Job Plan online or verbally).

When entering into a Job Plan, regardless of the Job Plan type, the Provider must explain the purpose and contents of the Job Plan as outlined in 4.4. Explaining the Job Plan to the Participant.

At the Initial Interview, Providers must review the Participant's Job Plan history and will create a Job Plan for each Participant (unless the Participant has a Centrelink Job Plan) — which may be a Meaningful Engagement Job Plan or Detailed Job Plan in accordance with 4.4.1 Determining the appropriate Job Plan type. This Job Plan need only include the pre-populated fields. The Provider can include additional tasks and activities that are negotiated between the Participant and Provider over the Initial Engagement Period.

- Tasks and activities to inform a Participant's Meaningful Engagement Requirement must be managed outside of the Meaningful Engagement Job Plan.
- Tasks and activities to meet Detailed Job Plan participation requirements must be added to the Job Plan.

In creating a Job Plan, Providers must discuss the individual goals a Participant would like to achieve. This will be captured in the Job Plan under the Participant's Employment Goal and reflects how the Provider will help a Participant to work towards achieving their goal(s). See 4.5 Setting an Employment Goal for more information on this process.





Regardless of the Job Plan type, the contents of the Job Plan must include details, terms and information about participation requirements that must be met under Social Security Law, where relevant.

4.4.1 Determining the appropriate Job Plan type

At the Initial Interview, if the Participant has not entered into a Job Plan with an Inclusive Employment Australia Provider during their current Period of Service, the Provider will require the Participant to enter into a Meaningful Engagement Job Plan.

At the Initial Interview, if the Participant has a previous Job Plan with an Inclusive Employment Australia Provider during their current Period of Service, the Provider must review a Transferred Participant's last approved Job Plan.

The Provider will require the Transferred Participant to enter into either a Meaningful Engagement Job Plan or Detailed Job Plan as follows:

- If a Transferred Participant previous Job Plan was a Meaningful Engagement Job Plan, the Provider must enter into a Meaningful Engagement Job Plan with the Participant.
 - If a Transferred Participant previous Job Plan was a Detailed Job Plan, the Provider:
 - has discretion to enter into either a Meaningful Engagement Job Plan or Detailed Job Plan (Provider discretion) - for a Participant (Mutual Obligation) in the TCF Green Zone whose previous Job Plan was a Detailed Job Plan, subject to a review of the Job Plan history and Program Summary comments
 - must enter into a Detailed Job Plan for a Participant (Mutual Obligation) – if a Participant had a previous Detailed Job Plan, if the Participant is in the TCF Warning Zone or Penalty Zone, or
 - has discretion to enter into either a Meaningful Engagement Job Plan or Detailed Job Plan (Provider discretion) for a DSP Recipient (Compulsory Requirements), subject to a review of their compliance history, Job Plan history and Program Summary comments.
-  Providers can view a Participant's Job Plan history on the 'Participation' screen on the Department's IT Systems.
-  Providers can view comments entered by other Providers in the Program Summary on the Department's IT Systems.
-  For a Transferred Participant, the Provider must record the reasons why they have selected either a Meaningful Engagement Job Plan or Detailed Job Plan on Commencement.
-  Providers must record Participant reasons for entering into a Meaningful Engagement or Detailed Job Plan for a Transferred Participant using the comment functionality in the Program Summary on the Department's IT Systems.

Providers may need to create or update a Job Plan for Participants who return within 13 weeks of their Exit (see 3.6.4 Participants resuming their Period of Service after Exit), depending on whether the previous Job Plan has been cancelled. The Participant must be entered into the same Job Plan type as the Participant had prior to their Exit, unless the Provider has determined a change of the Job Plan type is required for a Participant (Mutual Obligation) or DSP Recipient (Compulsory Requirements). This is based on a documented Pattern of Disengagement or Pattern of Renewed Engagement prior to their Exit. It may also include evidence of the Participant's level of engagement prior to the Exit.

The Provider must enter into a Meaningful Engagement Job Plan with a Participant who:



- returns to Services 13 weeks or more after an Exit, or

- has had a Job Plan with an Other Employment Service Provider since a previous Exit.

At any time during a Participant's Period of Service, a Participant (Mutual Obligation) or DSP Recipient (Compulsory Requirements) may be required to enter into a Detailed Job Plan. A Provider will be responsible for creating a Detailed Job Plan when a:

- Participant (Mutual Obligation) or DSP Recipient (Compulsory Requirements) has demonstrated a Pattern of Disengagement, as detailed in 12.2 Steps when a Participant has failed to meet the Meaningful Engagement Requirement
- Participant (Mutual Obligation) has an applied Work Refusal Failure or Unemployment Failure (i.e. the failure was confirmed by Services Australia), see relevant Sections in Chapter 12: Compliance and the Social Security Guide — [3.11.13.30 Types of failures | Social Security Guide](#) — for more information on applied failures, or
- Transferred Participant who has already entered into a Detailed Job Plan with another Inclusive Employment Australia Provider.

However, Providers must have followed the process detailed in 5.5.4 Determining if a Participant is meeting the Meaningful Engagement Requirement before a Participant can be found to have demonstrated a Pattern of Disengagement.

-  To change between a compellable Meaningful Engagement Job Plan to a Detailed Job Plan, [RESERVED].
-  Providers will be required to ensure they have sufficient records regarding their decision to move between Job Plan types in order to support any Complaints or appealable decision review processes.



A Provider may also re-enter a Participant (Mutual Obligation) or DSP Recipient (Compulsory Requirements) onto a Meaningful Engagement Job Plan when they:

- have a demonstrated a Pattern of Disengagement, or
- are a Transferred Participant who has already entered into a Detailed Job Plan with another Inclusive Employment Australia Provider.

Determining a Pattern of Renewed Engagement is at the discretion of the Provider. However, as general guidance, a Participant (Mutual Obligation) should be in the TCF Green Zone and have had no Demerits over the last 3-months. Similarly, a DSP Recipient (Compulsory Requirements) would have no instances of non-compliance reported over a 3-month period. The lack of compliance actions indicates that they are consistently meeting the compulsory requirements in their Detailed Job Plan and therefore have demonstrated a Pattern of Renewed Engagement.

Note: If a Provider is re-entering a Participant onto a Meaningful Engagement Job Plan, it is recommended the Provider seek the Participant's verbal agreement without setting think time. This is because failure to agree to the new Job Plan in a timely manner without a Valid Reason or reasonable excuse would result in compliance action. It would no longer be seen to demonstrate a Pattern of Renewed Engagement.

In cases where a Participant informs the Provider that they cannot or do not want to agree to the Meaningful Engagement Job Plan, the Provider must withdraw the Participant's Meaningful Engagement Job Plan and the Participant will remain on a Detailed Job Plan.

-  To change between a Detailed Job Plan to a compellable Meaningful Engagement Job Plan, [RESERVED].
-  Providers will be required to ensure they have sufficient records regarding their decision to change the terms of the Job Plan in order to support any Complaints or appealable decision review processes.

Providers must amend the Job Plan from compellable to voluntary for the duration that a Participant (Mutual Obligation) or DSP Recipient (Compulsory Requirements) is in an active Volunteer Period.

- 📄 To change between a compellable and voluntary Job Plan, or vice versa, the Provider must cancel the existing approved Job Plan and follow the process to create a new Job Plan in the Department's IT Systems.

Information on how and when to change between the two Job Plan types is also included in the [Changing Job Plan type workflow \[LINK\]](#) supporting document available on the Provider Portal.

Information on a Pattern of Disengagement and Pattern of Renewed Engagement is included in the [Meaningful Engagement Provider Fact Sheet \[LINK\]](#) on the Provider Portal.

4.4.2 Explaining the Job Plan to the Participant

When entering into a Job Plan, as well as when updating a Job Plan, Providers must explain to the Participant:

- the purpose of the Job Plan
- the section in the Job Plan titled 'Information you need to know'
- rights and responsibilities when entering into a Job Plan — refer to 4.3.2 Ensuring Participants understand their rights and responsibilities
- how they will be supported to undertake tasks and activities included within the Job Plan or agreed to outside of the Job Plan (in the case of the Meaningful Engagement Requirement)
- how they will develop and record an Employment Goal
- when the Job Plan may need to be updated
- how to give prior notice if they cannot meet participation requirements in their Job Plan
- as relevant, what can happen if the Participant does not meet a compulsory requirement in their Job Plan without giving prior notice and/or having a good reason (Meaningful Engagement Job Plan only), Valid Reason (Detailed Job Plan for Participant (Mutual Obligation) only) or reasonable excuse (Detailed Job Plan for DSP Recipient (Compulsory Requirement) only)
- circumstances where a Participant will be required to agree to new terms in a Detailed Job Plan, including the types of evidence collected to inform a Pattern of Disengagement
- if appropriate, circumstances where a Participant could re-enter a Meaningful Engagement Job Plan, including the types of evidence collected to inform a Pattern of Renewed Engagement, and
- their right to appeal decisions and where they can find help to do this.

When moving a Participant from the Detailed Job Plan to a Meaningful Engagement Job Plan, Providers must explain to the Participant how they can meet the Meaningful Engagement Requirement, provide a copy of the [Meaningful Engagement Participant Fact Sheet \[LINK\]](#) and begin to develop a plan on how the Participant will meaningfully engage.

4.4.3 Communicating Meaningful Engagement Requirements

A [Meaningful Engagement Participant Fact Sheet \[LINK\]](#) for Participants has been developed by the Department to help Providers clearly communicate what is required to satisfy the Meaningful Engagement Requirement, or when the requirement has not been fully satisfied. This Fact Sheet must be provided to the Participant at the Initial Interview and can be shared any other time the Provider feels it would be appropriate to assist conversations.

A Meaningful Engagement Job Plan must be supported by a plan (developed in consultation with the Participant) on how the Participant will meaningfully engage. The aim is to ensure the Participant has ownership of the tasks and activities they will undertake to find suitable work. While there are no

requirements about the format of this plan, required contents are included in relevant sections of Chapter 5: Participation requirements, in particular 5.5 Meaningful Engagement Requirement.

When setting tasks and activities, either in the context of the Meaningful Engagement Requirement or in a Detailed Job Plan, it is considered best practice to review the:

- ESAt report, where relevant, and
- Capability Management Tool – refer to Chapter 5: Participation requirements.

It is recommended that Providers limit the use of the free text option in the Detailed Job Plan and refer to the [Job Plan codes and requirements, by Phase and Participant Type \[LINK\]](#) supporting documents for appropriate codes to use when adding items to the Job Plan.

Note: If the Department's IT Systems are temporarily unavailable, Providers can use Job Plan templates, available on the Provider Portal, to enter into a Meaningful Engagement Job Plan with a Participant (Mutual Obligation), DSP Recipient (Compulsory Requirement) or Participant (Voluntary), or Job Plan Detailed with a Participant (Mutual Obligation) or DSP Recipient (Compulsory Requirement). Any Job Plan agreed to in this way must be recorded in the Department's IT Systems as soon as possible. Providers must notify the Participant of their requirement to agree to their Job Plan. A copy of the [verbal scripts for Job Plan agreement online \[LINK\]](#) by Participants (Mutual Obligation) and DSP Recipients (Compulsory Requirement) has also been made available on the Provider Portal for this purpose.

4.4.4 Requirements that a Job Plan must not contain

Under Social Security Law, a Job Plan must not contain a requirement for a person to undertake an unsuitable or inappropriate Activity — as discussed in 7.3.1 Inappropriate Activities. This includes any Activity that would aggravate a Participant's illness, disability or injury.

Under Social Security Law, a Participant cannot be involuntarily required to undergo medical, psychological or other treatment.

A Job Plan must also not contain:

- irrelevant information, such as detailed personal medical information or details of medical conditions and medications, or
- information pertaining to the Participant's day-to-day lives, such as getting their child to school or assisting with homework.

4.5 Setting an Employment Goal

Providers must work with the Participant to create a personalised, strengths-based Employment Goal.

The Employment Goal can be a short, medium, or potentially longer-term aim, and can include steps to address Vocational and Non-Vocational Barriers or steps to maintain existing Employment.

The Employment Goal must stay relevant to a Participant's aspirations and progress towards ongoing, sustainable Employment. A goal can be replaced whenever a Participant shows they have achieved their goal, when they ask for the goal to be amended, or when they wish to set a new goal.

It is best practice to review the Employment Goal each time that the Job Plan is updated. The goal can help with discussions about appropriate Activities and Interventions that will help a Participant achieve their goal.

Providers must ensure the goal as entered into the Department's IT Systems accurately encompasses the Participant's individual goal(s) and is written in the Participant's words.

Providers should ensure that Participants understand that the Employment Goal is included for information purposes only (i.e. there are no implications for not completing the goal), and that the



purpose of the goal is to inform how a Participant will be supported through agreed tasks and activities.

Note: Changes to the Employment Goal cannot be made without triggering an update to the Job Plan.

4.6 Contents of a Meaningful Engagement Job Plan


The Meaningful Engagement Job Plan will pre-populate with the Meaningful Engagement Requirement.

Providers must capture an Employment Goal, as was outlined in 4.5 Setting an Employment Goal. The Job Plan will also note that a Participant's primary goal is to prepare for, find and maintain employment.

-  The Meaningful Engagement Job Plan will pre-populate with a single compulsory requirement in the Department's IT Systems.
-  The Meaningful Engagement Requirement and an Employment Goal must be included for the Job Plan to be considered a valid Meaningful Engagement Job Plan in the Department's IT Systems.

The contents of the Job Plan will also reflect whether a Participant is receiving Pre-Employment Support, Post Placement Support or Ongoing Support.

As noted in 4.4 Entering into a Job Plan, any agreed tasks and activities to support the Meaningful Engagement Requirement will be managed outside of the Job Plan. Providers can develop their own approach to support motivation and engagement of the Participant. The Provider should consider how to record and share the outcomes of these discussions with Participants.

-  Providers can record the voluntary tasks and activities that the Participant has agreed to participate in using comment functionality in the Participant's Summary on the Department's IT Systems.

Note: There are options for a Provider to compel a Participant to attend a compulsory appointment if they are disengaged as outlined in 12.2 Steps when a Participant has failed to meet the Meaningful Engagement Requirement.

4.6.1 Arrangements for Participants with Mutual Obligation Requirements

Participants (Mutual Obligation) can meet their Mutual Obligation Requirements through participation in Inclusive Employment Australia, as long as they satisfy the Meaningful Engagement Requirement.

(Deed Reference(s): Clause 134.8)

Codes within Meaningful Engagement Job Plan (Compulsory)

Code	Requirement in Job Plan	Description
PA19	I will participate meaningfully in the program by engaging with my Provider to prepare for, seek or maintain employment. I am aware that this includes attending appointments and undertaking any tasks and activities to help me to achieve my employment goal. .	<ul style="list-style-type: none">• The Participant must meaningfully engage with the Provider in order to meet their Mutual Obligation Requirements under Social Security Law.• Where a Participant shows a Pattern of Disengagement, a Provider may choose to move the Participant onto a Detailed Job Plan.• This code cannot be removed.

4.6.2 Arrangements for DSP Recipients with compulsory participation requirements

DSP Recipients (Compulsory Requirements) must have at least one compulsory requirement in their Job Plan, which will be the Meaningful Engagement Requirement.

Any requirement to attend regular participation interviews with Services Australia will be included in their Participation Plan and does not need to be included in the Participant's Job Plan.

(Deed Reference(s): Clause 134.11)

Pre-populated codes within Meaningful Engagement Job Plan (DSP U35)

Code	Requirement in Job Plan	Description
PA19	I will participate meaningfully in the program by engaging with my Provider to prepare for, seek or maintain employment. I am aware that this includes attending appointments and undertaking any tasks and activities to help me to achieve my employment goal.	<ul style="list-style-type: none">• The Participant must meaningfully engage with the Provider in order to meet their participation requirements under Social Security Law, and the terms of their Participation Plan with Services Australia.• Where a Participant shows a Pattern of Disengagement, a Provider may choose to move the Participant to a Detailed Job Plan.• This code cannot be removed.

4.6.3 Arrangements for Participants (Voluntary)

There is a unique process for creating a voluntary Meaningful Engagement Job Plan.

Job Plans for Participants (Voluntary) can include only voluntary tasks and activities. As such, the contents of their Meaningful Engagement Job Plan will only include Code PA19 [Meaningful Engagement Requirement] as a voluntary requirement.

When a Participant (Mutual Obligation) or DSP Recipient (Compulsory Requirements) is Suspended but chooses to volunteer for Services (as outlined in 3.5.2 Volunteering during a Suspension), Providers must amend the Job Plan — to change the Meaningful Engagement Requirement from compulsory to voluntary (see 4.4.1 Determining the appropriate Job Plan type).

In addition, for a Volunteer (Mutual Obligation), the Provider must not negotiate a new Job Plan while a Centrelink Job Plan remains valid. If the Centrelink Job Plan expires, and the Participant is still undertaking an approved Activity that resulted in the Participant Fully Meeting their Mutual Obligation Requirements, they should be referred to Services Australia for the Job Plan to be updated.

- 📖 If a Participant (Voluntary) has a Centrelink Job Plan, Providers must not replace the Centrelink Job Plan. Instead, the Provider must record the voluntary tasks and activities that the Participant has agreed to participate in using comment functionality in the Participant's Summary on the Department's IT Systems.

(Deed Reference(s): Clause 134.8, 134.11)

Pre-populated fields in Meaningful Engagement Job Plan (Voluntary)

Code	Requirement in Job Plan	Description
PA19	I will participate meaningfully in the program by engaging with my Provider to prepare for, seek or maintain employment. I am aware that this includes attending appointments and undertaking any tasks and activities to help me to achieve my employment goal.	<ul style="list-style-type: none">• This is entered as a <u>voluntary</u> requirement.• The Participant must meaningfully engage with the Provider in order to receive Services from the Provider.• Not meeting this requirement will result in a Participant being Suspended and/or Exited.• This code cannot be removed.

4.6.4 Arrangements for Participants eligible for Mobility Allowance

Providers must have a conversation with each Participant to confirm if they are claiming or receiving Mobility Allowance — see [Services Australia website](#) for more information.

Where a Participant tells the Provider that they are claiming or receiving the standard rate of Mobility Allowance, the Provider must ensure that the Participant's Meaningful Engagement Job Plan has one of the following as a voluntary requirement:

- Code JS07 [Research and Prepare Applications] — this activity is suitable for those receiving the Intensive Service Job Search phase, or
- Code ET64 [Work Preparation] —this Work Preparation activity is suitable for those receiving the Intensive Service Work Preparation phase or Flexible Service.

If a Participant (Mutual Obligation) or DSP Recipient (Compulsory Requirements) tells the Provider that they are claiming or receiving the higher rate of Mobility Allowance, the Provider must ensure that the Participant's Meaningful Engagement Job Plan includes Code JS05 [Job Search with a Disability – Activity Tested] — as voluntary requirement.

End of section subject to confirmation

If a Participant (Voluntary) tells the Provider that they are claiming or receiving the higher rate of Mobility Allowance, the Provider must ensure that the Participant's Job Plan has JS06 [Job Search with a Disability – Non-Activity Tested] — this can only be entered as a voluntary requirement.

Inclusion of these Job Plan items triggers payment of Mobility Allowance. If the Participant does not have a relevant code included in their Job Plan, their Mobility Allowance payment will be cancelled.

Note: The inclusion of these activities additional to the Meaningful Engagement Requirement is specific to enable the Participant's eligibility for Mobility Allowance. This will be made clear in the Job Plan contents for those with a voluntary requirement entered into a Meaningful Engagement Job Plan.

4.7 Contents of a Detailed Job Plan

The Detailed Job Plan will pre-populate with a set of specified compulsory requirements.

The contents of the Detailed Job Plan should include the pre-populated set, depending on if they are appropriate for the Participant's (Mutual Obligation) circumstances and phase.

- 📖 The Detailed Job Plan will pre-populate with requirements in the Department's IT Systems. Provider can then tailor the Job Plan to match the Participant's circumstance and phase.


For Participants (Mutual Obligation), the following codes must not be removed from the Job Plan:

- Code AI16 [Compulsory Notified Appointments] – requirement to attend Appointments
- Code JS09 [Job Search – Monthly] — setting a Job Search Requirement
- Code JS13 [Accept and retain suitable work] — requirement to be willing to accept any offer of suitable paid work and not leave suitable paid work voluntarily.

For DSP Recipients (Compulsory Requirements), Code AI16 [Compulsory Notified Appointments] must not be removed from the Job Plan.

The pre-populated compulsory requirements should be combined with other suitable tasks and activities, either as compulsory or voluntary requirements in the Detailed Job Plan.

Providers are encouraged to create strengths-based, goal orientated Job Plans where a Participant is supported to feel invested in, and have shared ownership of, their Job Plan. Refer to 4.5 Setting an Employment Goal for how to capture an Employment Goal.

-  An Employment Goal must be included for the Detailed Job Plan to be considered a valid Job Plan in the Department's IT Systems.

Care should be taken when determining the contents of a Detailed Job Plan to ensure that the Participant not only has the capacity to meet individual items, but the entire contents of the Job Plan.

Any tasks or activity entered as compulsory are mandatory for the Participant and non-compliance may need to be reported as explained in Chapter 12: Compliance.

Participants (Mutual Obligations) and DSP Recipients (Compulsory Requirements) must agree to the compulsory requirements set in their Detailed Job Plan, as long as the Provider is not requiring the Participant to meet any requirement that would be considered unsuitable under Social Security Law.

The Provider must ensure that the Participant understands the consequences for not undertaking compulsory tasks and activities in their Job Plan.

The Provider and the Participant should regularly review the contents of the Job Plan at Contact Appointments to ensure that all requirements are up to date and remain relevant. Where the review shows an update is needed, the Provider must update the Job Plan following a discussion with the Participant to ensure any changes made are well understood — as outlined under 4.8 Review and Agreement of the Job Plan — throughout the Participant's Period of Registration.

The requirements set in a Detailed Job Plan should reflect whether the Participant is receiving Pre-Employment Support, Post Placement Support or Ongoing Support. For those in the Pre-Employment Support phase, it should also reflect if they are receiving the Intensive Service or Flexible Service. The Participant's current phase and service offer is shown in their Job Plan.

There are additional considerations for the suitability of requirements in a Job Plan when a Participant is in paid Employment - it sees a shift in focus away from tasks and that activities to help them prepare for or actively look for work. Tasks, activities and Support for a Detailed Job Plan Participant in Employment should relate to helping maintain their job or increase their work hours (depending on whether or not the Participant is working in Open Employment at or below their Employment Benchmark).

There are also limitations in setting some requirements depending on the Participant engagement in certain Activities — with guidance on adjustments to participation requirements outlined under each Activity in Chapter 7: Activities.

The [Job Plan codes and requirements by Phase and Participant Type \[LINK\]](#) supporting document on the Provider Portal, includes details on what codes can be added as a compulsory and/or voluntary requirement in the Detailed Job Plan.

(Deed Reference(s): Clause 134.9, 134.13)

Pre-populated fields in Detailed Job Plan (Compulsory) and Detailed Job Plan (DSP U35)

Code	Requirement in Job Plan	Description
AI16	I agree to attend and act appropriately during any compulsory appointments.	<ul style="list-style-type: none"> The Participant must attend and act appropriately during any compulsory Appointments with their Provider. This code must not be removed.
PA03	I agree to take responsibility to accurately record or report my attendance at my requirements.	<ul style="list-style-type: none"> The Participant must accurately self-report their attendance at Activities and Job Interviews. This requirement ensures that Participants are self-reporting attendance for compulsory requirements, if capable. Providers must remove this requirement if they have assessed personal responsibility to self-report is not right for a Participant. In this case, Providers need to record attendance on the Participant's behalf.
PA12	I agree to follow up on job opportunities and referrals I am referred to by my provider.	<ul style="list-style-type: none"> The Participant must follow up on any suitable job opportunities they are referred to by their Provider. This requirement may include applying for specific jobs, accepting a Job Interview, contacting an Employer to arrange or accept a Job Interview, and providing personal details to support a job opportunity. Providers must remove this requirement if a Participant is already Employed at their Employment Benchmark and receiving Post Placement Support or Ongoing Support.
JS09	I agree to search for work by contacting 12 employers per month, including any to which my provider refers me. I agree to report and provide evidence of these job search contacts to my provider as directed by the <date> of each month. I am aware that I need to look for any suitable work, not just work that I would like to do.	<ul style="list-style-type: none"> The Participant has a Job Search Requirement and must accurately report the completion of Job Search effort. Providers should tailor the number of Job Searches noting 12 is the maximum that any Participant can be set — refer to Chapter 7: Activities. For Participants (Mutual Obligation), this code must not be removed. For DSP Recipients (Compulsory Requirements), Providers should consider if this requirement is suitable for those receiving Intensive Service Work Preparation, Flexible Service, Post Placement Support or Ongoing Support. This code can be removed if not right for the Participant.



Code	Requirement in Job Plan	Description
JS10	I agree to attend and act appropriately during a job interview(s).	<ul style="list-style-type: none"> The Participant must attend and act appropriately at Job Interviews that they are notified to attend by their Provider. Providers should consider if this requirement is suitable for those receiving Pre-Employment Support. Providers must remove this requirement if a Participant is already Employed at their Employment Benchmark and receiving Post Placement Support or Ongoing Support.
JS13	I agree to accept any offer of a suitable job and not voluntarily leave a suitable job.	<ul style="list-style-type: none"> The Participant must be willing to accept any offer of suitable paid work and must not leave suitable paid work voluntarily. For Participants (Mutual Obligation), not meeting this requirement without a Valid Reason is a Work Refusal Failure or Unemployment Failures, and the Participant may be subject to financial penalties under the TCF. This code should not be removed from a Detailed Job Plan for a Participant (Mutual Obligation). For DSP Recipients (Compulsory Requirements), Providers should consider if this requirement is suitable for those receiving Intensive Service Work Preparation, Flexible Service, Post Placement Support or Ongoing Support. This code can be removed if not right for the Participant.

4.7.1 Notification of requirements

Under Social Security Law, Participants must be given proper notice of any compulsory requirement in their Detailed Job Plan. The Secretary of the Department of Employment and Workplace Relations has delegated to Provider staff the power to give Participants formal notification of these requirements.

Providers must formally notify Participants how to meet each requirement and the consequences of not meeting the requirement, including possible impact to their Income Support Payments.

Note: Notifications may also sent for voluntary activities, but these are for informational purposes (i.e. include details such as the location, date/days, and time of the activity).

-  When the Provider schedules a requirement in the Participant's Electronic Calendar, the Department's IT Systems will automatically create and record the selected notification type to be issued.
-  A hard copy of any manually prepared notification of a requirement must be kept by the Provider.

4.7.2 Arrangements for Participants eligible for Mobility Allowance

Where a Participant tells the Provider that they are claiming or receiving the standard rate of Mobility Allowance, the Provider must ensure that the Participant's Job Plan has one of the following, either as a voluntary or compulsory requirement:

- Code JS07 [Research and Prepare Applications]
- Code JS09 [Job Search – Monthly]
- Code JS10 [Job Interviews]
- Code ET64 [Work Preparation].

Where a Participant tells the Provider that they are claiming or receiving the higher rate of Mobility Allowance, the Provider must ensure that the Participant's Job Plan has Code JS05 [Job Search with a Disability – Activity Tested] — as compulsory requirement in the Detailed Job Plan.

The inclusion of Code JS05 [Job Search with a Disability – Activity Tested] must be in addition to Code JS09 [Job Search – Monthly] for Participants (Mutual Obligation).

Inclusion of these Job Plan items triggers payment of Mobility Allowance. If the Participant does not have a relevant code, their Mobility Allowance payment will be cancelled.

Information on Mobility Allowance is available on the [Services Australia website](#).

4.8 Review and Agreement of the Job Plan

The Job Plan must be agreed between the Participant and the Provider, including whenever the contents of the Job Plan are changed or updated.

Once the Job Plan has been created in consultation with the Participant, the Provider must enter the Job Plan details into Department's IT Systems and provide a copy of the Job Plan to the Participant for their review and agreement — as a soft copy on their Workforce Australia account and/or a hard copy print out.

The Provider must then notify the Participant that they must agree to their Job Plan and explain what will happen if they do not agree.

- If a Participant (Mutual Obligation) does not agree to their Job Plan, without a Valid Reason, they will be notified that their Income Support Payment will be suspended in 5 Business Days if they do not agree to their Job Plan.
- If a DSP Recipient (Compulsory Requirements) does not agree to their Job Plan, without a Reasonable Excuse, their non-compliance will be reported to Services Australia.
- If a Participant (Voluntary) does not agree to their Job Plan, they cannot be Commenced in Services and as a result must be Suspended or Exited.

The Participant can agree to their Job Plan online, by signed the hard copy provided or by stating they agree during a phone call or videoconference (see Sections below).

Further information on the compliance actions for not agreeing to the Job Plan as part of meeting participation requirements can be found in Chapter 12: Compliance. A Provider would Suspend or Exit a Participant (Voluntary) who does not agree to their Job Plan by following the guidance in Chapter 3: Commencements, Transfers, Suspensions and Exits.

4.8.1 Think time



Participants (Mutual Obligations) and Recipient (Compulsory Requirements) have 2 Business Days think time to review the proposed requirements of the Job Plan before agreeing to the Job Plan. Providers should tell the Participants that they can use this time to discuss their Job Plan with a third party.

When a Participant is to agree to their Job Plan online, via the Workforce Australia website or Workforce Australia App, the Department's IT Systems will automatically apply think time.

A Provider must offer think time, and then manually set think time if requested should a Participant look to agree to their Job Plan either in person or via a phone call or teleconference. The Provider

should then book another Contact Appointment in 2 Business Days to finalise agreement to the Job Plan.

If a Participant wants to immediately agree to their Job Plan and the Provider is confident that the Participant understands the requirements in their Job Plan, no think time is required.

-  Participants always receive think time when the Job Plan is sent for online review and agreement.
-  If a Participant is to agree to their Job Plan either via a signed hard copy or verbally and asks for time to consider the Job Plan, the Provider must manually 'Set think time' in the Department's IT Systems.

Note: Participants (Voluntary) do not have to agree by a set date, and a Provider does not need to set think time.

4.8.2 Participants agreeing to the Job Plan online

Providers can send a Job Plan to the Participant to review and agree to online by sending it to their homepage through the Workforce Australia website or Workforce Australia app.

The Provider must inform the Participant that the Job Plan has been sent to their Workforce Australia homepage for agreement. The 2 Business Days of think time will start at this point.

The Provider must always read the notification scripts in the Department's IT Systems. It is best practice to also send an email notification to the Participant.

When the Participant agrees to the Job Plan, the Job Plan status will automatically be set to 'approved' in the Department's IT Systems.

If a Participant cannot agree to a Job Plan online because they live in an area with unreliable connectivity or other similar reasons, the Provider needs to inform the Participant that they must instead agree to the Job Plan via a signed hard copy or verbally.

4.8.3 Participants agreeing to the Job Plan via signed copy or verbally



Job Plans can be agreed to by the Participant in person or during a phone or videoconferencing conversation, including when the Participant does not have a Workforce Australia account.

When approving in person, the Provider should print out a hard copy of the Job Plan for the Participant to read and sign. When approving during a phone call or videoconference, the Provider must read out the Job Plan requirements to the Participant and the Participant must clearly state their agreement to their Job Plan.

The Provider must always read out the notification scripts in the Department's IT Systems.

The Provider can finalise and approve the Job Plan in the Department's IT Systems by confirming the Participant has read, understood, and agreed to the Job Plan and the date it was agreed.

Once the Job Plan is approved in the Department's IT Systems, the Participant must be given the signed hard copy, if one was provided.

-  The Provider must enter into the Department's IT Systems the date the Job Plan was agreed and that the Job Plan has been approved.
-  Providers must retain a copy of the signed Job Plan.

Once the Job Plan has been agreed and approved in the Department's IT Systems, the Participant will be able to access it from their Workforce Australia homepage.

(Deed Reference(s): Clause 134.17, 134.18)

4.9 Updating a Job Plan

A Participant's Job Plan should be updated as needed, noting that a Provider must ensure that each Participant always has a current Job Plan.

For the purposes of these Guidelines, and as noted in the Deed, changing between Job Plan types or between a compellable and voluntary Job Plan is not considered an update, but rather the creation of a new Job Plan. Refer to 4.4 Entering into a Job Plan for relevant information on this.

Note: A Job Plan can only be updated if there is no compliance outstanding. If a compliance action is outstanding, the Department's IT Systems will not permit the Job Plan to be updated. The Provider will be redirected to the 'Compliance' screen in the Department's IT Systems to first resolve the non-compliance before updating.

Providers must update the Job Plan whenever the Participant:


- moves to a different phase or service offer
- requests to change their Employment Goal
- resumes their Period of Service, either following a Suspension or Exit
- has a change in their circumstances that impacts their ability to meet the requirements in their Job Plan (Detailed Job Plan only)
- commences a new Activity (Detailed Job Plan only)
- completes an Activity (Detailed Job Plan only)
- is still undertaking the activity agreed to for the purposes of Mobility Allowance but the period entered has expired
- has an ESAt or JCA (Detailed Job Plan only), and/or
- has a Capability Interview or Capability Assessment that determines that their Job Plan is inappropriate (Detailed Job Plan only).

(Deed Reference(s): Clause 134.2, 134.7)

Note: When updating a Job Plan as part of movement between phases or service offers, Providers must ensure that the new phase or service offer has been captured in the Department's IT Systems prior to starting the process to update the Job Plan in the Department's IT Systems.

Detailed information on updating a Job Plan is available in the [Creating, updating, or withdrawing a Job Plan \[LINK\]](#) supporting document on Provider Portal.

The Participant will need to review and agree to their Job Plan each time it is updated, as outlined in 4.8 Review and Agreement of the Job Plan.

-  To update a Job Plan, Providers edit the existing Job Plan. The Participant must review and agree to the updated Job Plan.

If an update has been made in error by the Provider or is no longer needed as the Participant has decided not to go ahead with a new task or activity that preceded the update, Providers may reinstate the previous Job Plan. This is as long as the Job Plan has not yet been approved in the Department's IT Systems.

Participants (Mutual Obligation or and DSP Recipient (Compulsory Requirements)) can be subject to compliance action for failure to agree to their Job Plan. If a Participant advises that they do not want to agree to an updated Job Plan, Providers should give consideration as to whether or not a new Job Plan must be agreed, or whether it is more appropriate to reinstate the previous Job Plan. Failure to agree to their Meaningful Engagement Job Plan should not be the only reason that a Participant is determined to have a Pattern of Disengagement.

Note: Participants (Voluntary) cannot be compelled to update their Job Plan.

Chapter 5: Participation requirements

Supporting Documents for this Chapter

- [Provider Actions – Recording Participants as Fully Meeting Mutual Obligations \[LINK\]](#)
- [Provider Actions – Tailoring a Participant’s Job Search Requirements \[LINK\]](#)
- [Participants who are Fully Meeting their Mutual Obligation Requirements \[LINK\]](#)
- [Types of Exemptions \[LINK\]](#)
- [Mutual Obligations for freelancers or self-employed workers Fact Sheet \[LINK\]](#)
- [Meaningful Engagement Provider Fact Sheet \[LINK\]](#)
- [Meaningful Engagement Participant Fact Sheet \[LINK\]](#)
- [Job Search Quality assessment guide \[LINK\]](#)
- [Valid Reason assessment options \[LINK\]](#)
- [Job Plan codes and requirements, by Phase and Participant Type \[LINK\]](#)
- [Manual Job Search Reporting Form \[LINK\]](#)

5.1 Chapter Overview

This Chapter explains what participation requirements each Participant may have under Social Security Law and the role of Providers in helping Participants to understand and meet their participation requirements.

Participation requirements will vary depending on the type of Participant — i.e. if they are a Participant (Mutual Obligation), DSP Recipient (Compulsory Requirements), Volunteer (Mutual Obligation) or Volunteer (Non-Mutual Obligation).

Participation requirements will also vary depending on whether the Participant is meeting their requirements through the Meaningful Engagement Requirement specified in their Meaningful Engagement Job Plan or has compulsory requirements specified in their Detailed Job Plan.

For the purposes of this Chapter in these Guidelines:

- **self-reporting** means the Participant recording attendance themselves online, and
- **reporting** means the Participant contacts their Provider to report their attendance when/if they are unable to record it online.

This Chapter should be read in conjunction with Chapter 4:Job Plans and Chapter 12:Compliance.

5.2 What are participation requirements?

Most Inclusive Employment Australia Participants will have participation requirements that they need to meet under Social Security Law. This generally means they must attend the Initial Interview, agree to their Job Plan, attend appointment when requested to do so, and participate in compulsory tasks and activities outlined in their Job Plan.

Participation requirements reinforce that a Participant (Mutual Obligation) and DSP Recipient (Compulsory Requirements) must be willing to look for and accept suitable work as a condition of receiving their Income Support Payments.

The type of participation requirements a person has depends on the Income Support Payment they receive. Participation requirements may be either:

- Mutual Obligation Requirements — the requirements that a Participant (Mutual Obligation) must meet in return for receiving their Income Support Payments from Services Australia, or
- compulsory participation requirements — the requirements that a DSP Recipient (Compulsory Requirements) has in return for receiving the DSP from Services Australia.

Note: The Department’s IT Systems will show if a Participant has participation requirements.

- 🖥️ A Participant's participation requirements are listed on the 'Participation' screen in the Department's IT Systems.

Participants (Voluntary) do not have participation requirements. If the Participant is not in contact with the Provider or not engaging appropriately with Services, the Provider must either Suspend or Exit the Participant in accordance with the guidance in Chapter 3: Commencements, Transfers, Suspensions and Exits.

At any time, a Participant (Mutual Obligation) and DSP Recipient (Compulsory Requirements) may no longer need to participate in employment services as:

- Services Australia applies an Exemption, or
- they have a temporary reduced work capacity:
 - between 0-14 hours for 12 weeks or more, if a Participant (Mutual Obligation), or
 - less than 8 hours, if a DSP Recipient (Compulsory Requirements).

As noted in 3.5 Suspensions and Volunteer Periods, the Participant will be Suspended for the duration of this period, unless they are receiving Post Placement Support or Ongoing Support, or if they volunteer to continue receiving Pre-Employment Support.

Note: During a Volunteer Period, a Participant (Mutual Obligation) continues to receive support as a Volunteer (Mutual Obligation) and a DSP Recipient (Compulsory Requirements) continues to receive support as a Volunteer (Non-Mutual Obligation).

Once the Exemption or temporary reduced work capacity period has ended, the Provider must resume delivery of Services. This would include a face-to-face Contact Appointment with the Participant as part of the Re-engagement process (unless conducting the appointment face-to-face would be unreasonable) and ensuring the Participant understands their participation requirements. It may also be appropriate to ask the Participant to agree to their Job Plan again, depending on when the Job Plan was last approved.

5.2.1 Mutual Obligation Requirements

This Section applies to Participants (Mutual Obligation).

Whether a Participant has full-time or part-time Mutual Obligation Requirements is determined by Services Australia, and will generally be based on:

- the Participant's age
- the Participant's assessed work capacity, and
- if the Participant has primary responsibility for the care of a child.

Due to the eligibility criteria for Inclusive Employment Australia (see 1.2 General eligibility criteria), typically Participants will have part-time requirements.

Services Australia may determine that a Participant (Mutual Obligation) is Fully Meeting their requirements if they are undertaking an approved Activity or combination of approved Activities for enough hours each fortnight. Those who are Fully Meeting their requirements are not required to participate with employment services but may choose to volunteer for employment services.

A Participant may have a temporary reduction in their requirements as a result of a temporary reduced work capacity.

The interaction between a Participant's assessed work capacity, Mutual Obligation Requirements and Employment Benchmark is outlined in the following table.

Participation levels

Work Capacity	Employment Benchmark	Mutual Obligation Requirements	Fully Meeting (Approved Activities)
30+ hours per week*	30 hours per week	Full-time	70 hours per fortnight *
23-29 hours per week	23 hours per week	Part-time	30 hours per fortnight
15-22 hours per week	15 hours per week	Part-time	30 hours per fortnight
8-14 hours per week	8 hours per week	Quarterly interviews with Services Australia	Attendance at quarterly interviews
0-7 hours per week	0 hours per week	Quarterly interviews with Services Australia	Attendance at quarterly interviews

*** Note:** Individuals with an assessed work capacity of 30 hours or more per week are ineligible to Commence in Inclusive Employment Australia, but Participants who Commenced in DES prior to 1 July 2021 may have an Employment Benchmark of 30 hours per week. Fully Meeting requirements through 70 hours per fortnight does not apply to Inclusive Employment Australia Participants. A Principal Carer Parent or Mature Age Participant (aged 55 years of over) with an assessed work capacity of 30 hours or more per work is also able to Fully Meet their requirements through 30 hours per fortnight participation in approved Activities.

Under Social Security Law, Participants with Mutual Obligation Requirements are generally required to enter into a Job Plan, attend Appointments with their employment services provider and demonstrate that they are actively looking for work and/or maintaining their employment. In addition, those with Mutual Obligation Requirements must accept any offer of suitable work and not voluntarily leave a suitable job.

Providers must ensure that the Job Plan for a Participant (Mutual Obligation) will enable them to meet their Mutual Obligation Requirements.

A Participant (Mutual Obligation) with a Meaningful Engagement Job Plan is set the Meaningful Engagement Requirement, through which they can meet their Mutual Obligation Requirements. This is the only compulsory requirement in their Job Plan.

A Participant (Mutual Obligation) with a Detailed Job Plan is expected to have been set the following compulsory tasks and activities, which must be completed to meet their Mutual Obligation Requirements:

- the compulsory requirement to take personal responsibility for self-reporting, unless the Provider has assessed that the Participant is not capable of self-reporting
- the compulsory requirement to willing accept any offer of suitable paid work and not leave suitable paid work voluntarily
- the compulsory requirement to act on Job Referrals, where appropriate
- a compulsory Job Search Requirement, noting that this may be set to zero where appropriate as outlined in these Guidelines
- a compulsory requirement to attend Appointments with their Provider
- a compulsory Activity, where the Provider considers mandatory attendance is required to improve their Work Readiness or prospects of finding and/or maintaining Employment, and
- the compulsory requirement to attend Job Interviews, where appropriate.

(Deed Reference(s): Clause 134.8, 134.9)

Where a Participant (Mutual Obligation) has a Pattern of Disengagement, as determined by their Provider, they will be required to enter into a Detailed Job Plan.

Where a Participant (Mutual Obligation) is not complying with their requirements in a Detailed Job Plan, their non-compliance is managed under the Targeted Compliance Framework (TCF) in accordance with the relevant Sections in Chapter 12: Compliance.

A Participant (Mutual Obligation) with a Detailed Job Plan may also agree to other voluntary tasks and activities that address Vocational and Non-Vocational Barriers or otherwise would help them achieve their Employment Goal. These voluntary activities are non compulsory and failure to complete them will not result in any compliance action.

Reduced capacity due to injury or temporary medical conditions

A Provider may adjust a Participant's requirements to reflect a short-term or temporary change in circumstances that impacts their ability to meet their Mutual Obligation Requirements but will not have a significant long-term impact on the Participant's ability to work or participate in employment services. Where the Participant is receiving Pre-Employment Support, Providers must also consider if the Participant's service offer should be adjusted (see relevant Sections on the service offers and movement between the phases in Chapter 6: Pre-Employment Support for more information).

A Participant can have been assessed as having a temporary reduced work capacity as a result of an injury or temporary physical or mental health condition. Participants may have reduced requirements for the period of the temporary reduced work capacity.

Note: If the temporary reduced work capacity is between 0-14 hours per week and for a period longer than 12 weeks, a Participant (Mutual Obligation) receiving Pre-Employment Support will be Suspended from Services and become Centrelink Managed. As was noted earlier in this Section, the Participant may choose to volunteer to continue to receive assistance during this period.

Exemptions from Mutual Obligation Requirements

If a Participant is temporarily unable to meet any of their Mutual Obligation Requirements, Services Australia may grant an Exemption for a specified period. If a Provider believes that the Participant does not temporarily have the capacity to meet any of their Mutual Obligation Requirements, the Participant must be advised to contact Services Australia to test their eligibility for an Exemption, on their regular payment line (which can be found on the [Services Australia website](#)). Encouraging the Participant to seek an Exemption is important as they may be eligible for additional allowances, such as Pharmaceutical Allowance, depending on their circumstances.

A guide to the situations in which a Participant may be granted an Exemption from their Mutual Obligation Requirements, is included on the Provider Portal as the **Types of Exemptions** support document.

At the same time, a Provider should also seek to reduce a Participant's requirements and consider if the Flexible Service would be more appropriate. Movement into the Flexible Service while the Participant progresses with applying for an Exemption recognises the lower capacity to engage.

Regardless of whether or not an Exemption is granted, Providers must not set tasks and activities (either as part of meeting the Meaningful Engagement Requirement or as a compulsory requirement in a Detailed Job Plan) that the Participant would be unable to meet, or that are inappropriate for their circumstances.

Note: Participants granted an Exemption will be Suspended from a Provider's Caseload for the period of the Exemption. These Participants may voluntarily choose to continue participating in employment

services as a Participant (Voluntary). Some Participants with longer-term Exemptions may be Exited from a Provider's Caseload.

Pause to obligations

At any time, the Department may pause Mutual Obligation Requirements for Participants (Mutual Obligations) in a certain location — for example, as a result of a natural disaster or State and Territory Health Orders.

During this period, no payment suspensions or financial penalties will apply to Participants (Mutual Obligations) who do not meet their participation requirements. Participants will also not receive Demerits under the TCF. All existing compulsory requirements will become voluntary requirements. All Participants will be considered to be meeting the Meaningful Engagement Requirement.

Note: No change to a Participant's Job Plan is required to enable the change in requirements.

During a pause, Providers must support Participants to understand:

- what the pause of obligations mean
- how long the pause will last
- what happens during the pause
- what they will need to do when the pause ends.

Participants can choose to continue to participate in Appointments and Activities on a voluntary basis. Appointments and Activities scheduled prior to the pause may still appear in their Electronic Calendar and they may still get reminder notifications. Providers may encourage Participants to remain in contact and participate in tasks and activities where it is safe to do so.

A Participant with a Job Search Requirement will have it updated, by the Department, for the duration of the pause. Participants will still need to meet their Job Search Requirement if it is due after the pause ends. Providers should consider whether the Job Search Requirement remains appropriate after the pause ends, based on current labour market conditions, and update the Detailed Job Plan accordingly.

Note: Participant's must still report their income to Centrelink each fortnight.

Fully Meeting Mutual Obligation Requirements

All Participants (Mutual Obligation) in Inclusive Employment Australia are able to Fully Meet their requirements through sufficient participation, of at least 30 hours per fortnight, in an approved Activity or a combination of approved Activities. A summary of circumstances in which an Inclusive Employment Australia Participant would be Fully Meeting their Mutual Obligation Requirements is included in the table below. More detailed information is available in the [Participants who are Fully Meeting their Mutual Obligation Requirements \[LINK\]](#) supporting document on the Provider Portal.

Note: All Inclusive Employment Australia Participants have a Partial Capacity to Work (PCW) as those with an assessed work capacity of 30 hours or more per week are ineligible to Commence in Inclusive Employment Australia. Therefore, at a minimum, Inclusive Employment Australia Participant can Fully Meet their requirements under the arrangements for PCW Participants.

A guide to when a Participant can be recorded as Fully Meeting their Mutual Obligation Requirements, can be found in the Social Security Guide — see [3.11.6 Fully meeting requirements | Social Security Guide](#).

If the Participant has confirmed they are going to undertake an approved Activity but has not yet commenced, they must still participate in Inclusive Employment Australia until they commence the Activity.

Providers can record that Participants are Fully Meeting their Mutual Obligation Requirements through recording their participation in the Approved Activity. The Activity does not need to be in their Job Plan in order for the Participant to be Fully Meeting their requirements, however, it is considered best practice to capture the Activity in a Detailed Job Plan as soon as the Provider arranges the Activity or is advised that the Participant is undertaking the Activity.

Providers must assess and record the Participant as Fully Meeting their Mutual Obligation Requirements in the Department's IT Systems rather than sending the Participant to Services Australia to action. Further details are included in the [Provider Actions – Recording Participants as Fully Meeting Mutual Obligations \[LINK\]](#) supporting document available on the Provider Portal. This supporting document also includes details on the Voluntary Work approval process for Fully Meeting requirements. Details on approved study are included under 7.7.2 Education and Training.

Requirements to be Fully Meeting Mutual Obligation Requirements

Participant Cohort	Requirements
PCW Participants (15-29 hours per week)	<ul style="list-style-type: none"> By undertaking 30 hours per fortnight of: <ul style="list-style-type: none"> paid Employment, including Unsubsidised Self-Employment approved study, or a combination of the above.
Principal Carer Parents (youngest child is under 16 years of age)	<ul style="list-style-type: none"> By undertaking 30 hours per fortnight of: <ul style="list-style-type: none"> paid Employment, including Unsubsidised Self-Employment approved study, or a combination of above. By undertaking approved Voluntary Work with at least 15 hours of approved study and/or paid Employment, for 30 hours per fortnight.
Participants in receipt of a Carer Allowance	<ul style="list-style-type: none"> By undertaking 30 hours per fortnight of: <ul style="list-style-type: none"> paid Employment, including Unsubsidised Self-Employment approved study, or a combination of above. By undertaking approved Voluntary Work with at least 15 hours of approved study and/or paid Employment, for 30 hours per fortnight.
Mature aged Participants (55 years or older)	<ul style="list-style-type: none"> By undertaking 30 hours per fortnight of: <ul style="list-style-type: none"> paid Employment, including Unsubsidised Self-Employment approved Voluntary Work, or a combination of above. <p>Note: If aged 55-59 years and in their first 12 months of receiving Income Support Payments, Voluntary Work must be combined with at least 15 hours of approved paid work.</p>

Note: Once a Provider or Services Australia determines that a Participant is Fully Meeting their Mutual Obligation Requirements, a Participant receiving Pre-Employment Support will be Suspended from the Provider's Caseload and become Centrelink Managed. If the Participant is expected to continue to Fully Meet their Mutual Obligation Requirements for more than 13 weeks they will be Exited unless they choose to remain in Inclusive Employment Australia as a Volunteer (Mutual Obligation) — refer to Chapter 3: Commencements, Transfers, Suspensions and Exits and Chapter 4: Job Plans 4.6.3 Arrangements for Participants (Voluntary) for more details.

If a Participant ceases to Fully Meet their Mutual Obligation Requirements, the Provider will resume delivery of Services. This would include Re-engagement with the Participant following the period of Exemption to ensure they understand their Mutual Obligation Requirements and identifying appropriate tasks and activities that the Participant can undertake to meet their requirements.

Participants undertaking residential treatment programs

If a Participant is undertaking intensive drug and alcohol treatment or rehabilitation (such as a full-time residential program) they are considered as meeting their Mutual Obligation Requirements and do not have to complete additional requirements.

Note: Participants in residential programs for drug and/or alcohol rehabilitation can have an 'authorised correspondence nominee'. Nominees can let the Provider know the Participant is in a residential program and arrange to get access to all correspondence and notifications the Provider sends to the Participant. With the consent of a Participant, residential rehabilitation facilities can also advise a Provider that a Participant has entered a residential program, as Participants generally will not have access to communication devices.

Pregnant Participants

Providers must consider a pregnant Participant's personal circumstances when setting their Mutual Obligation Requirements.

From 6 weeks before the expected due date and until 6 weeks following the birth of the child, the Participant can have an Exemption from all of their Mutual Obligation Requirements.

5.2.2 DSP compulsory participation requirements

This Section applies to DSP Recipients (Compulsory Requirements).

DSP Recipients (Compulsory Requirements) have agreed to take part in Inclusive Employment Australia to meet the requirements set out in their Participation Plan with Services Australia.

There are other methods by which a DSP Recipient (Compulsory Requirement) may be able to meet their participation requirements, such as Apprenticeships, Traineeships, NDIS employment supports, work experience and voluntary work. If a DSP Recipient (Compulsory Requirements) raises the option to meet their participation requirements through a different activity, the Provider should advise the Participant to raise this at their next participation interview or call Centrelink on 132 717.

A DSP Recipient (Compulsory Requirements) does not need to participate in employment services if they are working in Supported Employment or work under the Supported Wage System. Where a Provider is aware that a DSP Recipient (Compulsory Requirements) would no longer be required to participate in Inclusive Employment Australia, the Provider should advise the Participant to contact Services Australia and ask for a review of their Participation Plan. Following a change to their Participation Plan, the DSP recipient may continue to volunteer for Inclusive Employment Australia.

Under Social Security Law, Participants with compulsory participation requirements for their DSP referred to employment services are generally required to sign a Job Plan, attend appointments with their provider, do any compulsory tasks and activities agreed to, and attend participation interviews with Centrelink (Services Australia).

Providers must ensure that the Job Plan for a DSP Recipient (Compulsory Requirements) will enable them to meet their compulsory participation requirements.

As noted in Chapter 4: Job Plans, DSP Recipients (Compulsory Requirements) must have at least one compulsory requirement in their Job Plan.

A DSP Recipients (Compulsory Requirements) with a Meaningful Engagement Job Plan is set the Meaningful Engagement Requirement, through which they can meet their compulsory participation requirements. This is the only compulsory requirement in their Job Plan.

A DSP Recipient (Compulsory Requirements) with a Detailed Job Plan, is expected to have been set:

- any Interventions as specified by Services Australia in the Capability Management Tool
- compulsory attendance at Appointments with their Provider, and
- a compulsory Activity, including job search activities, work preparation activities and/or Job Interviews, where appropriate.
- other voluntary tasks and activities that address Vocational and Non-Vocational Barriers, which may include a Job Search Requirement, work preparation activities or job search activities.

Where a DSP Recipient (Compulsory Requirements) has had a Pattern of Disengagement, as determined by their Provider, they will be required to enter into a Detailed Job Plan.

(Deed Reference(s): Clause 134.11, 134.12, 134.13)

It is the responsibility of DSP Recipient (Compulsory Requirements) to meet their participation requirements. However, it is important that Providers provide appropriate assistance, depending on the Participant's circumstances and issues, to ensure they are able to maintain their attendance and participation.

If a DSP Recipient (Compulsory Requirements) is not complying with their requirements, their non-compliance is reported to Services Australia in accordance with 12.7 DSP non-compliance and associated compliance actions.

Note: DSP recipients with compulsory participation requirements may volunteer for Inclusive Employment Australia but be meeting their requirements via another work focused activity — such as, Supported Employment or NDIS employment supports. DSP recipients not subject to compulsory participation requirements can also volunteer to participate in Inclusive Employment Australia. In these cases, the Participant will be identified on the Department's IT Systems as a Participant (Voluntary).

Where a Participant cannot meet their compulsory participation requirements

A Provider should adjust a Participant's requirements to reflect a short-term or temporary change in circumstances.

A Participant may also be assessed as having a temporary reduced work capacity as a result of an injury or temporary physical or mental health condition.

Note: If the temporary reduced work capacity is less than 8 hours per week, a DSP Recipient (Compulsory Requirements) will be Suspended from Services. As was noted earlier in this Section, the Participant may choose to volunteer to continue to receive assistance during this period.

Services Australia may grant Exemptions for a specified period if a DSP Recipient (Compulsory Requirements) is temporarily unable to meet their requirements. If a Provider believes that the Participant is eligible for an Exemption, the Participant must be advised to contact Services Australia on their regular payment line (which can be found on the [Services Australia website](#)).

Services Australia can grant temporary incapacity Exemptions for DSP Recipients (Compulsory Requirements) for up to 2 years based on a medical practitioner's advice on a medical certificate. Other exemptions may be granted up to 13 weeks, depending on individual circumstances.

A guide to the situations in which a Participant may be granted an Exemption from their compulsory participation requirements is included on the Provider Portal as the [Types of Exemptions \[LINK\]](#) support document.

Pause to requirements

At any time, the Department may pause compulsory participation requirements for DSP Recipients (Compulsory Requirements) in a certain location — for example, as a result of a natural disaster or State and Territory Health Orders.

During this period, Providers do not need to report any non-compliance to Services Australia. No payment suspensions or financial penalties will apply to DSP Recipients (Compulsory Requirements) who do not meet their participation requirements. All existing compulsory requirements will become voluntary requirements. All Participants will be considered to be meeting the Meaningful Engagement Requirement.

Note: No change to a Participant's Job Plan is required to enable the change in requirements.

During a pause, Providers must support Participants to understand:

- what the pause to compulsory participation requirements mean
- how long the pause will last
- what happens during the pause
- what they will need to do when the pause ends.

Participants can choose to continue to participate in Appointments and Activities on a voluntary basis. Appointments and Activities scheduled prior to the pause may still appear in their Electronic Calendar and they may still get reminder notifications. Providers may encourage Participants to remain in contact and participate in tasks and activities where it is safe to do so.

Note: Participant's must still report their income to Centrelink each fortnight.

5.2.3 Requirements for Participants undertaking a Program of Support

Participants may be participating in Inclusive Employment Australia as part of a Program of Support requirement. That is, as part of their eligibility for DSP they have been informed that they need to demonstrate that they have actively participated in a program that helps them to prepare for, find and keep a job.

As Inclusive Employment Australia will often be the most appropriate employment service for people applying for the DSP, people with Program of Support requirements may have Directly Registered for Inclusive Employment Australia, subject to meeting general eligibility criteria or special eligibility criteria (see relevant Sections in Chapter 1: Eligibility, Referrals and Direct Registration).

To show that they have participated in a Program of Support, the person needs to have participated in employment services for at least 18 months in the 3 years before they make the DSP claim. Generally, they will meet this requirement if they remain connected with their Provider and do not Exit for more than 13 weeks. If they fail to participate, they may jeopardise their eligibility for DSP.

Note: A person who is participating to meet the Program of Support requirement may be a Participant (Mutual Obligation) or Participant (Voluntary). If they are a Participant (Mutual Obligation), they are subject to the relevant participation requirements and compliance actions linked

to their Income Support Payment. If they are a Participant (Voluntary), the Provider can Exit the Participant if they disengage.

There is no flag in the Department's IT Systems that identified if a Participant has a Program of Support requirement. Therefore, it is only when a Participant discloses that they are participating as part of a Program of Support requirement, that Providers must ensure that they understand their requirements for the Program of Support as required in the Deed and these Guidelines.

5.3 Provider obligations

Provider staff have delegated powers under Social Security Law to notify Participants (Mutual Obligation) of their participation requirements.

Providers must work with Participants to set an appropriate mix of tasks and activities, tailored to the individual's circumstances, to support full participation in Inclusive Employment Australia Services.

Under Social Security Law, Participants must be given appropriate notice of any compulsory requirement in their Job Plan. Provider staff have delegated powers under Social Security Law to notify Participants of their requirements.

The Provider's main obligations relating to participation requirements include:

- ensuring that Job Plans for Participants (Mutual Obligation) and DSP Recipients (Compulsory Requirements) are suitable to the Participant's personal circumstances and capacity to comply with their obligations under Social Security Law
- ensuring any tasks and activities agreed to are suitable and tailored to the Participant's Employment Goal(s), assessed work capacity, personal circumstances, and work or study commitments (whether these tasks and activities are part of meeting the Meaningful Engagement Requirement or specified in a Detailed Job Plan)
- ensuring each Participant (Mutual Obligation) understands their Mutual Obligation Requirements and what they must do to meet their Mutual Obligation Requirements
- ensuring each DSP Recipient (Compulsory Requirements) understands their obligations under Social Security Law
- ensuring each Participant undertaking a Program of Support understands their obligations
- assessing a Participant's capability to self-report their own attendance, and reviewing their capability to self-report as required
- notifying Participants of their requirements, including how they can meet each requirement and the consequences of not meeting the requirement
- actively monitoring and recording each Participant's compliance with their requirements and capacity to meaningfully engage – refer to Chapter 12: Compliance, and
- notifying Participants when they are at risk of not meeting a requirement or have failed to meet a requirement.

(Deed Reference(s): Clause 114.1, 138, 139, 140)

5.3.1 Training

It is essential that each staff member understands how to set participation requirements, to ensure that Participants are meeting their requirements under Social Security Law.

(Deed Reference(s): Clause 143)

5.3.2 Notifications to Participants of their requirements

There are a range of modes of communication available for notifications, and if not automatically sent by the Department's IT Systems, Providers must ensure that Participants are notified of their upcoming requirements using a mode that considers their preferred contact method.

- 🖥️ A Participant's preferred contact method is listed in the Department's IT Systems under the 'Personal details' screen of the Participant's profile.

The Department's IT Systems should automatically create the relevant notification type to be issued when a Provider:

- schedules an Appointment in the Participant's Electronic Calendar
- schedules a compulsory Activity in the Participant's Electronic Calendar
- schedules a Job Interview in the Participant's Electronic Calendar
- negotiates a Job Plan with the Participant, and
- creates a Job Referral or Job Opportunity task.

- 📄 Evidence of any manual notification must be retained as it may be required as Documentary Evidence if there is an instance of non-compliance.

Notifications generally include:

- the reason for any Appointment, if sent in relation to an Appointment
- if the task or activity is for the purpose of a Re-engagement Requirement
- the date and start time an Appointment, Activity or Job Interview has been scheduled in the Participant's Electronic Calendar
- the location or address of the Appointment, Activity or Job Interview, if the format is face-to-face
- the dial in or dial out details for the Appointment, Activity or Job Interview, if the format is via a phone call or videoconference
- if the Participant must record their own attendance, and, if so, details of when they need to record their attendance
- details of a Job Referral or Job Opportunity task
- any evidence the Participant needs to show to confirm their participation
- advice that the Participant must contact their Provider, if they become aware of any reason that would prevent them from doing the task or activity
- advice that the Participant must contact their Provider if they fail to complete the task or activity, to inform the Provider of the reason why they could not attend
- advice about possible consequences for Participants if they do not meet their requirement
- advice that the Participant must complete the requirement in return for Income Support Payments, and
- if a formal notification, must include a statement that the notification is a notice under Social Security Law.

For formal notifications, the Provider must issue the notification within an appropriate timeframe before the requirement is scheduled to occur. If reasonable notice timeframes are not met, the Participant's Electronic Calendar will not allow the requirement to be booked, unless the Provider is in

direct contact with the Participant and records in the Department's IT Systems the Participant has agreed to meet this requirement.

Where a Participant has an authorised correspondence nominee, the nominee will receive copies of all notifications sent from the Provider to the Participant.

5.3.3 Capturing Personal Events

Personal Events are a way of communicating a period when a Participant has a personal commitment which could prevent them from attending a compulsory requirement. Personal Events can be created for anytime between 6:00 am and 9:00 pm, and can be booked recurringly, up to 8 weeks in advance.

A Participant can create their own Personal Events in their Electronic Calendar, where a Mutual Obligation Requirement is not already scheduled for that time. Providers must encourage Participants to create relevant Personal Events in their Electronic Calendar while receiving Pre-Employment Support and must help to do this when necessary.

Providers may also create Personal Events on behalf of a Participant. Providers must create Personal Events to schedule regular hours of paid work if the Participant does not do so.

If a Participant is receiving Post Placement Support or Ongoing Support and the Participant's Personal Events would create a conflict with the Provider's business hours, the Provider may speak to the Participant to negotiate a suitable, reoccurring day during the week where the Provider would organise Contacts with the Participant either at or near their place of Employment. The Participant would not capture their paid work as a Personal Event for this time.

Providers must regularly review Personal Events added by Participants, including information from the Participant about the personal commitment, and must decide whether or not to confirm the Personal Event. The Provider must consider the nature of the Personal Event, the Participant's personal situation and the current phase or service offer they are receiving.

It is best practice to incorporate a review of Personal Events into regular Contacts with the Participant.

If a Provider confirms a Personal Event, the Provider must:

- advise the Participant that compulsory requirements may still be scheduled for that time, unless the Personal Event is paid Employment, but
- not schedule any compulsory requirements that conflicts with the confirmed event unless they first discuss the clash with the Participant.

If a Provider leaves a Personal Event unconfirmed, the Provider must contact the Participant to:

- advise the Participant that the Personal Event has not been confirmed
- advise the Participant about what is needed to change the Personal Event to confirmed, and
- request more information about the Personal Event, if needed.

A confirmed Personal Event is considered prior notice that the Participant is unable to attend a requirement at that time. A Provider must not book a conflicting requirement at that time unless the Provider:

- contacts the Participant to explain why the requirement is necessary and to check that the Participant can make alternative arrangements for the Personal Event
- enters a justification for setting the conflicting requirement, as a comment in the Participant's Summary on the Department's IT Systems, and
- formally notifies the Participant in advance of the requirement.

5.4 Capability Management Tool

The Capability Management Tool available via the Job Plan screen in the Department's IT Systems is a supporting tool for Providers. The Capability Management Tool combines information collected from ESATs, any Capability Interviews and/or Capability Assessments, and self-reported barriers entered by the Participants via Workforce Australia Online for Individuals.

The tool allows a Provider to identify any personal circumstances that could affect the Participant's ability to meet their participation requirements and find employment.

The Capability Management Tool can help Providers to:

- find current vulnerabilities and barriers that may affect their ability to meet their participation requirements, including any issues self-identified by the Participant
- find ESAT recommended Interventions, and
- find recommendations by Services Australia following a Capability Assessment to consider when updating the Participant's Job Plan, where relevant.

The Provider should also record any information about the Participant's participation (or refusal to participate) in Activities in the Capability Management Tool.

If a Provider finds or becomes aware that a Participant's ongoing ability to meet their requirements is affected by a drug or alcohol dependency, the Provider should seek to source, offer and arrange treatment services and record in the Capability Management Tool if:

- the Participant has accepted and is currently participating in treatment or rehabilitation services
- treatment or rehabilitation services are not available in the Participant's area of residence
- there is a waiting list to participate in treatment, or
- the Participant has refused to participate in treatment or rehabilitation.

5.5 Meaningful Engagement Requirement

Participants (Mutual Obligation) and DSP Recipients (Compulsory Requirements) are able to meet their participation requirements through the Meaningful Engagement Requirement.

Participants (Voluntary) are expected to engage in order to continue to receive support, which is also reflected through the Meaningful Engagement Requirement.

As noted in 4.6 Contents of a Meaningful Engagement Job Plan, the Meaningful Engagement Job Plan will pre-populate to include Code PA19 [Meaningful Engagement Requirement], as:

- the only compulsory requirement for Participants (Mutual Obligation) and DSP Recipients (Compulsory Requirements), and
- the default voluntary requirement for Participants (Voluntary).

(Deed Reference(s): Clause 134.8)




In order to ensure that the terms of meeting the Meaningful Engagement Requirement are clear to Participants, Providers should work with each Participant to identify suitable tasks and activities that they will undertake to meaningfully engage.

An appropriate mix of tasks and activities for a Participant would be tailored to the Participant's Employment Goal(s), areas of interest, assessed work capacity, personal circumstances, barriers to finding and maintaining sustainable work, and current work or study commitments.

The mix of tasks and activities for each Participant should be dependent on their phase (Pre-Employment Support, Post Placement Support or Ongoing Support) and service offer (Intensive Service Work Preparation, Intensive Service Job Search or Flexible Service).

Providers should adopt a process of shared decision making with the Participant. To ensure the Participant feels invested in, and has shared ownership of, the tasks and activities they will do as part of the plan for meaningful engagement.

Agreed tasks and activities must be recorded by the Provider and given to the Participant. There are no requirements on how this is formatted, but Providers should ensure any handwritten or electronic document provided to the Participant considers general principles for creating accessible documents and will meet the needs of the Participant.

-  Providers must retain records of the tasks and activities the Participant has currently agreed to undertake, as this will form part of the Documentary Evidence requirements for a Pattern of Disengagement.
-  Providers can record the tasks and activities that the Participant has agreed to participate in using comment functionality in the Participant's Summary on the Department's IT Systems.
-  Providers can record information about agreed Activities and Interventions in the Capability Management Tool.

An appropriate mix of individual, group and self-directed tasks and activities for a Participant may include:

- Contacts and Appointments
- Activities to address Vocational Barriers, noting that this may include both formal and informal Activities such as:
 - work preparation activities
 - job search activities, and
 - work experience placements
- Activities and Interventions to address Non-Vocational Barriers
- Job Search
- Job Referrals
- Job Interviews
- Education and Training
- Employment, and/or
- Work Trials.

Guidance is provided in the Sections that follow on considerations for setting tasks and activities, as part of the Meaningful Engagement Requirement, for Participants (Mutual Obligations), DSP Recipients (Compulsory Requirements) and Participants (Voluntary).

Note: A Participant may exercise choice about the Services they receive however the Provider may direct the Participant to complete certain tasks and activities in order to ensure that they are looking for work.

Providers must ensure that the level of engagement does not exceed the Participant's assessed work capacity when setting tasks and activities under the Meaningful Engagement Requirement.

So long as the Provider determines that the Participant is actively completing tasks and activities, they will be considered to be meaningfully engaging — i.e. fully satisfying the Meaningful Engagement Requirement.

Providers should review a Participant's circumstances, tasks and activities for meaningful engagement if the Participant is at risk of failing to meet the Meaningful Engagement Requirement. This review should seek to confirm that tasks and activities are suitable — that is, appropriate for their circumstances and the Participant is capable of undertaking the tasks and activities.

More detailed information on what informs the Meaningful Engagement Requirement is included in the [Meaningful Engagement Provider Fact Sheet \[LINK\]](#), which can be found on the Provider Portal. A copy of the [Meaningful Engagement Participant Fact Sheet \[LINK\]](#) can also be found on the Provider Portal.

If a Participant is not meeting the Meaningful Engagement Requirement and the Provider determines that there has been a Pattern of Disengagement, as outlined in 5.5. Determining if a Participant is meeting the Meaningful Engagement Requirement, Providers must:

- enter into a Detailed Job Plan for Participants (Mutual Obligations) and DSP Recipients (Compulsory Requirements) — refer to Chapter 4: Job Plans, or
- Suspend or Exit a Participant (Voluntary) — refer to Chapter 3: Commencements, Transfers, Suspensions and Exits.

Note: Participants cannot be compelled to attend or complete tasks and activities as part of the Meaningful Engagement Requirement. However, there are options for a Provider to compel a Participant to attend a compulsory appointment if they are disengaged as outlined in 12.2.2 Compellable Contact Appointment.

5.5.1 Arrangements for Participants with Mutual Obligation Requirements

By the end of the Initial Engagement Period, and throughout the Participant's Period of Service, it is expected that Participants (Mutual Obligation) will have agreed to Appointments and Contacts with their Provider. This agreement would include the frequency and Engagement Methods, and a possible schedule for Contact Appointments booked in the Participant's Electronic Calendar.

It is expected that most Participant (Mutual Obligation) will be undertaking a range of different tasks and activities to demonstrate they are meaningfully engaging and satisfying their requirements under Social Security Law, unless they are receiving the Flexible Service, Post Placement Support or Ongoing Support.

Depending on what is right for the Participant's circumstances and phase, the tasks and activities agreed to would generally be aimed at helping the Participant to find and/or maintain work. Tasks and activities included as part of the plan for meaningfully engaging would either:

- help them learn to manage or overcome Vocational and Non-Vocational Barriers that are impeding their progress towards sustainable Open Employment
- demonstrate that they actively looking for work — such as tasks related to Job Search, Job Interviews and actioning Job Referrals
- be selected to help the Participant in achieving their Employment Goal, and/or
- reflect they are in Open Employment.

Note: Job Search can be included as a task if the Provider believes it will benefit the Participant.

5.5.2 Arrangements for DSP Recipients with compulsory participation requirements

By the end of the Initial Engagement Period, and throughout the Participant's Period of Service, it is expected that DSP Recipients (Compulsory Requirements) will have agreed to Appointments and Contacts with their Provider. This agreement would include the frequency and Engagement Methods, and a possible schedule for Contact Appointments booked in advance in the Participant's Electronic Calendar.

Whether a DSP Recipients (Compulsory Requirements) has other tasks and activities will depend on if they are right for the Participant's circumstances and phase.

It is expected that most DSP Recipients (Compulsory Requirements) will undertake work preparation activities or job search activities in order to demonstrate they are meaningfully engaging and satisfying their requirements under Social Security Law, unless they are receiving the Flexible Service, Post Placement Support or Ongoing Support.

Other tasks and activities agreed to would generally be aimed at helping the Participant to achieve their Employment Goal, prepare for work and/or look for work.

5.5.3 Arrangements for Participants (Voluntary)

By the end of the Initial Engagement Period, and throughout the Participant's Period of Service, it is expected that Participants (Voluntary) will have agreed to the frequency and Engagement Methods for staying in Contact with their Provider.

Other tasks and activities agree to should be based on each Participant's individual circumstances and reasons for registering for Inclusive Employment Australia. This could include work preparation activities, job search activities, Education and Training, and/or other tasks and activities that will improve the Participant's employability.

5.5.4 Determining if a Participant is meeting the Meaningful Engagement Requirement

Providers have discretion to determine whether or not a Participant is satisfying the Meaningful Engagement Requirement.

Providers will need to conduct a regular review of the tasks and activities that are in the recorded, current plan of agreed tasks and activities — those that the Participant requested be included and/or the Provider directed the Participant to do — to determine if the requirement has been met.

If the Participant is participating appropriately and undertaking the agreed tasks and activities as planned, they must be considered to be fully engaged.

In cases where the Participant does not engage (i.e. does not do a task or activity that they agreed to) or has acted in an inappropriate manner during an Appointment or Activity, Providers should contact the Participant as soon as possible to give them the opportunity to provide a reason for non-attendance, non-completion or inappropriate behaviours.

Providers have discretion in whether they will accept the reason provided or not. Providers are encouraged to take what the Participant says in good faith and use their judgement when determining if to accept the reason. At a minimum, a good reason would be one that would otherwise be considered a Valid Reason (for a Mutual Obligation Failure) or reasonable excuse (for DSP non-compliance). Examples of good reasons include, but are not limited to:

- conflict with work hours
- illness or injury
- mental health issues
- family and caring responsibilities
- inability to get to an Appointment or Activity (for example, IT failure, transport issues, issues with childcare)
- death in the family, or
- other personal crisis.

Providers should also seek to regularly discuss engagement levels and progress overall against the agreed tasks and activities, in order to ensure that each Participant is aware of whether or not they are meeting the Meaningful Engagement Requirement.

Where a Provider thinks that a Participant may not be fully satisfying their requirement to meaningfully engage, Providers must inform the Participant of their concerns and seek to discuss if there are factors affecting their capacity to engage. This discussion may include identifying if:

- the Participant understands how to meet the Meaningful Engagement Requirement
- the Participant has a good reason for not fully satisfying the Meaningful Engagement Requirement
- there has been a change in circumstances that is impacting their capacity to engage, which would prompt a review of the tasks and activities
- the tasks and activities the Participant had been directed to participate in are considered meaningful to the Participant or if there other ways that to progress towards their Employment Goal(s), and/or
- the Participant requires more support in order to be able to undertake the tasks and activities as agreed.

Where appropriate, Providers should change the agreed tasks and activities and/or ensure that the Participant understands why tasks and activities have been included in the plan for meaningfully engaging.

The Provider must take steps to try and increase the Participant's overall engagement levels before determining a Participant is not meeting the Meaningful Engagement Requirement.

- 📄 Details on servicing/engagement strategies and the results of these strategies on the Participant's level of engagement forms part of the Documentary Evidence for determining a Participant has failed to satisfy the Meaningful Engagement Requirement.
- 💻 Providers can capture information on servicing/engagement strategies and the outcome of the strategies adopted using the comment functionality in the Program Summary on the Department's IT Systems.

Once the Provider believes they have sufficient evidence that the Participant is not meaningfully engaging (i.e. there is an emerging Pattern of Disengagement), the Provider must issue a warning to ensure that the Participant is:

- given an outline of the evidence that has informed this decision
- informed of the recorded instances of disengagement (for example, drawing upon Documentary Evidence such as reported non-attendance at Appointments and Activities, as well as case management notes captured in the Participant's Summary on the Department's IT Systems),
- given the opportunity confirm there is not a change in circumstances that should be considered — whereby the Provider may revise their assessment, and
- made aware of the consequences of continued instances of disengagement and failure to fully satisfy the Meaningful Engagement Requirement.

- 📄 A file note on the warning issued forms part of the Documentary Evidence for determining a Participant has failed to satisfy the Meaningful Engagement Requirement.

Further failures to engage, without a good reason, would then be considered a confirmed Pattern of Disengagement. Providers have discretion as to how many instances of disengagement they allow before determining there is a Pattern of Disengagement.

Note: Generally, a Pattern of Disengagement is where a Participant is not meaningfully engaging (and therefore is not satisfying the Meaningful Engagement Requirement) more than once over a 3-month rolling period. It is at the discretion of the Provider to determine the timeframe of disengagement considering a Participant's unique circumstances.

- Each recorded instance of disengagement forms part of the Documentary Evidence for determining a Participant has failed to satisfy the Meaningful Engagement Requirement.

Once a Participant has a Pattern of Disengagement, they have failed to meet the Meaningful Engagement Requirement. Providers must then follow the process outlined in 12.2 Steps when a Participant has failed to meet the Meaningful Engagement Requirement. This process will result in the Participant entering into Detailed Job Plan and no longer meeting their participation requirements through the Meaningful Engagement Requirement.

Information on a Pattern of Disengagement and Pattern of Renewed Engagement is included in the **Meaningful Engagement Provider Fact Sheet**, which can be found on the Provider Portal. As general guidance, the Fact Sheet includes scenarios that capture when a Participant may have been found to have a Pattern of Disengagement.

5.6 Attendance-based Engagement

A core element of participant in Inclusive Employment Australia is:

- maintaining Contact with the Provider, which includes attendance at Appointments, and
- participating in Activities.

This Section outlines considerations for the delivery of Appointments, Contacts and Activities, as part of a Participant's engagement with Inclusive Employment Australia.

5.6.1 Appointments

Contacts and Contact Appointments

Providers are expected to have regular contact with their Participants to ensure the Participant is meaningfully engaged. The timing and duration mode of for each Contact should depend on the individual circumstances of each Participant, as determined by the Provider.

Providers are encouraged to tailor Contact arrangements to match the Participant's circumstance and phase. Contacts may be one-on-one Appointments with the Participant or may be group-based activities (such as, employment-related information sessions or training sessions delivered by the Provider for their Participants). Providers can offer to deliver Contacts via a range of communication modes such as videoconferencing, online audio or chat software, phone calls, SMS and email correspondence, where this meets the needs of the Participant and is agreed to by the Provider and Participant.

The frequency of Contact should reflect the current phase and service offer. Refer to the relevant Sections in Chapter 6: Pre-Employment Support, Chapter 9: Post Placement Support and Chapter 10: Ongoing Support.

When scheduling a Contact Appointment, Providers should consider which Engagement Method is right for the Participant, especially for those who are Employed or undertaking Education and Training. Providers should also consider whether to hold face-to-face Contacts at their Site offices, an Outreach Site or at an alternative location that is mutually agreed upon — noting that Providers are not permitted to be on Private Property, such as the home of the Participant or a Participant's Family Member.

- Providers must schedule Contact Appointments in the Participant's Electronic Calendar.

A core element of satisfying the Meaningful Engagement Requirement, is attendance at Appointments with the Provider. As such, Providers must ensure that each Participant has a good understanding of how and when they will be expected to attend Contact Appointments. Participants can also meaningfully engage via the other forms of Contacts.

Participants with a Meaningful Engagement Job Plan should also be informed of the circumstances in which they may be compelled to attend Appointments, and the consequences should they fail to attend when formally notified of the requirement to do so.

Note: Providers can compel attendance at a Contact Appointment while a Participant has a Meaningful Engagement Job Plan in a limited number of circumstances. This process does not rely on a compulsory requirement to attend appointments being in the Job Plan. The process is outlined in 12.2.2 Compellable Contact Appointment.

Participants with a Detailed Job Plan would be expected to have compulsory Contact Appointments, or some other form of compulsory Contact with their Provider, regardless of their current phase and service offer.

As noted in 4.7 Contents of a Detailed Job Plan, Code AI16 [Compulsory Notified Appointments] will pre-populate in a Detailed Job Plan. This must not be removed to reinforce the requirement to attend any compulsory Appointment.

Contacts can be captured as either a voluntary or compulsory requirement in a Participant's Detailed Job Plan by using:

- AI12 [Provider Contact Appointment] — for Contact Appointments held face-to-face, by phone or videoconferencing during the Pre-Employment Support phase
- AI17 [Provider Contact Group Activity] — for meetings or group-based activities that meet the requirements as a Contact
- AI18 [Provider Contact Other] — for exchanges via SMS and emails, and
- AI19 [Provider Contact Appointment – Employment Support] — for Contact Appointments held face-to-face, by phone or videoconferencing during the Post Placement Support and Ongoing Support phases.

The codes listed above should be included in addition to the requirement to any compulsory Appointment — Code AI16 [Compulsory Notified Appointments] — as they are more explicit in relation to expectations around how a Participant will maintain contact with their Provider.

Note: While a Participant can have a compulsory requirement to engage via exchange of email or text messages set in a Detailed Job Plan — Code AI18 [Provider Contact Other] — lack of contact via these Engagement Methods will not be subject to the application of the TCF as the Contact is not attendance-based (i.e. is not captured in the Participant's Electronic Calendar).

Third-Party Appointments

Third-Party Appointments are any appointments with an organisation other than the Inclusive Employment Australia Provider. For example, a Third-Party Appointment may be scheduled as part an Activity or Intervention (for example, an appointment with a doctor or psychologist) or assessment process.

Attendance at Third-Party Appointments is voluntary — this includes as part of any plan for meaningful engagement. A Provider must not schedule a Third-Party Appointment without the consent of the Participant, and a Participants can refuse to attend.

 Provider's should schedule Third-Party Appointments in the Participant's Electronic Calendar.

As the requirement is voluntary, Participant's attendance at Third-Party Appointments does not have to be recorded. However, if a Provider becomes aware of attendance issues it is considered best practice to capture a comment in the Participant's Summary on the Department's IT Systems.

If a Participant has a Detailed Job Plan and:

- the Third-Party Appointment is reoccurring, this activity should be included in the Job Plan, or

- the Third-Party Appointment was a one-off appointment or already captured by an Activity within the Job Plan, it would be appropriate not to include in the Job Plan.

The Provider can add a voluntary requirement to attend Third-Party Appointments in a Detailed Job Plan using Code AI15 [Attend third-party appointments].

Re-engagement Appointment

Re-engagement Appointments are triggered in the application of the TCF. Guidance on scheduling this form of Appointment is included under 12.4.6 Re-engagement Requirements.

5.6.2 Activities

Activities help Participants to address their individual Vocational and Non-Vocation Barriers and progress toward sustainable Open Employment.

Providers must work with each Participant to identify and facilitate suitable Activities that will help Participants to achieve their identified employment goals and align with the current service offer while receiving Pre-Employment Support, as detailed in 6.5 Support to be provided to Participants and Chapter 7: Activities. This includes arranging Activities listed as recommended Interventions in the Capability Management Tool.


An Early School Leaver would be expected to participate in Education and Training, including Certificate I and II level courses, or a combination of approved study and paid work for 15 hours or more per week. No further tasks or activities need to be undertaken if an Early School Leaver

DSP Recipients (Compulsory Requirements) may be referred to Complementary Activities where it is agreed upon as part of participation in Inclusive Employment Australia.

All Participants may be referred Education and Training courses or other government programs that will help build their skills and knowledge, noting that such programs may have their own eligibility criteria.

Note: An Activity must be considered unsuitable if it would place unreasonable demands on a Participant.

Activity management (e.g. arranging, scheduling and monitoring of Activities) must be undertaken in accordance with Chapter 7: Activities.

 Providers must schedule Activities in the Participant's Electronic Calendar.

Once a Participant starts receiving Post Placement Support or Ongoing Support, their paid Employment is no longer considered an Activity but a Job Placement. It is no longer appropriate for the Participant to be referred to other Activities once Employed, noting that some Non-Vocational Interventions may still be appropriate if supporting the Participant with their Employment.

It is a requirement that Providers ensure that known paid Employment, where the hours are regular and it is reasonable to do so, are scheduled in the Participant's Electronic Calendar. Providers should encourage, and help where necessary, the Participant to create Personal Events in their Electronic Calendar for this purpose (see 5.3.4 Capturing Personal Events).

If a Participant is on a Detailed Job Plan, any requirement to undertake an Activity must be captured in the Participant's Job Plan, using the correct code for the Activity.

All Activities can be included in a Detailed Job Plan as a voluntary requirement.

Note: If an Activity is recorded as voluntary, the Participant's Income Support Payment is not affected if they fail to participate in the Activity.

A compulsory requirement to participate in an Activity should only be set in a Detailed Job Plan for a Participant receiving Pre-Employment Support where the Provider considers mandatory attendance is required to improve their Work Readiness or prospects of finding and/or maintaining Employment. The **Job Plan codes and requirements, by Phase and Participant Type** supporting document includes details on which Activities may be included as compulsory in a Detailed Job Plan.

5.7 Job Search

Job Search is appropriate for a Participant if they:

- are capable of looking for work, and/or
- not already working enough hours in a suitable job (referred to as the 'sufficient work test' in Social Security Law).

Providers set a target number of Job Searches that a Participant must meet each Job Search Reporting Period in the Participant's Detailed Job Plan. An appropriate number of Job Search efforts is dependent on Participant's capacity.

Job-ready Participants will need to complete a maximum of 12 Job Searches each month.

5.7.1 General considerations when setting a Job Search Requirement

Reasons for reducing or removing a Job Search Requirement

Providers must determine if a Job Search Requirement is appropriate for a Participant on a Detailed Job Plan based on their circumstances, phase and service offer. This can include:

- reducing Job Searches for a Participant (Mutual Obligation) who is not ready to look for work or has limited capacity to look for work
- reducing Job Searches for a Participant (Mutual Obligation) who is in paid Employment, including Unsubsidised Self-Employment, at their Employment Benchmark
- replacing a Job Search Requirement with work preparation activities or job search activities for a DSP Recipient (Compulsory Requirements) who is not ready to look for work, or
- removing the Job Search Requirement for a DSP Recipient (Compulsory Requirements) who is in paid Employment, including Unsubsidised Self-Employment.

Note: A Participant (Voluntary) would not be set a Job Search Requirement. A Participant (Mutual Obligation) who is Fully Meeting their requirements must not be set a Job Search Requirement if participating in Inclusive Employment Australia as a Volunteer (Mutual Obligation). Participants (Voluntary) may be set work preparation activities or job search activities if appropriate, noting the additional considerations for those who are eligible for Mobility Allowance as outlined in 4.6.4 Arrangements for Participants eligible for Mobility Allowance.

Setting the target number of Job Search efforts

Providers must adjust the number of Job Searches they require a Participant to undertake based on:

- the Participant's assessed work capacity
- the Participant's age
- the impact of physical, intellectual or psychiatric impairment
- the impact of any family and caring responsibilities on the Participant's ability to look for work
- low English language skills, if the participant is doing a course to improve these skills
- current Employment status (part-time or casual work)
- the state of the labour market

- the financial costs (such as travel costs) associated with any Job Search efforts and the Participant's capacity to pay for these costs
- current phase and service offer, and
- to account for any Activities being undertaken.


Providers must not require a Participant to undertake Job Search or must reduce the Job Search Requirement to zero in the Department's IT Systems for Participants on a Detailed Job plan for any Participant (Mutual Obligation) or DSP Recipient (Compulsory Requirement) who is:


- undertaking an approved Education and Training course for 15 hours or more per week that will improve their Work Readiness or prospects of finding Employment — refer to 7.7.2 Education and Training
- an Early School Leaver and undertaking full-time Education and Training, including Certificate I and II level courses, or a combination of approved study and paid work for 15 hours or more per week
- undertaking a full-time residential or intensive drug and/or alcohol treatment or rehabilitation program
- pregnant and within 3 months of the expected due date
- undertaking a Defence Force Reserves training camp
- undertaking Self-Employment Assistance Small Business Coaching
- undertaking Skills for Education and Employment (SEE) or the Adult Migrant Education Program (AMEP)
- relocating for job, or
- receiving Post Placement Support or Ongoing Support.

Providers must consider the local labour market when tailoring the target number of Job Searches. Providers must reduce the number of Job Search efforts required for Participants in a poor or below average labour market, or where the person's skills or other circumstances reduce the likelihood of finding work.

Providers are also expected to reduce the number of Job Search efforts required in circumstances where the Participant on a Detailed Job Plan has a personal disruption or crisis, during which time they may be waiting on the outcome of an application for an Exemption from their participation requirements. Such circumstances include:

- significant caring responsibilities or temporary caring responsibilities
- short term family or other emergency
- experiencing domestic violence, or
- homelessness and/or emergency housing.

 To reduce the Job Search Requirement, Providers must manually adjust the number of Job Searches required in Code JS09 [Job Search – Monthly] set in the Participant's Detailed Job Plan.

 The Provider must record the reason/s for the reduction of the Job Search Requirement as a comment in the Participant's Summary on the Department's IT Systems, using the Participant's Summary screen.

Recording Job Search efforts

Participants are required to record their Job Search efforts.

A Job Search effort includes:

- contacting an Employer by phone, in writing or in person

- submitting a written or online job application
- attending a Job Interview – refer to 5.8 Job Interviews, and
- acting on a Job Referral — refer to 5.9 Job Referrals.

Note: A Job Search effort may occur during an Activity, if the Activity included a Job Interview or resulted in an offer of paid work. For example, this might occur as part of:

- Employer meet and greet sessions
- job fairs or job expos, or
- work experience opportunities, paid or unpaid, such as:
 - an Observational Work Experience placement
 - a Provider Sourced Voluntary Work placement
 - a Work Trial, or
 - work within a social enterprise.

For the purposes of Social Security Law, a Participant is considered to have undertaken a Job Search effort if the Participant makes contact with another person or body (i.e. Employer) in relation to, and for the purpose of, obtaining paid work with the Employer:

- whether or not the contact is in relation to particular paid work, and
- whether or not the other person or the body has advertised any paid work.

Participants who are Employed can declare Job Search efforts that relate to the same Employer, to count towards Job Search efforts, if it would result in:

- an increase in hours or earnings
- an extension or new period of short-term seasonal, project-based or contract work
- a move from Supported Employment to Open Employment, or
- changing from casual work to permanent Employment.



Participants who are freelance workers or self-employed can also report Job Search efforts for contacting a potential Employer or person for paid work opportunities related to their field of self-employment.

This can include project based work or short-term contracts such as:

- applying for a grant
- submitting a portfolio for a creative arts project
- contacting an individual who is seeking to hire a tradesperson for renovation works
- contacting a potential client about their advertisement for web design work, and
- contacting the owner of a local venue for a music gig.

More information is available in the [Mutual Obligations for freelancers or self-employed workers Fact Sheet \[LINK\]](#) on the Provider Portal.

Participants can record their job applications on the Workforce Australia website and/or App, or provide evidence of their efforts to their Provider to record on their behalf.

-  Providers must retain copies of all fully and partially completed Job Search efforts given by a Participant for the current and previous Job Search Reporting Period.
-  If a Participant (Mutual Obligation) submits their Job Searches to their Provider, the Provider must only upload Job Search efforts considered to be satisfactory.

When recording Job Search efforts are submitted directly, Providers must check that each submitted Job Search effort:

- includes clear details of the job title or occupation
- include clear details of:
 - the person contacted if the Employer is an individual and not a business — note, that if the individual does not wish for their details to be disclosed, the Participant may list the Employer as 'private citizen'
 - the employing business, or
 - the platform where the position was found (e.g. SEEK, Aduna) if neither the name of the individual or business was available
- is dated, and that date is from the relevant Job Search Reporting Period
- is for a role the Participant is qualified for and/or able to undertake
- is for suitable, paid work roles
- has not been deliberately sabotaged, and
- is not the exact same job duplicated within the Job Search Reporting Period.

Educating Participants on Job Search

Where the Provider determines Job Search effort was unsatisfactory, either as the Participant has not meet the target number or there were quality issues, the Provider must:

- discuss the reason(s) why any Job Search efforts were found to be unsatisfactory
- educate the participant on how to improve their Job Search efforts to achieve quality
- discuss what tailored support is available to help the Participant improve their future Job Search efforts
- ensure a Participant (Mutual Obligation) submits additional Job Search efforts to meet their requirements before the end of their Job Search Reporting Period, where possible, and
- discuss the consequences of not undertaking satisfactory Job Search efforts, including:
 - how Job Search efforts contribute to meeting the compulsory requirements of their Detailed Job Plan, or
 - are subject to the application of the TCF for Participants (Mutual Obligation) who are on a Detailed Job Plan.

Where possible, Providers should seek to have a conversation about the Participant's Job Search efforts submitted directly during the same Contact as they were reported, rather than waiting until they have been entered into the Department's IT Systems.

Providers are also expected to be regularly discussing with the Participant if they have any concerns or issues in identifying appropriate job vacancies or possible job opportunities.

5.7.2 Arrangements for Participants (Mutual Obligation)

A Participant (Mutual Obligation) on a Meaningful Engagement Job Plan is expected to have Job Search included as part of meeting the Meaningful Engagement Requirement unless it would be unsuitable for the Participant based on their personal circumstances or inappropriate based on their current phase and service offer.

A Participant (Mutual Obligation) on a Detailed Job Plan must have a Job Search Requirement included in their Job Plan, including when it has been set to equal zero Job Search efforts.

As noted in 4.7 Contents of a Detailed Job Plan, Code JS09 [Job Search Contacts – Monthly] should not be removed from a Detailed Job Plan for a Participant (Mutual Obligation). Participants (Mutual Obligation) are expected to have their Job Search Requirement captured in their Detailed Job Plan using Code JS09 [Job Search Contacts – Monthly].

For Participants with a Detailed Job Plan, Providers must:

- ensure the Participant is aware at all times of:
 - their Job Search Requirement
 - how to upload and record their Job Search efforts and related details via their Workforce Australia account
 - how to provide details of their Job Search efforts if submitted directly
 - when their Job Searches must be recorded by, and
 - how many Job Searches they have undertaken and how many still need to be undertaken, and
- monitor the number and quality of Job Searches the Participant undertakes, including:
 - recording Job Search efforts submitted to them by no later than close of business on the day the Participant reports the Job Search effort to them, and
 - reviewing and confirming the quality of Job Search efforts submitted:
 - directly no later than close of business, or
 - online no later than five Business Days after the end of each Job Search Reporting Period.

To meet their Job Search Requirement, the Participant must undertake sufficient Job Searches of satisfactory quality.

Providers may wish to consider a change the Job Search Requirement if following the review of Job Search efforts it was possibly unsuitable.

As noted in the previous section, Providers must adjust the number of Job Searches to reflect each Participant's circumstances. This is important as failure to meet a compulsory Job Search Requirement within a Detailed Job Plan is subject to the application of the TCF and can result in the Participant's Income Support Payment being suspended, reduced or cancelled (see relevant Sections in 12.4 Compliance actions - Mutual Obligation Failures).

Note: A Participant (Mutual Obligation) on a Detailed Job Plan must also have Code JS13 [Accept and retain suitable work] in their Job Plan as a compulsory requirement regardless of their current phase or service offer. If the Participant was to fail to accept an offer of a suitable job or voluntarily leave a suitable job without a Reasonable Excuse, their Income Support Payment could be cancelled (see 12.5 Compliance actions - Work Refusal Failures and 12.6 Compliance actions - Unemployment Failures).

Determining if a Participant is meeting their Job Search Requirement

The Department's IT Systems will identify whether or not a Participant has met the number of Job Search efforts required to meet their Job Search Requirement as set out in their Detailed Job Plan.

Where the target number of Job Search efforts has been met, the Department's IT Systems will prompt a review of the quality of Job Search efforts submitted by the Participants (Mutual Obligations).

Amongst those identified, Providers must review the quality of all Job Search efforts for Participants with a Detailed Job Plan.

As part of this review, Providers must confirm:

- is for a role the Participant is qualified for and/or able to undertake
- is for suitable, paid work roles
- has not have been deliberately sabotaged, and

- is not the exact same job duplicated within the Job Search Reporting Period.

If a Participant contacts an Employer regarding a single job more than once, or contacts a potential Employer multiple times asking if any jobs are available, only one of these Job Searches would be found satisfactory for a Detailed Job Plan.

Note: Job Searches submitted by Providers are assessed as satisfactory or unsatisfactory within the Department's IT Systems as the quality of these Job Searches must be assessed by the Provider at the time of upload.

- 📄 Providers assess the quality of Job Searches available for assessment within the Department's IT Systems, marking each Participant submitted Job Search effort as 'satisfactory' or 'unsatisfactory', no later than 5 Business Days after the Participant's Job Search Reporting Period has closed. Providers must state why any Job Search efforts have been assessed as 'unsatisfactory' and leave comments detailing how quality issues have, or will be, addressed.

Under Social Security Law, Providers are required to consider whether Job Search efforts in the current Job Search Reporting Period, and in some instances the current and previous Job Search Reporting Period, were:

- at a variety of levels of seniority or remuneration that is suitable for the participant
- in a variety of fields and occupations in which the participant is suitably qualified or has experience, and
- applied for using a variety of methods to contact potential Employers.

However, Participants do not need to meet these criteria in every instance, or at all if not appropriate for their circumstances.

Note: The Social Security Guide provides some examples of the assessment of quality against these criteria — see [3.11.1.30 Adequate job search | Social Security Guide](#).

Providers must also consider a Participant's Job Search efforts more holistically over time, including:

- labour market restrictions, as the type and number of vacancies available in each Job Search Reporting Period may differ, and
- the most appropriate pathway for the participant to obtain sustainable Employment.

Refer to the [Job Search Quality assessment guide \[LINK\]](#) for detailed advice on how to approach the review of Job Search efforts in a Detailed Job Plan.

5.7.3 Arrangements for DSP Recipients (Compulsory Requirement)

A DSP Recipients (Compulsory Requirement) on a Meaningful Engagement Job may have Job Search included as part of meeting the Meaningful Engagement Requirement. Job Search would not be part of the tasks and activities agreed to for meaningful engagement if it was unsuitable for the Participant based on their personal circumstances or inappropriate based on their current phase and service offer.

A DSP Recipient (Compulsory Requirements) on a Detailed Job Plan is expected to have a Job Search Requirement included in their Detailed Job Plan as a compulsory requirement.

A DSP Recipient (Compulsory Requirements) can have their Job Search Requirement captured in their Detailed Job Plan using:

- Code JS04 [Job Search Contacts Voluntary], or
- Code JS09 [Job Search Contacts – Monthly].

As noted in 4.7 Contents of a Detailed Job Plan, Code JS09 [Job Search Contacts – Monthly] pre-populates but is removable from a Detailed Job Plan for a DSP Recipient (Compulsory Requirement).

If a DSP Recipient (Compulsory Requirements) does not have a Job Search Requirement, and is receiving Pre-Employment Support, it is expected that they have Code ET64 [Work Preparation] included as a compulsory requirement in their Detailed Job Plan.

Note: A DSP Recipient (Compulsory Requirements) on a Detailed Job Plan is also expected to have Code JS13 [Accept and retain suitable work] in their Job Plan as a compulsory requirement if receiving Pre-Employment Support. However, Providers do have discretion to remove this requirement if they believe it is inappropriate to the Participant circumstances or current phase and service offer.

5.8 Job Interviews

Providers should consider tasking Participants to undertake Job Interviews if the Participant is capable of looking for work.

Providers should not arrange Job Interviews for any Participant who is already Employed at their Employment Benchmark and receiving Post Placement Support or Ongoing Support.

Where the Provider arranges the Job Interview, the Provider must ensure the Participant receives proper notification and reasonable notice by capturing the Job Interview in the Participant's Electronic Calendar.

 Providers must schedule the Job Interviews in the Participant's Electronic Calendar.

If a Provider arranges the interview, the Participant is required to confirm that they attended either by reporting through their Workforce Australia account or by contacting their Provider.

Participants should also be encouraged to report Job Interviews that they have arranged on their own behalf. Participants can add Job Interviews in their Electronic Calendar as Personal Events (see 5.3.4 Capturing Personal Events).

The format of a Job Interview can vary depending on the type of work. For example, it could include an audition for paid acting role, meetings with clients to get one-off projects or job and meetings with a publisher to discuss a manuscript.

All Job Interviews attended should be considered when assessing a Participant's level of engagement, regardless of whether or not Job Interviews are part of the agreed tasks and activities for meaningful engagement.

As noted in 4.7 Contents of a Detailed Job Plan, Code JS10 [Job Interview] will pre-populate in a Detailed Job Plan. Providers should consider if the inclusion of this compulsory requirement is appropriate based on the Participant's current phase and service offer.

Under the requirement, Participants must attend and act appropriately at Job Interviews. Participants are expected to present and conduct themselves, speak and behave in a way that gives them the best opportunity to secure employment.

5.9 Job Referrals

Job Referral tasks can connect Participants with suitable work. The Participant must follow up on any suitable job opportunities they are referred to by their Provider.

Providers should consider tasking Participants to follow up on job opportunities if the Participant is:

- capable of looking for work, and/or
- not already working enough hours in a suitable job (referred to as the 'sufficient work test' in Social Security Law).

Providers should not set Job Referral tasks for any Participant who is already Employed at their Employment Benchmark and receiving Post Placement Support or Ongoing Support.

In determining if a Participant will be offered job opportunities, Providers are expected to consider how well they match to the Employer's needs and/or Vacancy details.

Providers must only set Job Referral tasks for suitable work. Providers must also only set Job Referrals tasks for work which within the assessed work capacity bandwidth for the individual.

Where the Provider identifies a job opportunity for the Participant, the Provider must set a Job Referral task for the Participant to action. The types of Job Referral tasks a Provider may set are:

- applying for a specific job
- accepting a Job Interview
- contacting an Employer to arrange and accept a Job Interview
- providing personal details to support a job opportunity, or
- a combination of the above.

Providers must only set Job Referral tasks for a Participant where the Participant would be able to successfully undertake the task by the due date.

Providers must ensure that all Job Referral tasks that a Participant is requested to do are recorded in the Department's IT Systems.

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As noted in 4.7 Contents of a Detailed Job Plan, Code PA12 [Actioning Job Referrals and Job Opportunities] will pre-populate in a Detailed Job Plan. Providers should consider if the inclusion of this compulsory requirement is appropriate based on the Participant's current phase and service offer.

Note: Providers do not need to include specific Job Referral tasks in the Participant's Detailed Job Plan.

The Department's IT Systems does not limit the number of Job Referral tasks that can be set for a Participant. Providers must ensure they do not set a number that exceeds the Participant's maximum Job Search Requirement in a Detailed Job Plan.

5.10 Personal responsibility for reporting attendance

Attendance results must be recorded in the Department's IT Systems to determine if Participants are complying with their participation requirements. Either the Participant, if capable, or the Provider can record attendance at Activities and Job Interviews. Providers must record attendance at Appointments.

Participants (Mutual Obligations) and DSP Recipients (Compulsory Requirements) should be encouraged to self-report their attendance, via their Workforce Australia homepage, if they are capable of doing so.

As outlined in 3.3.1 Connecting Participants to Workforce Australia Online profiles, Providers must confirm if the Participant has a myGov account that is linked to the Workforce Australia online platform during the Initial Engagement Period. If the Participant does not, then the Provider should support them to establish this link.

For Participants with a Detailed Job Plan, the Provider must determine if the Participant is capable of taking personal responsibility for self-reporting their attendance against Activities and Job Interviews in their Electronic Calendar.

As noted in 4.7 Contents of a Detailed Job Plan, Noting Code PA03 [Personal Responsibility to Report and Record Attendance] will pre-populate in the Detailed Job Plan. This responsibility must be included if the Participant is capable of self-reporting and must be removed if the Participant is not capable of self-reporting.

- 📄 If the personal responsibility requirement is not included in the Detailed Job Plan, Providers must record their assessment as a comment in the Participant's Summary on the Department's IT Systems.

If a Participant is not capable of self-reporting online, the Provider will be responsible for recording Participant attendance and must ensure that the Participant understands how to report their attendance to their Provider. The Provider must also work with the Participant to improve their capability to accurately navigate online and self-report their attendance.

The determination of whether or not a Participant can self-report is important as failure to report attendance at compulsory Activities and Job Interviews is subject to the application of the TCF and can result in the Participant's Income Support Payment being suspended until such time as a result has been recorded (see relevant Sections in Chapter 12: Compliance).

If a Provider observes a Participant that has personal responsibility to self-report attendance is not routinely recording their attendance, the Providers should confirm if the Participant can still self-report their attendance.

(Deed Reference(s): Clause 136)

5.10.1 Determining a Participant's capability to self-report attendance online

In determining whether or not a Participant can self-report their attendance online, the Provider must consider if a Participant is:

- capable of planning, managing, and reporting attendance, and
- able to use the Workforce Australia website or Workforce Australia App themselves, or with the appropriate support, to report the tasks and activities they have completed.

This would include if the Participant has:

- connected their myGov profile to their Workforce Australia account or is willing to do so — refer to 3.3.1 Connecting Participants to Workforce Australia Online profiles
- an ability to:
 - log on to the Workforce Australia website and/or App
 - view their homepage, and
 - report their own attendance at Activities and Job Interviews
- reliable access to technology — such as a computer or smartphone and connection to the internet — that would allow them to self-report, and
- an understanding of:
 - what they need to self-report
 - how to self-report their own attendance
 - that they must self-report by close of business on the day of the requirement
 - what to do and who to contact if they cannot record their own attendance on a given day, and
 - the consequences of not self-reporting their own attendance if they are required to do so.

Chapter 6: Pre-Employment Support

Supporting Documents for this Chapter

- [Meaningful exchange of email or text messages Provider Fact Sheet \[LINK\]](#)
- [Sample Relocation Assistance Agreement \[LINK\]](#)

6.1 Chapter Overview

Pre-Employment Support is delivered by Providers to help Participants gain the necessary skills and confidence to look for Employment, identify suitable employers, and facilitate job matching with relevant supports.

Pre-Employment Support comprises:

- Intensive Services for Participants who are able to regularly engage in a full range of services, supports and activities that will help them to prepare for and find work. Intensive Services have 2 phases:
 - Work Preparation phase for Participants who need to address Vocational and Non-Vocational Barriers to build their work readiness; and
 - Job Search phase for Participants who are closer to gaining Employment.
- Flexible Services for Participants engaged in work and/or Activities or who are otherwise not able to participate in the Intensive Service due to their personal or family circumstances.

Participants will be in one of the two Pre-Employment Support Services at any time.

During Pre-Employment Support Providers will deliver Activities to support Participants and may offer Wage Subsidies to help place them into suitable Employment. For more information refer to Chapter 7: Activities and Chapter 8: Wage Subsidies.

This Chapter outlines Pre-Employment Support to Participants and Employers including:

- whether Participants may be placed in the Intensive or Flexible Service
- movement between Pre-Employment Support Services
- movement between Intensive Service phases
- the types of supports that may be provided to Participants
- Contacts with Participants, including the use of interpreter services
- monitoring Participant progress and attendance
- Relocation Assistance to Take Up a Job (Relocation Assistance), and
- Employer engagement and support.

Providers receive Service Fees while Participants are receiving Pre-Employment Support — refer to Chapter 11: Payments to Providers.

Other fees available while delivering Pre-Employment Support may include:

- Progress Fees — refer to Chapter 11: Payments to Providers.

6.2 Pre-Employment Support

Pre-Employment Support is an important step in assisting the Participant to develop their skills and improve their capacity to find and keep a job. Pre-Employment Support addresses a Participant's Vocational and Non-Vocational Barriers to Employment.

A Participant who commences in Inclusive Employment Australia will generally commence in Pre-Employment Support. A Participant may return from In-Employment Support to Pre-Employment Support if they lose their Employment.

Providers must deliver Pre-Employment Support to Participants while they are preparing for and looking for work. A Provider must:

- build a positive and trusting relationship with the Participant
- develop an understanding of the Participant's unique circumstances
- explain the range of available Inclusive Employment Australia Services and Activities the Participant may choose to undertake, and
- deliver a tailored Service that meets the unique circumstances, skills, strengths and employment goals of each individual Participant.

(Deed Reference(s): Clause 113.1, 113.5)

6.2.1 Intensive Service

The Intensive Service is designed to support Participants who are ready to fully engage in Activities. It is expected that most Participants in Pre-Employment Support will take part in the Intensive Service. It does not require each Participant to be fully 'job-ready'.

To ensure Pre-Employment Support is better tailored to the unique circumstances and capacity of each Participant, the Intensive Service has two phases, Work Preparation and Job Search.

Placing a Participant in either phase makes it clear to both the Participant and Provider staff the:

- stage the Participant is at on their pathway to employment
- types of supports and Services the Participant can expect to receive, and
- types of supports and Services the Provider should deliver in consultation with the Participant.

Work Preparation

The Work Preparation phase is for Participants who need support to prepare for work and are not yet ready to fully engage in job search activities. In this phase, Providers will focus more on supporting Participants to undertake work preparation activities and ensure Participants receive more intensive supports to address Vocational and Non-Vocational Barriers to Employment that help build their Work Readiness.

Work preparation activities are tasks and activities focused on preparing Participants for work, improving Work Readiness and/or increasing the prospects of finding Employment. A Participant in the Work Preparation phase on a Detailed Job Plan is expected to have Code ET64 [Work Preparation] in their Job Plan to reflect their participation in work preparation activities.

Participants in the Work Preparation phase may also take part in some suitable job search activities where appropriate, to complement their more intensive focus on building Work Readiness. It is expected that the scale of any Job Search Requirement would be less than someone in the Job Search phase, reflecting these Participants are less work ready at this point.

The Work Preparation phase also provides an indicator to Provider staff that a Participant may require additional support if being matched to an Open Employment Vacancy.

Job Search

The Job Search phase is for Participants who are ready to engage more intensively to look for and find a job. In this phase, Providers focus on supporting Participants to undertake job search activities, gain work experience and paid work opportunities, and accept Job Referrals to suitable Open Employment.

Job search activities are tasks and activities that have a focus on Participants looking for work, improving their employability and/or increasing the prospect of finding and maintaining Employment.

A Participant in the Job Search phase on a Detailed Job Plan is expected to include Code JS09 [Job Search] in their Job Plan to reflect their participation in job search activities.

Providers must ensure that Participants continue to be supported to build their Work Readiness by addressing any Vocational and Non-Vocational Barriers.

(Deed Reference(s): Clause 117)

6.2.2 Flexible Service

The Flexible Service is designed to support Participants who do not currently require an Intensive Service because they are:

- partially meeting their Mutual Obligation Requirements through approved Activities, including paid Employment, Education and Training or Voluntary Work
- undertaking other supports and services, such as Vocational or Non-Vocational Activities or Interventions, to address significant barriers to Employment
- currently Suspended because they have an Exemption from their participation requirements or are Fully Meeting their Mutual Obligation Requirements, and volunteer to take part in the Flexible Service to remain connected to Services
- impacted by other personal and/or family circumstances that limit their capacity to engage intensively at that point in time, such as caring responsibilities or multiple and complex Vocational and Non-Vocational Barriers, or
- a combination of the above factors.

Providers must connect Participants with the most appropriate types of Services to help them build their capacity to engage more fully. In supporting Participants, Providers must consider Participants' individual circumstances and needs, their employment capacity, and any Vocational or Non-Vocational Activities the Participant is or should be engaged in.

Providers must move a Participant to Intensive Service when they have built sufficient capacity to engage more fully in Services.

(Deed Reference(s): Clause 118)

6.3 Movement within Pre-Employment Support

All Participants who enter Pre-Employment Support will be placed in the Work Preparation phase of the Intensive Service. This is the default phase for Commencement and movement into Pre-Employment Support. As a Provider engages with a new Participant and develops an understanding of their individual circumstances, skills, strengths, employment goals and support needs, the Provider may decide that the Participant is better suited to the Job Search phase of the Intensive Service, or the Flexible Service.

Similarly, if a Participant has a change in their circumstances, support needs, or capacity to take part in Inclusive Employment Australia, a Provider may decide that the Participant should be in a different Service or phase for a period of time.

A Provider must decide which Pre-Employment Support Service is most appropriate for the Participant at a point in time. Providers have discretion in deciding whether or not to change a Participant's phase, the timing of any move, and possible duration in each phase.

Note: The Provider must make this decision after genuine consultation with the Participant, taking into account their current circumstances and support needs. The Provider must consider suitable Services and Activities available to help build the Participant's skills and capacity to find meaningful and sustainable employment.

- 🖨️ Providers must use the Department's IT Systems to move Participants between the Intensive and Flexible Services, or between the Work Preparation and Job Search phases of the Intensive Service.

Providers must keep relevant Documentary Evidence of changes in a Participant's circumstances to support the placement and movement of the Participant between the Intensive and Flexible Services.

- 📄 Documentary evidence may include Records and file notes of relevant discussions with Participants.

(Deed Reference(s): Clause 113.5, 117.8, 117.9, 119)

6.4 Movement between Pre-Employment Support and In-Employment Support

Pre-Employment Support ends when a Participant moves to the Post Placement Support phase of In-Employment Support.

A Participant in Post Placement Support or Ongoing Support can return to Pre-Employment Support (for example, if their Job Placement ends), and the Provider must continue delivering Pre-Employment Support.

6.5 Support to be provided to Participants

During a Participant's time in Pre-Employment Support, the Provider must help the Participant prepare for and find work. Providers have significant flexibility in what support is provided to each Participant acknowledging the unique needs of each Participant. Providers must deliver tailored supports that recognise and address Participants' barriers to employment and build their skills and capacity to look for, find and keep suitable work.

Providers must also ensure that the agreed Activities and Services for each Participant are designed to build a pathway to Employment that aligns with the Participant's interests and goals. Services must also ensure that each Participant can meet any participation requirements that they may have in order to receive Income Support Payments. Refer to Chapter 5: Participation requirements for more information about participation requirements and Chapter 7: Activities for more information on the types of Activities.

Providers must:

- maintain regular Contact with the Participant in line with the Intensive or Flexible Services — refer to 6.6 Participant Contact
- deliver or arrange appropriate Activities and Services to meet the Participant's needs
- regularly engage with the Participant to discuss whether the agreed Activities and Services are meeting the Participant's needs, including
 - the tasks and activities a Participant is undertaking to engage meaningfully, if the Participant has a Meaningful Engagement Job Plan, or
 - the Participant's agreed tasks and activities in a Job Plan (Detailed), and
- review the Participant's Job Plan and update as required — refer to relevant Sections in Chapter 4: Job Plans.



Participant Supports

Category	Supports may include
Addressing disability / injury	<ul style="list-style-type: none"> Disability management including providing, buying or helping Participants to access functional capacity evaluations, physical or other assessments to understand their abilities, limits or support needs. Health support including providing, buying or helping Participants to access physiotherapy, occupational therapy, pain management or psychological counselling.
Vocational skills	<ul style="list-style-type: none"> Activities that improve Work Readiness. Vocational Education or Training, higher education, accredited units of competency, non-accredited study or other training activities that match the Participant's needs (see 7.7.2 Education and Training). Self-Employment Assistance (see 7.5.5 Self-Employment Assistance) or other help with entrepreneurship and/or business ownership.
Non-vocational skills	<ul style="list-style-type: none"> Whole of life issues that affect job prospects including non-vocational training such as drug and alcohol rehabilitation, self-help and support groups, carer/parenting skills and programs to address disability, injury and health conditions (see 7.7.5 Interventions and other non-vocational supports). Access to relevant Commonwealth, State or Territory Government and local government programs (see 7.7.4 Other government programs) and non-government programs and activities. Language and literacy support. Presentation support.
Building work readiness	<ul style="list-style-type: none"> Work hardening or physical conditioning programs. Job search activities such as advice on résumé writing, help with job applications and interview preparation. Sourcing placements in Provider-Sourced Voluntary Work (see 7.6.1 Provider Sourced Voluntary Work), Observational Work Experience (see 7.6.2 Observational Work Experience), paid work experience placements, Work Trials or work with social enterprises. Arranging Job Placements that provide the Participant with opportunities to build new skills and experiences but would not meet the quality and sustainability criteria required for an Employment Outcome (see 7.7.1 Paid Employment).

Category	Supports may include
Job search help	<ul style="list-style-type: none"> • Help with résumés. • Help with interview skills. • Advice on career options and industry insights (workplace visits, Industry Expos, etc). • Advice on the availability, location and use of job search facilities. • Arranging Job Referrals (see 5.9 Job Referrals). • Sourcing opportunities in paid Employment.
Help with expenses	<ul style="list-style-type: none"> • Purchase of equipment needed for a Job Placement. • Payment for relevant licenses. • Help with transportation.
Help to find work	<ul style="list-style-type: none"> • Providing information on how employment opportunities will be sourced, including details of how the Provider will canvass and approach Employers about job opportunities. • Identifying employers that match the interests and goals of the Participant. • Canvassing and approaching Employers for Vacancies with or for the Participant and actively taking part in local area employer networks and forums. • Helping to create employment opportunities by providing guidance to Employers on job design and job customisation. • Referring suitable Participants to Vacancies. • Promoting and marketing the abilities of Participants to Employers. • Supporting Participants by liaising with the JobAccess Provider to access workplace assessments under the Employment Assistance Fund (EAF) (see 9.8 Employment Assistance Fund). • Use of Wage Subsidies, where appropriate (see Chapter 8: Wage Subsidies).

Providers receive Service Fees to deliver Pre-Employment Support to Participants (see 11.3 Service Fees). Providers can use Service Fees to buy or deliver suitable items, Activities and other Services or supports. Providers do not have to use this Funding (and are not prevented from using it) for a particular purpose.

Effective delivery of supports during Pre-Employment Support can help the Participant find suitable Employment or Education. This enables Providers to then consider whether they qualify for Progress and/or Outcome Fees (refer to relevant Sections in Chapter 11: Payments to Providers).

-  Providers must maintain regular contact with each Participant to monitor progress against their agreed Activities, to demonstrate the Participant's progress towards the Meaningful Engagement Requirement, and to maintain accurate records of what was agreed/any agreed changes to the Participant's Job Plan.
-  Providers must include all Activities the Participant will attend, and Services the Participant will receive, in a Participant's Detailed Job Plan.

- 📅 Regardless of the Job Plan type, Providers must schedule these contacts in the Participant's Electronic Calendar. This will support the Participant through notifications about Activities arranged for them.
- 📅 Providers must take any necessary compliance actions if the Participant does not meet their participation requirements.

(Deed Reference(s): Clause 112, 114, 115, 116, 117, 118, 134.4, 135.1, 136.1)

As the Flexible Service targets Participants who have limited capacity to engage in the Intensive Service, including Participants who are already engaged in approved Activities or Non-Vocational Interventions, those in the Flexible Service are not expected to undertake any other Activities.

If a Participant in the Flexible Service requests a referral to other services or support options, to address Vocational or Non-Vocational Barriers, Providers are expected use their local connections to connect the Participant with the relevant service (for example, financial advice, childcare services, counselling, health and allied health services).

(Deed Reference(s): Clause 118)

6.6 Participant Contact

Providers must deliver the following Appointments:

- an Initial Interview, when a Participant starts with the Provider — refer to relevant Section in Chapter 3: Commencements, Transfers, Suspensions and Exits
- a Contact Appointment following a Change of Circumstances ESAt — refer to relevant Section in Chapter 2: Assessments
- a Contact Appointment if the Participant's Employment ends — refer to relevant Sections in Chapter 7: Activities and Chapter 9: Post Placement Support
- a Contact Appointment following the completion of Education and Training — refer to relevant Section in Chapter 7: Activities
- a Contact Appointment following a period of Suspension — refer to relevant Sections in Chapter 3: Commencements, Transfers, Suspensions and Exits
- a Contact Appointment if a Participant resumes Services within 13 weeks of an Exit — refer to relevant Section in Chapter 3: Commencements, Transfers, Suspensions and Exits
- a Re-engagement Appointment, as needed for a Re-engagement Requirement following a Mutual Obligations Failure or a Work Refusal Failure — refer to relevant Sections in Chapter 12: Compliance, and
- a compellable Appointment if a Participant shows a Pattern of Disengagement or routinely fails to attend Appointments or Activities outlined in their Job Plan and the Provider has been unable to contact the Participant — refer to relevant Section in Chapter 12: Compliance.


The above Appointments should be conducted face-to-face unless it would be more beneficial (or at the request of the Participant) to be conducted by phone or videoconference.


Providers should refer to Chapter 5: Participation requirements for further information on how to capture the agreed frequency and mode of Contacts and Contact Appointments, for those with a Meaningful Engagement Job Plan or Detailed Job Plan.

Minimum Contacts

Providers must deliver regular Contacts while a Participant is in Pre-Employment Support. The minimum Contacts a Provider must deliver to a Participant in Pre-Employment Support are:

- for Participants in the Intensive Service – at least 6 Contacts each 3 months, and
- for Participants in the Flexible Service – at least 2 Contacts each 3 months.

 Documentary Evidence of Minimum Contacts must be retained (in electronic form or hard copy).

 The Provider must record an attendance result in the Department's IT systems by close of business on the day of the Contact Appointment.

A Provider may be unable to record an attendance result by close of business on the day of the Contact Appointment. This may occur because:

- the Contact occurred after normal working hours
- the employment consultant is in a remote location without access to the Department's IT System, and/or
- there is an outage of the Department's IT Systems.

If the Provider cannot record an attendance result on the day of a scheduled Contact Appointment, the Provider must record the result in the Department's IT Systems within 3 Business Days.

(Deed Reference(s): Clause 114)

Providers should consider the range of Engagement Methods under which they can maintain contact with Participants. These can either complement or act as an alternative to Appointment-based contacts, allowing for more interactive exchanges and relationship building between Participants and Providers. Contacts may be delivered:

- face-to-face
- as a phone conversation
- as a videoconference
- as meaningful email or text message exchanges — to complement other Contacts rather than being the only form of Contact (see [Meaningful exchange of email or text messages Provider Fact Sheet \[LINK\]](#) on the Provider Portal for more details)
- as a one off or regular Activity organised by the Provider, and
- as part of workshops or other group activities, information or training sessions organised by the Provider.

Contacts with Participants may also include third parties — such as a Family Member or carer(s), NDIS Local Area Coordinator, NDIS support coordinator or NDIS employment assistance provider, or an Employer, with consent from the Participant.

A hybrid arrangement for Contacts and Contact Appointments may be beneficial to all Participants. The Provider must negotiate the Contact schedule and Engagement Methods with the Participant. Providers must also record the Participant's preferred mode of contact for Notifications in the Department's IT System.

Note: If a Provider has an unscheduled Contact with a Participant, the Provider must schedule the Contact in the Department's IT Systems on the day the Contact occurred and record that the Contact was directly booked with the Participant. This prevents a Notification for the Contact being sent.


The Provider must find any necessary supports the Participant needs to take part in the Contact, and supply them. This may include:

- reasonable adjustments associated with the Participant's disability
- interpreter support
- the need for a support person to be present e.g. counsellor, carer, nominee or social worker, and
- adjustments because of aggressive or violent Participant Incidents — refer to Chapter 13: Participants with challenging behaviours.

Providers can discuss any issue or concerns relevant to the Participant at a Contact.

Issues covered in each Contact may include:

- Participant's progress towards finding sustainable Open Employment
- details of assistance and support provided to Participant
- details of any relevant changes to the Participant's circumstances
- non-attendance or non-completion of agreed tasks and activities, and
- overall level of engagement.

 Documentary Evidence must be retained (in electronic form or hard copy) on the conversations during Contacts that relate to:

- progress towards meaningful engagement or a failure to meaningfully engage, or
- compliance with the requirements of the Detailed Job Plan.

For Participants who have a Meaningful Engagement Job Plan, Providers must capture any reasons given for failure to attend a Contact as a file note — either as a comment in the Appointment notes or using comment functionality in the Participant's Summary on the Department's IT System.

Maintaining contact is a core requirement of meeting the Meaningful Engagement Requirement so these notes may need to be used as Documentary Evidence when assessing a Participant's level of engagement (see 5.5.4 Determining if a Participant is meeting the Meaningful Engagement Requirement for more information).

For Participants on a Detailed Job Plan, Providers must record an attendance result. No compliance action can be taken under the Targeted Compliance Framework (TCF) unless a result of 'Did not attend – Invalid' or 'Misconduct' is recorded in the Department's IT Systems by close of business on the day of the scheduled Contact.

Providers must refer to the guidance in Chapter 12: Compliance on the associated compliance action if a Participant (Mutual Obligation) or DSP Recipient (Compulsory Requirements) does not attend a compulsory Contact Appointment.

Providing Interpreters

Providers must use an interpreter for Provider Contacts where:

- Services Australia has shown that an interpreter is needed
- the Participant has requested an interpreter, or
- the Provider assesses that an interpreter is needed.

Providers are responsible for the costs of interpreter services.

Providers can book a foreign language interpreter through the Department of Home Affairs' [Translating and Interpreting Service](#) (TIS).

Auslan interpreters must be accredited by the [National Accreditation Authority for Translators and Interpreters](#) (NAATI). Providers may wish to use:

- the Participant's preferred interpreter, if they are accredited by NAATI
- [Deaf Connect](#) - 1300 773 803
- [Expression Australia](#) - 1800 937 446 / 03 9473 1117
- [Deaf Accessible Business Network](#) (DABN) - 1300 462 587
- [JobAccess](#) Auslan interpreting service - 1800 464 800
- [AuslanServices](#) – 1300 287 526

Note: Providers can use EAF funding for Auslan services only for Job Interviews. Provider Contacts cannot be funded under EAF.

 Providers must keep Records, either in the Department's IT Systems or on the Participant's individual file, related to:

- any interpreter requirements, including language, dialect and gender preference
- details of interpreter use, including kind of interpreter service and date used
- declined Participant requests for interpreter services, including reasons for refusal
- declined Provider offers of interpreter services, including any given reasons for refusal.

(Deed Reference(s): Clause 7)

6.7 Relocation Assistance

Relocation Assistance To Take Up A Job (Relocation Assistance) is a tool that Providers may use to help eligible Participants move to take up ongoing work.

If a Provider chooses to help a Participant in this way, the Provider must pay any agreed relocation expenses and then claim reimbursement through the Department's IT Systems.

The maximum Relocation Assistance amounts that can be claimed are:



- \$3,000 (GST exclusive) if moving to a capital city
- \$6,000 (GST exclusive) if moving to a regional area
- an extra \$3,000 (GST exclusive) if moving with one or more dependents.

A dependent is a member of the Participant's household who is:

- a spouse/partner who is also receiving an Australian Government Income Support Payment or pension
- a dependent child/children under 24 years of age who is:
 - financially dependent on the relocating Participant; or
 - a financially dependent child of the Participant's partner, where they are a member of a couple under social security law and the partner is receiving a government payment related to the child
- a parent of Age Pension qualification age who:
 - lives in the same residence as the Participant;
 - is dependent on the Participant for day to day care;
 - is relocating to reside with the Participant.

Where the dependent of the Participant does not meet these requirements, Providers can assess if there is a genuine dependency relationship. The Provider must keep a file note outlining their reasons for the approval. Example: Where the Participant may have legal caring responsibilities for an adult

child with a disability, it would be reasonable to grant up to the additional \$3,000 in relocation assistance. The Provider must confirm this relationship is reasonable.

-  The Provider must record the circumstances and reasons why they agree a dependency exists in a file note.
-  The Provider must upload evidence of a claimed dependent to the Department's IT Systems, including evidence of:
 - the dependent's identity
 - relevant Australian Government income support payment or pension
 - the Participant's legal care responsibilities, and
 - the dependent living with the Participant.

6.7.1 Eligibility

Participants will be eligible for Relocation Assistance immediately on Commencement in Inclusive Employment Australia.

Relocation Assistance may be available where the Participant:

- is in receipt of an Income Support Payment with participation requirements immediately prior to moving to take up the offer of Employment, and
- has accepted an offer of Employment that:
 - is for at least 20 hours per week, for at least 6 months
 - meets relevant employment standards and could result in an Employment Outcome, and
 - is not self-employment or commission-based employment.

Participants can apply for help to move to an address that is:

- within Australia
- at least 90 minutes travel from the Participant's current address, by their normal mode of transport
- within 90 minutes travel of the new job
- not within the same capital city as the Participant's current address, and
- if moving between capital cities, to a capital city with a lower unemployment rate.

Note: Travel time can be decided using available geospatial calculators, such as Google Maps.

Note: The Department publishes regular capital city unemployment rate updates on the Provider Portal.

6.7.2 Relocation Assistance Agreement

When using Relocation Assistance, the Provider must create and sign a Relocation Assistance Agreement with the Participant within 28 days of the Participant starting in the offered job.

The signed Relocation Assistance Agreement must include that:

- the Participant accepted the job offer
- the Participant has declared any claimed dependents who will be moving with the Participant, and
- the Provider has sighted evidence of any claimed dependents.

The Relocation Assistance Agreement will automatically end 3 months after it is approved. The Provider must manually end the Relocation Assistance Agreement when:

- the relocation is complete, and all Relocation Assistance payments have been made
- the relocation did not occur, or
- the Participant did not start the job.

If a Participant with a Relocation Assistance Agreement transfers to a new Provider:

- the Relinquishing and Gaining Providers must negotiate the remaining Relocation Assistance conditions to avoid duplication, and
- the Gaining Provider must sign a new Relocation Assistance Agreement with the Participant.

A [sample Relocation Assistance Agreement \[LINK\]](#) can be found on the Provider Portal.

6.7.3 Allowable expenses

Relocation Assistance payments can help meet a Participant's costs in preparing to move, moving, and settling in. The following table includes allowable expenses and shows where the Provider must obtain quotes for the expense.

Accommodation-related

Allowable Expense	Quote
Non-rent accommodation at new location – maximum of 2 weeks	Yes
Rent at new location – up to 2 months	No
Rental Bond – Must not exceed any specified state or territory bond payment	No

Disturbance Costs

Allowable Expense	Quote
Gardening fees	Yes
Cleaning fees	Yes
Pet boarding fees - up to one month	Yes
First groceries to set up house	No
Utility connection and exit costs	No
Relocation-associated legal costs	No
Associated medical costs	No
School uniforms	No
School enrolment fees	No
Reasonable breaking lease costs	No
Vehicle registration transfer fees	No

Allowable Expense	Quote
Licence transfer fees	No

Employment-related


Allowable Expense	Quote
Tools (up to \$500)	No
Safety clothing	No
Uniforms	No
Boots	No

Removalist / Self-removal

Allowable Expense	Quote
Removalists and removalist insurance	Yes
Truck hire	Yes
Storage	Yes
Trailer hire	Yes

Travel-related

Allowable Expense	Quote
Plane, train or ship tickets and fees	Yes
Car hire and car hire insurance	Yes
Pet transport	Yes
Baggage allowances	No
Fuel	No
Incidentals during travel, for example, food and drinks	No
In-transit accommodation costs	No

 For items where quotes are needed, the Provider must obtain and keep at least two quotes (or one quote if there is a sole Provider). Quotes must include:

- the supplier's name and ABN
- date of quote
- itemised details of expenses in the quote including details of the service delivered
- quote amount (including GST).

Providers must ensure they understand relevant state or territory laws about bond payments.

Payments to the relevant state or territory bond board should be in the name of the Provider unless:

- the relevant law or lease agreement places liability for excess damages with the named party, or
- it is not possible to lodge the bond in the Provider's name — in this case, the Provider must inform the Participant that when the lease ends, they must return the bond money to the Provider.

Providers must reimburse the bond refund amount to the Department at the end of the lease.

Relocation Assistance payments cannot be used to cover the following costs:

- assets — for example, whitegoods, furniture, tyres, other household items
- ongoing costs — for example, utilities, school fees, mortgage
- rent beyond the allowable 2 month period
- repairs — including vehicles
- alcohol and tobacco purchases
- Post Placement Support activities
- cost of return to current location or other costs at same location, or
- association fees.

6.7.4 Upfront payments

Providers can offer Participants an upfront payment of up to \$2,000 (GST exclusive), to cover payments the Provider cannot make directly to the supplier. This includes prepaid debit cards for basic items such as petrol, groceries or toiletries. The Provider must ensure the Participant uses payments for agreed purposes, including keeping receipts.

If the Participant declares they are experiencing financial difficulties, the upfront payment can be over the standard \$2,000 (GST exclusive) amount. Financial hardship exists if the Participant cannot start their placement without the payment.

Note: Apart from up-front payments, expenses may be incurred before the Relocation Assistance Agreement start date but must be within 28 days of the employment start date.

6.7.5 Claims for Reimbursement

Providers can claim Reimbursement of agreed Relocation Assistance expenses from the date the Relocation Assistance Agreement is signed, until 56 days after the Relocation Assistance Agreement has ended.

Prior to claiming Reimbursement, Providers must ensure they have paid the supplier and/or reimbursed the Participant in full.

To claim Reimbursement, the Provider must enter all relevant information and evidence into the Department's IT Systems.

 The Documentary Evidence may include:

- a valid tax invoice or recipient created tax invoice, distinguishing between individual items
- evidence of payment from the Provider to the Participant or supplier, this can include:
 - transaction record (bank statement or record from the Provider's financial system)
 - tax invoice with receipt, or
 - remittance advice, and

- any required quotes.

6.8 Employer Engagement and Support

To support Participants in Pre-Employment Support and help to meet Employer's workforce needs, Providers must engage with, build strong relationships with, support, and provide services to, Employers in their local area.

Providers must build strong relationships with Employers to meet Employers' workforce needs, and broker Employment opportunities for Participants. This may include help with job design or job customisation. Providers must offer tailored support and training to build Employer capability and help Employers to provide suitable, safe and productive workplaces and work practices for employees with disability.

Providers must also help Employers to access available supports. This may include organising workplace modifications, workplace training, or on the job coaching and supports, or Wage Subsidies.

Employer Supports

Category	Supports may include:
Employer access to suitable employees	<ul style="list-style-type: none"> • Understanding Employers' skill needs and job requirements and arranging activities that offer development opportunities and prepare Participants to meet those needs. • Targeting Employers who can offer a match to employment goals and career pathways of individual Participants. • Proactively promoting and marketing the abilities of individual Participants to Employers, and the support options available to Employers to help make placements a success. • Arranging Participant Work Trials and Observational Work Experience with potential Employers. • Referring the most suitable Participants to Vacancies.
Employer capability-building support	<ul style="list-style-type: none"> • Providing guidance on creating accessible and inclusive workplaces to help Employers integrate employees with disability and access information and disability training for their workplace. • Providing guidance on job design and job customisation to facilitate the creation of employment opportunities. • Providing guidance on employee retention strategies to help Employers effectively onboard people with disability and reduce turnover. • Helping Employers access information around cultural safety assessments and/or training for their workplace. • Linking Employers to relevant Commonwealth, State or Territory Government, local government, and non-government programs, and to communities of practice.
Additional support for Employers	<ul style="list-style-type: none"> • Providing a single point of Provider contact to ensure the Employer has a clear pathway to issues resolution and responses to requests. • As appropriate, helping Employers to access financial assistance through the EAF for work-related modifications and services to

Category	Supports may include:
	<p>reduce the costs of hiring a Participant (see 9.8 Employment Assistance Fund).</p> <ul style="list-style-type: none"> • As appropriate, helping an Employer to make an application in respect of the Supported Wage System. • As appropriate, providing information and training on how to access Wage Subsidies to support participants and Employers (see Chapter 8: Wage Subsidies).

(Deed Reference(s): Clause 9, 121)

Chapter 7: Activities

Supporting Documents for this Chapter

Activity Management

- [WHS Incidents and Insurance Readers Guide – Providers \[LINK\]](#)
- [WHS Incidents and Insurance Readers Guide – Participants \[LINK\]](#)
- [Provider Actions – Reporting attendance on behalf of a Participant \[LINK\]](#)
- [Public and Products Liability Incident Report \[LINK\]](#)
- [Public and Products Liability Claim Form \[LINK\]](#)

Skills for Education and Employment (SEE)

- [SEE Participant Fact Sheet \[LINK\]](#)
- [Differentiating between AMEP and SEE Provider Fact Sheet](#)
- [Provider Actions – Referral to SEE](#)

Employability Skills Training (EST)

- [EST Information for Providers \[LINK\]](#)
- [EST Participant Fact Sheet \[LINK\]](#)
- [Provider Actions – Referral to EST or CTA \[LINK\]](#)

Career Transition Assistance (CTA)

- [CTA Information for Providers \[LINK\]](#)
- [CTA Participant Fact Sheet \[LINK\]](#)
- [Provider Actions – Referral to EST or CTA \[LINK\]](#)

Self-Employment Assistance (S-EA)

- [SE-A Participant Fact Sheet \[LINK\]](#)

Specified Activities - Observational Work Experience (OWE) and Provider Sourced Voluntary Work

- [OWE Host Agreement template \[LINK\]](#)
- [Voluntary Work Host Agreement template \[LINK\]](#)
- [OWE Participant Fact Sheet \[LINK\]](#)

Risk Assessments

- [Risk Assessment example template \[LINK\]](#)
- [Competent Person\(s\) register example template \[LINK\]](#)

7.1 Chapter Overview

This Chapter outlines the requirements for the Provider when setting up and managing Activities.

Participating in Activities while in Pre-Employment Support helps Participants to improve their skills and experience as part of a pathway to find and maintain Employment. Activities can also develop a Participant's ability to work independently, communicate effectively, take directions from a supervisor and work as part of a team.

During a Participant's period in Pre-Employment Support, Providers must arrange Activities for Participants according to their individual circumstances and assessed work capacity. These can be both Vocational and Non-vocational Activities and Interventions designed to assist Participants address their individual barriers and help them progress towards Employment.

To ensure the successful delivery of Activities, Providers should seek to develop and maintain effective relationships in their local areas with Complementary program providers, private and

community-based service providers, Education and Training institutions, and other organisations and service providers.

This Chapter should be read in conjunction with Chapter 5: Participation requirements and Chapter 6: Pre-Employment Support.

7.2 Types of Activities

Providers can refer Participants to a wide range of Activities as part of Inclusive Employment Australia.

Some Activities have requirements for Providers within the Deed. In these Guidelines, these are referred to as:

- 'Complementary Activities' – delivered by a Complementary program provider contracted to deliver programs, activities or services, or
- 'Specified Activities' – delivered by a Host Organisation under an agreement with the Provider.

Participants undertaking Complementary and Specified Activities are covered by insurance policies taken out by the Department, as outlined in 7.8.5 Insurance for Activities and the [WHS Incidents and Insurance Readers Guide – Providers \[LINK\]](#) supporting document on the Provider Portal. The insurance is available because the Activities take place under set rules.

Providers can also arrange Activities that do not have set rules. These 'other' Activities can be developed by the Provider and may be more flexible. Providers are strongly encouraged to innovate and deliver Activities that support diverse pathways to Employment.

These 'other' Activities can be delivered in several ways, for example:

- through in-house Service provision (including Training by Related Entities)
- from an external Provider (purchased or organised),
- by referral to programs and services within the local community, including Commonwealth, State or Territory Government programs, local government programs, and non-government programs delivered by private and community-based organisations, and/or
- Participant self-directed or Participant sourced.

7.3 Identifying suitable Activities

Providers are expected to promote to Participants the benefits of all types of Activities, respond to any enquires from Participants in relation to Activities, and support Participants to fully engage in and maintain a balance across any Activities they choose to undertake or are referred to by the Provider.

When discussing and arranging Activities with a Participant, Providers should consider the Participant's:

- age
- disability type
- education level
- skills, experience and aspirations
- Vocational Barriers
- Non-Vocational Barriers
- cultural background
- caring responsibilities
- assessed work capacity, and

- access to transport.

Activities can be arranged by the Provider or by the Participant with the support of the Provider. Providers must only refer a Participant to Activities that:

- are suitable and safe
- help the Participant build their work skills to increase their chances of getting a job, and
- meet the Participant's individual needs and assessed work capacity.

(Deed Reference(s): Clause 116.1, 116.2)

Key considerations of whether an Activity may be suitable or not are outlined in the following table.

Factors for suitability of an Activity

Activity may be suitable if:	Activity is not suitable if:
<ul style="list-style-type: none"> • The Participant is eligible to attend the Activity. • The Participant has capacity to undertake the activity (including where other requirements can be adjusted to provide capacity). • The Activity provides skills, Training or experience that would benefit the Participant. • The Provider is prepared to pay costs associated with the Activity. 	<ul style="list-style-type: none"> • The Activity is listed as inappropriate. • The Participant does not wish to engage in Activity, unless it is appropriate for the Provider to require the Participant to attend. • The Activity involves tasks that could exacerbate the Participant's disability, illness or injury. • The Activity does not provide appropriate support or facilities to take account of a Participant's disability, illness or injury.

If the Participant is found to not be eligible for an Activity, after a referral to the Activity, the Provider must assist the Participant to look for another appropriate Activity.

7.3.1 Inappropriate Activities

Providers must not arrange Activities for Participants, or refer Participants to any Activity, where:

- the Department advises the activity cannot be conducted concurrently with Inclusive Employment Australia
- the activity would be undertaking tasks outside of Australia
- the Participant would participate in or otherwise be involved in criminal activity
- the Participant would be undertaking tasks that the Participant is not permitted to do under the law (e.g. a task can only be undertaken by a licensed person and the Participant does not hold that licence)
- the Participant would be undertaking tasks or working for any organisation owned or Controlled by either the Participant or by the Participant's Family Member
- the Participant's involvement would displace or reduce an existing employee's hours of work (full-time, casual, or part-time) or customary overtime
- the Participant would be undertaking tasks associated with the sex or adult entertainment industry
- the Participant would be undertaking tasks involving nudity (including retail or hospitality positions)
- the Participant would be undertaking tasks directly involving gambling
- the Participant would be undertaking tasks in a Private House or Private Homes, and/or

- the activity would contravene Commonwealth, State or Territory WHS Laws or law relating to discrimination.

7.4 Managing Participants in Activities

Providers must support Participants to fully engage in Activities.

A Participant on a Meaningful Engagement Job Plan must not have Activities included in their Job Plan, but Providers must have a record that the Participant has agreed to the Activity.

When a Participant on a Detailed Job Plan is referred to an Activity, their Job Plan must be updated to include the Activity using the relevant Job Plan Code, either as a compulsory or voluntary requirement.

As noted in 5.6.2 Activities:

- Providers can recommend an Activity be undertaken as part of the Meaningful Engagement Requirement but cannot compel them to participate.
- Participants cannot be compelled to attend an Activity that is included in their Detailed Job Plan as voluntary (i.e. will not be subject to compliance actions for failure to attend).
- Participants must attend an Activity that is included as a compulsory requirement in their Detailed Job Plan (i.e. will be subject to compliance actions for failure to attend).

Regardless of Job Plan type, Activities must be scheduled in the Participant's Electronic Calendar, which then:

- makes the details of the Activity available to the Participant via their Workforce Australia homepage, and
- sends a notification of the Activity, including the need to attend if it is a compulsory Activity in their Job Plan.

When referring Participants to an Activity, Providers must ensure that Participants have any prerequisites (for example, a background check or personal protective equipment). Providers may choose to use their own funds to help meet the eligible costs of a Participant's Activity.

Providers must provide a copy of the [WHS Incidents and Insurance Readers Guide – Participants \[LINK\]](#) to Participants referred to a Complementary Activity or Specified Activity.

While the Participant is undertaking an Activity, the Provider must:

- comply with its WHS obligations
- ensure adequate and appropriate Supervision so that relevant Participants are undertaking appropriate tasks and operating in a healthy and safe environment
- comply with its obligations in relation to insurance
- check if the Participant has any complaints or safety concerns regarding the Activity, including any WHS Incidents to report
- ensure that the Participant is benefiting from the Activity, is enhancing their job prospects, and is not being exploited
- minimise disruptions while the Participant is engaging and attending an Activity, by scheduling Contacts outside of Activity times and or reducing Job Search Requirements
- support the Participant's progress by encouraging attendance and ensuring satisfaction with the Activity, and
- monitor and record attendance in compulsory Activities — refer to the [Provider Actions – Reporting attendance on behalf of a Participant \[LINK\]](#) supporting document on the Provider Portal.

(Deed Reference(s): Clause 56.1, 116, 117.3, 118.3, 134.4, 144, 145)

Participants will generally be expected to source their own transport to and from an Activity.

However, the Provider must arrange transportation for a Participant to and from an Activity where:

- the Participant does not have access to a vehicle or does not have a driver's licence, and alternative transport options such as public transport are not available
- the Activity is at an isolated location
- access to the Activity is along an unsealed road or track, and/or
- the Activity has a residential or overnight accommodation component.

✚ If Providers are transporting Participants to or from an Activity, this must be included in the Risk Assessment of the Activity.

If transportation cannot be arranged by the Participant or the Provider, the Provider must not proceed with the Activity and must consider an alternative Activity.

Once a Participant is no longer undertaking an Activity, the Provider must:

- update the Participant's plan for meaningful engagement (if the Participant is on a Meaningful Engagement Job Plan)
- update the Participant's Job Plan (if the Participant is on a Detailed Job Plan), and
- consider whether it is appropriate to move the Participant into the Intensive Service (if the Participant had been receiving the Flexible Service).

💻 When a Participant is no longer undertaking an Activity, the Provider must record in the Department's IT Systems:

- the reason the Participant is no longer participating (completion Exit reason)
- the final date of participation (end date), and
- the total number of hours undertaken in the Activity, where relevant.

7.5 Complementary Activities

Participants can participate in other Commonwealth training and employment programs whilst they are participating in Inclusive Employment Australia. These are referred to as Complementary Services in the Deed.

Providers can arrange for Participants to undertake certain Complementary Services as an Activity. These Activities are Complementary Activities for the purposes of these Guidelines.

Complementary Activities that a Provider can arrange for Participants are:

- Skills for Education and Employment (SEE)
- Adult Migrant Education Program (AMEP)
- Employability Skills Training (EST)
- Career Transition Assistance (CTA), and
- Self-Employment Assistance (S-EA).

Benefits of Complementary Activities include:

- the Complementary Service provider manages the Participant's health and safety during the Activity, and
- the Participant is covered by insurance policies taken out by the Department during the Activity.

Prior to referring a Participant to a Complementary Activity, the Provider must:

- confirm the Activity is suitable – the Participant is eligible, can undertake and would benefit from the Activity
- ensure the Participant understands the purpose of the Activity
- ensure the Participant understands their responsibilities if the Activity is a compulsory requirement in their Job Plan (Detailed Job Plans only)
- review the Risk Assessment completed by the Complementary Service provider to ensure it is appropriate for the Participant — refer to 7.8.1 Risk Assessments
- ensure the Complementary Service provider has all the relevant information regarding the Participant, including their accessibility requirements
- pay the Complementary Service provider any costs associated with the Activity
- provide any required support through necessary equipment, checks and licences
- encourage the Participant to attend the relevant Activity
- ensure appropriate facilities are available for the Participant during the Activity, and
- work with the Complementary Service provider to support the Participant to successfully complete the Activity.

7.5.1 Skills for Education and Employment

The Skills for Education and Employment (SEE) program provides training in English language, reading, writing, maths and digital skills, to prepare Participants for Employment or further study. The program addresses the foundation skill gaps that hinder Participants' suitability for many jobs and prevent their successful engagement in Training for a specific occupation. SEE also improves Participants' confidence, leading to better engagement and pathways to stable, long-term Employment or further Education and Training.

SEE provides both accredited and non-accredited courses that are tailored to the Participant's needs. For example, SEE Training can focus on language and literacy only, such as a Certificate in Spoken and Written English, or be embedded in contextualised, real-world learning, such as Childcare or Aged Care courses.

Providers have a responsibility to work with their [local SEE providers](#) and ensure they are familiar with SEE provider's services.

- 📖 Providers should review the Participant's Job Seeker Snapshot and discuss potential referral to SEE (or AMEP) if the Participant self-identified low ability in speaking, reading or writing English, that an interpreter is required during appointments, or the Participant completed less than Year 10 schooling.

Refer to the [SEE Information for Providers Fact Sheet \[LINK\]](#) for more information on the program, and the [Differentiating between AMEP and SEE Provider Fact Sheet \[LINK\]](#) for more information on the differences between SEE and AMEP, both available on the Provider Portal.

SEE activity information must be entered in the Department's IT Systems to ensure eligible Participants receive the Language, Literacy and Numeracy Supplement from Services Australia.

- 📖 Providers refer Participants through the Department's IT Systems following instructions in the supporting document [Provider Actions – Referral to SEE \[LINK\]](#), located on the Provider Portal.

When referring Participants with Detailed Job Plan to the SEE program, Providers must add Code ET57 [SEE and/or ESL assessment] and Code ET56 [SEE and/or ESL course] to the Participant's Job Plan to capture whether this Activity is a compulsory or voluntary requirement. If the SEE assessment

finds that this Activity is not suitable for the Participant, Code ET56 [SEE and/or ESL course] would need to be removed from the Job Plan.

Note: Within Code ET56 and ET56, ESL refers to 'English as a second language'.

Once the SEE provider receives the referral, they will contact the Participant and check the Participant's suitability for the course. This includes:

- assessing the Participant's capability levels against the Australian Core Skills Framework and determining their capacity to benefit from the program,
- advising the Participant and the Provider whether training is recommended, and
- commencing Participant in a course of study aligned to their goals and capabilities, where training is recommended.

Key considerations for SEE referrals

Factor	Details
Participant eligibility	<ul style="list-style-type: none">• Aged 15 years or over and under the Age Pension age.• Have working rights in Australia.• Does not have significant non-vocational issues that need to be addressed before they can benefit from SEE.• Not enrolled in full-time Education or Training.• Not participating in AMEP.
Format	Courses can be delivered either in person or hybrid (combination of in person and online).
Duration	SEE clients have 2 years in a single referral period to complete their chosen course(s) or qualification(s). Participation can be full-time or part-time.
Cost to Provider	N/A
Participation requirements	<p>Participation in SEE can be compulsory or voluntary.</p> <p>A Participant in SEE should have no Job Search as part of the agreed tasks and activities for the Meaningful Engagement Requirement or have their Job Search Requirement set to zero in a Detailed Job Detail.</p> <p>Providers should liaise with the SEE provider regarding the Participant's assessed capability levels and to establish agreed communication protocols for advice on attendance and progression.</p> <p>The SEE provider is responsible for exiting the Participant from SEE should they cease to attend training regularly and are not contactable to ascertain a reason. In this instance, the SEE provider will notify the Provider.</p> <p>Best practice is for Providers to work collaboratively with SEE providers to support Participants.</p>

7.5.2 Adult Migrant Education Program

Adult Migrant and English Program (AMEP) provides free English language tuition to eligible migrants and humanitarian entrants to help them learn foundation English language and settlement skills to enable them to participate socially and economically in Australian society.

AMEP provides a range of flexible learning options to help Participants study and provides free childcare services if Participants have under school-aged children when participating in face-to-face classes.

Providers have a responsibility to work with their [local AMEP providers](#) and ensure they are familiar with AMEP provider's services. There is a [Distance Learning option](#).

- Providers should review the Participant's Job Seeker Snapshot and discuss potential referral to AMEP if the Participant self-identified low ability in speaking, reading or writing English or that an interpreter is required during appointments.

Refer to the following table on key factors to consider when referring Participants to AMEP. Information on the differences between SEE and AMEP is also available as a supporting document on the Provider Portal, refer to the [Differentiating between AMEP and SEE Provider Fact Sheet \[LINK\]](#).

- The Provider must add the Participant's participation in AMEP as an Activity in the Department's IT Systems.

If the Participant has a Detailed Job Plan, Providers must add Code ET52 [Adult Migrant English] to the Participant's Job Plan in order to capture whether this Activity is a compulsory or voluntary requirement.

Note: The AMEP end date in a Job Plan cannot be greater than 25 months from the start date. If a Participant continues to participate in AMEP beyond this end date, a new AMEP Activity should be added to the Job Plan with the start date of the date the Activity is recorded in the Job Plan.

Key considerations for AMEP referrals

Factor	Details
Participant eligibility	<ul style="list-style-type: none">Aged 18 years or over (15-17 years in special circumstances as assessed by the AMEP provider).Permanent resident, holder of an eligible temporary visa, or citizen who previously had a temporary visa.
Format	Courses can be delivered either in person, hybrid (combination of in person and online) or online.
Duration	<p>Participants can access unlimited hours of English classes until they have achieved vocational English.</p> <p>Participants with a visa commencement date on or before 1 October 2020 have not time limits for registration, commencement and completion.</p> <p>For Participants with a visa commencement date after 1 October 2020, a 5-year completion timeframe applies. This can be extended to 10 years in certain circumstances.</p> <p>Participation can be full-time or part-time.</p>
Cost to Provider	N/A
Participation requirements	<p>Participation in AMEP can be compulsory or voluntary.</p> <p>A Participant in AMEP should have no Job Search as part of the agreed tasks and activities for the Meaningful Engagement Requirement or have their Job Search Requirement set to zero in a Detailed Job Detail.</p> <p>A Participant should be moved to the Flexible Service unless they choose to receive the Intensive Service.</p>

Factor	Details
	Best practice is for Providers to work collaboratively with AMEP providers to support Participants.

7.5.3 Employability Skills Training

Employability Skills Training (EST) is a pre-employment program to support Participants to become more competitive in their local labour market by developing the skills Employers are looking for, building job search, workplace and industry-specific skills, and exploring career options.

EST is provided through two different training blocks, and Participants can undertake one or both training blocks, in any order, as part of the EST course.

- **Training block 1** courses help Participants develop Job Search and workplace skills.
- **Training block 2** courses help Participants learn more about industries that are in demand or have emerging opportunities in their local labour market.

Following participation in an EST course, Participants will receive (with a copy to the Provider):

- an updated, professionally presented résumé that identifies the Participant's skills and experience, and
- an assessment showing:
 - industries/occupations that may be suitable for the Participant, and
 - recommendations for next steps for the Participant to pursue employment and/or training opportunities.

Providers may approach EST providers to deliver specific or tailored EST courses to meet an identified demand, such as training in a particular location or industry.

Note: There is no limit to the number of times a Participant can undertake EST if the Provider and EST provider consider that the Participant would benefit.

Refer to the [EST Information for Providers Fact Sheet \[LINK\]](#) on the Provider Portal for more information.

- 🖥️ Available EST course places can be seen on the Activity Management screen in the Department's IT Systems.
- 🖥️ Providers refer Participants through the Department's IT Systems. Instructions are in the supporting document [Provider Actions – Referral to EST or CTA \[LINK\]](#), located on the Provider Portal.

When referring Participants to an EST course, Providers must ensure the EST provider has the information to complete a Risk Assessment.

Note: Providers must inform the Participant of what Personal Information will be shared with the EST provider.

If the Participant has a Detailed Job Plan, Providers must add Code ET68 [PaTH Employability Skills Training] to the Participant's Job Plan as a voluntary requirement.

Once the EST provider receives the referral, the EST provider will contact the Participant. EST providers will check the Participant's suitability of the course, including:

- contacting Participants before they commence to check if the course is suitable
- contacting the Provider to discuss any concerns it identifies, and
- rejecting the referral if it determines the Participant would not benefit.

Key considerations for EST referrals

Factor	Details
Participant eligibility	<ul style="list-style-type: none">• Aged 15 years or over.• Be a Participant (Mutual Obligation) or DSP Recipient (Compulsory Requirement).• Does not have significant non-vocational issues that need to be addressed before they can benefit from EST.
Format	Courses are generally face-to-face, however hybrid (a blend of face-to-face and online) and online delivery may be available.
Duration	Each block runs for 75 hours, in a group setting, over: <ul style="list-style-type: none">• 25 hours per week over 3 Consecutive Weeks, or• 15 hours per week over 5 Consecutive Weeks.
Availability	EST providers will make courses available as an Activity in the Department's IT Systems.
Cost to Provider	<p>Courses are available on a fee-for-service basis.</p> <p>Providers must pay the EST provider \$1425.78 for each Participant referral for a training block 1 or training block 2 course from the Provider's own funds, prior to the date the EST course starts.</p> <p>The transfer of funds from the Provider to the EST provider occurs outside of the Department's IT Systems.</p> <p>Providers must make their own arrangements with the EST provider to facilitate payment.</p> <p>Course fees are fully refundable if the EST provider cancels the EST course or finds the Participant unsuitable to commence the EST course.</p> <p>The Provider must discuss with the EST provider what happens if the Participant does not attend.</p>
Participation requirements	<p>EST may be undertaken as a voluntary requirement.</p> <p>EST providers will record Participant's commencement and attendance.</p> <p>The EST provider will end the referral if the Participants does not attend the EST course within 7 Business Days of the course start date.</p> <p>Best practice is for Providers to work collaboratively with EST providers to support Participants, and to encourage Participants to attend their EST course.</p>

7.5.4 Career Transition Assistance

Career Transition Assistance (CTA) is a pre-employment program to support people 45 years and over to build their skills and confidence to re-enter the workforce or change career. CTA providers deliver practical assistance to mature age Participants with the aim of improving digital literacy and increasing their employability and competitiveness in the local labour market.

Following participation in an CTA course, Participants will receive (with a copy to the Provider):

- an updated, professionally presented résumé that identifies the Participant's skills and experience, and

- a personal Career Pathway Plan.

The CTA provider will also offer the Participant two future contacts to occur within 3 months of completion of CTA.

Refer to the [CTA Information for Providers Fact Sheet \[LINK\]](#) on the Provider Portal for more information.

Providers may also contact local CTA providers directly to discuss course availability and suitability for Participants.

When referring Participants to a CTA course, Providers must:

- ensure the CTA provider has the required information to complete a Risk Assessment
- collaborate with the CTA provider and Participant to arrange for the initial meeting to take place, and
- make sure they participate in a Personal Hand Over with the CTA provider and Participant once the Participant has completed the course, unless:
 - the Participant exits the CTA course before completing 80% of scheduled hours
 - the Participant exits the CTA course to commence Employment, or
 - the Activity placement has been closed by the system.

Note: Providers must ensure the Participant is aware of what Personal Information will be shared with the CTA provider.

- 🖥️ Available CTA course places can be seen on the Activity Management screen in the Department's IT Systems.
- 🖥️ Providers refer Participants through the Department's IT Systems. Instructions are in the supporting document [Provider Actions – Referral to EST or CTA \[LINK\]](#), located on the Provider Portal.

If the Participant has a Detailed Job Plan, Providers must add Code PA05 [Career Transition Assistance] to the Participant's Job Plan to capture this Activity as a voluntary requirement.

Once the CTA provider receives the referral, the CTA provider will contact the Participant. CTA providers will check the Participant's suitability of the course, including:

- contacting Participants to hold an initial meeting to determine if the Participant is suitable
- rejecting the referral if it is identified the Participant would not benefit — the CTA provider will advise the Provider that the Participant has not been accepted into the CTA course, and the reasons for this.

Key considerations for CTA referrals

Factor	Details
Participant eligibility	<ul style="list-style-type: none"> • Aged 45 years or over. • Not previously commenced in a CTA course. • Does not have significant non-vocational issues that need to be addressed before they can benefit from CTA.
Format	Courses can be delivered either in person or hybrid (combination of in person and online), with a minimum of 50 hours of face-to-face contact.
Duration	Each course runs for 75 hours, in a group setting, over 3 to 8 weeks.

Factor	Details
Availability	CTA providers will make courses available as an Activity in the Department's IT Systems.
Cost to Provider	<p>CTA Courses are available on a fee-for-service basis.</p> <p>Providers must pay the CTA provider \$2053.12 for each Participant referral from the Provider's own funds, prior to the date the CTA course starts but after the CTA provider has confirmed the Participant's CTA place. The transfer of funds from the Provider to the CTA provider occurs outside of the Department's IT Systems.</p> <p>Providers must make their own arrangements with the CTA provider to facilitate payment.</p>
Participation requirements	<p>Participation in CTA is voluntary.</p> <p>CTA providers will record Participant's commencement and attendance.</p> <p>Best practice is for Providers to work collaboratively with CTA providers to support Participants, and to encourage Participants to attend their CTA course.</p>

7.5.5 Self-Employment Assistance

The Self-Employment Assistance (S-EA) program encourages Participants to consider self-employment and supports Participants in starting, developing, or growing their small business through individual mentoring and group workshops.

S-EA offers 6 flexible services to both new and existing business owners:

- **Exploring Self-Employment Workshops** helps Participants to learn about small business and helps create and validate a business idea, as well as decide if self-employment is a good fit for them.
- **Small Business Training** provides access for Participants to accredited small business training, that may range from accessing a skillset through to a full Certificate IV qualification.
- **Business Plan** helps Participants to develop a viable business plan and assess the viability of their business idea.
- **Small Business Coaching** provides Participants with 6 personalised business mentoring contacts over 12 months and, for those who are eligible, an allowance for up to 39 weeks and rental assistance for up to 26 weeks.
- **Business Health Checks** helps business owners to identify business development opportunities.
- **Business Advice Sessions** provide flexible advice and support on small business issues.

S-EA also offers regular, free masterclasses and networking events to help Participants to learn and expand their networks.

Providers should ensure that any Participant who expresses an interest in self-employment is made aware of the S-EA program.

When referring Participants to S-EA, Providers must either make a referral or suggest the Participant contact the S-EA provider directly, having provided the Participant with the contact details of the relevant S-EA provider.

- There are 2 ways for a Participant to be referred to Self-Employment Assistance on the Department's IT Systems:

- Providers can issue a referral to S-EA through the Department's IT Systems by selecting the relevant S-EA provider, or
- The S-EA provider completes a self-referral. An Inclusive Employment Australia Provider can confirm that the Participant has been referred to S-EA by viewing the contract referral in the Referral History screen in the Department's IT Systems.

The S-EA provider will assess if a Participant is eligible and help identify appropriate services. The S-EA provider will advise the Provider of the Participant's decision(s).

If the Participant has a Detailed Job Plan, Providers must add Code ET58 [Self-Employment Assistance Training] or Code EM54 [Self-Employment Assistance Program] to the Participant's Job Plan in order to capture whether the S-EA Activity is a compulsory or voluntary requirement.

Where S-EA is a compulsory requirement, the Provider must advise the Participant of any personal responsibility. This includes recording their own attendance if the Participant's Job Plan includes Code PA03 [Personal Responsibility to Report and Record Attendance].

Once a Participant has been referred, the Provider must ensure Participants accessing S-EA are supported in their engagement with both Inclusive Employment Australia and S-EA. Providers may wish to consider offering the Flexible Service to Participant undertaking Small Business Training.

Note: Participants in Small Business Coaching are in Unsubsidised Self-Employment. Providers may be able to anchor the Placement and claim Outcome Fees (see 9.5 Employment Outcome conditions and).

Key considerations for S-EA referrals

Factor	Details
Participant eligibility	<ul style="list-style-type: none"> • Aged 15 years or over (18 years or over for Small Business Coaching). • Not be enrolled in full-time Education and Training. • Have working rights in Australia. • Not be an undischarged bankrupt. <p>Note: There are additional requirements to access some S-EA services.</p>
Format	Dependent on the S-EA service.
Duration	Dependent on the S-EA service.
Availability	S-EA providers will discuss the availability of services with the Participant.
Cost to Provider	N/A
Participation requirements	<p>Participation in S-EA can be compulsory or voluntary.</p> <p>Participating in Small Business Training will meet a Participant's Mutual Obligation Requirements for up to 8 weeks. During this time, a Participant should not have other tasks and activities as part of the Meaningful Engagement Requirement or have any other compulsory requirements in a Detailed Job Plan.</p> <p>A Provider may consider it appropriate to change the Participant to a Flexible Service if the Participant does not need Intensive Services to maintain participation in S-EA.</p> <p>S-EA providers are responsible for ensuring Participants in Self-Employment Workshop or Small Business Training are participating appropriately. Where a</p>

Factor	Details
	<p>S-EA provider determines that a Participant in one of these Activities is not participating appropriately, they will exit the Participant from relevant Activity and advise the Provider of their decision.</p> <p>S-EA providers are responsible for ending a Participant's S-EA referral where the Participant requests an end to S-EA, is uncontactable or is no longer eligible or suitable for S-EA.</p> <p>Best practice is for Providers to work collaboratively with S-EA providers to support Participants.</p>

7.6 Specified Activities

Specified Activities are activities with a set structure, managed by a Host Organisation under an agreement with an Australian Government department or agency. The specified conditions provide certainty and protection to both the Provider and any eligible Host Organisation that agrees to host a placement.

Specified Activities are:

- Provider Sourced Voluntary Work, and
- Observational Work Experience (OWE).

The set structure of Specified Activities means that:

- the Provider must manage Participant safety by meeting specified requirements
- the Host Organisation must deliver the Activity under specified rules, and
- Participants are covered by insurance policies taken out by the department.

When referring a Participant to a Specified Activity, the Provider must:

- confirm the Activity is suitable — i.e. the Participant is eligible, and able to undertake and benefit from the Activity
- make sure the Participant understands the purpose of the Activity and their responsibilities
- conduct a Risk Assessment for the Activity and the Participant to ensure the placement is appropriate — refer to 7.8.1 Risk Assessments
- ensure the Participant will have appropriate Supervision during the placement — refer to 7.8.2 Supervision
- make sure the Host Organisation has all the information it needs regarding the Participant
- work with the Host Organisation to ensure the Participant receives any training, equipment and clothing required
- encourage the Participant to attend the relevant activity, and
- adjust the Participant's other participation requirements to support participation in the Activity.

(Deed Reference(s): Clause 144, 145)

7.6.1 Provider Sourced Voluntary Work

Voluntary Work is a work experience placement that gives Participants the opportunity to gain skills to improve their Work Readiness and prospects of finding Employment, while also benefiting the community.

Some of the potential benefits of Voluntary Work for eligible Participants include:


- developing practical employability skills such as attendance and communication

- increasing networks, updating referees and building confidence
- demonstrating their skills, knowledge, experience and attitude, and gaining valuable exposure to workplaces to help them understand workplace expectations, and
- providing service to a Participant's community.

When arranging a Voluntary Work placement, the Provider must:


- ensure the Participant is eligible and suitable for Voluntary Work
- ensure the Host Organisation is eligible to host a Voluntary Work placement
- ensure the Voluntary Work placement:
 - does not involve more than 25 hours voluntary work per week
 - does not exceed a maximum of 8 hours per day
 - includes at least one 30-minute break every 5 hours
 - does not include participation outside core business hours, including on a public holiday, unless a Participant chooses to do so and has agreed in advance, and
 - does not exceed 26 weeks unless the Provider determines this is the best participation option for the individual under the circumstances
- ensure Risk Assessments have been completed by a Competent Person
- negotiate and enter into a Voluntary Work Host Agreement, and
- monitor the Voluntary Work placement for its duration and respond to any issues that arise.

+ Providers must report Incidents and retain Records of any action taken regarding any Incidents that occur during a Provider Sourced Voluntary Work placement in accordance with the [WHS Incidents and Insurance Readers Guide – Providers \[LINK\]](#).

 The Provider must retain evidence the Voluntary Work placement commenced (for example an email from the Host Organisation). The Department may request this information as evidence to support a progress payment.

The Provider must ensure Voluntary Work placements:

- are of benefit to the Participant and the local community and offer no financial gain to the volunteer organisation
- provide the Participant with the opportunity to gain skills that will directly improve their Work Readiness and job prospects. This can include the ability to work as part of a team, take directions from a supervisor, work independently, communicate effectively, and become more motivated and dependable, and
- do not primarily promote a particular religious or political view.

 The Provider must add the Participant's participation in Voluntary Work as an Activity in the Department's IT Systems.

This Activity may Fully Meet the Mutual Obligation Requirements of a Participant (Mutual Obligation).

Providers should refer to the [Provider Actions – Recording Participants as Fully Meeting Mutual Obligations \[LINK\]](#) supporting document referred to in Chapter 5: Participation requirements.

Providers must make Participants aware of their rights and responsibilities while in the workplace.

If the Participant has a Detailed Job Plan, Providers must add Code WE11 [Voluntary Work] to the Participant's Job Plan to capture this Activity as a voluntary requirement.

Key considerations for Provider Sourced Volunteer Work placements

Factor	Details
Participant eligibility	<ul style="list-style-type: none">• 15 years or over.
Eligible Host Organisations	<p>Volunteer Work placements can occur in:</p> <ul style="list-style-type: none">• not-for-profit organisations• not-for-profit arm of a for-profit organisation, or• community services (examples include firefighter reserves, State Emergency Service, school canteen, etc.). <p>Note: Government agencies are considered not-for-profit organisations for the purpose of Voluntary Work.</p> <p>The placement must benefit the Participant and community and offer no financial gain to the Provider or Host Organisation.</p> <p>The Host Organisation must be adequately insured — at a minimum, they must have public liability and personal accident insurance.</p>
Duration	Each placement can last for up to 26 weeks (unless the Provider determines that a longer placement is the best option based on the Participant's individual circumstances).
Cost to Provider	N/A
Participation requirements	<p>Participation in Provider Sourced Voluntary Work is voluntary.</p> <p>Providers should support and encourage Participants to attend Voluntary Work placements.</p> <p>Providers should monitor the Participant's commencement and attendance.</p> <p>Participants may be able to Fully Meet their Mutual Obligation Requirements through Voluntary Work — refer to 5.2.1 Mutual Obligation Requirements.</p>

7.6.2 Observational Work Experience

Observational Work Experience (OWE) placements are voluntary, short-term, unpaid work opportunities that help Participants build soft skills and gain a better understanding of the workplace, an Industry, and potential career opportunities.

Some of the potential benefits of OWE include:

- providing valuable exposure to workplaces and workplace expectations
- enhancing Participants' awareness of different careers, and
- assisting Participants to build employability skills, such as attendance and communication.

When arranging an OWE placement, the Provider must:

- ensure the Participant is eligible and suitable for OWE
- ensure the Host Organisation is eligible to host an OWE placement
- ensure the OWE placement:
 - only involves observation (allowing for participation in meetings and discussions where relevant), with no tasks to be undertaken by the Participant
 - does not involve more than 25 hours of attendance per fortnight




- does not exceed a maximum of 8 hours per day
- includes at least one 30-minute break every 5 hours
- does not include participation outside core business hours, including on a public holiday, and
- does not exceed 4 weeks. The end date must be specified in the OWE Host Agreement.
- ensure a Risk Assessment has been completed by a Competent Person
- negotiate and enter into an OWE Host Agreement with the Participant and the Host Organisation, and
- monitor the OWE placement for its duration and respond to any issues that arise.

Note: OWE placements do not need to have a reasonable prospect of future Employment with the Host Organisation. It is at the discretion of the Provider as to the number of OWE placements a Participant undertakes (with the same or another Host Organisation).

Providers must make the Participant aware of their rights and responsibilities while in the workplace.

If the Participant has a Detailed Job Plan, Providers must add Code WE10 [Unpaid Work Experience] to the Participant's Job Plan to capture this Activity as a voluntary requirement.

Before the OWE placement commences, the Provider should discuss the preferred contact method, frequency and timing of contact with the Participant and Host Organisation to avoid disruption during the Activity.

-  The Provider must add the Participant's participation in an OWE placement as an Activity in the Department's IT Systems.
-  The Provider must retain evidence the OWE placement commenced (for example an email from the Host Organisation) and may be required to provide it this to the Department upon request to support evidence for a Progress Payment.
-  Providers must report, and retain Records of any action taken regarding, Incidents that occur during an OWE placement in accordance with the [WHS Incidents and Insurance Readers Guide – Providers \[LINK\]](#).

Key considerations for OWE placements

Factor	Details
Participant eligibility	<ul style="list-style-type: none"> • Aged 15 years or over.
Eligible Host Organisations	OWE placements can occur in: <ul style="list-style-type: none"> • for-profit organisations • not-for-profit organisations • the Provider's Own Organisation, Related Entities or Subcontractor.
Duration	Each placement can last for up to 4 weeks.
Cost to Provider	N/A
Participation requirements	Participation in OWE is voluntary. Providers should adjust agreed tasks and activities to meet the Meaningful Engagement Requirement or the Job Search Requirement in a Job Plan Detailed for the duration of the placement.

Factor	Details
	Providers should support and encourage Participants to attend OWE placements. Providers should monitor the Participant's commencement and attendance.

7.6.3 Eligible Host Organisations

A Host Organisation is an entity that provides employment opportunities, training, or support to Participants in collaboration with Providers.

Eligible Host Organisations can host more than one Observational Work Experience placement and/or Provider Sourced Voluntary Work concurrently where they meet the requirements for each Specified Activity.

Host Organisations must:

- have a valid ABN
- offer work-like activities and training that help Participants build skills
- teach basic expectations and behaviours needed to get and keep a job
- offer workforce experience, and
- meet all WHS requirements.

Host Organisations must not:

- engage or have engaged in any illegal operations or promote or condone any form of unlawful conduct
- be or have been or is associated with the sex industry
- promote or condone gambling
- promote or condone any form of violence, self-harm or suicide
- promote or condone any form of discrimination, including on the grounds of race, ethnic group, language, sex, religion or disability, and/or
- provide any other service or conducts themselves in a manner that is likely to bring the Participant, the Provider or the Department into disrepute.

If the Provider suspects or becomes aware that a Host Organisation has engaged in any conduct described in the list above, the Provider must:

- ensure that no Participant commences or continues in any Activity that the Host Organisation provides
- notify the Department immediately and provide information as requested by the Department, and
- if requested by the Department, cease or vary the Activity.

7.6.4 Host Agreements

Host Agreements are agreements between the Provider, a Host Organisation and the Participant. A Host Agreement helps all parties understand their rights and obligations for a Specified Activity.

Providers must discuss with the Host Organisation, and document in the relevant Host Agreement, all the Host Organisation's obligations regarding the relevant Specified Activity.

These obligations will depend on the type of Activity. The Department issues Host Organisation Agreement templates for different Activity types.

To assist the Provider to comply with its obligations under the Deed, the Provider must ensure each Host Agreement includes the following details for the Activity (at a minimum):

- Host Organisation deliverables, including tasks that may be undertaken by Participants
- how the Host Organisation will support and accommodate individual Participants' needs and capabilities (including work restrictions)
- Supervision that the Host Organisation must provide
- any training and induction required before a Participant commences or undertakes particular tasks. This includes details of which party who will provide the training and induction and which party has responsibility for ensuring it is completed, and
- Host Organisation obligations in relation to WHS and Incident reporting.

Host Organisation Agreement templates can be found on the Provider Portal.

- 📄 Providers must retain evidence (either hard copy or soft copy) of the Host Agreement signed by all relevant parties.

7.7 Other Activities

This Section outlines other Activities that Providers may wish to consider in order to assist Participants to improve their employment prospects and/or manage or overcome Vocational Barriers and Non-Vocational Barriers.

Other Activities are any Activities the Provider arranges or access for a Participant to attend, other than those listed as Complementary Activities or Specified Activities in these Guidelines. Other Activities can also be sourced by a Participant.

Examples include:

- work preparation activities such as:
 - soft skills training
 - foundation skills, and
 - work hardening or physical conditioning programs
- job search activities such as:
 - résumé writing sessions
 - sessions on how to apply for jobs online
 - interview preparation sessions
 - Employer meet and greet sessions, and
 - job fairs/job expos
- mentoring or coaching
- accredited vocational education and training courses
- higher education short courses
- non-accredited study
- paid or unpaid Work Trials
- part-time or casual work
- paid work experience
- work with a social enterprise or in Supported Employment Services, and
- Interventions and other non-vocational supports, such as receiving, participating in or undertaking:
 - social support services, such as housing, domestic violence or crisis/trauma

- legal services
- financial support services and financial counselling
- programs that address disability, injury or health concerns
- appointments with general practitioners and specialists (doctors)
- appointments with allied health professionals, such as physiotherapists, occupational therapists and pain management services
- self/help groups and peer support services
- cultural services and social groups
- other health services, such as drug and alcohol treatment, and/or
- mental health services, for example psychological counselling.

Other Activities can include:

- activities with a formal structure, such as other government programs the Participant can access concurrently with the Inclusive Employment Australia program
- support services available from a range of private or community organisations, and
- activities designed by or for the Provider.

Providers should develop and adapt Activities to meet the diverse needs of local businesses and industries.

The flexibility of other Activities allows Providers to offer a wide range of supports. However, this range of conditions applying to other Activities means that:

- these Activities cannot be covered by insurance policies the Department has taken out, and
- the Provider is responsible for all aspects of the Activity, including Participant safety.

Providers must conduct a Risk Assessment of the Activity and whether it is suitable for a Participant before arranging for a Participant to undertake the Activity — refer to 7.8.1 Risk Assessments. Providers do not need to undertake a Risk Assessment for Other Activities arranged by the Participant.

7.7.1 Paid Employment

Providers may offer Participants exposure to paid work opportunities, including casual paid Employment, Work Trials and paid work experience placements. Job Placements do not need to be anchored and progressing towards an Employment Outcome to give the Participant valuable work experience and new skills. This means that Participants can try their hand at a range of jobs while receiving Pre-Employment Support.

 The Provider must record the Job Placement in the Department's IT Systems.

Note: Considerations for anchoring a Job Placement and are outlined in Chapter 9: Post Placement Support.

A Participant (Mutual Obligation) may be able to Fully Meet their Mutual Obligation Requirements through Employment. Providers should refer to the [Provider Actions – Recording Participants as Fully Meeting Mutual Obligations \[LINK\]](#) supporting document referred to in Chapter 5: Participation requirements.

If a Participant has a Detailed Job Plan, Providers must update the Participant's Job Plan to include Code EM56 [Paid Work], EM54 [Self-Employment] or ET53 [Apprenticeship/Traineeship] as either a compulsory or voluntary requirement. If the Job Placement is later anchored to an Employment Outcome, the Provider must amend the Detailed Job Plan for a Participant (Mutual Obligation) to


ensure that the Employment captured through Code EM56 [Paid Work], EM54 [Self-Employment] or ET53 [Apprenticeship/Traineeship] as a compulsory requirement.

During the Job Placement, Providers must record the Participant's hours of Employment as a Personal Event — refer to 5.3.4 Capturing Personal Events.

Providers should consider whether a Participant who is undertaking a paid employment placement that is not progressing towards and Outcomes should be supported in the Flexible Service.

When a Participant's Employment ends, the Provider must undertake the Re-engagement process with the Participant. This means the Provider must:

- conduct the first Contact Appointment following Re-engagement face-to-face (unless this would be unreasonable)
- determine the appropriate service offer if the Participant was receiving the Flexible Service, and
- ensure the Participant understands their participation requirements now that they are no longer in paid Employment.

 If a Participant's Employment ends, and the Participant is not Exited, a voluntary face-to-face Contact Appointment should be entered into the Participant's Electronic Calendar.

7.7.2 Education and Training

A secondary objective of Inclusive Employment Australia is to support education that improves a Participant's employment opportunities.

Providers should encourage Participants to build on their existing skill sets and help them to access suitable Education and Training opportunities that increase their ability to find work.

 The Provider must add the Participant's participation in Education and Training as an Activity in the Department's IT Systems.

Early School Leavers should be required to participate in Education and Training until they have achieved Year 12 or an equivalent level qualification, unless they are already in other suitable Activities for 15 hours per week.

One way for Providers and Participants to search for suitable courses is via the [Your Career](#) website.

A Participant (Mutual Obligation) may be able to Fully Meet their Mutual Obligation Requirements through approved study. Providers should refer to the [Provider Actions – Recording Participants as Fully Meeting Mutual Obligations \[LINK\]](#) supporting document referred to in Chapter 5: Participation requirements.

Participants can study any Fee-Free TAFE course or course subsidised by a State or Territory Government of less than 12 months. The Provider should seek to guide the choice of course if a Participant is selecting a subsidised, accredited course but does not need to approve the Participant undertaking these courses.

Providers can also approve full-time study for Participants in short courses of less than 12 months under approved short course rules described in the Social Security Guide — see [3.11.3.10 Study & training | Social Security Guide](#). That is, where:

- completing the course is likely to lead to an Employment Outcome for the Participant
- there is little chance of the Participant finding employment with their existing skills
- the course will lead to qualifications in an identified area of Skills Shortage — as identified on Jobs and Skills Australia's [Skills Priority List](#), or
- the course provides skills or qualifications for occupations in areas of high labour demand.

Note: As outlined in 5.7 Job Search, Participants undertaking an approved course over 15 hours per week will not be required to complete any Job Search — i.e. Providers must reduce the Job Search Requirement in a Detailed Job Plan to zero and update any plan for meaningful engagement to remove Job Search.

Those on Income Support Payments wishing to undertake full time study, other than under the conditions outlined above, should be encouraged to test their eligibility for student payments through Services Australia. Full-time students in courses longer than 12 months in duration are generally ineligible for JobSeeker Payment or Youth Allowance (Other).

Participants can undertake part-time study under their own initiative at any time but would need to continue to look for and accept suitable Employment while studying.

Participants can refuse to undertake a course that does not align with their goals and interests.

While undertaking an approved course, Providers must record the Participant's hours of study as a Personal Event — refer to 5.3.4 Capturing Personal Events.

If a Participant has a Detailed Job Plan, Providers must update the Participant's Job Plan to include Code ET59 [Study - part-time or full-time] as either a compulsory or voluntary requirement.

Where a Participant has a break in their study, such as a semester break, there is no need to adjust a Participant's Job Plan.

Providers should consider if the Flexible Service is more appropriate while a Participant is undertaking Education and Training.

When a Participant's course ends, the Provider must undertake the Re-engagement process with the Participant. This means the Provider must:

- conduct the first Contact Appointment following Re-engagement face-to-face (unless this would be unreasonable)
- determine the appropriate service offer if the Participant was receiving the Flexible Service, and
- ensure the Participant understands their participation requirements now that they are no longer undertaking Education and Training.

The Provider should also update the Participant's Job Seeker Snapshot, support the Participant to update their résumé to reflect the new qualifications and work with the Participant to target jobs utilising their new skills and qualifications.

- 📅 When a Participant's course ends, a face-to-face Contact Appointment should be entered into the Participant's Electronic Calendar.

7.7.3 Participant Sourced Voluntary Work



Participant Sourced Voluntary Work is Voluntary Work that a Participant has identified and secured for themselves.

Participant Sourced Voluntary Work has the same benefits as Provider Sourced Voluntary Work. Both Provider Sourced Voluntary Work and Participant Sourced Voluntary Work aim to develop Participants' skills and experience with a not-for-profit community organisation.

Where Providers are aware Participants are undertaking Participant Sourced Voluntary Work, they should discuss with the Participant how the activity benefits and contributes to improving job prospects, including as a way to gain work experience and leverage job networking.

Providers should assist the Participant to include any Participant Sourced Voluntary Work placement in the Participant's resume and should consider how the skills and experience from a Provider Sourced Voluntary Work placement can be used to target further job opportunities.

Participants may be able to Fully Meet their Mutual Obligation Requirements through Voluntary Work if the Voluntary Work is with a not-for-profit organisation (which may include a government agency or not-for-profit arm of a for-profit organisation) or community service. Providers should refer to the [Provider Actions – Recording Participants as Fully Meeting Mutual Obligations \[LINK\]](#) supporting document referred to in Chapter 5: Participation requirements to determine if the arrangement would meet the criteria for approved Volunteer Work. Alternatively, a Participant and the voluntary work organisation may have submitted a [Verification of voluntary work form \(SU462\)](#) to request approval directly from Services Australia.

-  The Provider should add the Participant's participation in Voluntary Work as an Activity in the Department's IT Systems.
-  The Providers should add a file note in Department's IT Systems describing the Voluntary Work undertaken, that it was sourced by the Participant and the time period.

If a Participant has a Detailed Job Plan, Participant Sourced Voluntary Work may be included as a voluntary requirement in the Job Plan using Code WE11 [Voluntary Work].


Note: A Host Agreement is not required for Participant Sourced Voluntary Work. Providers should help the Participant to understand their rights as a worker.

7.7.4 Other government programs

Participants can undertake other government programs administered by the Commonwealth, State, and Territory Governments or local governments, where:

- the Provider and Participant agree that participation would support the Participant to progress towards Employment
- the Participant meets any eligibility requirements set for the program, and
- participation would be suitable for the Participant.

Other government programs should not duplicate services Providers are contracted to deliver.

-  The Provider should add the Participant's participation in any other government programs as an Activity in the Department's IT Systems.

Providers should consider if the Flexible Service is appropriate while a Participant is undertaking other government programs.

If a Participant has a Detailed Job Plan, Providers must update a Participant's Job Plan to include a code that best reflects the program or use the free-text option to enter in details of the program. Other government programs would generally be a voluntary requirement.

7.7.5 Interventions and other non-vocational supports



Participants can undertake activities to help address Non-Vocational Barriers at any time the Provider thinks it is in the best interest of the Participant.

Interventions are a broad range of assistance that may include:

- medical or health related services
- mental health support services
- cultural services
- personal development, such as addressing self-esteem and confidence issues.
- financial courses
- parenting courses
- anger management courses

- drug or alcohol treatment/rehabilitation programs counselling
- treatment for behavioural addictions
- obtaining stable housing
- addressing barriers associated with caring responsibilities
- addressing financial instability/difficulty, and
- addressing transport access issues.

Interventions are voluntary — this includes as part of any plan for meaningful engagement. A Provider may suggest these Activities, but Participants can refuse to undertake an Intervention.


-  The Provider must add the Participant's participation in Interventions as an Activity in the Department's IT Systems.
-  Providers should capture Interventions offered to the Participant through the Capability Management Tool in accordance with 5.4 Capability Management Tool.

Arranging these Interventions may:

- include the assistance of a:
 - doctor
 - counsellor
 - psychologist
 - social worker, or
 - allied health professional, and/or
- include referral to:
 - rehabilitation provider
 - driving lessons
 - self-help programs
 - support groups, or
 - appropriate government, health, community or private organisations.

Interventions and other non-vocational supports can be delivered either in-person or, via videoconference or phone call.

Providers should provide personalised assistance to help the Participant connect to the support or service. This may involve, for example, making a phone call and booking the appointment with the Participant, asking the Participant if they know where the appointment is and if they need assistance to attend the appointment, and following up with the Participant in a non-judgemental manner to see if they attended the appointment or if they need help to make another booking. Relationships with community organisations that provide these services will support these personalised referrals.

-  Appointments with non-vocational service providers can be captured as a Third-Party Appointment in the Participant's Electronic Calendar.

Providers should consider if the Flexible Service is appropriate while a Participant is undertaking Interventions.

If a Participant has a Detailed Job Plan, Providers should update a Participant's Job Plan to include a code that best reflects the non-vocational intervention or use Code NV13 [Intervention – Non-specific], with the Activity captured as a voluntary requirement.

Drug and alcohol treatment or rehabilitation in a residential program

If a Provider identifies or becomes aware that a Participant (Mutual Obligation) has reduced capability to meet their participation requirements due to a drug or alcohol dependency, the Provider should discuss this with the Participant to identify rehabilitation options that would assist the Participant to address their dependence.

Staff of residential programs and intensive treatment programs have an Implied Authority to act on behalf of an individual attending their facility.

Verbal notification of commencement into the treatment program and release is sufficient. Participants or treatment facilities are not required to provide written evidence of their participation in treatment programs. Full-time rehabilitation treatment does not have to be entered in the Participant's Electronic Calendar.

If the Participant will be undertaking non-residential drug or alcohol dependency treatment (such as counselling sessions) or is already doing so when they commence with the Provider, the Provider must schedule it in the Participant's Electronic Calendar and notify the Participant.

The Provider should record any information regarding the Participant's participation (or refusal to participate) in treatment services in the Capability Management Tool (CMT), in the Department's IT Systems — see 5.4 Capability Management Tool for further information.

This must be the only requirement that the Participant has for the duration of the residential program.

Note: As outlined in 5.2.1 Mutual Obligation Requirements, Participants (Mutual Obligations) who are undertaking full-time residential or intensive drug and alcohol treatment or rehabilitation do not have to undertake Appointments, Job Search or other Activities for the duration of the intervention. Participants will stay on the Provider's Caseload and continue to be serviced by the Provider while undertaking these interventions.

If a Participant has a Detailed Job Plan, Providers should update a Participant's Job Plan to include Code NV07 [Drug and Alcohol Rehabilitation] unless that if there are concerns over the usage of this code such that Code NV13 [Interventions – Non-specific] is more appropriate. The Detailed Job Plan must also be amended to reflect the change in their compulsory requirements for the duration of the treatment or rehabilitation program.

7.8 Ensuring Participant safety

When a Participant attends an Activity there may be a higher risk of harm occurring to the Participant or harm occurring to others because of the Participant, due to:

- Participants interacting with a range of new people in new, and
- the Provider having less control over arrangements outside the Provider's Sites.

Providers must ensure Participants are always in a safe environment when participating in Activities, including Specified Activities and any Other Activities.

The Provider must ensure each Participant is aware of how to lodge a complaint or voice safety concerns about an Activity. Where the Provider becomes aware of safety concerns, including those raised by a Participant, that cannot be addressed, the Provider must ensure that the Participant immediately ceases participation in the Activity.

Before arranging, or referring any Participant to an Activity, the Provider must confirm:

- the Activity is not prohibited under relevant state and territory laws
- its delivery is permitted under the Deed and any Guidelines

- the Host Organisation, where relevant, is complying with all work health and safety requirements in the relevant state and territory; and
- its delivery is in line with any advice provided by local authorities.

The Provider must consult, coordinate and cooperate as appropriate with relevant parties including but not limited to the Department, Complementary Service provider and Host Organisations to ensure that any work health and safety issues in relation to an Activity are appropriately managed.

Providers must assess and manage the higher risk before a Participant starts an Activity in accordance the following sections, as summarised in the following table.

(Deed Reference(s): Clause 56.1, 144, 145)

Responsibilities by Activity type

Requirement	Complementary Activity	Specified Activity	Other Activity
Ensure the activity is suitable	Provider	Provider	Provider
Ensure the activity is safe	Provider	Provider	Provider
Undertake Risk Assessment for the Activity	Complementary Service provider	Provider	Provider*
Undertake Risk Assessment for the Participant	Complementary Service provider	Provider	Provider*
Ensure adequate supervision	Complementary Service provider	Provider	Provider
Conduct background checks	Complementary Service provider	Provider	Provider
Ensure WH&S arrangements are in place	Complementary Service provider	Provider	Provider
Ensure Incident notification arrangements are in place	Complementary Service provider	Provider	Provider
Arrange insurance coverage	Department	Department	Provider

* **Note:** Providers are responsible for undertaking Risk Assessments for 'other' Activities they arrange, but not for Activities the Participant has arranged (i.e. Participant Sourced Voluntary Work).

7.8.1 Risk Assessments

Risk Assessments must be undertaken for all Activity placements arranged by the Provider.

The Risk Assessment is undertaken by:

- the Complementary Services provider, for Complementary Activities
- the Provider, for Specified Activities and other Activities.

Providers must support a Risk Assessment conducted by a Complementary Services provider by supplying any requested information about the Participant.

Providers must conduct Risk Assessments before referring a Participant to a Specified Activity or other Activity, for:

- the Activity to be undertaken, and
- the Participant undertaking the Activity.

Providers do not need to conduct a Risk Assessment for other Activities arranged by the Participant.

Providers must take suitable actions to manage any risks identified through a Risk Assessment, so there is a safe system of work in place for the activity.

If a Provider identifies that it cannot ensure appropriate safety, the Provider must:

- not arrange the Activity
- not refer any Participants to the Activity
- immediately end any Activity referral that has already occurred.

Complementary Activities

Providers do not need to conduct Risk Assessments for Complementary Activities. The Complementary Services provider manages risks for their Activities. However, Providers must not refer a Participant to the Activity if they are aware the Activity is not suitable for the Participant.

Complementary Services providers will also be responsible for completing Risk Assessments to ensure the health and safety of Participants when they take part in outbound Employer visits, such as guided tours of workplaces.

Providers must give Complementary Services providers all the information they require to complete relevant Risk Assessments.

Providers must confirm that a Risk Assessment for the Activity has been undertaken by a EST provider or CTA provider before placing a Participant into these Activities.

Specified Activities

Risk Assessments are part of the safety framework for Specified Activities. Having a Risk Assessment for both the Activity and Participant ensures the Provider is protected in case of injury or damage that can occur because of a placement.

- ✚ The Provider must ensure Risk Assessments are conducted for the Activity and Participant by a Competent Person and that Risk Assessments are updated as necessary.

Risk Assessments must be undertaken by a 'Competent Person' — a person who has the knowledge and skills to carry out specific work health and safety tasks. If the Provider does not have a Competent Person, it must engage a Competent Person to do Risk Assessments.

A Competent Person must complete a Risk Assessment for:

- the Activity, to:
 - check the Activity is ready to go ahead before the Provider refers the Participant
 - discover possible risks that might come up when the Participant takes part in the Activity
- the Participant, before the Participant commences the activity. This assessment checks the activity is suitable for the Participant and their individual circumstances.

📄 Providers must retain copies of:

- Risk Assessments for the Activity and Participant
- Competent Person details – name, description of training/qualifications/experience

Examples of a [Risk Assessment template \[LINK\]](#) and [Competent Person register template \[LINK\]](#) can be found on the Provider Portal.

When conducting Risk Assessments, the Competent Person must consider:

- the role of the Host Organisation
- the specific needs of the Participant
- the type and location of the tasks to be performed by the Participant
- the Participant's personal circumstances
- the level of supervision required for the task to be undertaken
- the type, cause and likelihood of any risks
- the result if an Incident occurs, and
- plans to manage possible risks, including training and personal protective equipment.

Risk plans must meet relevant WHS Laws and the procedures outlined in these Guidelines. They must be reviewed and updated as necessary.

The Department can instruct a Provider to stop or change an Activity, at any time.

Other Activities

Providers must undertake a Risk Assessment before placing a Participant into any other Activity the Provider has arranged on behalf of the Participant. The Risk Assessment is to prevent injury or damage that may occur during an Activity they have arranged, and to protect the Provider from the consequences of such an injury or damage.

There are no requirements about the form or content of Risk Assessments undertaken for other Activities. The sample Risk Assessment templates for Specified Activities can be used to help record assessments.

Providers are responsible for undertaking Risk Assessments for 'other' Activities the Participant has arranged on their own behalf.

7.8.2 Supervision

Participants must be adequately supervised in all Activity placements.

Providers are encouraged to work with the Host Organisation or Activity provider to arrange suitable supervision. The Supervisor should be made aware of and specific needs of the Participant. The Supervisor can be a person normally Employed as part of the Activity, or a person engaged to supervise the Participant.

Background checks are often a required way of making sure a Supervisor or other staff member is a fit and proper person.

If an Activity involves children, the elderly, disabled or other Vulnerable Person, the Provider must ensure there is continuous Supervision in place for the duration of the activity. Continuous Supervision is when the Participant is always with, near or in the line of sight of the Supervisor while taking part in the activity.

Supervisors are expected to report to the Provider if a Participant:

- does not attend the Activity, or
- does not behave properly while completing an Activity.

Complementary Activities

Complementary Service providers are responsible for organising and providing appropriate supervision during the Activity.

Specified Activities and other Activities

The Provider must meet their Deed obligations regarding Supervision for Activities the Provider arranges for Participants.

Supervisors may be engaged/employed by the Provider or a Subcontractor to supervise Specified Activities or any other Activities arranged by the Provider.

- ✚ The Provider must ensure that it or, where relevant, each Host Organisation, provides adequate and appropriate Supervision so that the relevant Participants are undertaking appropriate tasks and operating in a healthy and safe environment.

When arranging Specified Activities, Providers must be satisfied that the Host Organisation can provide appropriate supervision. Supervisors and co-workers in close contact with the Participant in an Activity must:

- be a fit and proper person, including any background checks
- have a high level of knowledge, training and/or experience in:
 - each part of the activity they are involved in, and
 - working with, training and supervising Participants in such activities, and
- have had WHS training.

7.8.3 Background checks

For the purposes of these Guidelines, background checks include:

- Criminal Records checks
- Working with Children Checks, and
- Working with Vulnerable People checks.

Providers must:

- confirm whether background checks must be conducted for Participants, Supervisors or staff, and
- arrange and pay for any required background checks.

Background checks are normally required where:

- laws and regulations in their state or territory require the check
- there are industry standards or legal requirements that Participants, Supervisors and staff taking part in an activity, cannot have been convicted of specified crimes
- the Participant and/or Supervisor will have regular or unsupervised contact with Vulnerable Persons, including children and the elderly, or
- required by the Department.

Background checks are conducted by the relevant Activity provider for Complementary Activities, where required. Providers are not required to arrange background checks for Employability Skills Training, Career Transition Assistance, or Self-Employment Assistance activities.

Providers must find out from their relevant state and territory rules and regulations if background checks must be conducted for Participants, Supervisors, or staff during a Specified or Other activity.

If checks are needed, the Provider must contact the relevant checking organisation in their area to arrange and pay for the check to be completed before Participants are able to take part in an activity.

Note: Background checks may take some time to complete.

If a background check shows that a Participant or Supervisor should not participate in a particular Activity, then they must be stopped from participating or having supervising duties in that activity.

Note: Background checks contain Personal Information about the person. Providers must follow obligations about using and disclosing Personal Information as outlined in [Part A Guidelines: Chapter 6: Privacy \[LINK\]](#).

(Deed Reference(s): Clause 22)

7.8.4 WHS Incident management

Providers must ensure that supervisors understand how to manage WHS Incidents at Activities and report the Incident to the Provider.

- ✚ Providers must notify the Department of any Incident at (or while travelling to or from) an Activity.

Reporting requirements

Incident type	Timeframe	Description
Critical	Within 1 hour	<ul style="list-style-type: none">Incident that results in a serious injury or death.Incident that is potentially dangerous or life threatening, even if no one was injured.
Non-critical	Within 1 day	<ul style="list-style-type: none">Non-critical Incident relating to a WHS issue (injury requiring medical attention, minor property damage).Incident that could impact on a Participant or the Department.Incident that could bring the program into disrepute.

Providers must complete an WHS Incident Report and claim form, if the Incident could result in an insurance claim.

A summary of required actions that must happen when an WHS Incident occurs at an activity is included in the following table.

Note: There may be time limits for making claims.

Roles and responsibilities for WHS Incidents

Who	Required action
Supervisor	<ul style="list-style-type: none">Provide appropriate medical attention – may include contacting emergency services.Attempt to protect the Participant and others from unnecessary trauma.Notify the Provider of the incident as soon as possible.
Complementary Service provider or Host Organisation	<ul style="list-style-type: none">Notify the WHS Regulator of the incident if it results in death or serious injury or exposes someone to serious risk. Directions by a WHS Regulator must be followed.Notify the Provider of the incident.

Who	Required action
Provider	<ul style="list-style-type: none"> • Notify the Department • Complete a Public and Products Liability Incident Report [LINK], available on the Provider Portal, when a third party alleges a Participant has been negligent and caused accident, injury or death, or property damage. • Complete a Public and Products Liability Claim Form [LINK], available on the Provider Portal, when a third party is making an insurance claim because of a reported Incident.

7.8.5 Insurance for Activities

The Department purchases insurance policies to cover Complementary and Specified Activities as outlined in the table below.

Department's Insurance

Insurance Policy	Coverage
Personal Accident	Covers the Participant in respect of personal injury or death that occurs while undertaking Activities. This includes direct travel to, from or during the activities.
Public and Products Liability	Covers the legal liability of the Participant where their negligence causes: <ul style="list-style-type: none"> • personal injury to a third party, or • damage to a third party's property while participating in the Activity.

The Department's purchased insurance policies do not cover:

- illness or sickness a Participant picks up during an activity, including COVID-19, or
- activities that are not Complementary and Specified Activities.

There may be other exclusions in addition to ones listed above, in the terms and conditions of each insurance policy. Providers can still deliver Activities where tasks are excluded under the department's policies. Providers need to consider whether alternative insurance is required.

To access the Department's insurance coverage, Providers must comply with Incident management and reporting requirements.

The Department's insurance policies do not cover other Activities that Providers arrange. Providers must:

- maintain insurances outlined in the Deed and must understand their coverage
- seek their own advice about whether they must take out additional insurance to cover referrals they make to other Activities
- confirm that organisations involved in the other Activity have appropriate insurance coverage.

Where coverage is not broad enough, Providers must purchase or fund additional insurance for the activity.

Providers must advise the Department about Incidents as they could result in a liability claim, even if a claim is not made immediately. This includes Incidents that occur during other Activities.

The Provider must also follow any instructions from the Department or the Department's insurance broker and give them all the details of an WHS Incident after it happens.

Forms for the Provider to advise the Department of any personal accident or public and products liability Incidents are available on the Provider Portal — see [Public and Products Liability Incident Report \[LINK\]](#) and [Public and Products Liability Claim Form \[LINK\]](#).

- 📄 Providers must keep a copy of all WHS Incident Reports and Records so they can be used as supporting evidence in any insurance claims.

Chapter 8: Wage Subsidies

Supporting Documents for this Chapter

- [Sample Wage Subsidy Head Agreement and Schedule \[LINK\]](#)
- [Wage Subsidy Calculator \[LINK\]](#)
- [Wage Subsidies Payroll Declaration \[LINK\]](#)

8.1 Chapter Overview

There is one Wage Subsidy available as part of Inclusive Employment Australia, the Inclusive Employment Australia Wage Subsidy.

This Chapter outlines the responsibilities of Providers in relation to the Inclusive Employment Australia Wage Subsidy, including:

- the purpose of the Wage Subsidy and when it should be used
- identifying which Participants, Employers and Placements are eligible
- how different levels can support Participants with different work capacities
- Provider responsibilities to support, monitor and pay the Wage Subsidy, and
- how a Provider claims a Reimbursement from the Department.

The Inclusive Employment Australia Wage Subsidy is a financial incentive of up to \$10,000 that Providers can use to encourage eligible Employers to provide ongoing employment opportunities of at least 8 hours per week for eligible Participants. The Inclusive Employment Australia Wage Subsidy can help by offsetting some of the upfront costs of hiring a new employee. Providers can choose not to offer an Inclusive Employment Australia Wage Subsidy, even if all eligibility requirements are met.

The Inclusive Employment Australia Wage Subsidy must be negotiated and agreed before the Employment starts. The terms must be set out in a Wage Subsidy Agreement and approved online by the Employer within 28 days of the Participant's Job Placement Start Date. The terms will include the average number of hours the Participant will be offered each week and the total Wage Subsidy value to be paid according to the Wage Subsidy level. The length of a Wage Subsidy is for a fixed 26-week term - a shorter or longer length cannot be negotiated. The Wage Subsidy value cannot be more than 100% of the wage paid to the Participant during the 26-week Wage Subsidy Agreement Term.

The Inclusive Employment Australia Wage Subsidy is payable for Wage Subsidy Placements that last at least 6 weeks, and a pro-rata Payment is available for Employment lasting between 6 and 26 weeks.

Reimbursements are available after 6 weeks of Employment in line with scheduled Payment instalments, or at the end of the 26-week term. Reimbursements are subject to the mandatory uploading of Documentary Evidence for each Payment in the Department's IT System.

8.2 Eligibility

8.2.1 Participant Eligibility

Time in employment services

Providers can offer Inclusive Employment Australia Wage Subsidies for Participants who have received at least 6 months of continuous Provider-led employment services in:

- Inclusive Employment Australia or DES
- Workforce Australia Services

- Parent Pathways
- Transition to Work
- Norfolk Island Employment Services Program, and/or
- Community Development Program or the Remote Australia Employment Service.

Note: The 6 months of continuous service excludes any period where the Participant's status was Pending, Suspended or Exited.

Providers can also offer Wage Subsidies after Commencement in Inclusive Employment Australia for Participants who have received 12 months of Workforce Australia Online.

Note: The 12 months of Workforce Australia Online excludes any period where the Participant was Suspended or Exited.

Ongoing Support (Work Assist) Participants are not eligible for the Inclusive Employment Australia Wage Subsidy.

(Deed Reference(s): Clause 122.1)

Other Participant requirements

Providers cannot offer a Wage Subsidy for a Participant who has:

- an outstanding workers compensation claim against the Employer
- a business or family relationship with the Employer, or
- is accessing any other Commonwealth, State or Territory Government Wage Subsidy that overlaps with the Inclusive Employment Australia Wage Subsidy.

8.2.2 Employer Eligibility

A Wage Subsidy Employer must be a legal entity with a valid ABN which complies with all eligibility requirements under the Wage Subsidy Head Agreement terms and conditions.

A Wage Subsidy Employer must have a verified and active Workforce Australia Online for Businesses account before they can be offered the Inclusive Employment Australia Wage Subsidy. Employers can find help to obtain a Workforce Australia Online for Businesses account at:

- [How to register a business account with myID](#)
- [Sign in as a business user](#), and/or
- [Common myID questions](#).

A Wage Subsidy Employer must not be:

- the Provider's Own Organisation or a Related Entity of the Provider
- an Australian, State or Territory Government entity
- a local government entity, if the position is funded by an Australian, State or Territory Government entity
- a Family Member of the Participant
- a current or prior Employer or host business of the Participant (within the last 2 years)
- suspended or excluded from receiving Wage Subsidies
- of a type of character that would bring the Commonwealth Government into disrepute, including any conflicts of interest
- an employer who has recently retrenched or reduced the number of workers (or be proposing to do so) without providing satisfactory explanation to the Provider

- a labour hire company or group training organisation, except where the below requirements are met, or
- as otherwise advised by the Department.

Providers can use the Australian Government's website ABN Lookup — see abr.business.gov.au — to determine if an Employer is eligible and/or request proof from the Employer.

Wage Subsidies are intended to support an initial period of ongoing Employment. Wage Subsidies should not be used for a 6-month Job Placement where there is no likelihood of an ongoing Employment. Employers who have a pattern of terminating a Participant's Employment when the Wage Subsidy ends should not be supported with further Wage Subsidies and should be reported to the Department along with any supporting evidence.

Labour hire companies and group training organisations

A Wage Subsidy Employer can be a labour hire company or group training organisation if:

- that company or organisation is paying the Wage Subsidy Participant's wages, and
- Job Placement(s) with host business(es) meet all eligibility criteria of the Wage Subsidy Placement and Wage Subsidy Employer.

If a labour hire company or a group training organisation is receiving a Wage Subsidy for an employee, they must disclose, in writing:

- To the host business(es): That they are receiving a Wage Subsidy for a Participant, before or during the Wage Subsidy Placement. The Wage Subsidy Employer must give the Provider evidence of the disclosure.
- To the Provider: The ABN of the host business(es) the Wage Subsidy Participant was placed with for the duration of the Wage Subsidy Agreement. The Wage Subsidy Employer must supply these details before they can claim any Wage Subsidy Payments.

Note: Host businesses who subsequently hire a Wage Subsidy Participant on an ongoing basis are not eligible to receive a Wage Subsidy if that Participant was previously hosted by them within the last 2 years and the Wage Subsidy Participant's Employment lasted less than 6 months (26 weeks).

A labour hire company is not eligible for a Wage Subsidy for:

- placing a Participant with the same host business that they were Employed with over the past 2 years, if the Wage Subsidy Participant's Employment lasted less than 6 months (26 weeks), or
- placing a Participant with a host business who does not meet the general Wage Subsidy Employer eligibility requirements.

Prior Employment and Work Trials

An Employer will not be eligible to receive the Inclusive Employment Australia Wage Subsidy where, prior to the Job Placement Start Date, the Participant has been employed by the Employer (including placements with host businesses via a labour hire company or group training organisation), or any other entities associated with the Employer, within the past 2 years. Previous paid Work Trials and periods of unpaid work (e.g. unpaid Work Trials or Voluntary Work) are not considered prior Employment for the purposes of the Inclusive Employment Australia Wage Subsidy.

- 📄 A Wage Subsidy Agreement cannot be created from a paid Work Trial Vacancy type in the Department's IT Systems. A new Vacancy will be required where ongoing Employment with an Inclusive Employment Australia Wage Subsidy has been negotiated.

8.3.3 Placement Eligibility

A Wage Subsidy Placement is an Employment position with an eligible Employer that meets all Wage Subsidy eligibility requirements.

The Employment position can be:

- full-time, part-time or casual
- an Apprenticeship or Traineeship, and/or
- found by the Provider or by the Participant.

A Wage Subsidy Placement must:

- be a sustainable and ongoing position expected to continue or a long-term contract. Employment is not intended to end once the Inclusive Employment Australia Wage Subsidy ceases
- provide continuous employment across the full 26-week Wage Subsidy Agreement Term from the Job Placement Start Date of at least 8 hours per week
- offer the minimum weekly average hours as specified in the Wage Subsidy Agreement to the Wage Subsidy Participant across the whole 26-week Wage Subsidy Agreement Term
- be under Open Employment conditions consistent with Outcome requirements
- not include any periods of unpaid work
- comply with all relevant Employment standards for the Employment position under any relevant Commonwealth, State, Territory and/or Local Authority laws and requirements, including but not limited to:
 - complying with the National Employment Standards under the *Fair Work Act 2009* (Cth)
 - complying with the minimum terms and conditions of employment prescribed in any Modern Award, Enterprise Agreement or workplace determination that covers or applies to the Wage Subsidy Placement
 - paying the Wage Subsidy Participant at least the equivalent of the minimum rate prescribed in any Modern Award, Enterprise Agreement or workplace determination that covers or applies to the Employment position. If no Modern Award covers or applies to the Employment position, pay at least the equivalent of the National Minimum Wage
 - complying with the relevant jurisdiction's WHS Laws.
- making superannuation contributions in accordance with the *Superannuation Guarantee (Administration) Act 1992* (Cth), and
- provide a safe system of work for the Wage Subsidy Participant at all times during the Wage Subsidy Placement.


A Wage Subsidy Placement must not:

- displace an existing employee
- be a commission-based, self-employment or subcontracted position (excluding Placements with labour hire companies or group training organisations)
- be funded by another Commonwealth, State, Territory, or Local Government initiative, including the Disabled Australian Apprentice Wage Support Program, or
- otherwise, be a position that would result in a Non-Payable Outcome — refer to 11.5.3 Non-Payable Outcomes.

Employers cannot receive the Inclusive Employment Australia Wage Subsidy if, within the previous 12 months, the Employer has received another Inclusive Employment Australia Wage Subsidy for the same position. This does not include Employers with multiple positions with the same duties, for

example factory line workers. In this case, the Inclusive Employment Australia Wage Subsidy can be offered for each individual position (see also 8.5.4 Concurrent funding).

An agreed Wage Subsidy Placement can proceed where the Participant commences Employment up to 14 days earlier than the Job Placement Start Date recorded in the Department's IT Systems if they were eligible on the actual start date. The Wage Subsidy period can start from either the first week of work, or from the Wage Subsidy Agreement start date for a maximum of 26 weeks. Payroll evidence of the actual start date must be provided.

 In these circumstances, do not change the start date in the system, as this will void the approved Wage Subsidy Agreement with the reason 'Created in Error'.

Note: The 14-day 'grace period' applies to approved Wage Subsidy Agreements only. The policy intent is to ensure Employers are not disadvantaged where they have commenced a Participant earlier than advised and be ineligible based on prior employment. Unless otherwise notified by the Department, this flexibility must not be used to extend the 28-day timeframe to enter into a Wage Subsidy Agreement with an Employer.

8.3 Wage Subsidy Levels and Participant Employment Benchmarks

The Inclusive Employment Australia Wage Subsidy has different levels based on the number of hours the Employer agrees to provide, on average each week, during the 26-week Wage Subsidy Agreement Term as outlined in the table below.

Inclusive Employment Australia Wage Subsidy Levels

Level	Maximum Value and Average Weekly Hours
Level 1	Up to \$3,000 where the Employer agrees to provide Employment of 8 hours or more per week.*
Level 2	Up to \$5,000 where the Employer agrees to provide Employment of 15 hours or more per week.
Level 3	Up to \$7,500 where the Employer agrees to provide Employment of 20 hours or more per week.
Level 4	Up to \$10,000 where: <ul style="list-style-type: none">the Employer agrees to provide Employment of 30 hours or more per week ORthe Employer agrees to provide Employment of 20 hours or more per week, if the Participant is aged under 25 years.

*** Note:** Participants with a 0-7 hour work capacity are eligible for a Wage Subsidy if the Employer agrees to offer 8 hours or more on average each week. However, the Wage Subsidy is payable at the Level 1 amount in the Wage Subsidy Agreement if the Wage Subsidy Participant achieves an average of at least 5 hours per week Employment (see 8.5.3 Calculating Wage Subsidy Payments for Employers for more information on pro-rata Wage Subsidy Payments).

The Wage Subsidy value cannot be more than 100% of the wage paid to the Participant during the 26-week Wage Subsidy Agreement Term. Providers must also not supplement the Inclusive Employment Australia Wage Subsidy using their own funds or other additional funding.

(Deed Reference(s): Clause 122.3, 116.5)

The Provider and Employer must agree in advance of the Wage Subsidy commencing what Wage Subsidy Payment amount will apply. The agreed amount must be set out in the Wage Subsidy Agreement.

Note: Reimbursement of the Wage Subsidy cannot exceed the original amount specified in the Wage Subsidy Agreement (see 8.6 Claims for Reimbursement).

In terms of applying the level of Wage Subsidy, the following is provided as an example.

- The Wage Subsidy Agreement specifies the Wage Subsidy Employer will provide the Wage Subsidy Participant with an average of 20 hours work per week over the Wage Subsidy Agreement Term. This meets the criteria for level 3. The maximum agreed Wage Subsidy available for level 3 is up to \$7,500. The Provider has discretion to offer a lower amount (e.g. \$6,000). In this scenario:
 - Where the Wage Subsidy Agreement includes a lower amount than the maximum for level 3, the Wage Subsidy Employer cannot receive more than the agreed Wage Subsidy Payment amount (i.e. cannot claim \$7,500 if they agreed to \$6,000).
 - If the Wage Subsidy Participant works average hours equivalent to a higher level of Wage Subsidy (i.e. 30 hours or more per week), the Wage Subsidy Employer is not eligible for a higher level of Wage Subsidy Payment (i.e. under level 4 the maximum agreed amount was up to \$10,000). The Wage Subsidy Employer cannot receive more than the agreed Wage Subsidy amount.
 - If the average hours specified in the Wage Subsidy Agreement are not met, including if a lower number of average hours are achieved that would have meet the average hours equivalent to a lower level of Wage Subsidy (i.e. 15 hours or more per week), a pro-rata Wage Subsidy Payment must be calculated according to the number of Consecutive Weeks the Wage Subsidy Participant was employed at 20 hours per week, on average, from the Job Placement Start Date. The Wage Subsidy Employer is not eligible for an equivalent amount for the lower level of Wage Subsidy Payment (i.e. under level 2 the maximum agreed amount was up to \$5,000).

Participants aged under 25 years

To help young Participants (those aged under 25 years) find sustainable Employment, when an Employer agrees to provide a minimum of 20 hours of Employment per week on average across the Wage Subsidy Agreement Term, the highest Wage Subsidy Level of \$10,000 applies. If an Employer offers a young Participant less than 20 hours of work per week, they will only be able to agree the maximum Wage Subsidy value specified for that level (i.e. levels 1 to 3 depending on the total weekly hours worked over the Wage Subsidy Agreement Term, as per the table above).

Subsidy work hours must be enough to have met the level of an Employment Outcome

Wage Subsidies are intended to ensure Participants are offered hours of work appropriate to their work capacity. A Wage Subsidy Agreement must specify weekly hours of Employment that would allow the Participant to achieve a:

- Full or Partial Outcome for Participants who have an Employment Benchmark of 15, 23 or 30 hours per week, or
- Full Outcome for Participants who have an Employment Benchmark of 0 or 8 hours per week (as an Inclusive Employment Australia Wage Subsidy must be for a minimum of 8 hours per week average).

The following table shows which levels of Wage Subsidy may be available for Participants, based on their Employment Benchmark.

Inclusive Employment Australia Wage Subsidy Level Availability by Benchmarks

Participant's Employment Benchmark	Partial Outcome Hours	Level 1: 8-14 hours per week	Level 2: 15-19 hours per week	Level 3: 20-29 hours per week	Level 4: 30+ hours per week
0 hours	N/A*	Available	Available	Available	Available
8 hours	N/A*	Available	Available	Available	Available
15 hours	10-14	Available**	Available	Available	Available
23 hours	15-22	Not available	Available	Available	Available
30 hours	20-29	Not available	Not available	Available	Available

*** Note:** An Inclusive Employment Australia Wage Subsidy has a minimum requirement of 8 hours of Employment on average per week.

**** Note:** A Participant with an Employment Benchmark of 15 hours per week can achieve a Partial Outcome with Employment of 10 hours per week on average. The Provider can agree a Level 1 Wage Subsidy (8-14 hours per week) for this Participant only when the Employer has agreed to offer an average minimum of 10 hours per week of Employment.

In terms of applying the Employment Benchmark for a Wage Subsidy, the following is provided as an example.

- A Participant with an assessed work capacity of 23-29 hours per week has an Employment Benchmark of 23 hours per week. The Participant can achieve a Full Outcome if they work 23 hours per week or higher, and a Partial Outcome if they work between 15 and 22 hours per week. In this scenario, the Provider:
 - cannot offer a level 1 Wage Subsidy as Employment at 8-14 hours would not be at the level required for an Outcome
 - can offer a level 2 Wage Subsidy as Employment at 15-19 hours would be at the level required for a Partial Outcome, and
 - can offer a level 3 or 4 Wage Subsidy as these hours would achieve a Full Outcome.

Note: If a Wage Subsidy Participant does not work the required hours for some weeks, but remains Employed, the Wage Subsidy Agreement must continue even though the Participant may not achieve Employment at the level of a Full or Partial Outcome. Providers must continue to support the Wage Subsidy Participant and Employer through the remainder of the Wage Subsidy Agreement Term and the Employer may be eligible for pro-rata Payments (see 8.5.3 Calculating Wage Subsidy Payments for Employers).

8.4 Negotiating the Inclusive Employment Australia Wage Subsidy

8.4.1 Offering and Negotiating Wage Subsidy Agreements

Providers are expected to use their discretion to determine if a Wage Subsidy is the most effective intervention to secure employment. Wage Subsidies are not intended to support the ongoing financial viability of a business. Wage Subsidies are not intended to support the ongoing financial viability of a business.

Instances where a Provider might consider a Wage Subsidy is appropriate includes if the financial incentive:

- would cause the Employer to offer an appropriate employment opportunity, or
- would result in the Employer increasing the number of hours of work being offered, on an ongoing basis, to an appropriate number of work hours for the Participant.

Confirming eligibility

Before offering a Wage Subsidy, the Provider must confirm that:

- the Participant meets Wage Subsidy Participant eligibility requirements, and determine what levels of Wage Subsidy are available for the Participant
- the Employer meets Wage Subsidy Employer eligibility requirements, and has (or is willing to) open an active Workforce Australia Online for Businesses account, and
- the proposed Job Placement meets Wage Subsidy Placement eligibility requirements.

Offering and negotiating a Wage Subsidy

Providers must commence Wage Subsidy Agreement negotiations with an eligible Employer before the Wage Subsidy Placement starts. The Provider must ensure the Employer understands that:

- no Wage Subsidy has been agreed or promised until the Employer approves a Wage Subsidy Agreement that sets out the terms of the subsidy
- the Employer must have an active Workforce Australia Online for Business account to be eligible for a Wage Subsidy, and
- no Wage Subsidy Payment will be made if the Wage Subsidy Placement ends within the first 6 weeks (42 days) of the Wage Subsidy Agreement Term.

Providers are responsible for negotiating and managing all elements of a Wage Subsidy Agreement including making Wage Subsidy Payments to Wage Subsidy Employers. Providers must not charge Wage Subsidy Employers to manage their Wage Subsidy Agreement or use any of the Wage Subsidy for this purpose.

Providers will negotiate:

- the date Employment will commence, from when the Wage Subsidy Agreement will take effect
- how many hours will be offered as part of the placement — this will determine the appropriate Wage Subsidy level to be applied – the Provider must consider the Participant's Employment Benchmark and personal circumstances in determining a Participant's average weekly hours
- how the Provider will support the Participant and Employer during the Wage Subsidy Placement, including if any ongoing adjustments are required and any applications to the Employment Assistance Fund (EAF)
- how the Employer will support the Participant
- the Wage Subsidy value (up to the set maximum value for the Participant's circumstances)
- what Instalment Payment period(s) work best for the Wage Subsidy Employer's business — refer to 8.5 Payments to Wage Subsidy Employers, and
- the mechanism the Wage Subsidy Employer will use to demonstrate that the Wage Subsidy conditions were — refer to Documentary Evidence requirements outlined in 8.8 Record Keeping.

Based on these negotiations, some standard Wage Subsidy conditions are set:

- the date of commencement of the Wage Subsidy is the Job Placement Start Date
- the duration of the Wage Subsidy Agreement Term is 26 weeks, and

- the maximum value and minimum employment hours of the Wage Subsidy are determined by the level being offered and/or if the Participant is under 25 years of age.

The agreed terms and conditions of the Wage Subsidy must be set out in a Wage Subsidy Agreement that must be approved by the Wage Subsidy Employer within 28 days of the Wage Subsidy Participant's Job Placement Start Date.

8.4.2 Entering into Wage Subsidy Agreements

Head Agreement and Schedules

The Wage Subsidy Agreement includes a:

- 'Head Agreement' with general terms and conditions, and
- 'Schedule' with the specific terms relating to the Wage Subsidy Placement and Wage Subsidy Participant.

Providers must enter into a Head Agreement once with each Wage Subsidy Employer, via the Department's IT Systems and the Wage Subsidy Employer's Workforce Australia Online for Businesses account.

A separate Schedule for each new Wage Subsidy Participant will be attached to the Head Agreement. Schedules contain the specific details of the Wage Subsidy Placement for each new Wage Subsidy Participant.

Each Schedule the Provider attaches to the Head Agreement will relate to a single Wage Subsidy Placement and will create a separate Wage Subsidy Agreement between the Provider and the Wage Subsidy Employer in relation to that specific Wage Subsidy Placement.

Both the Head Agreement and the Schedule must be in the format specified by the Department, created in the Department's IT Systems.

- 📄 Where the Department changes the terms and conditions of the Head Agreement, the Provider must enter into a new Head Agreement with each Wage Subsidy Employer in accordance with the updated terms and conditions before attaching any new Schedules for each new Wage Subsidy Participant.

Providers must explain the terms and conditions of the Wage Subsidy Agreement to the Employer to ensure they fully understand their rights and obligations in accepting the Wage Subsidy. This includes Documentary Evidence requirements and that the Employer must advise immediately if the Wage Subsidy Placement terminates early.

- 💻 Wage Subsidy Agreements must be created in the Department's IT Systems by the Provider and approved online by the Employer in their Workforce Australia Online for Business account.
- 💻 The Wage Subsidy Agreement Schedule must:
 - link the Vacancy, Wage Subsidy Employer and Placement details
 - specify the minimum average hours of employment that the Employer must provide the Wage Subsidy Participant each week, and
 - set out the maximum amount of the Wage Subsidy being offered, based on the agreed level.

Wage Subsidy Agreements will not be accepted in an offline format.

- 💻 If amendments to the Wage Subsidy Employer's information are required - for example, a change to the Employer's ABN - the Provider must update the changed details in the Department's IT Systems.

Large Employers and ABN

Where a large Employer has multiple subsidiaries, the ABN of the subsidiary business directly employing the Participant (i.e. the Wage Subsidy Employer), must be listed on the Wage Subsidy Agreement. The Provider must ensure the Employer understands which ABN is required to be recorded in the Department's IT System for each Head Agreement.

Time requirements for approving a Wage Subsidy

Providers must:

- negotiate and agree a Wage Subsidy with an eligible Employer prior to the Participant's Job Placement Start Date, and
- ensure that the Employer has approved the Wage Subsidy Agreement within 28 days of the Job Placement Start Date.

The 28-day timeframe allows Employers time to consider the terms and conditions of the Wage Subsidy Agreement and to provide their approval online. Providers must ensure Employers are aware that Wage Subsidy Agreements will not be approved beyond the 28-day period from the commencement of Employment.

Providers will not be Reimbursed for any payments made to a Employer where an approved Wage Subsidy Agreement is not in place.

Providers must have appropriate administrative processes in place to meet the 28-day timeframe and must work with Employers to ensure that this timeframe is met. The Department may take compliance action(s) against a Provider where there is evidence (e.g. correspondence and/or a draft Wage Subsidy Agreement in the Department's IT Systems) that the Provider delayed the Employer's online approval. This includes, and is not limited to, Provider delays caused by:


- not confirming the Employer's eligibility prior to offering a Wage Subsidy
- offering a Wage Subsidy to an Employer after the Participant has commenced their Job Placement, or
- failing to respond to Employer enquiries in a timely manner.

Employer Notifications

Throughout the Wage Subsidy Agreement Term, the Department's IT Systems will send notifications to a Wage Subsidy Employer's email address to prompt action related to the Wage Subsidy Agreement. Some notifications are triggered manually by the Provider, while others are automated. The following outlines the different types of notifications a Wage Subsidy Employer may receive.

Wage Subsidy Agreement is ready for approval

When a Wage Subsidy Agreement is ready for the Employer to approve, an email notification will be sent to the Employer.

-  To trigger the notification, select 'Send for approval' on the draft Agreement screen. The email will include a link to Workforce Australia Online for Businesses. The Employer must use this link to access the online draft Agreement for approval.

For Employers entering into their first Wage Subsidy with the Provider, the notification will trigger two approval requests — one to accept the terms and conditions of the Head Agreement and another to confirm the Schedule.

For any subsequent Wage Subsidies, the Head Agreement remains the same, so this notification will ask Employers to review and approve the additional Schedules only.

The first Wage Subsidy approved between the Provider and the Employer via this notification will also link the Employer's Workforce Australia Online for Business account with the Head Agreement. This ensures the Employer can access and manage this and all future Wage Subsidy Agreements via their account.

Wage Subsidy Agreement is ready to view and manage

After the Employer approves a Schedule, the Employer will automatically receive a notification confirming the Wage Subsidy Agreement is now active. The notification will advise the Wage Subsidy Employer that they will start receiving email reminders requesting Wage Subsidy Payments after the Wage Subsidy Participant has remained Employed for the minimum 6-week period of Employment.

- Following approval of the Agreement by the Employer, the status of the Agreement in the Department's IT Systems will change from 'Draft' to 'Approved'.

ABN attached to a Wage Subsidy Head Agreement has been updated and requires Employer re-approval

When a Wage Subsidy Employer changes their ABN, they will need to set up a new Workforce Australia Online for Business Account linked to the new ABN.

Once the Wage Subsidy Employer has set up their account, the Provider must update the Wage Subsidy Employer's Head Agreement in the Department's IT Systems with the new ABN. The Provider must check if the Wage Subsidy Employer's email details are still current and correct and then send the Head Agreement for re-approval.

- Select 'Resend for Approval' to trigger notification to the Wage Subsidy Employer's email address.

The Head Agreement must be re-approved by the Wage Subsidy Employer before the end date of any Schedule. If a Schedule reaches the end date without re-approval, the Department's IT Systems will prevent any Wage Subsidy Payments.

Wage Subsidy Payment is due

After each agreed Wage Subsidy Payment instalment period (completed after the first 6 weeks of the Wage Subsidy Agreement Term), the Wage Subsidy Employer will be sent a reminder notification. This will inform them they can request a Wage Subsidy Payment, as set out in the schedule, by invoicing the Provider and supplying documentary evidence.

Wage Subsidy Agreement Term has been completed

On the Wage Subsidy Agreement end date, an automatic notification is sent to the Wage Subsidy Employer to advise them to submit their documentary evidence and invoice for the final Wage Subsidy Payment within 28 days of the Wage Subsidy Agreement end date.

8.5 Payments to Wage Subsidy Employers

A Provider may pay a Wage Subsidy Employer a Wage Subsidy Payment progressively throughout the 26-week Wage Subsidy at agreed instalment periods, or at the conclusion of the 26-week Wage Subsidy Agreement Term.

The Provider must only pay a Wage Subsidy Payment if the Wage Subsidy Employer has:

- approved the Wage Subsidy Agreement online via Workforce Australia Online for Businesses
- invoiced the Provider for a Wage Subsidy Payment, and
- submitted documentary evidence that demonstrates the conditions of the Wage Subsidy Agreement have been met.

- Documentary Evidence must confirm the Wage Subsidy Participant has worked the required minimum average weekly hours under the Wage Subsidy Agreement for the invoiced period.

The Wage Subsidy Employer may be eligible for a pro-rata Payment if the Employment ends early, provided the Employment lasts at least 6 weeks (see 8.5.3 Calculating Wage Subsidy Payments for Employers).

In all cases, Wage Subsidy Payments must not exceed:

- the actual wages paid to the Participant, or
- the maximum value specified in the Wage Subsidy Agreement.

8.5.1 Assessing Periods of Leave

Where a Wage Subsidy Participant has paid or unpaid leave approved in accordance with entitlements under a relevant Modern Award or the National Employment Standards, it can count towards the minimum hours required under the Wage Subsidy. Unpaid leave will not count as wages paid by the Employer in calculating the total Wage Subsidy Payment amount that the Wage Subsidy Employer is eligible to receive from the Provider.

A Wage Subsidy Employer cannot use approved leave to regularly supplement a Wage Subsidy Participant's work hours for the purpose of meeting the minimum average number of hours per week. A Wage Subsidy Participant declining work or failing to turn up for work is not approved leave.

- The Wage Subsidy Employer must provide records of approved leave. Evidence of approved leave (paid or unpaid) must show that the Wage Subsidy Employer agreed to the leave at the time the Wage Subsidy Participant requested it, and can either be:
 - recorded on the Wage Subsidy Participant's payslip, or
 - on a written declaration from the Wage Subsidy Employer.

Workers Compensation

Workers Compensation payments are an acceptable form of approved leave and count toward the hours worked by the Wage Subsidy Participant, provided this is reflected in Documentary Evidence.

Workers Compensation payments made to the Participant do not count as wages paid by the Employer in calculating the total Wage Subsidy Payment that the Wage Subsidy Employer is eligible to receive.

Providers cannot offer a Wage Subsidy for Participants already receiving Workers Compensation payments. The Worker's Compensation must have commenced during the 26-week Wage Subsidy Agreement Term to count towards the hours worked.

8.5.2 Change of Business Ownership

If a Wage Subsidy Employer changes ownership, the new owner is eligible to claim the remaining Wage Subsidy Payment(s), provided all other eligibility requirements are met. The Wage Subsidy Agreement must be novated between the parties before the new owner can claim the remaining Wage Subsidy Payment(s).

8.5.3 Calculating Wage Subsidy Payments for Employers

The Wage Subsidy Employer may be eligible for the following payment types throughout the term of the Wage Subsidy Agreement:

- Instalment Payments
- Pro-rata Payments, and

- Final Wage Subsidy Payment.

Instalment Payments

When discussing the terms of the Wage Subsidy Agreement, the Provider must negotiate with the Wage Subsidy Employer the Wage Subsidy Payment frequency to create instalments that suit the Wage Subsidy Employer's business.

Payments can be made progressively to the Wage Subsidy Employer in either weekly, fortnightly, or monthly instalments. Alternatively, they may be paid as a lump sum of the full amount upon completion of the 26-week Wage Subsidy Agreement Term, or another timeframe as agreed by the Provider and Wage Subsidy Employer.

The Wage Subsidy Employer is only eligible to receive a Wage Subsidy Payment where they have met the terms and conditions of the Wage Subsidy Agreement, including meeting the agreed cumulative average weekly hours applicable at the time of requesting each Wage Subsidy Payment.

- 📅 Providers will need to set the instalment frequency to align with the Schedule negotiated with the Employer. The frequency selected will trigger system notifications to the Employer.

Pro-rata Payments

A pro-rata Wage Subsidy Payment is available to a Wage Subsidy Employer if the Wage Subsidy Participant has completed the first 6 weeks (42-days) of their Job Placement and:

- the Job Placement ends early (i.e. before 26-weeks of the Wage Subsidy Agreement Term), and/or
- the Wage Subsidy Participant does not work the minimum average weekly hours specified in the Wage Subsidy Agreement across the Wage Subsidy Agreement Term after considering any approved leave.

If a Wage Subsidy Placement ends within the first 6 weeks (42 days) of the 26-week Wage Subsidy Agreement Term, the Wage Subsidy Employer is not entitled to any Wage Subsidy Payment(s).

To determine the Wage Subsidy Payment amount that the Wage Subsidy Employer is entitled to:

- divide the total Wage Subsidy value by the 26 weeks of the Wage Subsidy Agreement Term, to calculate the weekly rate, and
- multiply the weekly rate by the number of Consecutive Weeks the Wage Subsidy Participant was employed for the minimum average weekly hours specified in the Wage Subsidy Agreement, from the Job Placement Start Date.

The Department has made available a [Wage Subsidy Calculator \[LINK\]](#) on the Provider Portal to help with determining the Wage Subsidy Payment amount.

Note: The 100% rule applies to all Wage Subsidy Payments — the total value will not exceed 100% of the Wage Subsidy Participant's wages at any point over the Wage Subsidy Agreement Term.

Wage Subsidies must not be paid at a lower level if the average hours specified in the Wage Subsidy Agreement are not met, including if a lower number of average hours are achieved that would have met the criteria for that level of Wage Subsidy (see the example provided in 8.3 Wage Subsidy Levels and Participant Employment Benchmarks).

For Wage Subsidy Participants with a 0-hour Benchmark (0-7 hour assessed work capacity) only, if the Wage Subsidy Participant is offered an average of 8 hours per week Employment in the Wage Subsidy Agreement but only achieves an average of 5 hours per week Employment, the Provider may be eligible for reimbursement for the full Level 1 amount specified in the Wage Subsidy Agreement. The Provider may only be reimbursed for up to 100% of the wages paid.

Final Payments

As specified in the Wage Subsidy Head Agreement, Wage Subsidy Employers have 28-days from the end date of the Wage Subsidy Agreement to request Payment of any remaining / final balance. Employers must submit an invoice to the Provider, based on evidence that the Wage Subsidy Participant has worked the required average minimum weekly hours across the duration of the Wage Subsidy Agreement Term.

8.5.4 Concurrent funding

Under the terms and conditions in the Head Agreement, Wage Subsidy Employers are required to notify Providers of any Commonwealth, State or Territory Government funding they receive for the Wage Subsidy Participant.

Wage Subsidy Employers cannot access the Inclusive Employment Australia Wage Subsidy if they receive funding from other Commonwealth, State or Territory Government wage subsidies or similar employment program funding for the same Participant in the same position as the Wage Subsidy Placement.

The Provider should continue to check whether or not the Wage Subsidy Employer is following the above requirements throughout the Wage Subsidy Agreement Term.

8.5.5 Wage Subsidy Employers not registered for GST

The total maximum amounts of a Wage Subsidy specified in these Guidelines are GST inclusive. Where a non-GST registered Wage Subsidy Employer submits a Tax Invoice for the correct amount of a Wage Subsidy to a Provider, the Provider must pay the Wage Subsidy Employer the amount (GST exclusive).

When the Provider submits a claim for Reimbursement, the Department will pay the full amount (GST inclusive). The Provider is responsible for remitting the GST amount to the Australian Tax Office.

8.6 Claims for Reimbursement

A Provider can claim Reimbursement for a Wage Subsidy Payment if:

- all terms and conditions of the Deed, these Guidelines, and the Wage Subsidy Agreement have been met
- the Participant has remained Employed for at least 6 weeks
- the Provider has made an agreed Instalment Payment out of their own funds to the Wage Subsidy Employer
- the Reimbursement claim is for the same dollar value they paid the Wage Subsidy Employer, and
- they have retained sufficient Documentary Evidence to demonstrate the above.

The Department has no obligation to Reimburse the Provider for a Wage Subsidy where the Provider has failed to make a claim for Reimbursement.

The Department will monitor Providers' use and Reimbursement of Wage Subsidies. Incidents of misuse or misappropriation by a Provider may be subject to the *Criminal Code Act 1995* (Cth).

8.6.1 Time requirements for claiming a Reimbursement

Providers must submit all claims for Reimbursement no later than 56 days after the end of the Wage Subsidy Placement.

Under the general terms and conditions in the Head Agreement, Wage Subsidy Employers are required to notify Providers immediately if the Wage Subsidy Participant's Employment ends before the end date of the Wage Subsidy Agreement. Providers must record the correct Placement end date in the Department's IT Systems and must claim Reimbursement no later than 56-days from the end of the Wage Subsidy Placement.

Providers must have appropriate administrative processes in place to meet the 56-day timeframe and must work with Wage Subsidy Employers to ensure that this timeframe is met. Providers who fail to meet the 56-day timeframe may not be Reimbursed.

Payments to Employers

Under the Head Agreement, Providers must make the final Wage Subsidy payment to the Wage Subsidy Employer where, within 28 days from the end of the Wage Subsidy Placement, the Employer:

- requests the final Wage Subsidy payment, and
- supplies the required Documentary Evidence for that payment to the Provider.

Providers may choose to make the final Wage Subsidy payment to the Wage Subsidy Employer when they submit the required Documentary Evidence after the 28-day timeframe, if all other eligibility requirements are met. However, the Provider must claim the Reimbursement from the Department no later than 56 days from the end of the Wage Subsidy Placement.

Recovery of Reimbursement Claims Paid

The Department may recover any Reimbursements made to the Provider where the Department determines, at its absolute discretion, that the Wage Subsidy Employer has:

- misused the Wage Subsidy
- not met the terms and conditions of the Wage Subsidy Agreement
- been suspended and/or excluded by the Department from participating in Wage Subsidies, or
- otherwise engaged in an activity that may bring, or could be perceived to bring, the use of government payments or the Commonwealth of Australia into disrepute.

The Department may at its absolute discretion, also recover any Reimbursement made to the Provider where the Department determines that the Provider has not met the requirements of the Deed or these Guidelines.

8.7 Managing Wage Subsidy Agreements for Wage Subsidy Participants

8.7.1 Supporting Participants on Wage Subsidies

Providers are expected to support Wage Subsidy Participants and Wage Subsidy Employers to maximise the success of Wage Subsidy Placements. As a Wage Subsidy Participant is usually in Post Placement Support, the Provider's support may also assist the Wage Subsidy Participant to successfully complete an Employment Outcome.

In some cases, a Wage Subsidy Participant may return to Pre-Employment Support because they have not worked the agreed minimum average hours and will therefore not meet the required hours to achieve an Outcome. The Provider must continue to support these Participants during the remaining part of the Wage Subsidy Agreement Term. The Provider can re-anchor the Job Placement in Post Placement Support, where appropriate (see 9.5.4 Re-anchoring Job Placements).

Providers should immediately advise the Department if a Wage Subsidy Participant reports any Incidents of inappropriate or unsafe workplace behaviour and must follow the appropriate process and protocols as outlined in these Guidelines.

8.7.2 Managing Wage Subsidy Agreements for Transferred Participants

If a Wage Subsidy Participant transfers to another Provider, the Gaining Provider must contact the Transferred Wage Subsidy Participant's Employer and use their best endeavours to enter into a new Wage Subsidy Agreement with the Wage Subsidy Employer to maintain the terms and conditions in the original Wage Subsidy Agreement.

(Deed Reference(s): Clause 122.6, 122.7)


A new Wage Subsidy Agreement between the Wage Subsidy Employer and the Gaining Provider ensures that the Participant continues to be supported in their Placement, and that all parties understand the terms and conditions of the new Wage Subsidy Agreement.

8.8 Record Keeping

Below is a summary of the Documentary Evidence requirements for this Chapter.

Evidence from the Wage Subsidy Employer of Participant's Employment


Providers must upload mandatory Documentary Evidence of the Wage Subsidy Participant's Employment into the Department's IT Systems at the time of making a claim for Wage Subsidy Reimbursement.

 Documentary Evidence must confirm the Wage Subsidy Employer's details (including name and ABN) and the Wage Subsidy Participant's full name.

- The ABN on the Documentary Evidence must match the ABN on the approved Wage Subsidy Agreement. Exceptions that can be supported with additional evidence are:
 - Employer engages a third party to act on their behalf to manage the administration of a Wage Subsidy
 - Employer has a separate ABN for the payroll function in their business structure, or
 - Employer's ABN has changed since the agreement was approved and the Department's IT system does not support a corresponding change to the Head Agreement (for example, when the ABN change is not identified until after the Wage Subsidy Agreement end date).

In these cases, the Provider should obtain sufficient Documentary Evidence which clearly explains the relationship across the ABNs. This includes a written statement from the Employer that explains the reason for the discrepancy, supported with the Provider's record of any impacting IT issue, if relevant.

- If the Wage Subsidy Employer is a labour hire company or group training organisation:
 - the ABN of the host business(es) the Wage Subsidy Participant was placed with throughout the Wage Subsidy Agreement Term. This can be recorded on the Wage Subsidy Payroll Declaration template, provided via email or included in the statutory declaration, and
 - evidence the labour hire company or group training organisation disclosed they were receiving an Inclusive Employment Australia Wage Subsidy to the host business.

 Documentary Evidence must include evidence to confirm the Wage Subsidy Participant's Employment which demonstrates the hours worked each week (including any periods of

approved leave taken) and wages paid for the entire Wage Subsidy Period, which may be in the form of (but is not limited to):

- a completed [Wage Subsidies Payroll Declaration \[LINK\]](#) (available on the Provider Portal), or
- payslips or a printout from the Wage Subsidy Employer's payroll software, or
- a statutory declaration, email or other correspondence from the Wage Subsidy Employer.

☞ Where a Wage Subsidy Participant's Employment ends before the Wage Subsidy Placement end date, a written statement of the reason why the Employment ended is required.

The Department can request additional Documentary Evidence from Providers relating to a Wage Subsidy Placement, Wage Subsidy Participant and/or Wage Subsidy Agreement from Providers, to support Program Assurance Activities. If Providers do not have this Documentary Evidence, they can request it from a Wage Subsidy Employer. Employers are required under the Wage Subsidy Agreement to supply any requested information.

Evidence from Provider for Claims for Reimbursement

Providers must also demonstrate payment of a Wage Subsidy amount to the Wage Subsidy Employer before claiming a Reimbursement.

Tax File Numbers must be redacted from any payslips before being uploaded into the Department's IT Systems as Documentary Evidence to support Wage Subsidy Payments.

- ☞ Documentary Evidence demonstrating payment may be in the form of a:
- record of transaction (bank statement or report from the Provider's financial system)
 - Tax Invoice and corresponding receipt from the Wage Subsidy Employer
 - Tax Invoice from the Wage Subsidy Employer and a remittance advice, or
 - statutory declaration, email or other correspondence from the Provider.
- ☞ Documentary Evidence to support a claim for Reimbursement must confirm:
- the Wage Subsidy Participant's name and JSID
 - the Wage Subsidy Employer's details (including name and ABN)
 - the amount of the Wage Subsidy Payment, and
 - the date the Wage Subsidy Payment was made.

In addition to the mandatory Documentary Evidence requirements to support Payment integrity activities, Providers are also encouraged to upload other relevant evidence (correspondence or file notes) to support their claims, particularly if there were unusual or complex circumstances that require further explanation.

Chapter 9: Post Placement Support

Supporting Documents for this Chapter

- [Meaningful exchange of email or text messages Provider Fact Sheet \[LINK\]](#)
- [Permissible Breaks in Employment Provider Fact Sheet \[LINK\]](#)
- [Employment Assistance Fund Guidelines](#)

9.1 Chapter Overview

This Chapter outlines a Provider's responsibilities when delivering Post Placement Support. This includes:

- when to move a Participant to Post Placement Support
- how to support a Participant to achieve Employment Outcomes
- how Post Placement Support links to Ongoing Support, and
- when a Participant Exits from Post Placement Support.

Post Placement Support is available as part of the In-Employment Support phase of Inclusive Employment Australia. A Participant receives Post Placement Support when their Provider considers the Participant's Job Placement is likely to continue to an Employment Outcome. The Provider decides when to anchor a Job Placement by moving the Participant to Post Placement Support. This starts an Outcome Period.

During Post Placement Support:

- Participants and their Employer can receive support to ensure the Job Placement is successful, and
- Providers receive Fees to support sustained and successful Job Placements.

Fees available in Post Placement Support may include:

- Progress Fees after 4-weeks of sustained Employment — refer to 11.4 Progress Fees
- Outcome Fees after a 12-week Period, 26-week Period and 52-week Period of sustained Employment — refer to 11.5 Outcome Fees, and
- Moderate Intellectual Disability (MID) Payments, which may be paid in addition to Full Employment Outcome Fees if the Participant has moderate intellectual disability and has worked on average at least 15 hours per week over the Outcome Period — refer to 11.6 Moderate Intellectual Disability Payment.

Providers must deliver Post Placement Support to a Participant who has commenced a Job Placement which is progressing towards an Employment Outcome until the Participant has completed a 26-week Employment Outcome. The Provider must continue to support the Participant until they achieve a 52-week Employment Outcome by delivering either Post Placement Support or Ongoing Support.

The Participant will receive Post Placement Support to help with keeping their Employment until the Participant returns to Pre-Employment Support, starts receiving Ongoing Support or is Exited (see 9.6 Moving between Post Placement Support and other phases).

The Provider must Exit a Participant (Voluntary) who does not wish to receive Post Placement Support and who is eligible to Exit, as outlined in Chapter 3: Commencements, Transfers, Suspensions and Exits.

9.2 Post Placement Support

Providers must deliver Post Placement Support to Participants for the duration that they are in Post Placement Support.

Post Placement Support can include:

- regular Contacts to the Participant, as needed, to support the Job Placement
- support for the Employer (where agreed by the Participant), including advice about disability management and available support
- help with the costs of necessary equipment, licenses or transport
- supporting the Participant and/or Employer to access funding for workplace modifications and equipment where needed, through the Employment Assistance Fund (EAF).

Services provided during the Post Placement Support phase will vary depending on the circumstances of the Participant, Employer and Job Placement.

Providers should keep an effective, positive relationship with the Participant and/or Employer to ensure the effectiveness of the Job Placement. An effective relationship will also help the Provider to collect Documentary Evidence that must support any claim for an Employment Outcome Fee.

Providers must take into account any sensitivities, for example, whether the Participant has not disclosed their disability to their Employer and/or whether the Participant does not want their Provider to contact their Employer. In these instances, the Provider would contact the Participant only. Providers must not disclose the Participant's disability, health condition or other personal details to the Participant's Employer unless the Participant has consented to the disclosure.

(Deed Reference(s): Clause 119, 121)

9.3 Movement to Post Placement Support

9.3.1 Vacancy management

Providers record the details of Job Placements, including Vacancies sourced by the Participant, in the Department's IT Systems as a Vacancy.



Providers will need to enter a range of information including a job description, Employer details, hours, salary, Vacancy type and whether the job was sourced by the Participant.

Vacancy types are:

- normal position — used when none of the more specific types below are applicable
- Apprenticeship or Traineeship
- Pre-Existing Employment
- internship
- graduate
- seasonal
- self-employment.

When sourcing Vacancies for a Participant, Providers must ensure the Vacancy is not a Non-Payable Outcome, including that the relevant minimum wage is satisfied — Providers may wish to refer to information on Minimum Wages published by the [Fair Work Ombudsman](#). Providers must not refer Participants to any Vacancy that does not meet minimum requirements under applicable workplace legislation.

In addition, Providers must not anchor any Participant-sourced Vacancy or claim an Outcome Fee for that placement if the Provider becomes aware the employment does not meet National Minimum Wage requirements. In this case, the Provider should ensure the Participant is aware of the information and assistance available to them through the Fair Work Ombudsman.

-  Providers must lodge Vacancies in the Department's IT Systems and follow the workflow to provide a complete record of the Employment details.
-  Providers must connect the Vacancy record with a Participant in the Department's IT Systems when the Participant is placed into the Vacancy. This includes the date the Participant started in the Job Placement.

Placements with the Provider or Related Entity

Providers can place a Participant into a paid Employment position with the Provider's Own Organisation or Related Entity. However, Job Placements within a Provider's Own Organisation or Related Entity cannot form part of any Employment Outcome claim unless the Provider has obtained the Department's written agreement that the Job Placement can be used this way. This is because there is a real or apparent conflict of interest when a Provider can claim an Outcome Fee by Employing a Participant on their own Caseload.

Providers can seek the Department's approval of an Own Organisation or Related Entity Job Placement by sending an email to the relevant Relationship Account Manager that sets out the full circumstances of the Job Placement, including:

- the intended work duties, term of employment, hours and wages
- why the Provider wishes to make the placement, and
- any other relevant employment placements the Participant has undertaken relating to the proposed Vacancy.

The Department may agree to an Own Organisation or Related Entity Job Placement where the Department is satisfied that the Job Placement is genuine Employment that is suitable for the Participant, and where the Provider would bear the full cost of the Employment for the Full Outcome Period.

If the Department does not provide agreement, the Provider can continue to support the Participant's Employment in the Own Organisation or Related Entity but cannot anchor the Job Placement or claim an Employment Outcome.


Providers cannot use a Wage Subsidy for any Job Placement with a Provider's Own Organisation or Related Entity (as outlined in 8.2.2 Employer Eligibility).

(Deed Reference(s) Clauses 122.4, 163.2)

9.3.2 Anchoring a Job Placement

Participants may work in one or more Job Placements during the Pre-Employment Support phase, including as short-term or casual paid work, paid work experience placements or paid Work Trials — see 7.7.1 Paid Employment for more information.

Providers must consider whether a Participant is likely to achieve an Employment Outcome when deciding to move a Participant to Post Placement Support, as this movement ceases Service Fee payments and starts progress towards Outcome Fees and/or a Progress Fee (where relevant).

-  Providers can anchor a Job Placement in the Department's IT Systems by moving the Participant to Post Placement Support when the Participant has been placed against a recorded Vacancy. The Anchor Date can be as early as the date the Participant starts in the Job Placement, or any later date.

Note: Only one Job Placement can be anchored, even if the Participant is working in more than one Job Placement. The Participant's work across all recorded Job Placements can count towards Employment Outcome requirements.

Providers can record and anchor a Job Placement on the Department's IT systems where they are satisfied that the Participant is undertaking Unsubsidised Self-Employment. A Participant undertaking subsidised self-employment should not be anchored as they are ineligible to achieve an Outcome for that self-employment.

Next actions

Providers must update a Participant's Job Plan when they anchor a Job Placement (see 4.9 Updating a Job Plan). This must be done shortly after the movement between the Pre-Employment Support and Post Placement Support phases, at the next Contact. Once updated, the Job Plan will capture that the Participant is receiving Post Placement Support.

If the Participant has a Meaningful Engagement Job Plan, Providers also must ensure they review the tasks and activities agreed with the Participant as part of the plan for meaningful engagement and adjust / remove any that conflict with the Participant's focus on paid Employment.

If the Participant has a Detailed Job Plan, Providers must also adjust the requirements in the Participant's Job Plan. This update includes:

- adding Code EM56 [Paid Work], EM54 [Self-Employment] or ET53 [Apprenticeship/Traineeship] — depending on the nature of the Employment
- removing Activities that conflict with the focus on paid Employment, and
- adjusting tasks and activities to recognise the Participant needs to prioritise their paid Employment, including the Job Search Requirement for a Participant (Mutual Obligation).

Note: If a Participant (Mutual Obligation) is Fully Meeting their Mutual Obligation Requirements while receiving Post Placement Support, they will have no compulsory requirements in their Job Plan — refer to 5.2.1 Mutual Obligation Requirements. Those Fully Meeting their requirements are not required to look for additional work or participate in other Activities.

9.4 Participant Contact

Providers are expected to deliver regular support tailored to each Participant in Post Placement Support but are not required to deliver a minimum number of Contacts.

(Deed Reference(s): Clause 114.1)

Providers are not required to deliver specific supports during Post Placement Support because:

- the Participant is expected to concentrate on successfully undertaking their Employment, and
- the Provider is expected to provide any supports the Participant may need.

Providers must agree a mode of contact with the Participant while delivering Post Placement Support. Providers may also agree a Contact schedule with the Participant if this approach will aid in delivering support.

A Contact can be delivered via the following Engagement Methods:

- face-to-face
- as a phone conversation
- as a videoconference, and
- as meaningful email or text message exchanges (see [Meaningful exchange of email or text messages Provider Fact Sheet \[LINK\]](#) on the Provider Portal for more details).

The Provider must ensure the Participant knows how they can request support, when needed.

- 📅 If the Participant has not scheduled their hours of work as a Personal Event in the Participant's Electronic Calendar, the Provider must record this for them. The Provider must not schedule Contacts during Personal Events without first getting the agreement of the Participant.

Providers can deliver Contacts in the workplace with the agreement of the Participant and the Employer. When scheduling Contacts during the Participant's work hours, the Provider must record in a file note the Employer's willingness to allow the Participant to engage during work hours, and agreement as to whether the Contact can occur at the workplace or not.

Note: Participation requirements may continue to apply to Participants (Mutual Obligation) and DSP Recipients (Compulsory Requirements) while they receive Post Placement Support. Providers should refer to 5.6.1 Appointments for further information on how to capture Contacts and Contact Appointments for those with a Meaningful Engagement Job Plan or Detailed Job Plan.

9.5 Employment Outcome conditions

Moving a Participant to Post Placement Support anchors the first Outcome Period and starts the Participant's progress towards meeting Employment Outcome requirements.

Providers may claim Outcome Fees when a Participant they are servicing achieves an Employment Outcome in Employment, Unsubsidised Self-Employment, an Apprenticeship or Traineeship. This includes self-employment through S-EA and employment arranged by a CTA or EST Provider.

As noted in 11.5.3 Non-Payable Outcomes, a Participant's Employment prior to Commencing in Inclusive Employment Australia cannot count towards an Employment Outcome unless the Participant's working hours in that Employment increased after Commencement in Inclusive Employment Australia.

More details on Outcomes Fees and the requirements for claiming these Fees are included in .

9.5.1 Full or Partial Outcome requirements

There are different Outcome requirements for Full Outcome and Partial Outcomes.

A Participant can achieve a Full Outcome when, across an Outcome Period, the Participant:

- works an average number of hours at least equal to their Employment Benchmark, or
- reports to Centrelink income earnings that are sufficient to cause the Basic Rate of their Income Support Payment to cease.

A Participant can achieve a Partial Outcome when, across an Outcome Period, the Participant works an average number of hours per week which is approximately two-thirds or more of their Employment Benchmark.

The average number of hours a Participant must work to meet Outcome requirements is shown in the table below.

Hours required for Full and Partial Outcomes

Employment Benchmark	Average weekly hours required for a Full Outcome	Average weekly hours required for a Partial Outcome
0 hours	8*	5
8 hours	8	5

Employment Benchmark	Average weekly hours required for a Full Outcome	Average weekly hours required for a Partial Outcome
15 hours	15	10
23 hours	23	15
30 hours	30	20

***Note:** For Participants with an Employment Benchmark of 0 hours per week, there is some additional flexibility to account for building work capacity or unanticipated gaps in weekly hours. A Full Outcome will also be available for working at least 8 hours per week for:

- 9 of 12 weeks for a 12-week Employment Outcome, and
- 20 of 26 weeks for the 26-week Employment Outcome, and
- 20 of 26 weeks for the remaining 26 weeks of the 52-week Employment Outcome.

An Employment Outcome can only be claimed if the preceding Outcome was claimed. That is:

- a 26-week Employment Outcome cannot be claimed unless a 12-week Employment Outcome was claimed during the 26 weeks of the 26-week Outcome Period
- a 52-week Employment Outcome cannot be claimed unless a 26-week Employment Outcome was claimed immediately before the 26 weeks of the 52-week Outcome Period.

Deed Reference(s): Clause 163.1, 163.2, 163.3

9.5.2 Outcome Periods

Outcome Periods are Consecutive Weeks of Employment over defined periods of 12 or 26 weeks. When a Provider can show that a Participant worked the required number of hours or earned enough income during an Outcome Period, the Provider can claim the Outcome Fee for that Outcome Period.

An Outcome Period may be broken by one or more Permissible Breaks. When a Permissible Break is used, the Outcome Period consists of the relevant number of Consecutive Weeks on either side of the Permissible Break.

Once an Employment Outcome has been claimed, the Outcome Period Start Date cannot be changed.
(Deed Reference(s): Clause 163)

12-week Period (12 Consecutive Weeks)

The 12-week Period is a period of 12 Consecutive Weeks that starts on the Job Placement Anchor Date set when a Participant moves to Post Placement Support and ends when the Participant completes 12 Consecutive Weeks of Employment.

A Provider can claim a 12-week Outcome if, during the 12-week Period, the Participant:

- worked enough hours each week, on average, to achieve at least a Partial Outcome, or
- earned enough income to cause their Basic Rate of Income Support Payments to cease.

26-week Period (26 Consecutive Weeks)

The 26-week Period is a period of 26 Consecutive Weeks that starts on the Job Placement Anchor Date set when a Participant moves to Post Placement Support and ends when the Participant completes 26 Consecutive Weeks of Employment. This means that the time, hours and earnings from the 12-week Period form part of the time, hours and earnings of the 26-week Period.

A Provider can claim a 26-week Outcome if, during the 26-week Outcome Period, the Participant:

- worked enough hours each week, on average, to achieve at least a Partial Outcome, or
- earned enough income to cause their Basic Rate of Income Support Payments to cease.

52-week Period (26 Consecutive Weeks)

The 52-week Period is a period of 26 Consecutive Weeks that starts on the day after the 26-week Period ends and ends when the Participant completes a further 26 Consecutive Weeks of Employment. This means that the time, hours and earnings from the 12-week Period and the 26-week Period do not form any part of the time, hours and earnings of the 26-week Period.

A Provider can claim a 52-week Outcome if, during the relevant 26 weeks of the 52-week Outcome Period, the Participant:

- worked enough hours each week, on average, to achieve at least a Partial Outcome, or
- earned enough income to cause their Basic Rate of Income Support Payments to cease.

9.5.3 Permissible Breaks and Voluntary Changes in Employment

Permissible breaks

Providers can record a Permissible Break within an Outcome Period where a Participant in Post Placement Support or Ongoing Support who is tracking towards an Employment Outcome is unable to work at their normal employment conditions due to circumstances outside the control of the Participant or Provider.

Permissible Break provisions recognise that unforeseen situations may temporarily disrupt Employment that is otherwise sustained and ongoing. This can include short gaps where a Participant unexpectedly finishes one Employment placement but then continues their Employment in another placement within the number of available Permissible Break days.

A Permissible Break does not form part of an Outcome Period. The Outcome Period is extended by the number of days equal to any Permissible Breaks, so that the Outcome Period continues to count as 12 or 26 Consecutive Weeks.

Providers do not need to use Permissible Breaks. When a Participant's circumstances would allow a Permissible Break to be used, the Provider must decide whether or not to enter a Permissible Break. Providers must retain Documentary Evidence of the need for any Permissible Break used.

Any hours worked and any income earned by a Participant during a Permissible Break period, do not count towards the Outcome requirements.

In general, Participants can have Permissible Breaks of up to:



- 28 days during the 12 Consecutive Weeks of the 12-week Period
- 28 days in the 14 Consecutive Weeks between the end of the 12-week Period and the end of the 26-week Period, and
- 28 days for each 13-weeks between the 26-week and 52-week Outcomes.

Each maximum of 28 days can include one or more break periods.

Providers can submit a request to the Department for approval of additional Permissible Breaks exceeding the 28 day limits described above for any Participant where needed because of exceptional circumstances. Additional Permissible Breaks will usually be approved only where there is a very clear need for a further break, for reasons beyond the Participant's or Provider's control, such as the impact of a natural disaster.

Principal Carer Parents can have an additional Permissible Break of up to 8-weeks for an Employer-initiated shutdown over the Christmas period, providing that the Participant will resume their Employment in the New Year.

More details on how Permissible Breaks are applied are included in the [Permissible Breaks in Employment Provider Fact Sheet \[LINK\]](#) on the Provider Portal.


-  To record a Permissible Break, Providers must undertake the following steps in the Department's IT Systems:
 - Step 1: Navigate to the Breaks section of the Outcome Details screen.
 - Step 2: Enter the number of Permissible Break days.
 - Step 3: Agree with the declaration and select 'Update Breaks'.
-  Providers must retain Documentary Evidence that each Permissible Break meets requirements. For each Permissible Break used, the Provider must keep a statement (signed and dated hard copy or email) from the Participant or Employer, confirming:
 - the Employer organisation name
 - the event or circumstances requiring the Permissible Break
 - the start and end dates of that event or circumstances
 - that the Participant is still employed following the event or circumstances (where relevant), and
 - the full name, phone number and email address of the person making the statement.

Voluntary Change in Employment

Voluntary Change in Employment breaks are available to Participants tracking towards an Employment Outcome in recognition that Participants in Post Placement Support (or Ongoing Support) and their Providers should not be penalised for finding alternative Employment.

Where a Participant voluntarily changes their Employment during an Outcome Period, Providers can record a short break of up to 7 Calendar Days between Job Placements so that the Provider does not have to re-anchor the Outcome. A Voluntary Change in Employment break may be used for each change in Employment.

If the break between Job Placements is longer than 7 Calendar days, the Provider must re-anchor the new Job Placement to recommence the Outcome Period.

-  For each Voluntary Change in Employment break used, the Provider must keep a statement (signed and dated hard copy or email) from the Participant or the Provider confirming:
 - the change in Employment
 - the new Employer organisation name
 - the end and start dates of the two employment placements, and
 - the full name, phone number and email address of the person making the statement.

9.5.4 Re-anchoring Job Placements

Re-anchoring a Job Placement re-starts the Outcome Period from the new Anchor Date. Providers can re-anchor a Job Placement at any time.

Providers may choose to re-anchor a Job Placement if they think the Participant is likely to achieve a better outcome in the new Outcome Period.

If a Job Placement is re-anchored, the Outcome Period starts from the new Anchor Date and does not include any hours or earnings from the earlier Outcome Period.

If a Provider re-anchors a Job Placement, the Provider cannot claim any 12-week, 26-week or 52-week Outcome Payment that the Provider claimed in the previously anchored Outcome Period. The Provider:

- must submit a claim for \$0 for any previously claimed Outcome, after confirming that the Participant met the requirements of a Partial Outcome or Full Outcome for that Outcome in the re-anchored Outcome Period, and
- can then claim any Outcome not previously claimed, after confirming that the Participant met the requirements of that Outcome in the re-anchored Outcome Period.

9.6 Moving between Post Placement Support and other phases

Participants continue to receive Post Placement Support until the Participant:

- moves to Ongoing Support
- achieves a 52-week Outcome and Exits the Program, or
- returns to Pre-Employment Support.

9.6.1 Changing Participant circumstances

Providers must decide how to support a Participant in Post Placement Support when their circumstances change.

Participant completes a 26-week Employment Outcome

When a Participant with higher levels of support needs is nearing completion of a 26-week Employment Outcome, a Provider can refer the Participant for an Ongoing Support Assessment, as described in Chapter 10:Ongoing Support. Otherwise, the Provider continues to offer Post Placement Support.

The Provider can also refer a Participant to an Ongoing Support Assessment at any time after the Participant receiving Post Placement Support completes a 26-week Outcome until the Participant has completed a 52-week Outcome, if the Provider considers higher levels of support are required.

Participant completes a 52-week Employment Outcome

When a Participant has completed a 52-week Employment Outcome, the Provider can:

- Exit the Participant from Inclusive Employment Australia if they can continue working independently
- move the Participant to Ongoing Support if the Provider considers that the Participant needs more support. This includes referring the Participant for an Ongoing Support Assessment to confirm the Participant's Ongoing Support needs, as described in Chapter 10:Ongoing Support, or
- continue to support the Participant in their Placement in Ongoing Support, if the Participant is already receiving Ongoing Support.

Participant is no longer Employed

If a Participant is no longer Employed, the Provider can:

- consider if a Permissible Break or a break for a Voluntary Change in Employment would cover a short break in Employment — refer to 9.5.3 Permissible Breaks and Voluntary Changes in Employment
- return the Participant to Pre-Employment Support, or
- Exit the Participant from Inclusive Employment Australia, if the Participant no longer wishes to receive support and is eligible for a Provider Exit — refer to 3.6 Exits.

If a Participant returns to Pre-Employment Support because the Participant ceases Employment or does not meet the required hours for an Employment Outcome, the Provider must:

- hold a face-to-face Contact Appointment for the purposes of Re-engagement
- review and update the Participant's Job Plan (if appropriate), and
- resume delivering Pre-Employment Support.

Participant's hours of employment reduced

If a Participant's hours of employment reduce, the Provider can:

- continue to support in Post Placement Support (or Ongoing Support), if the Participant may still achieve a Partial Outcome
- return the Participant to Pre-Employment Support while supporting any continued employment and looking for opportunities to increase employment, or
- Exit the Participant from Inclusive Employment Australia, if the Participant has already achieved a 26-week Outcome and is eligible for a Provider Exit — refer to 3.6 Exits.

A Participant who returns to Pre-Employment Support can return to Post Placement Support when they are undertaking one or more Job Placements that are expected to achieve an Employment Outcome, in accordance with 9.3 Movement to Post Placement Support. This can include re-anchoring a Participant in a previously anchored Job Placement, if the Participant's work hours increase (see 9.5.4 Re-anchoring Job Placements).

Participant's hours of Employment increased

If a Participant's hours of Employment increase, the Provider may decide that the Participant's hours of Employment may now result in a higher Employment Outcome. In this circumstance the Provider can:

- continue to support the Participant in Post Placement Support (or Ongoing Support), and
- re-anchor the Job Placement— refer to 9.5.4 Re-anchoring Job Placements.

9.7 Support to be provided to Employers

Most Post Placement Support assistance is expected to be on-the-job help and is delivered through Provider Contacts with Participants. These supports may be delivered in the Participant's workplace if required.

Supports must be tailored to the individual needs of the Participant and the Employer. Examples of Employer supports are outlined in the following table.

(Deed Reference(s): Clause 9, 121)

Examples of In-Employment Support for Employers

Category	In-Employment Supports may include:
Employer access to suitable employees	<ul style="list-style-type: none">• Referring the most suitable Participants to Vacancies.• Matching employees to an Employer and respecting the cultural safety requirements set by an Employer, ensuring that a Participant understands these requirements and that any training on these issues the Provider commits to provide to the Participant is undertaken.

Category	In-Employment Supports may include:
	<ul style="list-style-type: none"> Managing paid work experience placements or Work Trials that allow an Employer to see if a Participant will be a good fit for their business. Supporting upskilling and training of individuals to increase capability and capacity for suitable roles.
Employer capability-building support	<ul style="list-style-type: none"> Providing guidance on creating accessible and inclusive workplaces to help Employers to manage employees with disability, and support Employers to access information around disability training for their workplace. Helping Employers to access information around cultural safety assessments and/or training for their workplace. Employers may have employees from a variety of backgrounds where an understanding of the cultural needs of others ensures workplace harmony. In some ESAs, there may be several organisations that are First Nations entities, where a demonstration of cultural safety may be a pre-requisite of working in the organisation. Providers must assess, on a case-by-case basis, an Employer's requirements for cultural safety in the workplace and ensure the Participant has the required support. Providing guidance on job design and job customisation to facilitate the creation of employment opportunities. Providing guidance on employee retention strategies to help Employers to effectively onboard people with disability and reduce turnover. Linking Employers to relevant Commonwealth, State and Territory Government, local government, and non-government programs, and to communities of practice.
Additional Supports for Employers	<ul style="list-style-type: none"> Providing a clear contact person, to ensure there is a clear path for issue resolution and responses to requests. As appropriate, helping Employers to access financial assistance through the EAF for work-related modifications and services (see 9.8 Employment Assistance Fund). As appropriate, helping an Employer to make an application in respect of the Supported Wage System. As appropriate, providing information and training on how access to Wage Subsidies to support Participants and Employers (see Chapter 8: Wage Subsidies). As appropriate, providing information on the Disabled Australian Apprentice Wage Support Program.

9.8 Employment Assistance Fund

The Employment Assistance Fund (EAF) provides reimbursements for pre-approved reasonable workplace modifications, equipment and services necessary for a person with disability to perform their employment duties. The EAF is delivered through the JobAccess provider on behalf of the Department. JobAccess also provides an information and advice service to help employers and people with a disability find or maintain employment.

Employers have obligations under the *Disability Discrimination Act 1992* (Cth) to make reasonable adjustments in work arrangements for their employees with disability, to ensure they have equal opportunities in the workplace.

The EAF is available to a person with disability who meets the eligibility criteria. Providers can help eligible Participants and their Employers to access the EAF, where a need is identified.

Access to information about the EAF can be found on the [JobAccess website](#).

Providers can request support for Participants who:

- have been offered, or are working, in Employment of at least 8 hours per week for at least 13 weeks, and/or
- need work-related assistive technology, special work equipment or Auslan interpreting.

The EAF can be used to help with the cost of:

- computer software and software upgrades
- modifications to work vehicles
- communication and assistive technology devices
- items of work equipment, or modifications to existing work equipment
- building modifications
- Auslan interpreting services (not available for Appointments with the Provider)
- assistance to help a person with disability learn to use specific modifications or equipment
- specialised support and training packages for people with mental health conditions or specific learning disorders, and
- disability awareness training for the workplace (including deafness awareness training and mental health awareness training).

Providers can seek EAF help by:

- confirming the Participant meets the eligibility requirements
- collecting the Documentary Evidence required, and
- completing the EAF application on JobAccess Secure.

Providers will be advised whether or not the EAF application has been approved.


If the EAF application is approved, the Provider:

- must create an EAF application file to hold all relevant Documentary Evidence
- can buy the approved EAF help, and
- can claim Reimbursement of EAF expenses through the Department's IT Systems.

Providers must refer to the [Employment Assistance Fund Guidelines](#) for details on eligibility for EAF, the EAF application process and claiming Reimbursement of approved EAF expenses.

 The EAF application file must hold:

- a copy of the completed EAF application
- quotations obtained, and any technical or descriptive information on items requested
- evidence of expenditure, supplier receipts and Tax Invoices
- a declaration from the Participant or Provider that help has been provided
- any completed 13-week Post Implementation EAF Outcomes Survey, and
- written agreement of affected parties' ownership of any workplace modification.

 To claim Reimbursement of approved EAF expenses, Providers must undertake the following steps in the Department's IT Systems.

- [RESERVED]



Chapter 10: Ongoing Support

Supporting Documents for this Chapter

- [Ongoing Support required to keep and support Open Employment \[LINK\]](#)
- [Purchased help and consideration of hours of Ongoing Support \[LINK\]](#)
- [Modes of Contact for Ongoing Support – Provider Fact Sheet \[LINK\]](#)
- [Ongoing Support Assessments – Provider Fact Sheet \[LINK\]](#)

10.1 Chapter Overview

Ongoing Support is available to employees with disability, injury or a health condition who require support to maintain their Employment. Providers deliver continuing, tailored support to Participants, with the aim of building Participants' and Employers' capability to manage disability-related barriers in the workplace and building each Participant's capacity to work independently.

Ongoing Support is available as part of the In-Employment Support phase of Inclusive Employment Australia. Entry into Ongoing Support is available to:

- eligible Participants receiving Post Placement Support from the time they achieve a 26-week Employment Outcome until they achieve a 52-week Employment Outcome, and who need Ongoing Support to keep their Employment, and
- employees already in Employment who access Inclusive Employment Australia as an eligible Ongoing Support (Work Assist) Participant because they are having difficulty performing the essential functions of their job due to their disability, injury or health condition.

Initially, a Participant's need for and Level of Ongoing Support is identified by the Provider. An independent Ongoing Support Assessment (OSA) is then conducted by a National Panel of Assessors (NPA) provider. The OSA will confirm that Ongoing Support is needed or recommend that it is not needed. OSAs that recommend Ongoing Support is needed remain current for a set period (either 1, 2 or 5-years) based on the circumstances of the individual Participant, and must be reviewed to allow the Participant to continue receiving Ongoing Support.

Ongoing Support may continue for eligible Participants for as long as it is required to help them keep their Employment, or until an eligible Participant no longer wishes to receive Ongoing Support. This is subject to the Participant having a current OSA that recommends they require Ongoing Support. Other requirements the Participant must meet to remain eligible for Ongoing Support are outlined in 10.7 When Ongoing Support can be provided.

This Chapter outlines the Provider's responsibilities to in relation to Ongoing Support. This includes:

- identifying a Participant's need for Ongoing Support
- organising and supporting initial OSAs and OSA reviews, and
- how to support a Participant through Ongoing Support.

Providers receive Ongoing Support Fees to deliver Ongoing Support to eligible Participants — refer to 11.7 Ongoing Support Fees.

Other fees available while delivering Ongoing Support may include:

- Outcome Fees after a 52-week Period of sustained Employment — refer to , and
- Moderate Intellectual Disability (MID) Payments, which may be paid in addition to Full Employment Outcome Fees if the Participant has moderate intellectual disability and has worked on average at least 15 hours per week over the Outcome Period — refer to 11.6 Moderate Intellectual Disability Payment.

10.2 Levels of Ongoing Support

Ongoing Support is available at 3 levels of intensity based on a Participant's individual support needs as outlined in the table below.

(Deed Reference(s): Clause 125.1)

Levels of Ongoing Support

Level	Participant support needs	Support over 6-months*
Flexible	Sporadic, episodic or irregular	Up to 25 hours
Moderate	Regular and ongoing	25 – 42 hours
High	Regular and ongoing, significant in hours or intensity	More than 42 hours

* **Note:** This table provides an indicative guide of hours of support to help Providers determine the Level of Support required by the Participant based on the hours of Ongoing Support the Participant is being provided or requires.

10.3 Determining the need for Ongoing Support

Ongoing Support is available where:

- the Provider finds the Participant needs higher levels of support than most participants to maintain employment
- the Participant agrees to receive Ongoing Support, and
- an independent OSA confirms the Participant needs Ongoing Support.

When determining if a Participant in Post Placement Support requires Ongoing Support, Providers must consider how much support the Participant has needed since their Job Placement started.

Providers must assess whether a Participant needs Ongoing Support when a:

- Participant in Post Placement Support is approaching a 26-week Employment Outcome, or if a higher need for support becomes apparent at any time after the Participant has achieved a 26-week Outcome and is tracking towards a 52-week Outcome,
- Participant in Post Placement Support achieves a 52-week Employment Outcome and must be Exited from Inclusive Employment Australia if Ongoing Support is not required, or
- person who is already Employed (not currently in Inclusive Employment Australia) approaches a Provider to Directly Register as an Ongoing Support (Work Assist) Participant.

Details on determining the need for Ongoing Support are included in the table below.

(Deed Reference(s): Clause 125, 126)

Requirements when deciding need for Ongoing Support

Condition	Details
Participant in Post Placement Support is approaching or has already achieved a 26-week Employment Outcome	<p>This is when Ongoing Support becomes available for a Participant in Post Placement Support.</p> <p>The Provider must decide if the Participant can achieve a 52-week Employment Outcome with the support provided in Post Placement Support, or if the Participant has higher needs that can only be met through Ongoing Support.</p> <p>If the Provider thinks the Participant needs Ongoing Support and the Participant agrees to receive Ongoing Support, the Provider:</p> <ul style="list-style-type: none"> • must request an OSA immediately* • can deliver the Level of Ongoing Support they think is appropriate until the OSA is completed (maximum of 28 days) • can, if the OSA recommends Ongoing Support is required, continue to deliver Ongoing Support, and • must, if the OSA recommends Ongoing Support is not required, return the Participant to Post Placement Support if they are continuing to track towards a 52-week Employment Outcome <p>Participants can move from Post Placement Support to Ongoing Support at any time as needed from the time they achieve a 26-week Employment Outcome until a 52-week Employment Outcome is achieved.</p> <p>* Note: A Provider may, with the agreement of the Participant, request an OSA Allocation up to 14 days prior to the date the Participant is expected to achieve a 26-week Employment Outcome.</p>
Participant in Post Placement Support is approaching or has already achieved a 52-week Employment Outcome	<p>This is when Ongoing Support becomes the only Inclusive Employment Australia support choice available for the Participant if they continue to be employed.</p> <p>The Provider must decide if the Participant can work independently, or if they need Ongoing Support to maintain their Employment.</p> <p>If the Provider thinks the Participant needs Ongoing Support in the lead-up to the 52-week Outcome or when it is achieved, and the Participant agrees to receive Ongoing Support, the Provider:</p> <ul style="list-style-type: none"> • must request an OSA immediately • can deliver the Level of Ongoing Support they think is appropriate until the OSA is completed (maximum of 28 days) • can, if the OSA recommends Ongoing Support is required, continue to deliver Ongoing Support, and • must, if the OSA recommends Ongoing Support is not required, Exit the Participant once a 52-week Employment Outcome is achieved. <p>If the Provider and/or the Participant decide that the Participant can maintain their employment without additional assistance through Ongoing Support, an OSA is not required.</p> <p>Once the Participant has achieved a 52-week Employment Outcome, the Provider must Exit the Participant — refer to 3.6 Exits.</p>

Condition	Details
Employee Directly Registers as an Ongoing Support (Work Assist) Participant	<p>Ongoing Support is also available to employees in existing Employment who are not currently receiving support through Inclusive Employment Australia. Eligible employees can volunteer to receive Services as an Ongoing Support (Work Assist) Participant if they are having difficulty performing the essential functions of their job because of their disability, injury or health condition. The Provider must decide if the Participant needs Ongoing Support to maintain their Employment.</p> <p>If the Provider thinks the employee needs Ongoing Support, the Provider:</p> <ul style="list-style-type: none"> • must check eligibility* and Directly Register the Participant for Inclusive Employment Australia • must immediately request an OSA • can only deliver Moderate Ongoing Support until the first OSA is completed (maximum of 28 days) • can, if the OSA recommends Ongoing Support is required, continue to deliver Moderate or High Ongoing Support, and • must, if the OSA recommends Ongoing Support is not required, Exit the Participant from the Inclusive Employment Australia. <p>*Note: When deciding the need for Ongoing Support, Providers must also check that the employee meets the requirements for eligibility and Direct Registration as an Ongoing Support (Work Assist) Participant, as outlined in 1.3.6 Ongoing Support (Work Assist) Participants.</p>

10.3.1 Movement into Ongoing Support

Movement into Ongoing Support differs for Ongoing Support Participants transitioning from Post Placement Support and those who enter Inclusive Employment Australia as Ongoing Support (Work Assist) Participants.

For Participants transitioning from Post Placement Support, Providers must first hold a Contact Appointment with the Participant to:

- discuss the Participant's circumstances, Employment situation and support needs
- explain the range of supports that can be provided through Ongoing Support
- seek the Participant's agreement to receive Ongoing Support, and
- if the Participant agrees to receive Ongoing Support:
 - request an OSA
 - commence the Participant in Ongoing Support, and
 - once the Participant has commenced in Ongoing Support, update the Participant's Job Plan to reflect that the Participant is now receiving Ongoing Support.

Providers can immediately start delivering Ongoing Support to the Participant once they have moved them to the Ongoing Support phase in the Department's IT Systems.

- 📁 Providers must change a Participant's phase to Ongoing Support in the Department's IT Systems.

For Participants who transition from Post Placement Support, the Level of Ongoing Support is determined by:

- the Provider in the period before the first OSA is completed, and
- the first OSA, from the date it is completed.

For Ongoing Support (Work Assist) Participants, Providers must at the Initial Interview:

- discuss the Participant's circumstances, Employment situation and support needs
- explain the range of supports that can be provided through Ongoing Support
- if the Provider considers the Participant needs Ongoing Support to maintain their Employment, seek the employee's agreement to receive Ongoing Support
- if the employee agrees to receive Ongoing Support:
 - request an OSA, and
 - enter into a voluntary Meaningful Engagement Job Plan with the Participant (in order to Commence the Participant).

For Ongoing Support (Work Assist) Participants, the Level of Ongoing Support is:

- set at Moderate Ongoing Support in the period before the first OSA is completed
- determined by the first OSA from the date it is completed, noting that the first OSA may only recommend either Moderate or High Ongoing Support, and
- determined by the OSA from the first 1-year OSA review and any subsequent reviews, noting that the OSA can now recommend either Flexible, Moderate or High Ongoing Support as required.

Note: Flexible Ongoing Support generally cannot be provided to Ongoing Support (Work Assist) Participants prior to their first OSA review, which is due 1-year from the date of the initial OSA. However, a Participant can be referred for a Change of Circumstances OSA to review the initial OSA if the Provider considers Flexible Ongoing Support is appropriate, and the Ongoing Support (Work Assist) Participant has been in Ongoing Support for at least 26-weeks.

Once the initial OSA is completed, the Provider will generally deliver Services at the Level of Ongoing Support recommended in the OSA report.

If a Participant has lower support needs for a period, a Provider can move a Participant to a lower Level of Ongoing Support, deliver the support needed for that level, and receive the corresponding Ongoing Support Fees. The Provider can, if required, at a later time return the Participant to the higher Level of Ongoing Support recommended in the OSA.

Providers cannot change the Participant to a higher Level of Ongoing Support than that recommended in the OSA. If a Participant's circumstances change so that they need more support, the Provider can request a Change of Circumstances OSA.

Note: For Payment arrangements before the first OSA is completed refer to relevant sections in Chapter 11: Payments to Providers.

(Deed Reference(s): Clause 126, 127, 128, 130, 132)

10.4 Ongoing Support Assessments

OSAs provide an independent assessment of a Participant's need for Ongoing Support, including for Ongoing Support (Work Assist) Participants. As noted in 2.6 Ongoing Support Assessments, OSAs are conducted by Ongoing Support Assessors who are NPA providers.

The Ongoing Support Assessor will make a recommendation on the Level of Ongoing Support required by the Participant (Flexible, Moderate and High) or may recommend that Ongoing Support is not needed, as set out in the [NPA Guidelines: Chapter 3: Ongoing Support Assessments \[LINK\]](#).

The Ongoing Support Assessor will also recommend a timeframe for the next OSA review of either 1, 2 or 5-years. The timeframe for the next OSA review is based on the Participant's circumstances, the requirements of their Employment, and stability and permanence of their support needs.

All Ongoing Support (Work Assist) Participants will have their first OSA review set at 1-year from the date of their first OSA. At any next and subsequent reviews, the Ongoing Support Assessor may set the next review due date at 1, 2 or 5-years.

Providers are responsible for deciding when an OSA is needed:

- to confirm a Provider's Assessment that a Participant needs Ongoing Support ('initial' OSA)
- when a Provider thinks an Ongoing Support Participant's support needs have changed (Change of Circumstances OSA).

The Department's IT Systems will remind Providers when OSA reviews are due based on the time for review set at the last OSA, of either 1, 2 or 5-years. After that period expires, a new OSA must be conducted if the Provider decides, and the Participant agrees, that the Participant continues to need Ongoing Support.

(Deed Reference(s): Clause 108.4, 125, 129, 130)

10.4.1 Requesting an OSA

Providers must submit an OSA Allocation request no later than:

- within two days of a Participant moving to the Ongoing Support phase for Participants who have achieved a 26 or 52-week Employment Outcome
- within two days of the Provider moving an Ongoing Support (Work Assist) Participant into the Ongoing Support phase, or
- within two days of being notified that an OSA review is due.

Note: A Provider may, with the agreement of the Participant, submit an OSA Allocation request up to 14 days prior to the date a Post-Placement Support Participant is expected to achieve a 26-week Employment Outcome.

- 📅 The Department's IT Systems will notify Providers 6-weeks before an OSA review is due. The Provider must request an OSA Allocation through the Department's IT Systems.

The Department's IT Systems will allocate the OSA to an Ongoing Support Assessor, who will accept or reject the allocation within 2 Business Days of receiving it. If the OSA allocation is rejected, the Provider must resubmit the OSA allocation.

Note: If the Provider does not think further Ongoing Support is needed beyond the end of the current period of Ongoing Support, the Provider does not need to take any action to schedule an OSA review. Ongoing Support must end by the OSA review due date, and the Provider must Exit the Participant from Ongoing Support or from Inclusive Employment Australia in accordance with 10.8.2 Exits from Ongoing Support.

(Deed Reference(s): Clause 125)

10.4.2 Supporting the OSA

As noted in 2.6 Ongoing Support Assessments, Providers must support the Ongoing Support Assessor with information about the Participant, including providing any supporting evidence as outlined in 10.4.3 Supporting evidence for OSAs.

The Ongoing Support Assessor may seek the Provider's help in contacting the Participant to arrange an interview. The Provider must advise the Ongoing Support Assessor as soon as possible if they cannot contact the Participant.

The Ongoing Support Assessor may ask the Provider to:

- support and attend the interview with the Participant, a Participant's court appointment nominee and/or Participant's advocate(s)

- the interview can include third party attendance by a nominee or advocate for the Participant, or
- with the Participant's consent, the interview can be with the nominee or advocate instead of the Participant
- arrange the workplace component of the OSA if the Participant has given consent for their Employer to be contacted, to allow the Ongoing Support Assessor to conduct the Employer interview in the Participant's workplace, and
- take part in the Employer interview.

(Deed Reference(s): Clause 133.3)

10.4.3 Supporting evidence for OSAs

Providers must help the Ongoing Support Assessor make a correct assessment in the OSA by providing documentation outlining the support provided to the Participant over the Job Placement period.

Evidence sources for OSAs

Information that must be provided	Possible evidence sources
<ul style="list-style-type: none"> • Frequency of support • Number of Contacts provided • Hours of support provided • Specific strategies for support provided 	<ul style="list-style-type: none"> • The Department's IT Systems Records — for example, Contact dates, times and formats, comments on servicing, Job Plan history • ESATs and other reports • Medical reports • Invoices and receipts • Provider file assessments • Observation Records • Information from interviews with Participants, parents, advocates, Employers and Supervisors • File notes of conversations • File notes detailing progress made by the Participant


Providers can also help the Ongoing Support Assessor by including information about the Participant's:

- current and earlier barriers to work, including how those barriers affect the Participant and the Participant's progress against them, and
- support history and expected support requirements.

10.4.4 OSA outcomes

The Ongoing Support Assessor undertakes the OSA by:

- conducting interviews with the Provider, Participant and Employer (where agreed)
- preparing the Assessment report and deciding on a recommendation
- completing and submitting the Assessment report on the Department's IT Systems.

 The Department's IT Systems will notify the Provider of the OSA recommendation, and the full Assessment report will be viewable.

Possible recommendations in the OSA report are:

- Ongoing Support is needed (and the Level of Ongoing Support), or
- Ongoing Support not needed.

(Deed Reference(s): Clause 125.6)

When an OSA recommends Ongoing Support is needed

When the outcome of an OSA is that Ongoing Support is needed, the Provider must:

- discuss the recommended Level of Ongoing Support (Flexible, Moderate or High) with the Participant at their next Contact
- agree how the Ongoing Support will be delivered
- update the Participant's Job Plan, if needed, and
- deliver the recommended Level of Ongoing Support (except in the circumstances outlined below).

The Provider:

- cannot receive Payment for a higher Level of Ongoing Support than the recommended Level of Support
- can refer a Participant for a Change of Circumstances OSA at any time if the Participant's needs have changed and they need a higher Level of Ongoing Support, and
- can deliver a lower Level of Ongoing Support than the recommended Level during periods where the Participant does not need their usual Level of Ongoing Support (see the following exception for Ongoing Support (Work Assist) Participants).

For Ongoing Support (Work Assist) Participants, the Provider:

- cannot generally deliver Flexible Ongoing Support to an Ongoing Support (Work Assist) Participant prior to their first OSA review, which is due 1-year from the date that the first OSA was completed, and
- can refer a Participant for a Change of Circumstances OSA if the Provider decides Flexible Ongoing Support is the most appropriate Level, and the Participant has been in Ongoing Support for at least 26-weeks.

When an OSA recommends Ongoing Support is not needed

When the outcome of an OSA is that Ongoing Support is not needed, the Provider must:

- for a Participant who has achieved a 26-week Employment Outcome:
 - if the Participant is still Employed and is continuing to work towards a 52-week Employment Outcome, return the Participant to Post Placement Support
 - if the Participant is still Employed and the 52-week Employment Outcome has been achieved, Exit the Participant from Inclusive Employment Australia as an independent worker
- if the Participant is no longer tracking towards a 52-week Employment Outcome, Exit the Participant from Inclusive Employment Australia, or
- for an Ongoing Support (Work Assist) Participant, Exit the Participant from Inclusive Employment Australia.

10.4.5 Disputing the OSA

Providers or Participants can dispute an OSA report if they think the content or recommendation of the report is not right. Assessments must be disputed as soon as possible, and within 28 days of the OSA completion date. Providers can include more information, if appropriate.

To dispute an OSA report (within 28 days of OSA completion date):

- the Provider or Participant contacts the Ongoing Support Assessor to explain their view and to present reasons and evidence (including any other information)
- if the Ongoing Support Assessor agrees changes are needed, they will:
 - ask the DSS Relationship Manager to set the OSA report status to 'In review'
 - update the Recommendation Summary section of the report, setting out the review reasons and outcome, including a summary of any changes
- if the Ongoing Support Assessor does not agree to change the OSA report and the Provider still considers the recommendation is incorrect, the Provider can contact the DSS Relationship Manager. The Department will aim to decide an outcome to the dispute within 28 Business Days.

Providers and Participants cannot dispute an OSA more than 28 Business Days after the report is completed. Providers can request a Change of Circumstances OSA to review the OSA if they think an OSA completed more than 28 days ago does not reflect the Participant's current needs.

Note: The Department's Assessment team tracks OSA requests. If the Department thinks a Provider is making unnecessary OSA requests, the Provider will be asked to provide justifications for consideration by the Assessment team.

10.5 Support to be provided to Participants

Providers must deliver support needed for the Participant's Level of Ongoing Support, including Ongoing Support Contacts as outlined in 10.6 Participant Contact. Most of the Ongoing Support is expected to be on-the-job assistance and is delivered through Provider Contacts with Participants. Contacts may be delivered in the Participant's workplace where all parties agree (i.e. the Participant, Employer and Provider).

Support must focus on helping the Participant meet the requirements of their current Employment, as outlined below and in the [Ongoing Support required to keep and support Open Employment \[LINK\]](#) supporting document on the Provider Portal.

However, Providers can also provide support to help a Participant to change roles where this support assists them to maintain ongoing Employment longer-term. Supports to change roles can be used to help Participants to either seek a promotion or role change with their current Employer or obtain new, sustainable Employment and include:

- up-skilling of a Participant, including qualifications, if the Participant is reasonably likely to find new sustainable Employment or is seeking opportunities for promotion or a role change with their current Employer. Up-skilling does not need to be in the Participant's current industry, and
- Job Search to help the Participant to look for new sustainable Employment.

Providers should ensure that any supports provided through Ongoing Support to help a Participant to change roles, are balanced against the need to continue providing Ongoing Support to the Participant to maintain their current Employment while working towards a change in role.

10.5.1 Provider supports

Providers can deliver a range of supports through Ongoing Support, including:

- social and behavioural help
- cognitive help
- vocational help
- physical help and personal care


- workplace environment help
- special help (counselling, treatment of episodic conditions, prevention of harm).

The support provided through Ongoing Support must:

- be necessary, reasonable and directly relate to keeping the Participant's Employment
- address the gap between the Participant's job requirements and what they can do (or has difficulty doing) due to their disability, injury, or health condition
- for professional services such as psychological Interventions, must be evidence-based and delivered by health professionals that meet Australian registration requirements
- be value for money.

The support may include:

- Participant Training related to their current Open Employment
- on-the-job help and guidance
- skills Training required to up-skill a Participant's qualification and or skills in their current Employment or new Employment
- co-worker training
- evidence-based psychological counselling such as cognitive behavioural therapy
- advising or counselling family members
- traveling time to provide support.

 Providers must record details of Ongoing Support delivered to a Participant in the Department's IT Systems, including information on the Instances of Flexible Ongoing Support provided and the Contacts delivered for Moderate and High Ongoing Support.

The support provided must not duplicate, substitute, or subsidise:

- Employer obligations
- other requirements under the Deed, or
- help available under any other Commonwealth, State or Territory Government service, including supports available as part of a Participant's NDIS plan.

Note: Where a Participant requires Ongoing Support and is also receiving assistance through a worker's compensation scheme, the Provider must only provide the Services the Participant requires that are over and above what they are being provided through worker's compensation, as well as giving consideration to whether or not Ongoing Support can be provided as detailed in 10.7 When Ongoing Support can be provided.

The following Provider actions may not be counted towards Ongoing Support provided to a Participant:

- contacts that do not help to keep or support the Participant's current Open Employment
- job search activities, except after upskilling has been completed and recorded in the Job Plan
- contacts and interventions that are delivered as part of an NDIS plan, including where the Provider is also an NDIS provider for the Participant
- Subcontracting arrangements unless approved by the Department, and
- time spent by staff at meetings, training and undertaking administration.

Further guidance on supports is available in the [Ongoing Support required to keep and support Open Employment \[LINK\]](#) supporting document on the Provider Portal.

10.5.2 Purchased support


Support bought from the Provider's Own Entity, a Related Entity or third-party organisation can be delivered in addition to required Contacts.

Details on whether bought support can or cannot be counted towards Ongoing Support provided to the Participant are included in the [Purchased help and consideration of hours of Ongoing Support \[LINK\]](#) supporting document on the Provider Portal.

Note: Bought support will be considered by an Ongoing Support Assessor when deciding how much support the Participant needs during an OSA review. Ongoing Support Assessors will generally consider that bought support delivered in a group setting equates to a lesser amount of individual support. For example, an Ongoing Support Assessor may consider that a Participant's attendance at an 8-hour group-training course translates to one hour of Ongoing Support.

10.6 Participant Contact


For Flexible Ongoing Support, a Provider can deliver support when needed, up to a maximum of 6 'Instances' of support in any 26-calendar week period. An Instance is one or more contacts equating to at least 4 hours of Service and can be delivered on a single day or across multiple dates. A Payment will be made for each completed Instance of Flexible Ongoing Support, up to the maximum allowed of 6 Instances within any 26-calendar week period.

-  Providers must record details of each Flexible Ongoing Support Instance provided in the Department's IT Systems to generate the Payment of a Flexible Ongoing Support Fee. The Department's IT Systems will allow Providers to record details for Instances that occur across multiple dates.

Note: For current Ongoing Support Participants and Ongoing Support (Work Assist) Participants, Instances of Flexible Ongoing Support can be recorded and completed in the Department's IT systems up to 28 days after they were completed.

Note: If a Participant Exits, all Instances of Flexible Ongoing Support must be completed in the Department's IT Systems before the Participant is Exited.

For Moderate or High Ongoing Support, a Provider must deliver the minimum number of Contacts to a Participant – 6 Contacts per quarter for Moderate Ongoing Support, and 12 Contacts per quarter for High Ongoing Support.

-  Providers must record details of each Moderate and High Ongoing Support Contact in the Department's IT Systems to both generate Payments of Ongoing Support Fees and to support minimum Contact assurance processes.

Note: For current Ongoing Support and Ongoing Support (Work Assist) Participants, Contacts for Moderate or High Ongoing Support can be recorded and completed in the Department's IT systems up to 28 days after they were completed.

Note: If a Participant Exits Inclusive Employment Australia, all Contacts for Moderate or High Ongoing Support must be completed in the Department's IT Systems before the Participant is Exited.

Moderate and High Ongoing Support Fees may be payable to a Provider monthly (by default) or quarterly. The frequency of Moderate and High Ongoing Support Contacts required for each month or quarter is outlined in the following table.

Ongoing Support Contacts and Payment requirements

Level of Ongoing Support	Quarterly Contact and Payment requirement	Monthly Contact and Payment requirement
Moderate	At least 3 Contacts must be delivered and completed in the Department's IT systems within the Payment quarter to trigger Payment. At least 6 Contacts must be delivered and recorded in the Department's IT systems each quarter to meet the minimum Contact requirement of at least 6 contacts per quarter.	At least 1 Contact must be delivered and completed in the Department's IT systems within the Payment month to trigger payment. An average of 2 Contacts must be delivered and completed in the Department's IT systems each month to meet the minimum Contact requirement of at least 6 Contacts per quarter.
High	At least 3 Contacts must be delivered and completed in the Department's IT systems within the Payment quarter to trigger Payment. At least 12 Contacts must be delivered and recorded in the Department's IT systems each quarter to meet the minimum Contact requirement of at least 12 Contacts per quarter.	At least 1 Contact must be delivered and completed in the Department's IT systems within the Payment month to trigger payment. An average of 3 Contacts must be delivered and completed in the Department's IT systems each month to meet the Contact requirement of at least 12 Contacts per quarter.

Note: Providers are required to deliver the minimum number of Contacts for the Level of Ongoing Support as recommended by the OSA. Overpaid fees are recoverable on a pro-rata basis for Contacts not delivered.

Note: If a Participant has lower support needs for a period, a Provider can move the Participant to a lower Level of Ongoing Support, deliver the support required for that level, and receive Payment for the corresponding Ongoing Support Fees.

Providers must agree the Contact schedule and Engagement Methods with the Participant when providing Ongoing Support. Support counts as an Ongoing Support Contact when it is delivered in one of the following accepted forms:

- face-to-face
- phone conversation
- videoconference, and
- meaningful exchange of email or text messages — that is, more than one message that includes:
 - details about support the Participant needs to keep Employment and work independently
 - one or more responses to the messages by the Participant.

More information on use of email or text messages is available in the [Modes of Contact for Ongoing Support – Provider Fact Sheet \[LINK\]](#) available on the Provider Portal.

Note: Participation requirements may continue to apply to Participants (Mutual Obligation) and DSP Recipients (Compulsory Requirements) while they receive Ongoing Support. Providers should refer to 5.6.1 Appointments for further information on how to capture Contacts and Contact Appointments for those with a Meaningful Engagement Job Plan or Detailed Job Plan.

10.7 When Ongoing Support can be provided

Providers are expected to deliver Ongoing Support to an eligible Ongoing Support Participant or Ongoing Support (Work Assist) Participant while the Participant:


- remains Employed and working in an Open Employment position, and
- undertakes work at an average of at least 8 or more hours per week where a Participant's assessed future work capacity with intervention is 8 hours or more, or
- the Participant can work fewer than 8 hours a week where the Participant's assessed future work capacity with intervention is less than 8 hours, or they are an Ongoing Support (Work Assist) Participant.

Note: Participants who have received Ongoing Support since before 1 July 2018 can continue to receive Ongoing Support under the conditions that applied when they first received Ongoing Support. These 'grandfathered' Participants can receive Ongoing Support while they are still Employed and working, even if they average less than 8 hours work per week.

(Deed Reference(s): Clause 125, 126, 127, 128)

When a Participant moves to a new job while in Ongoing Support

Multiple changes of Employment are available during any period of Ongoing Support, but all new Employment must be Employment that contributes to an Employment Outcome. That is, it cannot be Employment that meets the definition of a Non-Payable Outcome.

-  If the Participant finds a new job, the Provider must enter details of the new Employment into the Department's IT Systems and keep Documentary Evidence as verification.

Note: A Change of Circumstances OSA is only required if the Provider considers that the Participant's circumstances have changed due to the change in Employment.

Participants receiving worker's compensation

A Participant is usually considered to be Employed while they are receiving worker's compensation payments. During this period, worker's compensation is the primary source of Employment supports. This means a Participant may need less (or no) Ongoing Support during a period of worker's compensation.

The Provider must:

- Exit the Participant, if the Provider or Ongoing Support Assessor decides the Participant no longer needs Ongoing Support above the support provided through worker's compensation, or
- Suspend the Participant, if they are working fewer than 8 hours per week and have an Employment Benchmark of 8 hours (unless exempt as outlined above).

Note: Refer to 10.8.1 Suspending Ongoing Support for additional circumstances where a Provider Exit must be considered.

If a Provider intends to continue delivering Ongoing Support to a Participant receiving worker's compensation, they must refer the Participant for a Change of Circumstances OSA. The OSA will assess how much support the Participant needs through Ongoing Support while they are being supported through worker's compensation. This avoids doubling up of resources.

There is a worker's compensation scheme for each state and territory and 3 Commonwealth schemes. Each one is governed by different laws and may vary in the way it runs. Providers should familiarise themselves with the relevant schemes to understand what support is provided under schemes that apply in their ESA.

10.8 When Ongoing Support is not needed

When a Participant does not need Ongoing Support, the Provider must follow the guidance for Suspending and Exiting Participants as outlined in Chapter 3: Commencements, Transfers, Suspensions and Exits. In addition to this guidance, other considerations for Suspending and Exiting Participants from Ongoing Support are outlined below.

10.8.1 Suspending Ongoing Support

Providers can Suspend a Participant in Ongoing Support, to pause the Participant's Period of Registration and temporarily stop delivery of Ongoing Support for the duration of the Suspension period. Suspending the Participant prevents:

- continued delivery of Contacts at a time when the Participant is unable to receive help from the support, and
- condensed delivery of Contacts, once a Participant can participate, to meet support requirements for the relevant Level of Ongoing Support within the set Ongoing Support delivery period.

Providers can Suspend a Participant, as appropriate, for up to 13 Consecutive Weeks. The Provider is able to extend the Suspension period for a further 13 weeks if required by the Participant. The Provider may extend the Suspension multiple times to a maximum of 12 months in one consecutive period.

Note: The Provider must discuss the Suspension period and any extensions to this period with the Participant.

Providers:

- must Suspend Ongoing Support when a Participant does not meet the requirements to receive Ongoing Support (unless an Exit is more appropriate)— refer to 10.7 When Ongoing Support can be provided, and
- may Suspend Ongoing Support during periods when they consider the Participant does not need Ongoing Support.

Examples of scenarios where Providers can Suspend a Participant to allow for any breaks in the Participant's Employment or periods where the Participant is temporarily unable to meet their requirement to keep Ongoing Support eligibility, are outlined below.

When a Participant takes leave

Providers may Suspend a Participant in Ongoing Support if a Participant does not need support for a period (for example, during Christmas shutdowns, annual leave, extended periods of sickness leave, parental leave or long service leave).

Providers can offer to continue to deliver Ongoing Support for up to 4 weeks without Suspending the Participant if the Participant requires help to keep their Open Employment during a period of short leave such as annual leave or over the Christmas shutdown. If the Participant does not agree to receive help over this period, the Provider must Suspend the Participant.

A Participant who is Suspended from Ongoing Support may request that they receive Ongoing Support before the Suspension is due to be completed, for example, to assist them to prepare to return to Employment following a period of leave. In such cases, the Provider may lift the Suspension early and provide Ongoing Support.

Providers can generally only Suspend Participants in Moderate or High Ongoing Support for a maximum of 4 consecutive 13-week periods (up to a total of 12 months). In some cases, the

Department may approve an extension of a Participant's Suspension beyond 12 months, for example if the Participant is on parental leave. Where approved, the Provider may extend the Suspension period for a further 13 weeks. This may be done multiple times, with approval. Providers should follow their Organisation's communication protocol to submit a request to the Department's Account Manager for Ongoing Support Suspension extensions.

When a Participant is unable to meet the 8-hour Employment requirement

Unless exempt, Participants must work at an average of at least 8 or more hours per week to receive Ongoing Support. If the hours of Employment for an Ongoing Support Participant fall below 8 hours per week on average, the Provider should Suspend delivery of Ongoing Support until the hours increase or the Provider assesses that the Participant should be Exited as outlined in 10.8.2 Exits from Ongoing Support.

Note: Exempt Participants include Participants with an Employment Benchmark of less than 8 hours, Ongoing Support (Work Assist) Participants and 'grandfathered' Participants who have continued to receive Ongoing Support since before 1 July 2018, as outlined in 10.7 When Ongoing Support can be provided.

When a Participant receiving Ongoing Support is tracking towards an Employment Outcome

In addition to the Suspension provisions outlined above, if an Ongoing Support Participant is tracking towards a 52 week Employment Outcome, they may have a short break in Employment for a Permissible Break or Voluntary Change in Employment. Further information about Permissible Breaks and Voluntary Changes in Employment is at 9.5.3 Permissible Breaks and Voluntary Changes in Employment.

10.8.2 Exits from Ongoing Support

The Department's IT Systems will automatically Exit any Participant receiving Ongoing Support who has not received any Flexible Ongoing Support Instances for any period of 52 Consecutive Weeks.

Providers must Exit an Ongoing Support Participant from Inclusive Employment Australia if:

- the Provider decides the Participant no longer requires Ongoing Support, unless the Participant is moved back to Post Placement Support because they are tracking towards a 52-week Employment Outcome
- an OSA recommends the Participant no longer requires Ongoing Support, unless the Participant is moved back to Post Placement Support because they are tracking towards a 52-week Employment Outcome
- the Participant has achieved a 52-week Employment Outcome and requests to leave Ongoing Support, and is:
 - Fully Meeting their Mutual Obligation Requirements or has an Exemption, or
 - a Volunteer (Non-Mutual Obligation)
- the Participant ceases to be in Employment, Unsubsidised Self-Employment, Traineeship or Apprenticeship (excluding any time during a Voluntary Change in Employment), unless the Participant is moved back to Pre-Employment Support, or
- the Participant is in Moderate or High Ongoing Support and Ongoing Support has been Suspended for more than 12 months (unless otherwise agreed by the Department as outlined in 10.8.1 Suspending Ongoing Support).

Providers must Exit an Ongoing Support (Work Assist) Participant from Inclusive Employment Australia if the:

- Provider considers the Participant no longer requires Ongoing Support

- OSA recommends the Participant no longer requires Ongoing Support
- Participant requests to leave Ongoing Support
- Participant ceases to be in Employment, Unsubsidised Self-Employment, Traineeship or Apprenticeship, or
- Participant is in Moderate or High Ongoing Support and Ongoing Support has been Suspended for more than 12 months (unless otherwise agreed by the Department as outlined in 10.8.1 Suspending Ongoing Support).

Note: Participants who have been Exited from Inclusive Employment Australia but are still in Employment may re-enter Inclusive Employment Australia as an Ongoing Support (Work Assist) Participant if they need Ongoing Support again in the future.

(Deed Reference(s): Clause 126.1(b), 128, 132.1(e), 154.12, 154.13)

10.9 Additional considerations for Ongoing Support (Work Assist) Participants

Employees who are already in Employment (not currently in Inclusive Employment Australia or an Other Employment Service) may become an Inclusive Employment Australia Participant to access Ongoing Support because they are experiencing difficulty performing the essential functions of their job due to their disability, injury or health condition.

Some of these Participants may have found their own Employment and may have never interacted with Inclusive Employment Australia or an Other Employment Service before. Others may be former Participants who have Exited Inclusive Employment Australia and then commence in Inclusive Employment Australia again as an Ongoing Support (Work Assist) Participant because there has been a change in their circumstances that is affecting their Employment.

Ongoing Support (Work Assist) Participants do not have an Employment Benchmark. Providers must address the Participant's Employment barriers and build their capacity, so Participants can keep or resume their usual hours of Employment.

Ongoing Support (Work Assist) Participants receive the same supports as Inclusive Employment Australia Participants who move from Post Placement Support to Ongoing Support.

There are some special conditions for Registering, commencing, assessing and servicing Ongoing Support (Work Assist) Participants.

Ongoing Support (Work Assist) Participants:

- must meet the eligibility criteria to be Directly Registered as listed in 1.3.6 Ongoing Support (Work Assist) Participants
- do not require an ESAt or JCA
- do not have to work a minimum of 8 hours to continue receiving Ongoing Support
- are not subject to the Initial Engagement Period
- can only receive Moderate Ongoing Support until the initial OSA is completed
- will have the due date for their first OSA review set 1-year from the date the initial OSA was completed, and
- cannot in general* receive Flexible Ongoing Support prior to their first OSA review to allow the Provider and Ongoing Support (Work Assist) Participant adequate time and more regular contact through Moderate or High Ongoing Support to develop a relationship that enables them to work together to address the barriers and urgent support needs that prompted the Participant to reach out for support through Inclusive Employment Australia.

***Note:** If a Provider decides during the first year of Ongoing Support that Flexible Ongoing Support is the most appropriate Level of Ongoing Support for an Ongoing Support (Work Assist) Participant, the Provider may, after at least 26 weeks of Moderate or High Ongoing Support, refer the Participant for a Change of Circumstances OSA to determine if Flexible Ongoing Support is the right Level of Ongoing Support for the Participant.

Providers should refer to 10.4 Ongoing Support Assessments and 10.5 Support to be provided to Participants for further guidance on OSAs and delivery of support for Ongoing Support (Work Assist) Participants.

(Deed Reference(s): Clause 108.4, 113.6, 125.4, 127, 128, 129, 130, 132)

10.10 Support to be provided to Employers

If a Participant who is eligible to receive Ongoing Support chooses not to disclose their injury, disability or health condition to their Employer, the Provider must not disclose this information to the Employer and must not contact the Employer about Ongoing Support. In this situation, the Provider will deliver Ongoing Support to the Participant only.

When a Participant does agree to the Provider contacting their Employer about Ongoing Support, the Provider must work with both the Participant and the Employer to support the Participant to keep their current Employment.

Most of the Ongoing Support help is expected to be on-the-job assistance and is delivered through Provider Contacts with Participants to support them to meet the requirements of their role.

Supports must be tailored to the individual needs of the Participant and the Employer. Employer supports are outlined in the following table.

(Deed Reference(s) Clause 121)

Employer Supports

Category	In-Employment Supports may include:
On-the-job support	<ul style="list-style-type: none">• Supporting Employers through Ongoing Support provided to Participants (as outlined in 10.5 Support to be provided to Participants), to assist Employers to build each Participant's capacity to work independently.• Assisting Employers to adjust duties or providing training to learn new skills.• Organising workplace assessments and modifications.
Employer capability-building support	<ul style="list-style-type: none">• Providing guidance on creating accessible and inclusive workplaces to help Employers to manage employees with disability.• Supporting Employers to access information around disability training for their workplace.• Providing guidance on employee retention strategies to help Employers to effectively support people with disability and reduce turnover.• Providing guidance on job design and job customisation.• Linking Employers to relevant Commonwealth, State and Territory Government, local government, and non-government programs, and to communities of practice.

Category	In-Employment Supports may include:
Additional support for Employers	<ul style="list-style-type: none"> • As appropriate, helping Employers to access financial assistance through the Employment Assistance Fund (EAF) for work-related modifications and services (see 9.8 Employment Assistance Fund). • As appropriate, helping an Employer to make an application in respect of the Supported Wage System. • As appropriate, providing information and training on how access to Wage Subsidies to support Participants and Employers (see Chapter 8: Wage Subsidies).

Chapter 11: Payments to Providers

Supporting Documents for this Chapter

- [Manual claim provider advice \[LINK\]](#)

11.1 Chapter Overview

This Chapter outlines Payments available to Providers and any actions required to claim each Payment.

The Chapter outlines:

- Employment Benchmarks
- Service Fees
- Progress Fees
- Outcome Fees
- Moderate Intellectual Disability (MID) Payment, and
- Ongoing Support Fees.

The Participant Investment Funding Model applies to Service Fees and Outcome Fees. Under the Participant Investment Funding Model, more funding is available to support Participants who have multiple or complex barriers to Employment as determined by factors such as:

- demographic characteristics
- disability type, as captured by the ESAt or JCA, and
- other relevant statistical data collected by the Australian Bureau of Statistics (ABS), Services Australia and DEWR.

The Department will periodically recalibrate the Participant Investment Funding Model, where appropriate, to reflect changes in the relative likelihoods of Employment on which Participants' Funding Levels are based.

Providers will need to meet Documentary Evidence requirements for Payment claims. Providers will be required to supply Documentary Evidence at the time of making the relevant claim for a Payment through the Department's IT Systems or within 10 Business Days of a request by the Department.

This Chapter should be read in conjunction with [Part A Guidelines: Chapter 5: Record Management Instructions \[LINK\]](#).

Note: All Fees for Inclusive Employment Australia are specified in Annexure B – Fees and Outcomes of the Inclusive Employment Australia Deed and subject to indexation rate determinations.

11.2 Employment Benchmarks

Employment Benchmarks will be used to calculate eligibility for Full or Partial Outcome Fees and Progress Fees (voluntary work).

Participants will have an Employment Benchmark of 0, 8, 15, 23, or 30 hours per week.

A Participant's Employment Benchmark is based on the start of their future work capacity with intervention bandwidth as assessed by an ESAt or JCA except as set out in the table below.

Participants with a future work capacity with intervention of 0-7 hours per week can receive support under Inclusive Employment Australia and will be assigned a Benchmark of 0 hours.

Employment Benchmarks

Participant	Employment Benchmark
Future work capacity of 0-7 hours per week	0 hours
Future work capacity of 8-14 or 8+ hours per week	8 hours
Future work capacity of 15-22 hours per week	15 hours
Future work capacity of 23-29 hours per week	23 hours
Future work capacity of 30+ hours per week *	30 hours
Eligible School Leaver (ESL) Participants - who do not need an ESAt	8 hours
Special Class Client (SCC) Participants - who do not need an ESAt	8 hours
Principal Carer Parents, or Parenting Payment recipients without participation requirements	15 hours
Carer Payment recipients who choose to work reduced hours due to caring responsibilities	15 hours

***Note:** Individuals with an assessed work capacity of 30 hours or more per week are ineligible to Commence in Inclusive Employment Australia, but Participants who Commenced in DES prior to 1 July 2021 may have an Employment Benchmark of 30 hours.

11.3 Service Fees

A Provider may be eligible for Service Fees for a Participant while the Participant is receiving Pre-Employment Support. The Service Fees recognise delivery of quality person-centred case management that invests in building a Participant's Work Readiness and supports them in finding sustainable Open Employment (see Chapter 6: Pre-Employment Support). Service Fees also contribute to any investments the Participant requires to improve their work readiness or vocational skills.


There are 5 Service Fee Funding Levels for those receiving the Intensive Service, as determined by the Participant Investment Funding Model. The higher Funding Levels recognise that greater investment will be required to support them to prepare for and find work.

The Flexible Service has a single flat fee, in line with the less intensive support needed.

Providers must deliver minimum Contacts to be eligible for Service Fees. As noted in 6.6 Participant Contact, the minimum Contacts a Provider must deliver to a Participant in Pre-Employment Support are:

- for Participants in the Intensive Service – at least 6 Contacts each 3 months, and
- for Participants in the Flexible Service – at least 2 Contacts each 3 months.

(Deed Reference(s): Clause 114.1)

 Providers are required to retain sufficient Documentary Evidence that demonstrates that Services have been delivered to support each Service Fee claim. Providers must meet Documentary Evidence requirements for Contacts as set out in .

Providers do not need to submit a claim for Payment. The Department's IT Systems will automatically calculate and pay a Provider a Service Fee for each eligible Participant Commenced on the Provider's Caseload.

Payments are made in arrears after 28 calendar days of Pre-Employment Support, starting from the Participant's Commencement Date with the Provider.

The Service Fee period ends, and a pro-rata Service Fee is paid, when:

- the Participant moves from Pre-Employment Support into Post Placement Support
- the Participant's Period of Registration is paused due to a Suspension, or
- the Participant's Period of Registration ends because the Participant transfers to another Provider or the Participant Exits the Inclusive Employment Australia Program.

A new Service Fee period will start if a Participant returns to Pre-Employment Support, ends a period of Suspension, or resumes their Period of Service within 13 weeks of Exiting from the Program (refer to relevant Sections in Chapter 3: Commencements, Transfers, Suspensions and Exits).

The Service Fee Payment value will depend on the Participant's Funding Level applicable for each day of the Service Fee period and whether the Participant was receiving the Intensive Service or Flexible Service.

- 📄 At each Payment date, the Department's IT Systems will generate a Tax Invoice for each Commenced Participant and pay the calculated Service Fee Payment.

(Deed Reference(s): Clause 161, Annexure B1)

11.4 Progress Fees

A Progress Fee is a Payment available to a Provider for a demonstrable improvement in the Participant's Work Readiness and progress towards Employment through the provision of Services.

(Deed Reference(s): Clause 162, Annexure B1)

11.4.1 Eligibility for Progress Fees

Progress Fees recognise that there are various steps individual Participants may take to move closer to sustainable Employment. There are 3 ways a Participant can demonstrate progress including through:

- Employment (for details, see 11.4.2 Progress Fees for Employment and paid work experience), with
 - achievement of 4-weeks of Employment, or
 - completion of paid work experience, including shorter jobs (that may be non-ongoing) and work in a social enterprise.
- Education or Training (for details, see 11.4.3 Progress Fees for Education and Training), with
 - attainment or participation in a Certificate III or higher qualification, or
 - attainment of a Certificate II, where the Participant does not already hold a Year 12 or equivalent qualification.
- Activities that address Vocational Barriers (for details, see 11.4.4 Progress Fees for Activities that address Vocational Barriers), with
 - participation in an Complementary or Specified Activity that builds Work Readiness, or
 - participation in approved Voluntary Work.

Services and phases in which Progress Fees may be claimed

A Progress Fee may be payable for Employment that commences while a Participant is in Pre-Employment Support (Intensive or Flexible Service and Work Preparation or Job Search phases). The Progress Fee may be claimed during Pre-Employment Support if the Job Placement is not anchored, for example because it is a paid Work Trial or work experience placement.

A Progress Fee may be claimed during Post Placement Support if the Job Placement is ongoing and has been anchored (see 9.3.2 Anchoring a Job Placement)

A Progress Fee for Education and Training or Activities that address Vocational Barriers may be payable while a Participant is receiving Pre-Employment Support or Post-Placement Support.

No Progress Fees are payable in Ongoing Support.

Progress Fee availability to claim

Providers are eligible to claim up to 2 Progress Fees for a Participant for each 12 months (52 Consecutive Weeks) the Participant remains Registered with the Provider. If a Participant transfers and Commences with a new Provider, a new 12-month period will start.

- 📄 When a Participant transfers after completing the requirements for a Progress Fee (i.e. the completion of the Activity occurred while the Participant was on the Relinquishing Provider's Caseload), the Relinquishing Provider must claim a Progress Fee Payment within 28 calendar days from the date of transfer.

Non-Payable Progress Fees

After 2 Progress Fees have been claimed in a 12-month period, no further claims can be made even where the Participant meets the eligibility for a Progress Fee. The date the requirements for a Progress Fee have been met determines which period the fee falls in.

Only 1 of the 2 Progress Fees can be claimed for Education and Training in a 12-month period.

Providers are not eligible to claim a Progress Fee for a Participant placed in:

- other government program (i.e. those funded by the Commonwealth, State or Territory Government and not listed as a Complementary or Specified Activity in these Guidelines)
- Non-Vocational Activities and Interventions
- Volunteer Work that is not with an eligible organisation as specified in these Guidelines
- a position in a social enterprise that is not registered with Social Traders Australia or People and Planet First
- Employment, Work Trials or paid work experience within the Provider's Own Organisation or a Related Entity, or
- a position for which the type of work is inappropriate for the Participant based on their ESAt.

Providers cannot claim multiple Progress Fees linked to the same job or course. For example, a Progress Fee that has been claimed for Voluntary Work, Observational Work Experience, or paid work experience cannot then be claimed again for 4-weeks Employment with the same Employer. Similarly, if a Progress Fee is claimed for a Participant completing 26 Consecutive Weeks of a Certificate III certification, a Progress Fee cannot be claimed when they attain the certification for the same course.

(Deed Reference(s): Clause 162, Annexure B1)

11.4.2 Progress Fees for Employment and paid work experience

A Progress Fee based on Employment or paid work experience may be claimed for:

- achievement of 4 weeks Employment, with or without an Anchor Date set for an Employment Outcome.

To claim a Progress Fee based on Employment or paid work experience, Providers must:



- support the Participant to work for a minimum of 24 hours over a continuous 4-week period, and
- confirm the Participant is paid at the relevant Modern Award, National Minimum Wage or Enterprise Agreement rate in Open Employment.

The placement does not need to:

- be anchored, unless the Participant is in Post Placement Support
- meet the Participant's Employment Benchmark
- be ongoing Employment (for example, it could be short term or seasonal work).

If the position is in a social enterprise, the social enterprise must be registered with Social Traders Australia or People and Planet First, and must not be for work in Supported Employment Services. Positions paid under the Supported Wage System may be eligible for a Progress Fee.

The period for the Progress Fee can count towards a 12-week Employment Outcome.


-  The Job Placement Vacancy ID must be recorded in the Progress Payment screen in the Department's IT Systems.
-  Documentary Evidence, showing the Participant remained Employed or in Paid Work Experience for the entire 4-week period and worked the required 24 hours, must be in the form of:
 - copies of payslips covering the entire 4-week period, or
 - a signed and dated written statement or email from the Employer or Participant.


Note: Providers may ask Participants for payslips for the purposes of verifying Employment Outcomes, but Participants are under no obligation to provide this information. If a Participant does not want to supply payslips, Providers must not attempt to coerce or pressure the Participant. Providers must not threaten to, or apply, payment suspensions or Demerits under the Targeted Compliance Framework (TCF) to compel Participants to supply payslips or other evidence of Employment. Additionally, Providers must not contact an Employer directly to ask for evidence without the Participant's permission or consent, and Providers must not visit a Participant's Private Residence seeking payslips.

The Department will thoroughly investigate any claims of this nature and pursue action for a Breach of the Deed as appropriate.

11.4.3 Progress Fees for Education and Training

A Progress Fee based on accredited Education and Training may be claimed where:

- a Certificate II is attained and the Participant does not already hold a Year 12 or equivalent qualification — noting the Certificate must be attained and not just participated in, or
 - a Certificate III or higher qualification is either attained, or 26 Consecutive Weeks of the certification is completed.
-  The Activity ID must be recorded in the Progress Payment screen in the Department's IT Systems.

 Documentary Evidence must be in the form of either:

- a copy of the qualification or statement issued by the Registered Training Organisation or Education institution showing the qualification achieved, the Participant's name, and details of the Registered Training Organisation or Education institution, or
- confirmation from the Registered Training Organisation or Education institution that the course is full-time study as defined by the Registered Training Organisation or Education institution and that the Participant is still participating in the course 6 months after commencement. This may be in the form of correspondence from the Registered Training Organisation or Education institution, a certificate of attainment, an academic transcript or extract.

11.4.4 Progress Fees for Activities that address Vocational Barriers


A Provider may be able to claim a Progress Fee for a Participant's participation in, or completion of, the following Activities:


- Voluntary Work — Provider or Participant Sourced
- Observational Work Experience (OWE)
- Adult Migrant English Program (AMEP)
- Skills for Education and Employment (SEE)
- Career Transition Assistance (CTA)
- Employability Skills Training (EST), or
- Self-Employment Assistance (S-EA):
 - Exploring Self-Employment Workshop, or
 - Small Business Training.

Voluntary Work

To be eligible to claim a Progress Fee for Voluntary Work, the Voluntary Work placement must:

- be with an Eligible Host Organisation, for Provider-Sourced Voluntary Work (see 7.6.1 Provider Sourced Voluntary Work)
- meet the criteria for approved Voluntary Work, for Participant-Sourced Voluntary Work (see 7.7.3 Participant Sourced Voluntary Work)
- be continuous for at least 4-weeks
- result in hours worked that are equivalent to or above the Participant's Employment Benchmark over the 4-week period, and
- not be a Non-Payable Progress Placement.



 The Voluntary Work Activity ID must be recorded in the Progress Payment screen in the Department's IT Systems.

 Documentary Evidence must be in the form of written confirmation that the Participant participated in the Voluntary Work placement for the required 4-week period.

- Confirmation can be in the form of a signed and dated written statement or email from the Host Organisation / voluntary work organisation that includes:
 - details uniquely identifying the specific placement (such as the Activity ID, or details of the Participant and agreed start and end dates for the Voluntary Work placement),
 - hours volunteered, and
 - the Host Organisation's business name and ABN.

Observational Work Experience

To be eligible to claim a Progress Fee for OWE, the Participant must have completed an OWE placement of at least 8 hours — noting the maximum is 25 hours over 4 weeks (see 7.6.2 Observational Work Experience).



-  The OWE Activity ID must be recorded in the Progress Payment screen in the Department's IT Systems.
-  Documentary Evidence must be in the form of written confirmation from the Host Organisation that the Participant participated in the OWE placement for the required duration.
 - Confirmation can be in the form of a letter or email from the Host Organisation that includes:
 - details uniquely identifying the specific participant placement (such as the Participant's full name and their placement dates or the unique OWE Activity ID), and
 - the Host Organisation's business name and ABN.

Skills for Education and Employment

Providers may claim a Progress Fee when the Participant achieves advancement in at least one level of a Core Skill in the Australian Core Skills Framework (i.e. learning, reading, writing, oral communication, numeracy and/or digital skills) as part of participating in the SEE program, or has participated in SEE for at least 26 Consecutive Weeks.



This applies to advancement in levels 1 through to 5 in the Australian Core Skills Framework and within Pre Levels A and B outlined in the Pre Level 1 supplement, which is available for download on the [Department of Employment and Workplace Relations' website](#).

Advancement to the next level in all indicators of an individual Core Skill must be demonstrated, noting that in some cases, the indicators may span more than one level.

-  The SEE Program Activity ID must be recorded in the Progress Payment screen in the Department's IT Systems.
-  The Documentary Evidence must be in the form of either:
 - a statement from the SEE provider including the dates the Participant was participating in SEE or that they are continuing in SEE
 - a statement from the SEE provider detailing the advancement(s) the Participant has achieved in terms of level(s), such as via email or as additional comments in the SEE/AMEP Capability Guide, or
 - a copy of the Customised Training Plan completed by the SEE provider, indicating progress achieved.

Adult Migrant English Program

Providers may claim a Progress Fee when the Participant has achieved a Statement of Attainment as part of participating in AMEP or following participation in AMEP for at least 26 Consecutive Weeks.



-  The AMEP Activity ID must be recorded in the Progress Payment screen in the Department's IT Systems.
-  Documentary Evidence must be in the form of either:
 - a copy of the Statement of Attainment (Statements of Attainment are available with the Unique Student Identifier (USI) through the [USI website](#) or the Provider can contact the Register Training Organisation for documentation), or
 - written confirmation from the AMEP provider acknowledging participation for at least 6 months. The confirmation can be in any format (e.g. email exchange) but must include the

Participant's start date and end date, or the start date and acknowledgment that the Participant is still undertaking AMEP. An AMEP provider is not required to provide specific hours and/or days attended by the Participant.

Employability Skills Training (EST)



Providers may claim a Progress Fee when a Participant completes the EST course or achieves at least 60 hours of attendance over the EST course (either a training block 1 or 2).

Providers can determine, for an individual Participant, if completion of one or both Training Block 1 Course or/and Training Block 2 Course of EST may be sufficient depending on the Participant's circumstances.

-  The EST course Activity ID must be recorded in the Progress Payment screen in the Department's IT Systems.
-  Documentary Evidence [RESERVED]


Career Transition Assistance

Providers may claim a Progress Fee when a Participant completes the CTA course or achieves at least 60 hours of attendance over the CTA course.

-  The CTA course Activity ID must be recorded in the Progress Payment screen in the Department's IT Systems.
-  Documentary Evidence [RESERVED]


Self-Employment Assistance

Providers may claim a Progress Fee in relation to S-EA Exploring Self-Employment Workshop or Small Business Training.

-  For both Self-Employment Workshop and Small Business Training, the Documentary Evidence must be in the form of either:
 - a statement of attainment
 - academic transcript, or
 - completion certificate.


Exploring Self-Employment Workshop

The Participant must complete an Exploring Self-Employment Workshop, which is recorded by the S-EA provider in the Department's IT System.

-  The S-EA Workshop Activity ID for the completed Workshop must be recorded in the Progress Payment screen in the Department's IT Systems.

Participation in Small Business Training

The Participant must enrol in and complete at least one of the accredited units of competency available through Small Business Training with a S-EA provider.

-  The S-EA program Activity ID must be recorded in the Progress Payment screen in the Department's IT Systems.

11.5 Outcome Fees

Outcome Fees reward Providers for achieving sustainable Employment for Participants and recognise the work Providers need to do to assist each Participant to find and maintain Employment.

There are 5 levels of Outcomes Fees, as determined by the Participant Investment Funding Model. The higher Funding Levels recognise that greater investment is likely to be required for some Participants to help them find and maintain Employment.

The Employment Outcome Fee amount will also depend on:

- the duration of the Employment Outcome (12, 26 or 52-weeks), and
- if a Full Outcome or a Partial Outcome is achieved.

See Chapter 9: Post Placement Support for further information about Job Placements and Employment Outcome conditions.

(Deed Reference(s): Clause 163, Annexure B1)

11.5.1 Claiming Employment Outcome Fees

An Employment Outcome is achieved if, for the entire Outcome Period, a Participant:

- remains Employed or in Unsubsidised Self-Employment and
- meets a requirement for a Full Outcome or Partial Outcome.

Outcome Fees are available to claim on the Department's IT Systems at the end of each Outcome Period (i.e. 12-week Period, 26-week Period and 52-week Period).

Outcomes

Participant's Employment Benchmark	Outcome Level	Earnings based Outcome	Hours based Outcome
8 hours or more	Full Outcome	Income earned is enough to reduce the Participant's Income Support Payments to zero.	Hours worked each week are, on average, at least equal to the Participant's individual Employment Benchmark
8 hours or more	Partial Outcome	N/A	Hours worked each week, on average, are close to the Participant's individual Employment Benchmark.
0 hours	Full Outcome	N/A	8 hours worked each week on average in the Outcome Period. OR Minimum of 8 hours worked in: 9 out of 12 Consecutive Weeks (for the 12-week Outcome), or 20 out of 26 Consecutive Weeks (for each of the 26-week or 52-week Outcomes).
0 hours	Partial Outcome	N/A	5 hours worked each week on average in the Outcome Period.

Before claiming Outcome Fees, Providers should ensure the following conditions have been met:

- The Participant has met Outcome requirements for hours worked or income earned over the Outcome Period, including any Permissible Breaks.
- If a 26-week Outcome is being claimed, a 12-week Outcome has been paid in relation to the Participant for the 12 Consecutive Weeks following the same anchor date.

- If a 52-week Outcome is being claimed, a 26-week Outcome has been paid in relation to the Participant for the 26 Consecutive Weeks immediately before the 52-week Outcome Period.
- None of the conditions defined as a Non-Payable Outcome in the Deed apply to the Job Placement.
- The Provider has obtained the Department's written agreement that the Employment Placement can be used to achieve an Outcome, if the Employment Placement was with the Provider's Own Organisation or a Related Entity.
- The Provider has completed the required processes within the Department's IT systems to enable the Payment.
- The Provider has collected and uploaded any required Documentary Evidence to support the claim for payment.

As noted above, Participants with an Employment Benchmark of 0 hours have similar requirements for Outcomes as those with an Employment Benchmark of 8 hours, but additional flexibility applies to achieving a Full Outcome. A Full Outcome for these Participants will be available for working at least 8 hours per week for:

- 9 of 12 weeks for a 12-week Employment Outcome
- 20 of 26 weeks for the 26-week Employment Outcome, and
- 20 of 26 weeks for the remaining 26 weeks of the 52-week Employment Outcome.

Outcomes can be achieved at different levels for the different Outcome Periods. For example, a Participant may achieve a Full Outcome at 12 and 26 Weeks, but a Partial Outcome at 52 Weeks.

For more detailed information, refer to the relevant Sections in Chapter 9: Post Placement Support, in particular 9.5.2 Outcome Periods, 9.5.3 Permissible Breaks and Voluntary Changes in Employment and 9.6.1 Changing Participant circumstances.

Providers must not attempt to harass, coerce or pressure the Participant into providing Documentary Evidence related to their Employment. Further information is provided in below on claiming Outcomes using Documentary Evidence.

Earnings-based Outcomes

A Full Outcome may be claimed when the Income earned by a Participant is enough to reduce the Participant's Income Support Payments to zero. An earnings-based Outcome is claimed and verified by using Services Australia data in the Department's IT Systems.

Partial Outcomes cannot be claimed based on earnings.

Hours-based Outcomes

The hours each Participant must work to achieve an hours-based Outcome is based on their individual Employment Benchmark (see 11.2 Employment Benchmarks). A Participant's Employment Benchmark may change at any time during their Period of Service. Examples of when a Participant's Employment Benchmark could change include:

- following a Change of Circumstances ESAt — which assesses the Participant with a different work capacity, or
- if the Participant changes Income Support Payment.

The following table outlines the hours Participants must work to achieve a Full or Partial Employment Outcome. Scenarios follow in relation to claiming Outcomes where the Employment Benchmark changes during the Outcome period.

Required hours for achievement of hours-based Outcomes

Employment Benchmark	Full Outcome – required hours			Partial Outcome – required hours		
	12-week	26-week	52-week	12-week	26-week	52-week
0 hours	See below*			60	130	130
8 hours	96	208	208	60	130	130
15 hours	180	390	390	120	260	260
23 hours	276	598	598	180	390	390
30 hours	360	780	780	240	520	520

* Participants with an Employment Benchmark of 0 hours can achieve a Full Outcome by working:

- the hours a Participant with an Employment Benchmark of 8 requires for a Full Outcome, or
- at least 8 hours per week in:
 - 9 of 12 weeks for a 12-week Employment Outcome
 - 20 of 26 weeks for the 26-week Employment Outcome, and
 - 20 of 26 weeks for the remaining 26 weeks of the 52-week Employment Outcome.

Decrease in Employment Benchmark during any Outcome Period

If the Provider anchors a Job Placement and the Employment Benchmark subsequently reduces, the Provider is eligible to claim an Outcome based on the lower Employment Benchmark.

Increase in Employment Benchmark during the 12-week or 26-week Outcome Period

If a Participant has already been anchored in a Job Placement and their Employment Benchmark increases within the 12-week or 26-week Outcome Period, the Provider can claim Outcome Fees:

- for both the 12-week Period and 26-week Period, based on the lower Employment Benchmark that applied at the Anchor Date
- for the 52-week Period, based on the Employment Benchmark at the start of the period (i.e. after 26-week Outcome).

Increase in the Employment Benchmark during the 52-week Outcome Period

If a Participant has already been anchored in a Job Placement and their Employment Benchmark increases within the 52-week Outcome Period (that is, after the 26-Week Outcome), the Provider can claim Outcome Fees based upon the Employment Benchmark that applied at the end of the 26-week Period.

11.5.2 Outcome Claiming Methods

Providers may be able to claim Outcome Fees using:

- information declared to Centrelink (Services Australia), if the Participant is receiving an Income Support payment, or
- Documentary Evidence collected by the Provider.

If a Participant is receiving an Income Support Payment, the Department's IT Systems will track Employment Outcomes using the income and hours information that the Participant reports to Services Australia.



Providers can instead choose to claim outcomes using Documentary Evidence. This may be used for:

- claims where information is incomplete or not available for Participants; or
- claims where the Provider disagrees with the information in the Department's IT Systems.

If a Participant is not receiving an Income Support Payment or has an Employment Benchmark of 0-hours, the Outcome must be claimed using Documentary Evidence.

Claiming an Outcome based on information declared to Services Australia

The Department's IT Systems will use earnings and/or hours worked information declared by the Participant to Services Australia, or entered by the Provider based on Documentary Evidence, to determine if an Outcome is payable. The Department's IT Systems will automatically make Partial or Full Outcomes available if Outcome requirements have been met.

-  If the Outcome requirements have been met, the Department's IT Systems will present the Employment Outcome as available to be claimed by the Provider.
-  Providers do not need to hold Documentary Evidence for Employment Outcomes where the Department's IT Systems are able to use Services Australia data to verify that an Employment Outcome is payable.

Participants report income and hours worked to Services Australia on set fortnightly periods.

When a Job Placement is anchored during a fortnight:

- for hours-based outcomes, the Department's IT Systems will count a proportion of the hours worked for the outcome period equal to the proportion of that fortnight within the outcome period. When the outcome period ends during a fortnight, it will include a similar pro-rating of hours worked during that fortnight.
- for earnings-based outcomes, the Participant must achieve a 100% reduction in their income support payments for the entire outcome period, including fortnights that cross the start or end of the outcome period.

When a Permissible Break includes part of a Services Australia fortnightly reporting period, the Department's IT System will calculate hours and earnings based outcomes using the same pro-rata calculation (see 9.5.3 Permissible Breaks and Voluntary Changes in Employment).

Earnings-based Outcomes

Earnings-based outcomes may be available through the Job Seeker Rate Reduction (JRRR) tool. The JRRR shows how much the Participant's Income Support Payment was reduced in each fortnight because of income reported by the Participant. If the JRRR shows a 100% rate reduction in each fortnight of the outcome period, the Provider can claim a Full Outcome. There are no Partial Outcomes available for earnings-based outcomes.


Hours-based Outcomes

Hours-based outcomes may be available through the Job Seeker Employment Hours Result (JEHR) tool. The JEHR collects information about the Participant's reported hours of employment. If the JEHR shows that the Participant worked the required number of hours during the outcome period required by the Participant's Employment Benchmark, the Provider can claim a Full or Partial Outcome.

Note: If the Provider considers the Participant is not accurately declaring earnings and work hours to Services Australia, the Provider should ensure the Participant is aware of the importance of correct declarations. Accurate declarations help to ensure the Participant receives the correct amount of Income Support Payments and avoids payment delays, debts or penalties being incurred.

Claiming Outcomes using Documentary Evidence

The Provider may submit a claim for an Outcome using Documentary Evidence if the requirements of an Employment Outcome have been met.

-  Providers must upload Documentary Evidence to the Department's IT Systems to support a claim. Evidence uploaded must show that the Participant:


- was Employed or in Unsubsidised Self-Employment for the full Outcome period being claimed
- worked the hours required to complete a Full or Partial Employment Outcome, and
- received an hourly rate of payment (or earnings, if self-employed) of at least:
 - the relevant Award or agreement wage for the position, or
 - the National Minimum Wage (if there is no Award wage for the job), or
 - the agreed Supported Wage System wage rate (if this applies).

Providers may ask Participants for payslips for the purposes of verifying Employment Outcomes, however, Participants are under no obligation to provide this information. If a Participant does not want to supply payslips, Providers must not attempt to coerce or pressure the Participant. Providers must not threaten to or apply payment suspensions or Demerits under the Targeted Compliance Framework (TCF) to compel Participants to supply payslips or other evidence of Employment. Additionally, Providers must not contact an Employer directly to ask for evidence without the Participant's permission or consent. Providers must not visit a Participant's Private Residence seeking payslips. The Department will thoroughly investigate any claims of this nature and pursue action for a Breach of the Deed as appropriate.

If the Outcome Fee relates to a Job Placement that was with the Provider's Own Organisation or Related Entity, the Provider must also upload the Department's written agreement that the Job Placement is eligible to achieve an Outcome.

 Acceptable forms of evidence for paid Employment include:

- copies of payslips covering the entire Outcome Period of the claim
- signed and dated written statement or email from the Employer or Participant (see below)
- file notes.

 Provider file notes and statements or emails from Employers or Participants must include the following details:

- name of the Employer (can be the Participant, for self-employment)
- period covered by the statement
- hourly rate of payment during the statement period
- hours of paid Employment each week/fortnight of the Outcome period
- gross income each week/fortnight of the Outcome period
- full name, phone number and email of person making the statement
- date the statement was made.

Note: File notes will be accepted only if the Department is satisfied by evidence from the Provider that they made reasonable efforts to obtain payslips or a written statement / email but could not do so. Provider File Notes should include evidence of such efforts.

Claiming an Outcome for Participants in Unsubsidised Self-Employment

Where a Participant who is in Unsubsidised Self-Employment earns enough income to cause the Participant's Basic Rate of Income Support to cease, and all other requirements of a Full Outcome are met, a Full Outcome Fee may be claimed.

Where an Outcome Fee is being claimed based on hours worked, the Participant must work the required number of hours relative to their Employment Benchmark, on average, throughout the 12-week Period, 26-week Period and 52-week period.

For example, a Participant with an Employment Benchmark of 15 hours may work 12 hours per week preparing goods for sale, and an additional 20 hours every month during market days. The

Participant will meet their Employment Benchmark when these hours are averaged across the weeks of the Outcome Period.

A Participant in Unsubsidised Self-Employment may be in receipt of some Centrelink Income Support during an Outcome period and still meet the requirements of an Outcome Fee based on self-employment, provided that all other requirements for the Fee have been met (for example, that the self-employment is not subsidised, and the Participant's earnings are at a rate equivalent to the Minimum Wage).

A Participant undertaking Small Business Coaching through the Self-Employment Assistance program is considered to be in Unsubsidised Self-Employment.

A Provider may also claim using Documentary Evidence of Unsubsidised Self-Employment provided by the Participant.

☞ Acceptable forms of evidence for Unsubsidised Self-Employment include:

- sales Records (including receipts), contracts with clients or contracts of Employment
- statement relating to the Participant's business from a Certified Practising Accountant or Certified Accountant
- signed and dated written statement or email from an accountant and/or registered bookkeeper, and/or
- signed and dated written statement or email from the Participant (see below).

☞ Provider file notes and statements, or emails from the Participant, must include:

- name of the Participant
- period covered by the statement
- hourly rate of payment during the statement period
- hours of Unsubsidised Self-Employment undertaken each week/fortnight
- gross income each week/fortnight of the Outcome period (excluding any Self-Employment Allowance received while the Participant is undertaking Self-Employment Assistance)
- full name, phone number and email of person making the statement, and
- date the statement was made.

If the evidence used is a statement from the Participant, the Provider must check the consistency of the statement with any other evidence that may be available for part of the Outcome period, such as a [Profit and Loss Statement](#), [Business Activity Statement](#) or tax return statement.

Proof of business establishment alone is not sufficient evidence to support an Outcome Payment.

The records or statements provided must show the Participant has earned enough to record a profit — i.e. generating sufficient personal income (net of business expenses, including tax). These records or statements should also confirm whether the National Minimum Wage rate has been achieved when combined with evidence that the Participant has worked the required hours each week/fortnight to achieve sufficient hours (such as a record of the Participant's appointments or diary entries).

Note: Providers do not need to hold Documentary Evidence if the Department's IT Systems are able to use Services Australia data to verify that an Employment Outcome is payable.

Additional considerations for Transferred Participants

Where a Participant transfers while progressing towards an Outcome Fee, the Outcome Fee is only available to the Provider with whom the Participant is Commenced at the time the Outcome Fee becomes claimable. Employment Outcome Payments cannot be claimed on a pro-rata basis.

Additional considerations for Participants moving into Employment while participating in Complementary Services

An employment or training program administered by the Commonwealth (other than Inclusive Employment Australia), or provided by a State or Territory Government, is called a Complementary Service. Providers may access these programs to provide additional or alternative specialised assistance to a Participant.

If a Participant moves from a Complementary Service into Employment that satisfies the requirements for an Outcome and the service provided under the Complementary Service is the same or a similar service to Inclusive Employment Australia, the Provider may only claim an amount equal to **the difference** between:

- the Outcome Fee, plus any Moderate Intellectual Disability Payment, payable, and
- the fee, if any, payable to the relevant Complementary Services provider in relation to the same Employment related activity under any contract with the Commonwealth, or any State or Territory Government.

(Deed Reference: Clause 157.3)

11.5.3 Non-Payable Outcomes

There are some situations where achievement of Employment Outcomes does not attract Outcome Fees, even where the Participant works sufficient hours or earns sufficient income to meet the Employment Outcome requirements. These are referred to as Non-Payable Outcomes.

The following Employment types are examples of Non-Payable Outcomes:

- volunteer work, unpaid work experience or unpaid Work Trail
- non-ongoing paid work or paid Work Trial
- work under a program funded by the Australian Government, or a State or Territory Government, unless otherwise advised by the Department
- position generating income or earnings directly from gambling
- position generating income or earnings directly from commission
- position (or similar position) vacated within 14 Calendar Days by another Participant, for which the Provider claimed an Outcome Fee.

Pre-Existing Employment

Employment that a Participant is already undertaking when they Commence in Inclusive Employment Australia is not generally eligible for an Employment Outcome.

However, if a Participant increases their working hours to their Employment Benchmark or more, either through more hours in the Pre-Existing position or through the addition of a new Job Placement an Outcome will be payable based on the extra hours.

Recurring Employment

Outcome Fees are not payable in instances of Recurring Employment.

Employment or Unsubsidised Self-Employment that results in more than one Employment Outcome for a Participant with the same Employer is considered Recurring Employment. It does not apply to Employment or Unsubsidised Self-Employment that occurred prior to the Commencement in Inclusive Employment Australia.

Contrived Employment

Outcome Fees are not payable in instances of contrived Employment.

Contrived Employment is an arrangement whereby a Provider or another person creates an artificial work opportunity to maximise Payments or otherwise obtain a benefit. The Department will decide instances of contrived employment in its absolute discretion.

A position that is not in Open Employment

Placements must be in Open Employment positions to be eligible for Outcome payments.

Indicators that the Placement is in Open Employment include:

- the position is not in a segregated workplace setting
- the Employer and any organisation where the Participant is placed by the Employer is a commercial business or organisation, or if it is a social enterprise, is working on a commercial basis, and
- the position is available to the open labour market including people without disability or involves functions and conditions comparable to those of a similar role in a commercial business.

Indicators that the Placement is not in Open Employment include:

- the organisation is a Supported Employment Services provider
- the Employer and any organisation where the Participant is placed by the Employer is a social enterprise focussing on the employment of people with disability and is not working on a commercial basis
- the position involves functions or conditions that are not comparable to those for a similar role in a commercial business, and
- the position involves interaction mainly with other employees and non-employees in the physical work environment, who have disability or are in a work experience position.

A position where the conditions of employment do not meet legal requirements

Outcome fees are not payable for employment that contravenes Commonwealth, State or Territory legislation or provides terms and conditions of employment that are inconsistent with the relevant workplace relations legislation.

Providers should also ensure the Participant is aware of their rights and who to contact to enforce workplace laws.

Employment with the Provider's Own Organisation or Related Entity

Generally, an Employment Outcome is not available for a Participant who is Employed within the Provider's Own Organisation or a Related Entity.

Providers may seek approval from the Department to claim an Employment Outcome for a Participant Employed within the Provider's Own Organisation or a Related Entity. The Department will consider such requests on a case-by-case basis. The Provider should indicate if:

- the Employment in the Own Organisation or Related Entity was offered on an ongoing basis
- the period of Employment does not continue an outcome period from an anchored job placement with a different Employer who is not the Provider's Own Organisation or a Related Entity
- the Participant is provided with normal Post Placement Support and searching for alternative Employment is not an activity listed in the Participant's Job Plan, and
- the Job Placement is not otherwise a Non-Payable Outcome.

The Provider may include any other additional information supporting their case to claim an Outcome.

Evidence of the Department's approval should be uploaded as Documentary Evidence with the claim for payment of the Outcome.

11.6 Moderate Intellectual Disability Payment

The Moderate Intellectual Disability (MID) Payment can be claimed when a Participant with moderate intellectual disability has worked an average of at least 15 hours per week over the Outcome Period and is not a Non-Payable Outcome. It is paid in addition to the associated Full Outcome Fee.

To be eligible for the MID Payment, the Participant must have either:

- have an assessed Intelligence Quotient (IQ) of 60 or less, or
- have been classified by a registered psychologist, using a recognised assessment tool, as having moderate intellectual disability.

Registering a Participant with Moderate Intellectual Disability

The Moderate Intellectual Disability flag must be added to the Participant's Registration Record, once the eligibility of the Participant for MID Payment has been established with Documentary Evidence. This is generally done during the Referral or Direct Registration process.

- 🖥 The Provider can apply flag the to the Participant's record through the Registration screen in the Department's IT System. The flag is applied by adding 'Moderate Intellectual Disability' special client type.

Providers are required to retain suitable Documentary Evidence to support their decision to apply the Moderate Intellectual Disability flag.

- 📄 Providers must upload the evidence that the Participant has a moderate intellectual disability. Documentary Evidence of the person's moderate intellectual disability can include:
 - copy of an IQ assessment report clearly indicating the person's IQ is 60 or less
 - signed statement from a registered psychologist that the person's IQ is 60 or less
 - signed statement from an officer in Services Australia, an ESAt assessor, an education authority or a state or territory disability commission that they have evidence on file that the person's IQ is 60 or less
 - signed statement from a registered psychologist containing:
 - a statement that the person falls within a moderate intellectual disability classification, based on a combination of IQ and other adaptive factors in a recognised assessment tool
 - the name the assessment tool used (including version or revision number)
 - the score or assessment relevant to the classification scale, and
 - the assessment outcome, or
 - statement in a completed ESAt report that the assessor sighted a relevant assessment which indicates that the Participant has an IQ of 60 or less.

Claiming the MID Payment

A MID Payment will be automatically paid when a Provider:

- submits a claim for, and is paid, a 12-week Outcome, 26-week Outcome or 52-week Full Outcome for a Participant recorded in the systems as having a moderate intellectual disability, and
- the Participant has worked at least 15 hours per week, on average.

11.7 Ongoing Support Fees

Ongoing Support Fees are paid to Providers to deliver continuing, tailored support that to help a Participant remain in Employment as part of the Ongoing Support phase (see Chapter 10: Ongoing Support).

11.7.1 Eligibility for Ongoing Support Fees

The Participant must have a current Ongoing Support Assessment (OSA) in place or must be in the first 28 days of Ongoing Support, for the Provider to be eligible for Ongoing Support Fees. If the Provider does not submit the OSA Allocation by the OSA due date, then the Department's IT Systems will pause Ongoing Support, and the Provider cannot complete an Instance or Contact of Ongoing Support until the OSA Allocation has been submitted.


Providers should not submit a Request Payment because an OSA Allocation has not been submitted by the OSA due date. Once the Provider has submitted the OSA Allocation, Payment will be triggered for the relevant Ongoing Support Fees as they become available.

11.7.2 Payment of Ongoing Support Fees

Ongoing Support Fees are payable for eligible Ongoing Support and Ongoing Support (Work Assist) Participants.

To be eligible for Ongoing Support Fees, Providers should ensure the following conditions have been met:

- The Participant has a current OSA in place or is in the first 28 days of Ongoing Support.
- The Participant has met the 8 hours of work per week requirement (unless exempt).
- Requirements as outlined in 10.6 Participant Contact have been met:
 - for Moderate or High Ongoing Support, the Provider has delivered the minimum Contacts – 6 per quarter for Moderate Ongoing Support and 12 per quarter for High Ongoing Support, or
 - for Flexible Ongoing Support the Provider has completed an Instance of Ongoing Support as required.
- The Provider has recorded all required information in the Department's IT Systems, including moving a Participant to Ongoing Support, recording details of the Ongoing Support Instances or Contacts delivered to a Participant.

 Providers must retain Documentary Evidence to demonstrate that throughout the Ongoing Support Payment period to support their eligibility for Payment.

- Providers must collect evidence that the Participant:

- was employed for the Full Payment period
- worked at least 8 hours per week, on average.

Note: Some participant types are exempt from the 8 hours per week requirement, as noted in Chapter 10: Ongoing Support, 10.7 When Ongoing Support can be provided.

- Acceptable forms of evidence for paid Employment include:

- copies of payslips covering the entire Payment period
- signed and dated written statement or email from the Employer or Participant, including:
 - name of the Employer
 - period covered by the statement
 - statement about the hours of paid Employment during the Payment period

- full name, phone number and email of the person making the statement, and
- date the statement was made.
- Providers must retain records of support provided to the Participant in the form of a file note or other evidence showing:
 - Support provided to the Participant at each Instance or Contact, including evidence of delivery of Contacts.
 - Delivery of the required minimum number of Moderate or High Ongoing Support Contacts within the Ongoing Support Payment period.
 - Relevant changes to the Participant's circumstances and support needs.
 - Any assistance that was purchased, including receipts and invoices.

Providers will be paid on completion of an Instance of Flexible Ongoing Support, and monthly (default) or quarterly in arrears for Moderate or High Ongoing Support.

Ongoing Support Fees will not be paid for Job Placements that meet any of the conditions defined as a Non-Payable Outcome, except for Recurring Employment (see 11.5.3 Non-Payable Outcomes).

If a Participant Period of Service ends during an Ongoing Support Payment period, the Provider will not receive any payment for Moderate or High Ongoing Support for that period, including as a pro-rata payment. Providers cannot record Instances of Flexible Support following the Participant's Exit. Providers will not receive payment for an Instance of Flexible Support that has not met the conditions for the Flexible Ongoing Support Fee.

(Deed Reference(s): Clause 165)

Suspended Participants

Ongoing Support Fees are only payable for a Participant who is Suspended by Services Australia if the Participant is in an active Volunteer Period (i.e. has volunteered to continue to receive Services) and continues to meet the eligibility requirements for Ongoing Support, including the requirement to be Employed.

(Deed Reference(s): Clause 152)

First 28-days of Ongoing Support

Ongoing Support Fees are available for support delivered in the first 28 days and before the initial OSA is completed, even if the OSA recommends no Ongoing Support is required or a different Level of Ongoing Support is required.

Providers cannot receive Payment for any further support delivered after the first 28 days until the initial OSA has been completed. Once the initial OSA confirms the Participant's Ongoing Support needs, the Provider can receive:

- Flexible Ongoing Support Fees as Instances are completed.
- Moderate or High Ongoing Support Fees when they fall due, with the second Ongoing Support Payment period commencing from:
 - the day after completion of the initial 28 day period, if the OSA has been completed, or
 - date the OSA is completed, if the OSA is not completed within the first 28 days.

(Deed Reference(s): Clause 125)

Flexible Ongoing Support Fees

Flexible Ongoing Support Fees are paid on a fee-for-service basis for each Instance of support over 4 hours delivered and completed in the Department's IT Systems. An Instance can cover an accumulated number of smaller contacts, or a single Instance of more intensive support.

A maximum of 6 Instances of Flexible Ongoing Support can be paid for a Participant within a 26-week period. If further support is required, a Change of Circumstances OSA must be requested to determine if a different Level of Ongoing Support is required.

Flexible Ongoing Support Fees are paid automatically once an Instance of Support over 4 hours is recorded in the Department's IT Systems. Providers do not need to claim for Payment.

(Deed Reference(s): Clause 114, 130, 165)

Moderate and High Ongoing Support Fees

Moderate and High Ongoing Support fees are paid monthly or quarterly in arrears.

The Provider is required to deliver the minimum number of Ongoing Support Contacts within the Payment period.

Moderate and High Ongoing Support Fees will be triggered for automatic Payment to a Provider who has recorded in the Department's IT Systems at least one Contact in each monthly Ongoing Support Payment period or at least 3 Contacts in each quarterly Ongoing Support Payment period. Providers do not need to claim for Payment.

If a Provider receives a monthly or quarterly Ongoing Support Fee for a Participant but has not delivered the required minimum number of Contacts — 6 per quarter for Moderate Ongoing Support and 12 per quarter for High Ongoing Support — part of the Ongoing Support Fee will be offset against later Ongoing Support Fees. The offset amount will be the proportion of the required Contacts that were not delivered within the Ongoing Support Payment period.

(Deed Reference(s): Clause 114, 165)

Monthly or quarterly Payment periods

Moderate or High Ongoing Support Fees will be paid monthly in arrears by default.

If a Provider wishes to be paid Moderate or High Ongoing Support Fees quarterly in arrears, the Provider may request a change to the payment schedule via email to desadmin@dss.gov.au.

Note: The Ongoing Support Payment schedule is set at a contract level, so will apply across all Ongoing Support Participants on a Provider's Caseload.

Changes in Level of Ongoing Support

Pro-rata Payments will be made if a Participant changes their Level of Ongoing Support during a Payment period.

Where a Participant was in both Moderate and High Ongoing Support during a Payment period, the Ongoing Support Fee will be based on the proportion of the period in each level of support.

Where a Participant was in Flexible Ongoing Support and at least one other Level of Ongoing Support during a Payment period, the Provider will be paid the Flexible Ongoing Support Fee for Instances of Flexible Support delivered, and a High or Moderate Ongoing Support Fee equal to the proportion of the period that the Participant was receiving Moderate or High Ongoing Support.

(Deed Reference(s): Clause 165)

Additional considerations for Transferred Participations

If a Flexible Ongoing Support Participant transfers to a new Provider:

- the Relinquishing Provider will receive a Flexible Ongoing Support Fee for each completed Instance of Flexible Ongoing Support delivered before the Transfer, and
- the Gaining Provider will receive a Flexible Ongoing Support Fee for each completed Instance of Flexible Ongoing Support delivered after the Transfer

Each Provider can be paid up to the maximum of 6 Instances allowed in a 26-week period.

If a Moderate or High Ongoing Support Participant transfers to a new Provider:

- the Relinquishing Provider will receive a pro-rata Payment for the proportion of the final Payment period that they supported the Participant, and
- the Participant commences a new Moderate or High Ongoing Support Payment period from the transfer date to the Gaining Provider.

(Deed Reference(s): Clause 165)

Chapter 12: Compliance

Supporting Documents for this Chapter

- [Provider Actions – Demerits and Payment Suspensions \[LINK\]](#)
- [Provider Actions – Conducting a Capability Interview \[LINK\]](#)
- [Provider Actions – Reporting Work Refusal Failures \[LINK\]](#)
- [Provider Actions – Reporting Unemployment Failures \[LINK\]](#)
- [Capability Interview Best Practice Guide \[LINK\]](#)
- [Valid Reason assessment options \[LINK\]](#)
- [Manual Demerit Removal options \[LINK\]](#)
- [Re-engagement reason options \[LINK\]](#)
- [Work Refusal Failure reason options \[LINK\]](#)
- [Unemployment Failure reason options \[LINK\]](#)
- [Targeted Compliance Framework \(TCF\) workflow \[LINK\]](#)
- [Compliance, Demerits and zones - Information for Participants](#)

Note: Providers should review the Department of Workplace Relations (DEWR) website for updates on the review of the Targeted Compliance Framework (TCF) and decisions to pause some part of the TCF — see the [Department of Employment and Workplace Relations website](#). This Chapter has not been updated to reflect the current pauses but will be adjusted if required to reflect current policy at the time these Guidelines come into effect.

12.1 Chapter Overview

This Chapter explains what happens when a Participant does not comply with their participation requirements as outlined in Chapter 5: Participation requirements. It also details the actions a Provider must take in response to non-compliance.

This Chapter:

- outlines the actions that must be taken when a Participant has a Meaningful Engagement Job Plan, and the Participant is not meeting this Meaningful Engagement Requirement
- provides information about when and how a Provider can compel a Participant on a Meaningful Engagement Job Plan to attend a Contact Appointment
- provides information about the Targeted Compliance Framework (TCF) and outlines how it applies to Participants (Mutual Obligation) in Inclusive Employment Australia
- describes what happens when Participants (Mutual Obligation) commit Mutual Obligation Failures, Work Refusal Failures and Unemployment Failures and Provider actions in response — including guidance on assessing reasons for failures and ensuring correct and timely reporting against Participant's Mutual Obligation Requirements
- provides information about Capability Interviews and Capability Assessments — safeguards under the TCF determine the suitability of a Participant's Job Plan and Mutual Obligation Requirements, and
- provides information about the compliance arrangements for DSP Recipients (Compulsory Requirements), who are not subject to the TCF.

Participants (Voluntary) do not have compulsory requirements. A Participant (Voluntary), who is not volunteering while they have an Exemption to their participation requirements, must be Suspended if they are not meaningfully engaging and then be Exited if they do not make contact with the Provider — refer to relevant Sections in Chapter 3: Commencements, Transfers, Suspensions and Exits.

Providers should be aware of the role of the National Customer Service Line (NCSL) when reading this Chapter.

12.2 Steps when a Participant has failed to meet the Meaningful Engagement Requirement

This Section applies to Participants (Mutual Obligation) and DSP Recipients (Compulsory Requirements).

A Participant with a Meaningful Engagement Job Plan must meet the Meaningful Engagement Requirement as described in 5.5 Meaningful Engagement Requirement.

As noted in 5.5.4 Determining if a Participant is meeting the Meaningful Engagement Requirement, before a Participant can be found to have a Pattern of Disengagement and failed to meet the Meaningful Engagement Requirement a Provider must:

- take steps to increase a Participant's overall level of engagement, and
- issue a warning that the Participant is at risk of failing to meet the Meaningful Engagement Requirement.

This process should include:

- continuing to schedule regular Contacts, in accordance with the previously agreed schedule for Appointments and Contacts
- during a Contact, including engagement via email or SMS (if the participant has agreed to these methods of contact):
 - discussing if there has been a change in circumstances impacting capability to engage
 - explaining how the Participant can meet the Meaningful Engagement Requirement
 - reviewing tasks and activities that have been agreed to in the plan for meaningfully engaging to ensure that the Participant understands why these have been included, and
 - changing the agreed tasks and activities, if appropriate.
- warning to ensure that the Participant is aware that continued disengagement will result in the determination that they have failed to meet the Meaningful Engagement Requirement.

 [RESERVED]

Once the Participant has shown a Pattern of Disengagement (i.e. multiple failures to meet the Meaningful Engagement Requirement), the Provider must schedule a face-to-face Contact Appointment, if possible. At this Appointment, the Provider must:

- advise the Participant that they have demonstrated a Pattern of Disengagement
- outline the evidence for finding the Participant has failed to meet the Meaningful Engagement Requirement, and
- if after the above discussions no additional reasons are provided that a Provider deems sufficient to mitigate the Pattern of Disengagement, then create a Detailed Job Plan that includes a list of compulsory requirements and explain the consequences of failing to meet any of the compulsory requirements — refer to 4.7 Contents of a Detailed Job Plan.

Note: Providers have discretion around whether the actions undertaken by the Participant constitute a Pattern of Disengagement. There is no set rule to be followed. As general guidance, a Pattern of Disengagement would be where a Participant has not meaningfully engaged more than once and these occurrences have taken place within any 3-month period.

 [RESERVED]

If a Provider is unable to contact a Participant having made reasonable attempts to do so, a Provider may compel the disengaged Participant to attend a Contact Appointment, by scheduling a compulsory

Appointment and notifying the Participant accordingly using the scripts provided by the Department. Further details are outlined in the Sections below.

If a disengaged Participant (Mutual Obligation) does not attend the compulsory Contact Appointment, the Provider must undertake compliance actions for reporting failure to attend a compulsory Appointment and schedule a Re-engagement Appointment (as the appropriate Re-engagement Requirement), as outlined in 12.4 Compliance actions - Mutual Obligation Failures and 12.4.6 Re-engagement Requirements.

If a disengaged DSP Recipient (Compulsory Requirements) does not attend the compellable Appointment, the Provider must undertake compliance actions for non-attendance at an Appointment, as outlined in 12.7 DSP non-compliance and associated compliance actions.

12.2.1 Reasonable attempts

Providers must make reasonable attempts to schedule a Contact Appointment with a disengaged Participant. This means that the Provider must make 3 attempts to arrange and deliver a Contact Appointment. This needs to occur over the shortest timeframe possible while still ensuring the Participant receives sufficient notice of the requirement to attend a Contact Appointment.

Providers must schedule an Appointment in the Participant's Electronic Calendar regardless of whether it is to be held face-to-face or via a phone call or videoconference, in accordance with the guidance for Contacts and Contact Appointments under .

A Contact Appointment made in advance of the Participant's failure to meet the Meaningful Engagement Requirement can also be count as an attempt at organising a Contact.

If the Participant has not attended a Contact Appointment after 3 attempts at organising the Contact by the Provider, the Provider can notify the Participant to attend a compulsory Contact Appointment, as described at 12.2. Contact Appointment. The TCF applies if the Participant fails to attend a compulsory Contact Appointment.

- 📅 All attempts to contact the Participant must be documented using comment functionality in the Participant's Summary on the Department's IT Systems.

Attempting to schedule Contact Appointment with a Participant

Providers should seek to contact the Participant, via email or a phone call, in order to schedule the Contact Appointment at a mutually agreed time. Providers may also use SMS if the Participant has agreed to contact via this Engagement Method.

The nature and frequency of attempts to contact the Participant should be based on the Provider's understanding of the Participant, the Participant's receptiveness to engage, and the different types of Engagement Methods available.

Note: Providers must attempt to contact the Participant using the Participant's preferred contact method, but should also consider using alternative methods if this is unsuccessful.

- 📅 A Participant's preferred contact method is listed in the Department's IT Systems under the Personal details screen of the Participant's profile.

Where contact is successful, Providers must agree a suitable time with the Participant to meet and inform them that, if they fail to attend, they then may be required to attend a compulsory Appointment that could result in their Income Support Payments being suspended by Services Australia. Unless otherwise agreed with the Participant, the Appointment scheduled should be made at least 2 Business Days into the future.

Where contact is not successful, Providers can schedule based on availability in the Participant's Electronic Calendar — taking into account any Personal Events. The Appointment scheduled should

be made at least 5 Business Days into the future if the Participant is to be notified via email or at least 8 Business Days into the future if the Participant is to be notified via letter. Providers may also rely on existing Contact Appointments booked in the Participant's Electronic Calendar.

- 📅 The Contact Appointment must be in the Participant's Electronic Calendar. The Provider must ensure the Contact Appointment is entered as a voluntary requirement. The Department's IT Systems will automatically create relevant notifications when scheduling the Contact Appointment.

Scheduled Contact Appointments

Once a Contact Appointment has been scheduled, if the Participant either reschedules or does not attend, this will form part of the 3 attempts to arrange and deliver a Contact Appointment — regardless of the Participant having what would otherwise be considered a valid reason or reasonable excuse.

- 📅 If the Participant tells the Provider they cannot attend the Appointment before the scheduled start time, the Provider must record a result of 'Rescheduled' in the Department's IT Systems.
- 📅 If the Participant does not attend the scheduled Appointment, the Provider must record a result of 'Did Not Attend' in the Department's IT Systems by the end of the day on which the Contact was scheduled to occur.

After a Provider has recorded a result of 'Rescheduled' or 'Did Not Attend', the Provider must:

- schedule another Contact Appointment at next available opportunity, if fewer than 3 attempts have been made to deliver the Contact Appointment, or
- schedule a compulsory Contact Appointment, if 3 attempts have been made to deliver the Contact Appointment. This process is described in 12.2.2 Compellable Contact Appointment.

12.2.2 Compellable Contact Appointment

Under Social Security Law, Provider staff are delegated to make the decision to issue a notice to attend a compulsory Appointment.

When the following circumstances have occurred, Providers can book a compulsory Contact Appointment in a Participant's Electronic Calendar where a Participant (Mutual Obligation) or DSP Recipient (Compulsory Requirements) has a Meaningful Engagement Job Plan. The Participant will receive a formal notification that they are required to attend under Social Security Law, with the notification informing the Participant of the requirement to attend the Appointment under Section 63 of the *Social Security (Administration) Act 1999* (Cth).

Circumstances for compelling a Participant to attend a compulsory Contact Appointment are:

- Participant has failed to meet the Meaningful Engagement Requirement and the Provider has made a reasonable attempt to schedule a Contact Appointment with the Participant
- Participant has committed an apparent Work Refusal, or
- Participant has committed a potential Unemployment Failure.

Note: Providers must not use the option of scheduling a compulsory Contact Appointment for a Participant with a Meaningful Engagement Job Plan for any other reason than listed above. Failure to attend a compulsory Appointment may result in compliance actions under the TCF.

- 📅 [RESERVED]

12.3 Targeted Compliance Framework

This Section applies to Participants (Mutual Obligation).

For Participants (Mutual Obligation), instances of non-compliance are actioned under the TCF.

The TCF encourages Participants to engage with their Provider, take personal responsibility for managing and meeting their Mutual Obligation Requirements, actively look for work (within their assessed work capacity, if they are able), and improve their job prospects.

The TCF targets financial penalties towards Participants who persistently fail to meet Mutual Obligation Requirements without a Valid Reason or Reasonable Excuse, while protections exist for those who are trying to comply with their participation requirements.

A guide to types of failures for Participants with Mutual Obligation Requirements can be found in the Social Security Guide — see [3.11.13.30 Types of failures | Social Security Guide](#).

Under the TCF, a Participant's Income Support Payment may be:

- suspended and/or cancelled if they fail to attend their Initial Interview
- suspended, reduced and/or cancelled if they fail to agree to their Job Plan
- suspended, reduced and/or cancelled if fail to meet a compulsory requirement in their Detailed Job Plan — note that this does not apply to compulsory requirements in the Meaningful Engagement Job Plan
- suspended and/or cancelled if they fail to attend, or are not punctual for, an Appointment they are required to attend — this applies when compelled to attend a Contact Appointment as outlined in 12.2.2 Compellable Contact Appointment
- suspended and/or cancelled if they commit a Work Refusal Failure
- cancelled if they commit an Unemployment Failure, or
- cancelled if they do not meet a Re-engagement Requirement within 28 calendar days of being notified of the Re-engagement Requirement.

The TCF includes safeguards to ensure that requirements in a Participant's Job Plan are reasonable. This includes the Participant attending:

- a Capability Interview with the Provider when they accrue a total of 3 Demerits, and
- a Capability Assessment with Services Australia when they accrue a total of 5 Demerits.

Note: Providers must not use or threaten or apply payment suspensions or Demerits under the TCF in order to compel Participants to supply payslips or other evidence of Employment. The Department will thoroughly investigate any claims of this nature.


Key elements of the TCF

The TCF comprises 3 zones for Participants, as outlined in the table below.

Participants accrue Demerits when Mutual Obligation Failures are applied, which causes them to move through the zones dependent on the outcome of any Capability Interview or Capability Assessments.

A Participant (Mutual Obligation) who persistently commits Mutual Obligation Failures will progress through the 3 zones of the TCF — Green Zone, Warning Zone and Penalty Zone.

TCF Zones

	Green Zone
All Participants (Mutual Obligation) start in the Green Zone when they Commence in employment services.	
They stay in this zone if they do not commit any Mutual Obligation Failures without a Valid Reason.	



Warning Zone

Participants are in the Warning Zone when they have 1 to 5 Demerits. Each Demerit automatically expires after 6 active months (182 days, excluding any Exemption or penalty period).

When a Mutual Obligation Failure is applied to Participant in the Warning Zone, the Participant's payments may be suspended until they provide a Valid Reason or a Re-engagement Requirement is met.

Participants must attend:

- a Capability Interview with their Provider if they accrue 3 Demerits. The Capability Interview determines whether the Participant stays in the Warning Zone or returns to the Green Zone with their Demerits reset to zero.
- a Capability Assessment with Services Australia if they accrue 5 Demerits. The Capability Assessment determines whether the Participant will progress to the Penalty Zone or go back to the Green Zone with Demerits reset to zero.

Participants will also be fast-tracked to the next capability review if they commit a 'fast-track' Mutual Obligation Failure.

Participants progress to the Penalty Zone only if a Capability Assessment confirms that the Participant is capable of meeting their requirements and that Participant's Mutual Obligation Requirements were suitable for them.



Penalty Zone

Participants in the Penalty Zone do not accrue Demerits but incur financial penalties if they continue to commit Mutual Obligation Failures without a Reasonable Excuse:

- first Mutual Obligation Failure — loss of Income Support Payment for one week, and
- second Mutual Obligation Failure — loss of Income Support Payment for 2 weeks.

A participant in the Penalty Zone will return to the Green Zone if they do not commit any further Mutual Obligation Failures for 91 days.

Penalties for Work Refusal Failures and Unemployment Failures reinforce the principles that:

- Income Support Payments for Participants should only be available to those who are genuine in their efforts to move into paid work, and
- where Participants gain Employment, they must take all reasonable steps to remain in the workforce and reduce their reliance and need for an Income Support Payment.

Interaction with Job Plan types

A Participant (Mutual Obligation) may either have a Meaningful Engagement Job Plan or Detailed Job Plan — see Chapter 4: Job Plans. The Participant's Job Plan type will impact the application of the TCF.

A Participant (Mutual Obligation) with a Meaningful Engagement Job Plan may accrue Demerits and/or be subject to payment suspension and/or financial penalties under the TCF if, without a Valid Reason, they do not:

- attend, and be punctual for, their Initial Interview
- agree to their Job Plan
- attend, and be punctual for, a compulsory Contact Appointment, once notified that they are being compelled to attend under Social Security Law, or
- attend, and be punctual for, a Re-engagement Requirement.

A Participant (Mutual Obligation) with a Detailed Job Plan may accrue Demerits, be subject to payment suspension and/or financial penalties under the TCF if, without a Valid Reason, they do not:

- attend, and be punctual for, their Initial Interview, noting that a Participant may transfer Providers which will result in an Initial Interview with the Gaining Provider
- agree to their Job Plan
- attend, and be punctual for, compulsory Appointments with their Provider
- meet the compulsory tasks and activities detailed in their Job Plan, including their Job Search Requirement
- attend, and be punctual for, a Re-engagement Requirement.

Irrespective of the Job Plan type, a Participant (Mutual Obligation) may be subject to financial penalties if, without a Reasonable Excuse, they do not:

- accept suitable work or start a job as planned — that is, commit a Work Refusal Failure, or
- keep their job unless they leave due to something beyond their control — that is, commit a Unemployment Failure.

12.3.1 Provider Obligations

Provider staff have delegated powers under Social Security Law to notify Participants (Mutual Obligation) of their requirements.

The Provider's main obligations relating to the TCF include:

- checking a Participant's ability to record and report their own participation — refer to 5.10 Personal responsibility for reporting attendance
- ensuring the Participant's Mutual Obligations Requirements are set out in their Job Plan (including any Job Search Requirement, where applicable) — refer to Chapter 4: Job Plans and Chapter 5: Participation requirements
- ensuring the Participant's Mutual Obligations Requirements are suitable and tailored to their personal circumstances and commitments — refer to Chapter 5: Participation requirements
- actively checking and recording each Participant's attendance and level of engagement
- actively checking and recording each Participant's compliance with their Mutual Obligation Requirements
- timely and correct recording in the Department's IT Systems when a Participant has committed a Mutual Obligation Failure, Work Refusal Failure or Unemployment Failure — refer to 12.5 Compliance actions - Work Refusal Failures and 12.6 Compliance actions - Unemployment Failures
- notifying Participants of Re-engagement Requirements — refer to 12.4.6 Reengagement Requirements, and
- conducting Capability Interviews once a Participant accrues 3 Demerits or is fast-tracked to the equivalent point — refer to 12.4.7 Capability Interviews.

(Deed Reference(s): Clause 135.1, 136.1, 136.2, 136-142)

Training

Provider staff must successfully complete mandatory TCF training at least every 12 months.

It is essential that each staff member understands the TCF.

(Deed Reference(s): Clause 61.3, 143)

Ensuring a Participant understands their rights and responsibilities

The Provider must ensure the Participant is aware of their rights and obligations under Social Security Law, including:

- their Mutual Obligation Requirements and what they must do to meet their requirements
- that in meeting the Meaningful Engagement Requirement they can meet their Mutual Obligation Requirements
- their personal responsibility to self-report their attendance at Appointments and Activities (unless the Participant is assessed as not being capable of self-reporting) — refer to 5.10 Personal responsibility for reporting attendance
- the option to reschedule Appointments, Activities or Job Interviews if contact with a Provider is made in advance of the start time and they can provide an Acceptable Reason as to why they are unable to attend
- the circumstances in which a Mutual Obligation Failure can occur and the consequences of not meeting their Mutual Obligation Requirements, including possible financial penalties
- the circumstances where a Work Refusal Failure can occur and the consequences of refusing or not accepting suitable Employment
- the circumstances in which an Unemployment Failure can occur and the consequences of leaving a job or being dismissed from an Employment due to misconduct, and
- the circumstances in which they may have a Re-engagement Requirement and the consequences of not meeting this requirement.

(Deed Reference(s): Clause 134.1, 134.19)

All Participants have the right to ask for a review of a decision made under Social Security Law through the Social Security Appeals Process.

The application of a formal review, and the right to appeal the decision to a tribunal or court, applies to decisions to suspend a Participant's Income Support Payment because of non-compliance, and decisions made by Services Australia to reduce or cancel their Income Support Payment.

If a Participant does not agree with a decision that has resulted in a payment suspension or financial penalty, they can ask Services Australia to review the decision. A review can be requested by calling either Services Australia on their regular payment line (which can be found on the [Services Australia website](#)), appearing in person at a Centrelink office, or by downloading and submitting an [Explanation or formal review of a decision form \(SS351\)](#). More information on the request for an explanation or formal review of Centrelink decisions is available for Income Support Payment recipients on the [Services Australia website](#).

Decisions related to Demerits, a Participant's TCF zone and the requirement to change to a Detailed Job Plan are not decisions based on Social Security Law, but rather decisions made under Government policy. As such, Participants cannot appeal or ask for a formal review using the same processes as those that apply for decisions under Social Security Law. However, Participants can dispute these decisions using the following process.

- Participants should discuss their concerns about these decisions with their Provider. The Provider is responsible for providing the Participant with an explanation of the decision and initial reconsideration of the decision.
- If they don't feel comfortable talking to their provider or still wish to dispute the decision after a discussion with their Provider, they can contact the NCSL (details for which can be found on the [Workforce Australia website](#)). By contacting the NCSL, the Participant is in effect making an Inclusive Employment Australia-related Complaint.

- If required, the Provider must action Complaints that are referred to them by the NCSL. This may include reviewing the decision-making process, including any Documentary Evidence recorded on the Department's IT Systems.

Note: If a Participant was to fail to agree to their Job Plan when required to enter into a Detailed Job Plan, and this resulted in the decision by Services Australia to apply a payment suspension or financial penalty as a result of the Mutual Obligation Failure, the Participant would be able to request a formal review of their requirement to agree to the Job Plan under the mechanism outlined above.

Recording participation by close of business

Providers must schedule all Mutual Obligation Requirements in each Participant's Electronic Calendar, except the Participant's requirement to:

- enter into a Job Plan
- undertake Job Search, or
- action a Job Referral.

Providers must confirm and/or record the Participant's participation against each scheduled requirements in the Participant's Electronic Calendar. Providers must do this by close of business on the day that the requirement is scheduled to occur in the Participant's Electronic Calendar. Further details are included in 12.4 Compliance actions - Mutual Obligation Failures.

(Deed Reference(s): Clause 112.4, 112.5, 112.6, 134, 136, and 155)

Providers must also act on and report instances of Work Refusal Failures and Unemployment Failures on the same Business Day that they become aware of the apparent failure. Further details are included in 12.5 Compliance actions - Work Refusal Failures and 12.6 Compliance actions - Unemployment Failures.

Resolution time prior to Income Support Payment suspensions for Participants in the Green or Warning Zone

Resolution time applies when a Participant commits a Mutual Obligations Failure while in the Green Zone or Warning Zone. It allows the Participant a period of 5 Business Days to contact their Provider to discuss and resolve the Mutual Obligation Failure, if possible, before the Participant's payment is affected.

During the 5 Business Days of resolution time, the Provider must be available to engage with Participants who make contact to discuss a Mutual Obligation Failure.

A Participant's Income Support Payment will not be affected if, within the period of resolution time:

- the Provider records the Participant has a Valid Reason, or
- the Provider records the Participant does not have a Valid Reason, but the Participant has met a Re-engagement Requirement that has been set.

Resolution time does not apply when participants are in the Penalty Zone. Instead, the Participant's payment is suspended immediately, to encourage the Participant to contact their Provider to discuss the Mutual Obligation Failure.

12.4 Compliance actions - Mutual Obligation Failures

This Section applies to Participants (Mutual Obligation).

12.4.1 What are Mutual Obligation Failures

Participants commit Mutual Obligation Failures when they fail to meet their Mutual Obligation Requirements without a Valid Reason, noting that a Participant's requirements will vary depending on their Job Plan type.

A summary of the types of Mutual Obligations Failures is outlined in the table below.

Note: The description below may not be the same as the descriptions shown in the Department's IT Systems when managing non-compliance.

Mutual Obligation Failures

Failure type	Mutual Obligation Failure definition in Social Security Law
Job Plan	<ul style="list-style-type: none">Failing to agree to Job Plan.
Non-attendance	In relation to a compulsory Job Plan requirement or notified requirement: <ul style="list-style-type: none">failing to attend, or be punctual for, an Appointmentfailing to attend, or participate in, an Activityfailing to attend a Job Interview, andfailing to comply with any other requirement.
Job Search	<ul style="list-style-type: none">Failing to undertake the number of Job Searches in their Job Plan.
Misconduct	In relation to a compulsory Job Plan requirement or notified requirement: <ul style="list-style-type: none">acting in an inappropriate manner during an Appointmentacting in an inappropriate manner while participating in an Activityintentionally acting in a way that could result in a job offer not being made.
Job Referral	<ul style="list-style-type: none">Failing to act on a job opportunity when notified to do so by their Provider.

Where a Participant commits a Mutual Obligation Failure, depending on the TCF Zone they are in, the consequences for the Participant may include:

- they accrue a Demerit if they do not have a Valid Reason and are in the Green Zone or the Warning Zone
- their Income Support Payment being:
 - suspended or cancelled, if the Participant is in the Green Zone or the Warning Zone if, following resolution time, they do not provide a Valid Reason or meet a Re-engagement Requirement, or
 - suspended, reduced or cancelled, if the Participant is in the Penalty Zone.

Fast-track Mutual Obligation Failures

Certain types of Mutual Obligation Failures are referred to as 'fast-track' Mutual Obligation Failures because they can result in a Participant having a Capability Interview or Capability Assessment more quickly than would otherwise be the case.

A fast-track Mutual Obligation Failure occurs when a Participant (with a Detailed Job Plan):

- fails to attend or take part appropriately at a scheduled Job Interview, or
- fails to act on a Job Referral task when requested to do so by their Provider.

The Department's IT Systems will automatically increase the number of Demerits to:

- 3 Demerits if the Participant has fewer than 3 Demerits when they commit a fast-track Mutual Obligation Failure, or
- 5 Demerits if the Participant has either 3 or 4 Demerits when they commit a fast-track Mutual Obligation Failure.

12.4.2 Identifying Mutual Obligation Failures

Providers have Deed obligations when they become aware that a Participant may have failed to meet a Mutual Obligation Requirement.

(Deed Reference(s): Clause 139)

The Department's IT Systems will assist in identifying if:

- a Participant did not attend a Provider Appointment
- a Participant did not attend a compulsory Activity or Job Interview, or if a participation result has not been recorded by a Participant with the requirement to self-report
- a Participant has not agreed to their Job Plan after the 2 Business Days 'think time' period (see 4.8 Review and Agreement of the Job Plan for more information), or
- a Participant has not met their compulsory Job Search Requirement (see 5.7.2 Arrangements for Participants (Mutual Obligation) for more information).

 [RESERVED]

Contact with the Participant

Before reporting non-compliance, the Provider must attempt to contact the Participant on the same Business Day that the Participant has not meet a Mutual Obligation Requirement as a result of non-attendance or misconduct for a scheduled attendance-based requirement.

Note: If a Participant has failed to enter into a Job Plan or failed to meet their Job Search Requirement for a Job Search Reporting Period, the Department's IT Systems will automatically notify the Participant of their non-compliance and request that they contact their Provider. The onus therefore is on the Participant contacting the Provider.

Where contact can be made with the Participant, the Provider must discuss the circumstances of the apparent failure and determine if the Participant had a Valid Reason for the non-compliance.

If, after discussing the circumstances of the Mutual Obligation Failure, the Provider cannot establish the Participant had a Valid Reason for the non-compliance, the Provider must immediately record this in the Department's IT Systems in accordance with 12.4.4 Reporting Mutual Obligation Failures and determine if a Re-engagement Requirement should be set for the Participant — which may be a Capability Interview or Capability Assessment. Further details are included in 12.4.6 Re-engagement Requirements, 12.4.7 Capability Interviews and 12.4.8 Capability Assessment.

If, after discussing the circumstances of the Mutual Obligation Failure, the Provider establishes the Participant had a Valid Reason for the non-compliance, a Mutual Obligation Failure has not occurred.

Providers must record whether or not there was a Valid Reason as outlined in 12.4.3 Recording if a Participant had a Valid Reason.

On the day the Provider determines a Participant did not have a Valid Reason, the Provider must inform the Participant:

- what and when the Participant's Re-engagement Requirement will be, if relevant
- why their given reason was not a Valid Reason (including the consequences of having no Valid Reason for non-compliance)
- how this determination will be displayed on the 'Participant's Compliance Status Indicator' on their Workforce Australia homepage, including the number of Demerits the Participant has accrued
- if the Mutual Obligation Failure is a 'fast-track' Mutual Obligation Failure and, if so, what that means and what the next steps are
- the importance of meeting all Mutual Obligation Requirements
- the consequences of persistent non-compliance
- impact on their Income Support Payment, that is:
 - for Participants in the Green or Warning Zone, their Income Support Payment may be suspended in 5 Business Days unless the Participant is able to meet a Re-engagement Requirement before those 5 Business Days lapse or, if their payment is already suspended, that it may be cancelled if they do not they meet the Re-engagement Requirement within 4 weeks, or
 - for Participants in the Penalty Zone, their Income Support Payment has been suspended, and they need to meet a Re-engagement Requirement to avoid having their Income Support Payment reduced or cancelled.

Where contact cannot be made with the Participant, the Provider must record that they are not in contact with the Participant and undertake the steps needed to report the apparent Mutual Obligation Failure as outlined in 12.4.4 Reporting Mutual Obligation Failures. This may trigger a Re-engagement Requirement being set for the Participant as detailed in 12.4.6 Reengagement Requirements.


If the Provider is later contacted by the Participant, the Provider must discuss with the Participant the circumstances of the failure and determine if they had a Valid Reason. The Provider must update the report recording non-compliance in the Department's IT Systems, in accordance with 12.4.4 Reporting Mutual Obligation Failures.

If a Participant contacts the Provider prior to the scheduled start time for a Mutual Obligation Requirement, the Provider must then assess if the Participant's reason for being unable to comply with the Mutual Obligation Requirement is an Acceptable Reason.


If the Provider is satisfied that the Participant has an Acceptable Reason, the Provider must reschedule or remove the scheduled Mutual Obligation Requirement from the Electronic Calendar.

If the Provider is not satisfied that the Participant had an Acceptable Reason, the Provider must:

- inform the Participant that they are still expected to meet the requirement, and
- remind the Participant of the consequences of not meeting the requirement.

 **Rescheduling** means that the Provider moves the relevant Engagement to another day and/or time in the Electronic Calendar. Providers must formally notify the Participant of the details of their new date and/or time of the Engagement and the consequences of not meeting the relevant Mutual Obligation Requirement. The Provider does this by undertaking the following steps in the Department's IT Systems:

- Step 1: Select 'Rescheduled' against the Mutual Obligation Requirement.
- Step 2: Select the description from the drop-down menu that most closely aligns with the Participant's Acceptable Reason.
- Step 3: Follow the workflow to generate the notification.

 **Removing** means that the Provider records in the Department's IT Systems that the relevant Engagement is 'No Longer Required'. Providers must notify the Participant as soon as this is done, to ensure there is no confusion. The Provider does this by undertaking the following steps in the Department's IT Systems:

- Step 1: Select 'No Longer Required' against the Mutual Obligation Requirement
- Step 2: Select the description from the drop-down menu that most closely aligns with the Participant's Acceptable Reason.
- Step 3: Follow the workflow to generate the notification.

Determining if the Participant has a Valid Reason

When the Provider discusses the reasons that the Participant gives for failing to meet a requirement, the Provider must assess if the Participant has a Valid Reason.

A Participant has a Valid Reason if the Provider is satisfied that:

- it was not reasonable for the Participant to give prior notice of their inability to comply, and
- the reason provided for missing their requirement:
 - would directly have prevented the Participant from meeting the Mutual Obligation Requirement at the relevant time that the Mutual Obligation Failure occurred,
 - would be considered reasonable by a member of the general public, and
 - aligns with their personal circumstances as known by the Provider.

Providers notified of family and domestic violence as the reason for a Participant not meeting their Mutual Obligation Requirements must consider this in their assessment of whether or not the Participant had a Valid Reason. Providers should also advise the Participant that they can contact Services Australia for an Exemption.

See the [Valid Reason assessment options \[LINK\]](#) supporting document for more information on Valid Reasons.

The exception to the above relates to drug and alcohol dependency or misuse. There are limits on the circumstances in which a Provider can determine that a Participant's drug or alcohol misuse or dependency is an Acceptable Reason or Valid Reason for a Mutual Obligation Failure as outlined separately within this Section.

Acceptable Reasons when giving prior notice

If a Participant contacts their Provider prior to the scheduled start time for a Mutual Obligation Requirement, the Provider must assess if the Participant has an Acceptable Reason for being unable to meet the Mutual Obligation Requirement.

The Participant has an Acceptable Reason if:

- the Participant notified the Provider, before the scheduled start time for a Mutual Obligation Requirement, that the Participant is unable to meet the Mutual Obligation Requirement, and
- the Provider is satisfied that the Participant has a Valid Reason for being unable to meet the Mutual Obligation Requirement.

Note: A person notifying the Provider that they will be working at the time of a requirement is considered an Acceptable Reason. A confirmed Personal Event in the Participant's Electronic Calendar is also considered acceptable.

The exception to the above relates to drug and alcohol dependency or misuse. There are limits on the circumstances in which a Provider can determine that a Participant's drug or alcohol misuse or

dependency is an Acceptable Reason or Valid Reason for a Mutual Obligation Failure as outlined separately within this Section.

See the [Valid Reason assessment options \[LINK\]](#) supporting document for guidance on what reasons can be accepted or not accepted.

Misconduct — Acting in an inappropriate manner

Certain types of Mutual Obligation Failures are referred to as 'misconduct' in the Department's IT Systems.

Misconduct refers to inappropriate behaviour by the Participant:

- during an Appointment they were notified about and needed to attend as part of their Mutual Obligation Requirements, or
- while taking part in an Activity they were notified about and needed to undertake as part of their Mutual Obligation Requirements, or
- during a Job Interview that could, or did, result in an offer of Employment not being made.

A Provider must determine that a Participant's behaviour involved 'misconduct' when the Participant's behaviour during the requirement:

- was within the Participant's control
- prevented the purpose of the relevant Appointment, Activity or Job Interview from being met, and
- would be considered as inappropriate in the circumstances by the general public.

This behaviour may include:

- dressing inappropriately for the requirement
- using offensive language
- showing an obvious lack of interest to the extent that it limits or prevents participation
- exaggerating the severity of an injury or illness to avoid fully taking part in the requirement, or
- leaving the requirement before its completion.

Behaviour that appears to be inappropriate but is out of the Participant's control is not misconduct. For example, a Participant may act in an inappropriate manner because they:

- do not have appropriate clothes to wear
- are affected by a personal crisis
- are affected by a medical condition.

Additional considerations for Participants who disclose drug or alcohol dependence

There are additional considerations for Participants who disclose that drug or alcohol use or dependency is impacting their ability to meet their requirements and secure paid work.

The first time a Participant cites drug or alcohol misuse or dependency as the reason they are not able to meet an upcoming Mutual Obligation Requirement or have committed a Mutual Obligation Failure, the Provider may determine this is an Acceptable Reason or a Valid Reason, respectively.

Drug or alcohol misuse or dependency, however, should not be used as a repeated excuse for not meeting requirements. Instead, the expectation is that Providers will assist the Participant to access treatment services to overcome their dependency, where available and as appropriate.

Following the disclosure, the Participant must be offered appropriate treatment to address this barrier and their response (i.e. the Participant accepts or refuses services this support must be recorded in

the Capability Management Tool. Refer to 7.7.5 Interventions and other non-vocational supports for more information on referrals to drug and alcohol treatment or rehabilitation programs.

If a Participant states that drug or alcohol misuse or dependency was the reason they have committed a Mutual Obligation Failure, the Provider must not determine that this is an Acceptable Reason or Valid Reason, as relevant, if:

- the Provider previously determined that the Participant's drug or alcohol misuse or dependency was an Acceptable Reason or Valid Reason, so the relevant upcoming Mutual Obligation Failure was rescheduled or the relevant Mutual Obligation Failure did not result in a Demerit
- the Provider referred the Participant to available and appropriate treatment to address the drug or alcohol misuse or dependency, and
- the Participant refused or did not take part in the treatment.

The exception to the above rules are when one of the following exceptions applies:

- the treatment that the Participant was referred to was not available or appropriate for the Participant
- the Participant was genuinely unable to take part in the treatment
- the Participant agreed to take part in the treatment but, despite taking all reasonable steps to start the treatment, the treatment did not commence, or
- before the Participant was referred to the treatment, the Participant had:
 - completed the same type of treatment as the treatment they were referred to, or
 - completed treatment that was substantially like the treatment they were referred to and, in the opinion of an appropriately qualified medical professional, the Participant would not be helped by further treatment of the same kind as the type of treatment already completed by the person.

12.4.3 Recording if a Participant had a Valid Reason

On the day the Provider determines a Participant has a Valid Reason for a Mutual Obligation Failure, the Provider must record this in the Department's IT Systems.

The way the Provider records this differs depending on the type of Mutual Obligation Failure the Participant has committed, as outlined below.

By recording a reason that the Participant had a Valid Reason, the Provider is:


- finalising the Mutual Obligation Failure to prevent the Participant's Income Support Payment being affected
- removing any Re-engagement Requirement associated with the Mutual Obligation Failure
- lifting the Participant's payment suspension if the Participant's Income Support Payment is suspended, and
- removing any relevant pending Demerit from the Participant's record.

A Provider must manually remove Demerits if a Participant is in the Penalty Zone because of a Mutual Obligation Failure by a Participant who was later found to have had a Valid Reason for committing the Mutual Obligation Failure.

See the [Provider Actions – Demerits and Payment Suspensions \[LINK\]](#) supporting document on the Provider Portal for information on the circumstances in which a Participant will accrue a Demerit and the process for removing a Demerit.

Failure to enter into a Job Plan

On the day the Provider becomes aware the Participant had a Valid Reason for a Mutual Obligation Failure due to the Participant not entering into a Job Plan the Provider must record this in the Department's IT Systems by close of Business Day.

-  To report that a Participant did not meet this requirement but had a Valid Reason, the Provider must undertake the following steps in the Department's IT Systems:
 - Step 1: Go to the Outstanding Non-Compliance screen.
 - Step 2: Select 'yes' to indicate the Participant's reason for not entering into a Job Plan has been accepted.
 - Step 3: Select the reason from the 'Reasons accepted' column of the drop-down menu that most closely aligns with the accepted reason as to why they did not attend their requirement. A full list of these drop-down menu options can be found within the [Valid Reason assessment options \[LINK\]](#) supporting document.
 - Step 4: Select 'submit', which will close the report.

Once the Provider has recorded that the Participant has a Valid Reason, the Provider must then create a Contact Appointment for the Participant to attend within 2 Business Days to renegotiate a Job Plan.


If the Participant attends the Appointment, the Provider must discuss the Job Plan with the Participant.

If the Participant does not attend the Appointment to discuss the Job Plan, this may also be a Mutual Obligation Failure depending on if the Appointment was compulsory or not.

Information on the processes to create, update and withdraw a Job Plan is included in Chapter 4: Job Plans.

Attendance-based requirements

On the day the Provider becomes aware the Participant had a Valid Reason for a Mutual Obligation Failure due to the Participant not attending a compulsory Appointment, Activity or Job Interview scheduled in their Electronic Calendar, the Provider must record this in the Department's IT Systems by close of Business Day.


-  To report that a Participant had a Valid Reason for an attendance-based Mutual Obligation Failure, the Provider must undertake the following steps in the Department's IT Systems:
 - Step 1: Select the relevant Appointment, Activity or Job Interview in the Participant's Electronic Calendar.
 - Step 2: Answer 'yes' to the question of if they are in contact with the Participant.
 - Step 3: Select:
 - 'Did Not Attend—Valid', if an attendance result has not already been recorded, or
 - 'yes' in response to the question of if they accept the Participant's reason, if the Provider has already recorded 'Did Not Attend—Invalid' in relation to the relevant Mutual Obligation Requirement.
 - Step 4: Select the reason from the 'Reasons accepted' column of the drop-down menu that most closely aligns with the reason that the Participant gave as to why they did not attend their requirement. A full list of these drop-down menu options can be found within the [Valid Reason assessment options \[LINK\]](#) supporting document.
 - Step 5: Select 'submit', which will close the report.

If the Provider's earlier attempts to contact the Participant were not successful (i.e. the Provider has already recorded 'Did Not Attend—Invalid' in relation to the relevant Mutual Obligation Requirement in the Participant's Electronic Calendar), the Provider will need to update the record for the relevant Appointment, Activity or Job Interview. When the Provider updates the record to show the Participant has a Valid Reason for a Mutual Obligation Failure, any Demerit on their record relating to that Mutual Obligation Failure will be removed.

See the [Provider Actions – Demerits and Payment Suspensions \[LINK\]](#) on the Provider Portal for information on the circumstances in which a Demerit (pending confirmation) will be confirmed or removed from the Participant's record.

Failures to act on a Job Referral

On the day the Provider becomes aware the Participant had a Valid Reason for a Mutual Obligation Failure due to the Participant not acting on a Job Referral task when requested to do so by the Provider, the Provider must record this in the Department's IT Systems by close of business on the day it becomes aware of the failure.

-  To report that a Participant did not meet this requirement but had a Valid Reason, the Provider must undertake the following steps in the Department's IT Systems:
 - Step 1: Go to the Outstanding Non-Compliance screen.
 - Step 2: Select 'Unsatisfactory—Valid' to indicate the Participant's reason for not acting on a Job Referral or Job Opportunity has been accepted.
 - Step 3: Select the reason from the 'Reasons accepted' column of the drop-down menu that most closely aligns with the reason that the Participant gave as to why they did not attend their requirement. A full list of these drop-down menu options can be found within the [Valid Reason assessment options \[LINK\]](#) supporting document.
 - Step 4: Select 'submit', which will close the report.

12.4.4 Reporting Mutual Obligation Failures

Irrespective of whether the Provider is successful at contacting the Participation, they must record the appropriate result against the requirement in the Department's IT Systems.

Where the Provider has been unsuccessful at contacting the Participant, they must report that they are not in contact with the Participant in the Department's IT Systems.


On the day the Provider determines a Participant does not have a Valid Reason for a Mutual Obligation Failure, the Provider must record this in the Department's IT Systems.

The way the Provider records this information will differ depending on the type of Mutual Obligation Failure the Participant has committed, as outlined below.

By recording the Participant's reason is not a Valid Reason, the Provider is confirming the relevant Mutual Obligation Failure on the Participant's record.

Failure to enter into a Job Plan

On the day the Provider becomes aware the Participant has a Mutual Obligation Failure due to not entering into a Job Plan without a Valid Reason, the Provider must record this in the Department's IT Systems by close of Business Day.

-  To report that a Participant failed to meet this requirement and did not have a Valid Reason, the Provider must undertake the following steps in the Department's IT Systems:
 - Step 1: Go to the Outstanding Non-Compliance screen

- Step 2: Select 'no' to indicate that the Participant's reason for not entering into a Job Plan has not been accepted
- Step 3: Select the reason from the 'Reasons not accepted' column of the drop-down menu that most closely aligns with the reason that the Participant gave as to why they did not attend their requirement — a full list of these drop-down menu options can be found within the [Valid Reason assessment options \[LINK\]](#) supporting document, and
- Step 4: Select 'submit', which will close the report.

If the Participant did not have a Valid Reason, the Provider does not need to renegotiate a Job Plan with the Participant.

Attendance-based non-compliance

On the day the Provider becomes aware the Participant has an apparent Mutual Obligation Failure because of non-attendance at a compulsory Appointment, Activity or Job Interview scheduled in their Electronic Calendar, the Provider must report the failure by close of business.

On the day the Provider becomes aware the Participant did not have a Valid Reason, the Provider must record this in the Department's IT Systems by close of Business Day. By recording the Participant's reason is not a Valid Reason, the Provider is confirming the relevant Demerit on the Participant's record.

- 📄 To report that a Participant missed a requirement and did not have a Valid Reason, the Provider must undertake the following steps in the Department's IT Systems:
 - Step 1: Select the relevant Appointment, Activity or Job Interview in the Participant's Electronic Calendar.
 - Step 2: Answer 'yes' to the question of if they are in contact with the Participant.
 - Step 3: Select 'Did Not Attend—Invalid'.
 - Step 4: Select 'no' in response to the question of if they accept the Participant's reason.
 - Step 5: Select the reason from the 'Reasons not accepted' column of the drop-down menu that most closely aligns with the reason that the Participant gave as to why they did not attend their requirement. A full list of these drop-down menu options can be found within the [Valid Reason assessment options \[LINK\]](#) supporting document.
 - Step 6: Select 'submit', which will close the report.

When a Provider's attempts to contact the Participant are not successful, the Provider must record they are not in contact with the Participant and select 'Did Not Attend—Invalid' in relation to the relevant Mutual Obligation Requirement in the Participant's Electronic Calendar. A pending Demerit will be created on the Participant's record.

If the Provider needs to update the record to record that the Participant did not have a Valid Reason, the Provider should select the relevant Appointment, Activity or Job Interview and the system will prompt Providers to record the reason the Participant provided. Once the Provider records in the Department's IT Systems that the Participant does not have a Valid Reason, the Demerit will be confirmed.

A Participant does not necessarily accrue a Demerit for not recording their participation against a Mutual Obligation Requirement. They do, however, accrue a Demerit if the Provider determines they did not have a Valid Reason for their failure to attend or take part in the Mutual Obligation Requirement, including when they did not give prior notice to their Provider of their inability to meet the requirement when it was reasonable to expect them to do so.

See the [Provider Actions – Demerits and Payment Suspensions \[LINK\]](#) supporting document on the Provider Portal for information on the circumstances in which a Demerit (pending confirmation) will be confirmed or removed from the Participant’s record.

Misconduct

On the day the Provider becomes aware the Participant has an apparent Mutual Obligation Failure because of misconduct at a compulsory Appointment, Activity or Job Interview, the Provider must report the failure by close of business.

- 📄 To report a Participant’s misconduct during a requirement, the Provider must undertake the following steps in the Department’s IT Systems:
 - Step 1: Select the relevant Appointment, Activity or Job Interview in the Participant’s Electronic Calendar.
 - Step 2: Select ‘Misconduct’.
 - Step 3: Follow any other prompts within the system and then submit, which will close the report.

Failures to act on a Job Referral

On the day the Provider becomes aware the Participant has a Mutual Obligation Failure, because of a failure to act on a job opportunity when requested to do so by the Provider without a Valid Reason, the Provider must record this in the Department’s IT Systems by close of business day.

- 📄 To report that a Participant failed to meet this requirement and did not have a Valid Reason, the Provider must undertake the following steps in the Department’s IT Systems:
 - Step 1: Go to the Outstanding Non-Compliance screen.
 - Step 2: select ‘no’ to indicate that the Participant’s reason for failing to act on a Job Referral has not been accepted.
 - Step 3: Select the reason from the ‘Reasons not accepted’ column of the drop-down menu that most closely aligns with the reason that the Participant gave as to why they did not attend their requirement — a full list of these drop-down menu options can be found within the [Valid Reason assessment options \[LINK\]](#) supporting document.
 - Step 4: Select ‘submit’, which will close the report.

Non-compliance reports when Participant is in Penalty Zone

If a Participant is in the Penalty Zone and the Provider records ‘Did Not Attend—Invalid’ or ‘Misconduct’ as discussed above, the Department’s IT Systems creates a non-compliance report and submits it to Services Australia for investigation instead of recording a Demerit.

The Participant’s Income Support Payment will be suspended due to the creation of a non-compliance report.

If a Participant is in the Penalty Zone and the Provider records ‘Did Not Attend—Valid’ as discussed in 12.4.3Recording if a Participant had a Valid Reason, any non-compliance report on their record relating to that Mutual Obligation Failure will be closed.

An open non-compliance report on a Participant’s record will prevent them from finalising their fortnightly reporting requirement with Centrelink and from receiving their Income Support Payment. Participants will be notified to contact Services Australia to discuss the non-compliance report when they are completing their fortnightly report.

12.4.5 Notifications to Participants of Mutual Obligation Failures

When the Provider records in the Department's IT Systems that a Participant has committed a Mutual Obligation Failure, the Department's IT Systems creates a notification on the Provider's behalf.

The notification:

- is automatically sent to the Participant, if the Participant has SMS or email details recorded in the Department's IT Systems for automatic notification, or
- must be sent by the Provider to the Participant's postal address on the same day the Provider records in the Department's IT Systems that the Participant has committed a Mutual Obligation Failure, if the Participant does not have SMS or email details recorded in the Department's IT Systems for automatic notification.

If the Participant was in the Green Zone or Warning Zone when the Mutual Obligation Failure occurred, the notification advises the Participant:

- they have failed to meet a Mutual Obligation Requirement
- to contact their Provider as soon as possible, and
- their Income Support Payment may be suspended after 5 Business Days have passed if they take no further action.

A further notification will be created if the Participant's Income Support Payment is suspended after the 5 Business Days resolution time, advising the Participant:

- that their Income Support Payment is suspended
- why their Income Support Payment is suspended
- what they must do for the Income Support Payment suspension to be lifted, and
- to contact their Provider as soon as possible.

If the Participant was in the Penalty Zone when the Mutual Obligation Failure occurred, the notification advises the Participant:

- their Income Support Payment is suspended
- why their Income Support Payment is suspended
- what they must do for the Income Support Payment suspension to be lifted, and
- to contact their Provider as soon as possible.

A Participant's Income Support Payment will normally remain suspended until they meet a Reengagement Requirement or until the Provider records a Valid Reason in the Department's IT Systems.

If the Participant does not comply with a Re-engagement Requirement within 28 calendar days of receiving the notification, Services Australia will normally cancel the Participant's Income Support Payments.

12.4.6 Re-engagement Requirements

Re-engagement Requirements are set following Mutual Obligation Failures.

A Re-engagement Requirement is what a Participant must do:

- during resolution time, to prevent their Income Support Payment from being suspended, or
- if the Participant's Income Support Payment has been suspended, to have their Income Support Payment suspension lifted.

Re-engagement Requirements are set automatically by the Department's IT Systems, when the Participant has failed to:

- complete the number of Job Searches required in their Detailed Job Plan, or
- enter into a Job Plan.

For all other failures, where the Participant does not have a Valid Reason, the Provider will need to set the Re-engagement Requirement.

Once set, a Re-engagement Requirement is a Mutual Obligation Requirement. This means that, among other things, the Provider must comply with the Deed:

- when recording Re-engagement Requirements in a Participant's Electronic Calendar, and
- in relation to rescheduling or removing a Re-engagement Requirement from a Participant's Electronic Calendar.

(Deed Reference(s): Clause 134, 138)

After a Re-engagement Requirement is set, it may be appropriate in some cases to remove the need for the requirement — that is, the Re-engagement Requirement is no longer required. Recording 'Compliance Action No Longer Appropriate' will remove the need for the requirement and end resolution time or lift the payment suspension (as relevant).

In instances where the purpose of the initial Re-engagement Requirement needs more time to be achieved (for example to discuss Job Search), a new Re-engagement Requirement can be scheduled.

When a Participant commits multiple Mutual Obligation Failures before contact with their Provider to discuss those Mutual Obligation Failures:

- only one Re-engagement Requirement can be set, and
- the Provider must tell the Participant they only have to meet one Re-engagement Requirement.

Providers must still create reports for Work Refusal Failures and Unemployment Failures, regardless of the Participant having a Re-engagement Requirement set in the Department's IT Systems.


See the [Provider Actions – Demerits and Payment Suspensions \[LINK\]](#) supporting document on the Provider Portal for information on the circumstances in which a Participant's payment suspension is lifted.

Scheduling a Re-engagement Requirement

When setting a Re-engagement Requirement, the Provider must follow the prompts in the Department's IT Systems and notify the Participant of the Re-engagement Requirement.

If the Re-engagement Requirement is not automatically set, the Department's IT Systems will specify the type of Re-engagement Requirement which the Provider must set for the purposes of complying with their Deed obligations.

The Re-engagement Requirement must be scheduled to occur within 2 Business Days following the day the Provider discussed the failure with the participant. The Participant must be notified in advance of the Re-engagement Requirement.

-  Providers must have the available sessions in the Electronic Calendar — Re-engagement Appointments or All Appointment Types can be used to schedule an Appointment for Re-engagement.

(Deed Reference(s): Clause 112.1)

Exceptions to this 2 Business Day requirement are:

- the Participant has an Acceptable Reason for not being able to meet the Re-engagement Requirement within the 2 Business Day timeframe, or

- the Provider is not able to arrange or deliver the Re-engagement Requirement within the 2 Business Day timeframe.

Exception 1: Acceptable Reason to not meet Re-engagement Requirement within 2 Business Days.

When the Provider is in contact with a Participant to discuss an apparent Mutual Obligation Failure(s), as outlined in 12.4.2 Identifying Mutual Obligation Failures, and determines that the Participant has committed a Mutual Obligation Failure, the Provider must consider if the Participant has an Acceptable Reason for being unable to meet their Re-engagement Requirement within 2 Business Days following that contact.

- 💻 If the Provider considers that the Participant has a Valid Reason for being unable to meet their Re-engagement Requirement within 2 Business Days, the Provider must undertake the following steps in the Department's IT Systems:
 - Step 1: Go to the Outstanding Non-Compliance screen.
 - Step 2: Select 'Unable to Re-engage Within 2 Business Days' — this will prevent or lift suspension of the Participant's Income Support Payment suspension and remove the need for a Re-engagement Requirement.
 - Step 3: Select from the drop-down menu a description of the relevant Acceptable Reason that is most like the reason as described by the Participant to the Provider — a full list of these drop-down menu options can be found in the [Re-engagement reason options \[LINK\]](#) supporting document.

Exception 2: Provider not able to arrange or deliver the Re-engagement Requirement within 2 Business Days

In limited circumstances, a Provider may not be able to arrange or deliver the Re-engagement Requirement within 2 Business Days after the contact between the Participant and the Provider.

- 💻 If the Provider cannot arrange or deliver the Re-engagement Requirement within 2 Business Days, the Provider must undertake the following steps in the Department's IT Systems:
 - Step 1: Select 'Re-engagement Not Required' on the Outstanding Non-Compliance screen — this will prevent or lift suspension of the Participant's Income Support Payment suspension and remove the need for a Re-engagement Requirement.
 - Step 2: Select from the drop-down menu a description of the relevant reason that is most like the actual reason as to why the requirement could not be arranged or delivered — a full list of these drop-down menu options can be found in the [Re-engagement reason options \[LINK\]](#) supporting document.

Re-engagement Requirement is no longer appropriate or required

Once a Participant's Re-engagement Requirement has been set, unexpected circumstances may make it inappropriate to expect the Participant to meet the requirement, have their payment suspended and/or have their payment suspension continue.

- 💻 If it is no longer appropriate to undertake compliance action, the Provider must undertake the following steps in the Department's IT Systems:
 - Step 1: Select 'Compliance action no longer appropriate' on the Outstanding Non-Compliance screen — this will prevent or lift suspension of the Participant's Income Support
 - Step 2: Select from the drop-down menu a description of the relevant reason that is most like the actual reason — a full list of these drop-down menu options can be found in the [Re-engagement reason options \[LINK\]](#) supporting document.

Where the Provider finalises attendance-based non-compliance prior to the end of resolution time, and are satisfied that a Re-engagement Requirement is not necessary, the Provider can end the need for the Participant to have a Re-engagement Requirement booked.

- 📅 If the Re-engagement Requirement is no longer required, the Provider must record 'Re-engagement Not Required – non-compliance discussed' in the Department's IT Systems — this will end the need for the Participant to have a separate Re-engagement Requirement booked and end resolution time.

Note: Re-engagement Requirements are always required following Mutual Obligation Failures for:

- Initial Interviews
- Job Plans, or
- when the Participant has a requirement to attend either a Capability Interview or Capability Assessment.

Failure to meet a Re-engagement Requirement

If the Provider becomes aware that a Participant has failed to meet a Re-engagement Requirement, the Provider must try to contact the Participant on the same Business Day.

If the Provider is able to contact the Participant, the Provider must discuss the Participant's reasons for not meeting the Re-engagement Requirement and assess if they had a Valid Reason for being unable to meet their Re-engagement Requirement, following the processes outlined in 12.4.2 Identifying Mutual Obligation Failures.

- 📅 If the Participant had a Valid Reason, the Provider must select 'Did Not Attend–Valid' in relation to the Re-engagement Requirement in the Participant's Electronic Calendar.

In the case where a Participant has a Valid Reason, recording the result 'Did Not Attend–Valid' will lift any suspension of the Participant's Income Support Payment. However, the Provider must set a new Mutual Obligation Requirement for the Participant:

To occur within 2 Business Days after the day on which the Provider determines that the Participant has a Valid Reason for not meeting the Re-engagement Requirement.

That is the same type as the Mutual Obligation Requirement the Participant failed to meet originally.

- 📅 If the Participant did not have a Valid Reason, the Provider must select 'Did Not Attend—Invalid' in relation to the Re-engagement Requirement in the Participant's Electronic Calendar.

In the case where a Participant did not have a Valid Reason:

- if the Participant's Income Support Payment is not yet suspended, it will be suspended if the Participant does not meet another Re-engagement Requirement before the original 5 Business Days resolution time expires, or
- if the Participant's Income Support Payment is suspended, the payment will remain suspended, and the Provider must book a new Re-engagement Requirement.

If the Provider cannot contact the Participant, the Provider must record that they are not in contact with the Participant and report that the Participant has failed to meet the requirement.

- 📅 The Provider must select 'Did Not Attend—Invalid' in relation to the Re-engagement Requirement in the Participant's Electronic Calendar.

In this case:

- if the Participant's Income Support Payment is not yet suspended, it will be suspended when the 5 Business Days resolution time following the original failure expires, or

- if the Participant's Income Support Payment is suspended, the payment will remain suspended until the Re-engagement Requirement is met.

12.4.7 Capability Interviews

A Capability Interview is the Re-engagement Requirement when a Participant has 3 confirmed Demerits or a fast-track failure.

The purpose of the Capability Interview is to determine if:

- the requirements in the Participant's Job Plan are appropriate for their circumstances, and
- the participant can meet the requirements.

Mutual Obligation Requirements are suitable if:

- they are appropriate to the Participant's circumstances, and
- the Participant can meet them.

The Department's IT Systems will determine the outcome of the Capability Interview based on the information that the Provider records in the Department's IT Systems in relation to the Capability Interview.

If the outcome of the Capability Interview is that the Participant was not capable of meeting their requirements, the Participant will return to the Green Zone with their Demerits reset to zero. The Provider must review the Participant's requirements and adjust the Participant's Job Plan so that it includes only suitable requirements.

If the outcome of the Capability Interview is that the Participant was capable of meeting their requirements, the Participant will continue in the Warning Zone with their Demerit count unchanged.

Providers must still comply with their obligations relating to Work Refusal Failures and Unemployment Failures, regardless of if the Participant has an outstanding Capability Interview in the Department's IT Systems.

When a Capability Interview is triggered

The Department's IT Systems will identify that a Participant's Re-engagement Requirement is a Capability Interview when:

- they have reached 3 Demerits (including through a 'fast-track' failure), and
- they have not had a Capability Interview in the last 60 days that found their requirements suitable.

In these circumstances, a Capability Interview is said to be 'triggered', and the Department's IT Systems will list the Capability Interview as 'outstanding'.

The Department's IT Systems will identify that a Capability Interview is 'outstanding' until it is finalised.

While the Capability Interview is outstanding the Participant cannot accrue further Demerits and the Participant's Job Plan cannot be updated.

- 📄 The Capability Interview will be finalised when the Provider selects 'submit' in the Department's IT Systems after completing the pre-interview check and recording all the relevant information during the Capability Interview (as outlined in the [Provider Actions – Conducting a Capability Interview \[LINK\]](#) supporting document on the Provider Portal).

Scheduling a Capability Interview

The Provider must schedule the Capability Interview to occur within 2 Business Days after the Participant accrues the relevant Demerit.

Exceptions to delivery of the Capability Interview within 2 Business Days are:

- the Participant has an Acceptable Reason for not being able to attend the Capability Interview within the 2 Business Day timeframe,
- when operating hours of Part-Time or Outreach Sites prevents delivery of the Capability Interview within 2 Business Day timeframe
- when the Participant is transferred to another Provider, or
- the Participant is returning to service after an Exemption.

Providers must conduct Capability Interviews face-to-face except in allowable circumstances, which are limited to circumstances that:

- are beyond the Participant or Provider's control, and
- prevent the Capability Interview from being delivered face-to-face.

Allowable circumstances include where any one or more of the following applies to the Participant:

- they live in an area that is affected by:
 - extreme weather conditions
 - a natural disaster
 - public transport strikes, and/or
 - a written Direction as Notified by the Department, addressing expectations in relation to Provider servicing arrangements and Participants' Mutual Obligation Requirements,
- they are participating in full-time Education or Training, and this participation restricts their availability to attend the Capability Interview face-to-face
- they are Employed and their hours restrict their availability to attend the Capability Interview face-to-face, and/or
- they are not medically fit to attend the Capability Interview face-to-face.

If allowable circumstances prevent the Capability Interview from being delivered face-to-face, the Provider may conduct the Capability Interview via a phone call or videoconference so that it is delivered within the standard 2 Business Days timeframe.

- 📄 When scheduling the Capability Interview to be delivered via a phone call or videoconference, the Provider must record the 'allowable circumstance' in the Department's IT Systems.

Providers must ensure the scheduled Capability Interview appointment time is of sufficient length to allow for a thorough review of the Participant's personal circumstances and have a detailed discussion. The recommended time for a Capability Interview is between 30 and 60 minutes.

As with all other compulsory Appointments, Providers must ensure efforts are made to avoid clashes with any Personal Events in a Participant's Electronic Calendar.

When scheduling the Capability Interview, the Provider must ensure that they explain to the Participant:

- the purpose of the Capability Interview
- the reason they must participate in a Capability Interview (either because they accrued 3 Demerits or because they committed a fast-track Mutual Obligation Failure), and
- the potential consequences of continued Mutual Obligation Failures.

(Deed Reference(s): Clause 139.8, 139.9, 139.10)

Circumstance 1: Participant has an Acceptable Reason

If a Participant notifies the Provider that they are unable to attend a scheduled Capability Interview, the Provider must assess if the Participant's reason for not being able to attend with 2 is an Acceptable Reason.

The Provider must determine that a Participant has an Acceptable Reason for being unable to attend the Capability Interview within the standard 2 Business Days timeframe if:

- the Participant notified the Provider, before the end of the standard 2 Business Days timeframe, that the Participant is unable to attend the Capability Interview, and
- the Provider is satisfied that the Participant has a Valid Reason for being unable to attend the Capability Interview within the standard 2 Business Days timeframe.

If the Provider determines a Participant has an Acceptable Reason, the Provider must schedule the Capability Interview to occur within 12 Business Days after the standard 2 Business Days timeframe (14 Business Days after the Participant accrues the Demerit that triggers the Capability Interview).

- 📄 If there is an Acceptable Reason, the Provider must undertake the following steps in the Department's IT Systems:
 - Step 1: Select 'unable to re-engage within 2 Business Days' — this will lift the Participant's Income Support Payment suspension, but the requirement to attend the Capability Interview will still be outstanding on the Participant's record
 - Step 2: Select from the drop-down menu a description of the relevant Valid Reason that is most like the reason as described by the Participant to the Provider — a full list of the reasons that appear in the drop-down menu can be found in the [Re-engagement reason options \[LINK\]](#) supporting document, and
 - Step 3: Schedule the Capability Interview within the 14 Business Day timeframe.

Circumstance 2: Participant does not have an Acceptable Reason

If the Provider assesses that the Participant's reason is not an Acceptable Reason as discussed above, the Provider must:

- schedule the Capability Interview within the standard 2 Business Days timeframe
- tell the Participant why their reason is not an Acceptable Reason
- inform the Participant that they are still expected to attend the Capability Interview, and
- remind the Participant their Income Support Payment suspension will not be lifted until they attend the Capability Interview.

Circumstance 3: When Part-Time or Outreach Site operations prevent delivery of the Capability Interview within 2 Business Days

If Part-Time or Outreach Site hours of operations prevent the Provider from delivering the Capability Interview face-to-face within the standard 2 Business Days timeframe, but the Provider has determined the Capability Interview must be conducted face-to-face (e.g. because it is unsuitable to deliver the Capability Interview via a phone call or videoconference or no allowable circumstance exists), the Provider must schedule the Capability Interview to occur as soon as possible after the standard 2 Business Days timeframe.

In any event, the Provider must schedule the Capability interview to occur within 12 Business Days after the standard 2 Business Days timeframe. Broadly speaking, this means that the Provider must schedule the Capability Interview within 14 Business Days after the Participant accrues the Demerit that triggers the Capability Interview.

- 📄 In these cases, the Provider must undertake the following steps in the Department's IT Systems:
 - Step 1: Select 'Re-engagement not required' — this will lift the Participant's Income Support Payment suspension, but the requirement to attend the Capability Interview will still be outstanding on the Participant's record
 - Step 2: Record the reason why 'Re-engagement not required' — the only drop-down menu option is 'Part-time/outreach services', and
 - Step 3: Manually schedule the Capability Interview in the Participant's Electronic Calendar.

Circumstance 4: When the Participant is transferred to another Provider, or the Participant is returning to service after an Exemption

A Provider does not need to conduct the Capability Interview within the standard 2 Business Days timeframe where, after the Capability Interview is triggered, but before it is finalised, the Participant:

- transfers from their current Provider to another Provider or Other Service, or
- is granted an Exemption.

In these cases, the Capability Interview must still be undertaken by:

- the new Provider, at the Initial Interview when the Participant transfers to the new Provider, or
- the current Provider, within 14 Business Days of the Participant returning after an Exemption.

Capability Interviews is no longer required but still outstanding

The Department's IT Systems will identify that an 'outstanding' Capability Interview is 'No Longer Required' when, after the Capability Interview is triggered, but before it is finalised, the Participant:

- transfers from the Provider to another Provider, or
- is granted an Exemption.

The process for resolving the outstanding Capability Interview is outlined in the previous section on scheduling a Capability Interview (see Circumstance 4 above).

If a Participant fails to attend their Capability Interview

As a Capability Interview is a type of Re-engagement Requirement the Provider must take the action required when a Participant fails to meet a Re-engagement Requirement. See the relevant information in 12.4.6 Re-engagement Requirements.

Conducting a Capability Interview

The Provider must accurately complete a pre-interview check in the Department's IT Systems prior to the Capability Interview.

The Provider must prepare for the Capability Interview by referring to the [Provider Actions – Conducting a Capability Interview \[LINK\]](#) supporting document and [Capability Interview Best Practice Guide \[LINK\]](#) on the Provider Portal.

- 📄 To finalise the Capability Interview, select 'submit' in Department's IT Systems after:
 - completing the pre-interview check, and
 - recording all the relevant information during the Capability Interview.

Actioning the outcomes of the Capability Interview

The Department's IT Systems will display one of the following outcomes of a Capability Interview:

- Capable
- Not Capable due to errors in compulsory requirements

- Not Capable of meeting current requirements due to ongoing circumstances
- Not Capable due to newly disclosed information, or
- Not Capable due to a change in service eligibility or stream.

Each of these outcomes is discussed in further detail below.

The Provider must explain the outcome of the Capability Interview to the Participant while they are still in attendance/in contact during the Capability Interview appointment. The Provider must ensure that the Participant understands what the Capability Interview outcome means and what will happen next.

(Deed Reference(s): Clause 139.8, 139.9, 139.10)

Capable

If the outcome of the Capability Interview is that the Participant's Job Plan and compulsory requirements are suitable for the Participant, they will continue in the Warning Zone with 3 Demerits. Because the Job Plan is suitable for the Participant, the Mutual Obligation Requirements specified in the Participant's Job Plan do not need to be updated.

Providers must undertake the following actions:

- Advise the Participant that their Job Plan and Mutual Obligation Requirements have been assessed as being suitable for them.
- Advise the Participant, if they continue to commit Mutual Obligation Failures without a Valid Reason, this may result in a Capability Assessment with Services Australia.
- Explain to the Participant their Mutual Obligation Requirements and the consequences of non-compliance.

Not Capable due to errors in compulsory requirements

If the outcome of the Capability Interview is that there are errors in the Participant's compulsory requirements, the Participant is returned to the Green Zone with their Demerits reset to zero.

Providers must undertake the following actions:

- Discuss the Participant's requirements with them, renegotiate and update the Participant's Job Plan and compulsory requirements so that they are suitable. This should be undertaken as soon as the Capability Interview outcome has been determined by the Department's IT Systems, or if this is not possible within 10 Business Days following the finalisation of the Capability Interview.
- Explain to the Participant their Mutual Obligation Requirements and the consequences of non-compliance.

Note: Until the Job Plan has been renegotiated and agreed, the Participant cannot accrue further Demerits. Once the Participant has agreed to their new Job Plan, the Participant will be able to accrue Demerits.

Not Capable of meeting current requirements due to ongoing circumstances

If the outcome of the Capability Interview is the Participant is not capable of meeting their current compulsory requirements due to ongoing circumstances, the Participant is returned to the Green Zone with their Demerits reset to zero.

Providers must undertake the following actions:

- Discuss the Participant's requirements with them, renegotiate and update the Participant's Job Plan and compulsory requirements so that they are suitable. This should be undertaken as soon as the Capability Interview outcome has been determined by the Department's IT Systems, or if this is not possible within 10 Business Days following the finalisation of the Capability Interview.

- Explain to the Participant their Mutual Obligation Requirements and the consequences of non-compliance.

Note: Until the Job Plan has been renegotiated and agreed, the Participant cannot accrue further Demerits. Once the Participant has agreed to their new Job Plan, the Participant will be able to accrue Demerits.

Not Capable due to newly disclosed information

If the outcome of the Capability Interview is that the Participant was not capable of meeting their compulsory requirements at the time non-compliance occurred, the Participant is returned to the Green Zone with their Demerits reset to zero.

Providers must undertake the following actions:

- Consider if the Mutual Obligation Requirements specified in the Participant's Job Plan remain appropriate to the Participant's circumstances and the Participant can meet them.
- If not, discuss the Participant's requirements with them, renegotiate and update the Participant's Job Plan and compulsory requirements so that they are suitable. This can be undertaken at the Capability Interview, or if this is not possible within 10 Business Days following the finalisation of the Capability Interview.
- Explain to the Participant their Mutual Obligation Requirements and the consequences of non-compliance.

Not Capable due to a change in service eligibility or stream

If the outcome of the Capability Interview is the Participant is not capable due to a change in service eligibility or stream, the Participant is returned to the Green Zone with their Demerits reset to zero.

Providers must undertake the following actions:

- Advise the Participant that their level of servicing or program eligibility has changed because of an updated JSCI score or new ESAt.
- Discuss the Participant's requirements with them, renegotiate and update the Participant's Job Plan and compulsory requirements so that they are suitable. This should be undertaken as soon as the Capability Interview outcome has been determined by the Department's IT Systems, or if this is not possible within 10 Business Days following the finalisation of the Capability Interview.
- Explain to the Participant their Mutual Obligation Requirements and the consequences of non-compliance.

12.4.8 Capability Assessment

A Capability Assessment is the Re-engagement Requirement when a Participant has 5 confirmed Demerits or a fast-track failure with 3-4 confirmed Demerits.

A Capability Assessment is further protection for the most vulnerable Participants to confirm that a Participant's Job Plan and Mutual Obligation Requirements are suitable and gives another opportunity for Participants to disclose issues that may be affecting their ability to meet the requirements specified in their Job Plan.

Capability Assessments are conducted by Services Australia and ensure only those Participants who deliberately fail to meet their Mutual Obligation Requirements face potential financial penalties.

Even though Providers do not conduct Capability Assessments, Providers still have Deed obligations in relation to Capability Assessments.

(Deed Reference(s): Clause 139.11)

If the outcome of the Capability Interview is that the Participant is not capable of meeting their requirements, the Participant will return to the Green Zone with their Demerits reset to zero.

If the outcome of the Capability Interview is that the Participant is capable of meeting their requirements, the Participant will enter the Penalty Zone and incur financial penalties for future non-compliance.

If a Participant commits further Mutual Obligation Failures after participating in a Capability Assessment but before the Capability Assessment has been finalised in the Department's IT Systems, the Participant will not accrue Demerits, but their Income Support Payment may still be suspended to encourage the Participant to reconnect with their Provider.

Providers must still comply with their obligations relating to Work Refusal Failures and Unemployment Failures, regardless of if the Capability Assessment is finalised in the Department's IT Systems.

When a Capability Assessment is triggered

Services Australia conducts a Capability Assessment when the Participant has:

- reached 5 Demerits (including through a 'fast-track' failure)
- been found capable of meeting their requirements at a Capability Interview, and
- have not had a Capability Assessment conducted in the previous 60 calendar days that found their requirements suitable.

In these circumstances a Capability Assessment is said to be 'triggered', and the Department's IT Systems will identify that the Participant's Re-engagement Requirement is Capability Assessment.

When alerted that the Participant has to attend a Capability Assessment, the Provider must read the formal notification script displayed in the Department's IT Systems to the Participant. This notification informs the Participant that:

- they must contact Services Australia as soon as possible to participate in a Capability Assessment, and
- if their payment is not already suspended, that their Income Support Payment will be suspended in 5 Business Days if they do not contact Services Australia, or
- if their payment is suspended, that it will remain suspended until they meet the Re-engagement Requirement.

Participants will be unable to report to their next fortnightly Income Support Payment to Centrelink until they contact Services Australia to undertake the Capability Assessment.

Actioning the outcomes of a Capability Assessment

Services Australia will notify Providers of Capability Assessment outcomes via the Department's IT Systems.

Services Australia will provide information in the Participant's record on what Mutual Obligation Requirements are inappropriate and that the Provider must renegotiate with the Participant.

Once the Capability Assessment has been finalised in the Department's IT Systems, the Provider must review the outcomes and any servicing recommendations Services Australia has recorded in the Capability Management Tool.

The possible outcomes are that the Participant is:

- Capable
- Not Capable due to errors in compulsory requirements
- Not Capable of meeting current requirements due to ongoing circumstances
- Not Capable due to newly disclosed information, or

- Not Capable due to a change in service eligibility or stream (Note. This outcome is applicable when the Participant is not capable due to a change in service eligibility).

Each of the above outcomes are discussed in further detail below.

- Providers can view the Capability Assessment outcomes on the 'Targeted Compliance Framework History' screen in the Departments IT Systems.

The Provider must ensure that the Participant understands what the Capability Assessment outcome means and what will happen next.

Capable

If the outcome of the Capability Assessment is that the Participant's Job Plan or Mutual Obligation Requirements is suitable for the Participant, they will move into the Penalty Zone.

Because the Job Plan and compulsory requirements are suitable for the Participant, the Mutual Obligation Requirements do not need to be updated.

Providers must undertake the following actions:

- Advise the Participant that their Job Plan and compulsory requirements have been assessed as being suitable for them.
- Explain to the Participant their Mutual Obligation Requirements in their Job Plan and the consequences of non-compliance.
- Advise the Participant they are now in the Penalty Zone and that the next time they commit a Mutual Obligation Failure, this may result in loss of part or all their Income Support Payment.
- Review the Capability Management Tool as Services Australia may have identified issues that the Provider will need to consider when renegotiating the Participant's Mutual Obligation Requirements in the future.

Not Capable due to errors in compulsory requirements

If the outcome of the Capability Assessment is that there are errors in the Participant's compulsory requirements, the Participant is returned to the Green Zone with their Demerits reset to zero.

Providers must undertake the following actions:

- Advise the Participant that their Demerits have been reset to zero and they have returned to the Green Zone.
- Review the Capability Management Tool for service recommendations recorded by Services Australia and consider those recommendations before renegotiating the Participant's Mutual Obligation Requirements.
- In consultation with the Participant, renegotiate and update the Participant's Job Plan and compulsory requirements so that they are suitable. This should be undertaken within 10 Business Days following the finalisation of the Capability Assessment.
- Explain to the Participant their Mutual Obligation Requirements and the consequences of non-compliance.

Not Capable of meeting current requirements due to ongoing circumstances

If the outcome of the Capability Assessment is the Participant is not capable of meeting their current compulsory requirements due to ongoing circumstances, the Participant is returned to the Green Zone with their Demerits reset to zero.

Providers must undertake the following actions:

- Advise the Participant that their Demerits have been reset to zero and they have returned to the Green Zone

- Review the Capability Management Tool for service recommendations recorded by Services Australia and must consider those recommendations before -discussing the Participant's Mutual Obligation Requirements with them.
- In consultation with the Participant, renegotiate and update the Participant's Job Plan and compulsory requirements so that they are suitable. This should be undertaken within 10 Business Days following the finalisation of the Capability Assessment.
- Explain to the Participant their Mutual Obligation Requirements and the consequences of non-compliance.

Not Capable due to newly disclosed information

If the outcome of the Capability Assessment is that the Participant was not capable of meeting their compulsory requirements at the time non-compliance occurred, the Participant is returned to the Green Zone with their Demerits reset to zero.

Providers must undertake the following actions:

- Advise the Participant that their Demerits have been reset to zero and they will return to the Green Zone.
- Review the Capability Management Tool for service recommendations and/or barriers recorded by Services Australia and consider if the Participant's Job Plan is still suitable for the Participant.
- Consider if the Mutual Obligation Requirements specified in the Participant's Job Plan remain appropriate to the Participant's circumstances and the Participant can meet them.
- If not, discuss the Participant's requirements with them, renegotiate and update the Participant's Job Plan and compulsory requirements so that they are suitable. This should be undertaken within 10 Business Days following the finalisation of the Capability Assessment.
- Explain to the Participant their Mutual Obligation Requirements and the consequences of non-compliance.

Not Capable due to a change in service eligibility or stream

If the outcome of the Capability Assessment is the Participant is not capable due to a change in service eligibility or stream the Participant is returned to the Green Zone with their Demerits reset to zero.

Providers must undertake the following actions:

- Advise the Participant that their level of servicing or program eligibility has changed because of an updated JSCI score or new ESAt.
- Advise the Participant that their Demerits have been reset to zero and they will return to the Green Zone.
- Review the Capability Management Tool for service recommendations and/or barriers recorded by Services Australia that must be considered before renegotiating the Participant's Mutual Obligation Requirements.
- In consultation with the Participant, renegotiate and update the Participant's Job Plan and compulsory requirements so that they are suitable. This should be undertaken within 10 Business Days following the finalisation of the Capability Assessment.
- Explain to the Participant their Mutual Obligation Requirements and the consequences of non-compliance.

Note: Until the Job Plan is updated and agreed to, the Participant cannot accrue further Demerits.

12.5 Compliance actions - Work Refusal Failures

This Section applies to Participants (Mutual Obligation).

12.5.1 What is a Work Refusal Failure

Participants commit a Work Refusal Failure when they fail to accept or commence suitable Employment (subject to certain exemptions).

Participants can commit a Work Refusal Failure even if they have Meaningful Engagement Job Plan.

When the Provider submits a report because of a Work Refusal Failure, the report will be sent through the Department's IT Systems to Services Australia. Creation of a Work Refusal Failure report will trigger resolution time.

Services Australia will determine if the Participant has a Reasonable Excuse for the Work Refusal Failure.

If Services Australia determines a Participant does not have a Reasonable Excuse for a Work Refusal Failure, the Participant's Income Support Payment is cancelled and they are precluded from payment for 4 weeks. Participants can reapply for payment at any time after their payment has been cancelled but they will not receive Income Support Payment again until they have served their preclusion period.

12.5.2 Identifying a Work Refusal Failure

Providers have obligations under the Deed when they become aware (e.g. an Employer notifies the Provider, or the Provider receives information from the Department) that a Participant has committed Work Refusal Failure.

(Deed Reference(s): Clause 135.1, 140)

Contact with the Participant

Providers must try to contact the Participant on the same Business Day that they become aware of the apparent Work Refusal Failure.

Where contact can be made with the Participant, the Provider must discuss the circumstances of the apparent Work Refusal Failure with the Participant and consider the issues outlined below to determine if the Participant has refused or failed to accept an offer of suitable Employment, and therefore there is evidence they have committed a Work Refusal Failure.

If, after discussing the circumstances of the apparent failure with the Participant, the Provider considers the Participant has committed a Work Refusal Failure, the Provider must then undertake the steps needed to report the Work Refusal Failure as outlined in 12.5.3 Reporting a Work Refusal Failure.

If, after discussing the circumstances of the apparent Work Refusal Failure with the Participant, the Provider considers the Participant has not committed a Work Refusal Failure, no further action is needed.

Where contact cannot be made with the Participant, the Provider must undertake the steps to report the apparent Work Refusal Failure. Further details are outlined in 12.5.3 Reporting a Work Refusal Failure.

If there is contact with the Participant after the Business Day on which the Provider became aware of the apparent Work Refusal Failure, the Provider must discuss the circumstances of the apparent Work Refusal Failure with the Participant and must consider if the Participant has refused or failed to

accept an offer of suitable Employment. The Provider must then update the draft Work Refusal Failure report accordingly. Further details are outlined in 12.5.3 Reporting a Work Refusal Failure.

If the Provider is not in contact with the Participant, as noted in 12.2.2 Compellable Contact Appointment, Providers can schedule a compulsory Contact Appointment where there has been an apparent Work Refusal Failure.

If the Participant does not contact their Provider, their Income Support Payment may be suspended and then cancelled.

Determining if the Participant has refused or failed to accept an offer of suitable Employment

When the Provider discusses the circumstances of an apparent Work Refusal Failure with the Participant, the Provider must first consider if the Participant has refused or failed to accept an offer of Employment.

If the Provider assesses that the Participant has not received an offer of Employment (for example, they attended an interview but were not offered the position), the Participant has not committed a Work Refusal Failure.

If the Provider assesses that the Participant has refused or failed to accept an offer of Employment, the Provider must then assess if the Employment offered was suitable for the Participant. There are factors for determining if work was unsuitable listed in Social Security Law. For example, the offer of Employment would be unsuitable for an Inclusive Employment Australia Participant if any of the following apply:

- the Participant was already working and cannot take up both jobs (because hours of work overlap or when combined total hours would exceed number of hours considered suitable) or remuneration for the new job is lower than the existing job
- the Participant is undertaking approved Education or Training and the hours the Participant would be required to undertake the work conflict with the hours of study
- the Participant lacks the particular skills, experience or qualifications that are needed to perform the work, and no training will be provided by the Employer
- there is medical evidence that the Participant has an illness, disability or injury that would be aggravated by the conditions in which the work would be performed
- the Participant is a Principal Carer Parent, and does not have access to appropriate care and supervision for the children at the times when the Participant would be required to undertake the work (which includes reasonable amounts of time that would be needed for the Participant to travel between home and the work)
- the work hours are above the Participant's assessed future work capacity with intervention
- the work hours are greater than 15 hours per week
- the acceptance of an offer of a permanent full-time job would jeopardise the current employment or the job prospects of the Participant's partner
- performing the work in the conditions in which the work would be performed would constitute a risk to health or safety and would contravene a WHS Law
- the terms and conditions for the work would be less generous than the applicable statutory conditions
- commuting between the Participant's home and the place of work would be unreasonably difficult — that is, it would require the Participant to spend more than 60 minutes each way using the mode of transport normally available to the Participant
- the work requires the Participant to change residence (in most cases)

- the Participant has a verifiable and legitimate objection to the work on moral, cultural or religious grounds — for example, there is evidence that the Participant adheres to a particular set of moral, ethical or religious values and aspects of the work would be inconsistent with those values
- the work would require the Participant to enlist in the Defence Force or the Reserves
- the Participant would be financially worse off by undertaking the work, by comparison with not undertaking the work, considering:
 - the financial cost for personal care requirements incurred to get ready for work or while on the job
 - the financial cost for disability aids and equipment needed for participation which are not covered by the Employer
 - the financial cost to the Participant in providing appropriate care and supervision for one or more children, for whom the Participant is the Principal Carer Parent, at the times when the Participant would have to undertake the work
 - the financial cost of travel that would be incurred by the Participant in undertaking the work
 - the reduction in income support, additional tax paid or impact on public housing, or
 - the financial benefit for the Participant of undertaking the work would be marginal because of the financial cost to the Participant in providing appropriate care and supervision for one or more children, for whom the Participant is the Principal Carer Parent, at the times when the Participant would have to undertake the work.

The Provider must ensure that they capture the reason that the Participant gave as to why they refused or failed to accept the offer of suitable Employment. A full list of options that can be reported can be found in the [Work Refusal Failure reason options \[LINK\]](#) supporting document on the Provider Portal.

12.5.3 Reporting a Work Refusal Failure

For failures or apparent failures, the Work Refusal Failure report must be created and finalised within 10 Business Days of the incident date.

The incident date is the date on which the Participant refused an offer of suitable Employment. For example:

- if a Participant was offered a job at a Job Interview and:
 - refused on the day of the interview, the incident date is the date of the interview, or
 - refused shortly after the interview, the incident date is the date that when they refused (for example, if refused 3 days after the interview, the incident date is 3 days after the interview), or
- if the Participant was given a formal offer of suitable Employment and:
 - refused, the incident date is the day they refused the job
 - failed to accept within 14 days, the incident date is the 14th day, or
 - failed to accept by any deadline provided (if earlier than 14 days), the incident date is date at which they had failed to accept the offer (for example, if they had 10 days to accept the offer and had not replied by the deadline, the incident date is the 10th day, or
- if, when the offer was made, the Participant agreed a start date with the potential Employer, but did not start work on that date, the incident date is the date the Participant was due to start.

If the report is not created and submitted within 10 Business Days of the incident date (for example, where the Provider does not become aware of an apparent Work Refusal Failure until after


10 Business Days have passed since the incident date), the Department's IT Systems will not allow the Work Refusal Failure report to be finalised, meaning the Work Refusal Failure will not be reported to Services Australia. Instead, the Provider should schedule a Contact Appointment to discuss the importance of seeking, accepting and retaining suitable paid work.

In addition to these Guidelines, details on how to create a Work Refusal Failure Report can also be found in the [Provider Actions – Reporting Work Refusal Failures \[LINK\]](#) supporting document on the Provider Portal.

(Deed Reference(s): Clause 135.1, 140)

Steps to report a Participant has committed a Work Refusal Failure


By creating and finalising a Work Refusal Failure report as described below, the Provider is confirming that they consider that the Participant has committed a Work Refusal Failure.

-  The Provider must create and finalise the Work Refusal Failure report by undertaking the following steps in the Department's IT Systems:
 - Step 1: Select 'create compliance'.
 - Step 2: Select the Event Type of the Work Refusal Failure from the drop-down menu that will appear as follows:
 - 'job seeker failed to accept a suitable job', or
 - 'job seeker failed to commence suitable job'.
 - Step 3: Record the incident date (discussed above).
 - Step 4: Answer 'yes' to the question of if they are in contact with the Participant.
 - Step 5: Select the reason from the 'Reasons not accepted' column of the drop-down menu that most closely aligns with the reason the Participant gave as to why they refused or failed to accept the offer of suitable Employment — a full list of these drop-down menu options can be found within the [Work Refusal Failure reason options \[LINK\]](#) supporting document.
 - Step 6: Accurately answer the questions that will be automatically generated.
 - Step 7: Select 'create', which will finalise the Work Refusal Failure report and send it to Services Australia.

Services Australia will assess if the Participant had a Reasonable Excuse for the Work Refusal Failure, which will determine whether the Participant's Income Support Payment is cancelled.

Steps to create a draft report, as a Participant has apparently committed a Work Refusal Failure

When the Provider becomes aware that a Participant has apparently committed a Work Refusal Failure but is unable to contact the Participant on the same Business Day, the Provider must undertake the steps described below in relation to reporting the apparent Work Refusal Failure.

-  The Provider must create the Work Refusal Failure report by undertaking the following steps in the Department's IT Systems:
 - Step 1: Select 'create compliance'.
 - Step 2: Select the Event Type of the Work Refusal Failure from the drop-down menu that will appear:
 - 'job seeker failed to accept a suitable job', or
 - 'job seeker failed to commence suitable job'
 - Step 3: Record the incident date (discussed above).
 - Step 4: answer 'no' to the question of if they are in contact with the Participant.

- Step 5: Accurately answering the questions that will be automatically generated.
- Step 6: Select 'create', which will create a draft Work Refusal Failure report.

The Participant will receive notification advising that they appear to have committed an apparent Work Refusal Failure, that they must contact their Provider as soon as possible, and their payment may be suspended after 5 Business Days if they take no further action.

If the Participant does not contact their Provider within the 5 Business Days resolution period, the Department's IT Systems will automatically suspend the Participant's Income Support Payment and the Participant will receive notification that their Income Support Payment has been suspended and to contact their Provider.

The Participant's Re-engagement Requirement is to contact their Provider to discuss the apparent Work Refusal Failure. If the Participant's Income Support Payment has been suspended, the suspension will be lifted once they contact their Provider, and their Provider finalises the Work Refusal Failure report.

Where there is contact, the Provider must then discuss the apparent failure in the same conversation, as outlined in 12.5.2 Identifying a Work Refusal Failure, and take the appropriate steps outlined below to update the draft Work Refusal Failure report that has already been created on the Department's IT Systems.

If the Participant does not contact their Provider within 28 calendar days of their payment suspension date, their Income Support Payment will automatically be cancelled.

Steps to update a draft report confirming Participant has committed a Work Refusal Failure

By finalising a Work Refusal Failure report as described below, the Provider is confirming that they have been in contact with the Participant and considers that the Participant has committed a Work Refusal Failure.

- 📄 The Provider must update and finalise the Work Refusal Failure report by undertaking the following steps in the Department's IT Systems:
 - Step 1: Select the edit option in the draft Work Refusal Failure report.
 - Step 2: Select 'no' to the question of if they accepted the reason given by the Participant.
 - Step 3: Select the reason from the 'Reasons not accepted' column of the drop-down menu that most closely aligns with the reason that the Participant gave as to why they refused or failed to accept the offer of suitable Employment — a full list of these drop-down menu options can be found within the [Work Refusal Failure reason options \[LINK\]](#) supporting document.
 - Step 4: Select 'submit', which will send the Work Refusal Failure report to Services Australia.

Services Australia will assess if the Participant had a Reasonable Excuse for the Work Refusal Failure, which will determine whether the Participant's Income Support Payment is cancelled.

Steps to update a draft report confirming Participant has not committed a Work Refusal Failure

By finalising a Work Refusal Failure report as described below, the Provider is confirming that they have been in contact with the Participant and considers that the Participant has not committed a Work Refusal Failure.

- 📄 The Provider must update and finalise the Work Refusal Failure report by undertaking the following steps in the Department's IT Systems:
 - Step 1: Select the edit option in the draft Work Refusal Failure report
 - Step 2: Select 'yes' to the question of if they accepted the reason given by the Participant

- Step 3: Select the reason from the 'Reasons accepted' column of the drop-down menu that most closely aligns with the reason that the Participant gave as to why they did not refused or failed to accept the offer of suitable Employment — a full list of these drop-down menu options can be found within the [Work Refusal Failure reason options \[LINK\]](#) supporting document.
- Step 4: Select 'submit', which will close the report (i.e. the report will not be sent to Services Australia for investigation).

12.5.4 Actions after a Work Refusal Failure is applied

When the Work Refusal Failure is applied, this will result in the Participant's Income Support Payment being cancelled and the Participant will need to serve a 4 week preclusion period. Cancellation of their payment will require the Participant to submit a new claim for payment.

Note: Services Australia staff will tell the Participant the outcome of their decision, consequences of this decisions, and their review and appeal rights.

When a Participant has a Work Refusal Failure applied by Services Australia, the Provider must make a note of this on the Participant's record in the Department's IT Systems.

- 📄 Providers must enter a file note using the comment functionality in the Program Summary on the Department's IT Systems.

If the Participant seeks to submit a new claim for Income Support Payments with Services Australia, they may return to Inclusive Employment Australia — either resuming Services having returned within 13 weeks of the Exit or being subject to a new Referral.

Where a Participant resumes following the preclusion period, the previous Job Plan will remain in force until another Job Plan is created. If this was a Meaningful Engagement Job Plan, the Provider must take the appropriate steps to enter into a Detailed Job Plan with the Participant as outlined in Chapter 4: Job Plans at the first Contact Appointment following the Work Refusal Failure.

Where a Participant is subject to a new Referral, Providers should consider if it is appropriate to enter into a Detailed Job Plan depending on the duration between the Work Refusal Failure and Commencement, having also reviewed the Job Plan history and Program Summary.

- 📄 Providers are able to view comments in the Program Summary on the Department's IT Systems made by other Inclusive Employment Australia Providers.

12.6 Compliance actions - Unemployment Failures

This Section applies to Participants (Mutual Obligation) and Volunteers (Mutual Obligation).

12.6.1 What is an Unemployment Failure

Participants commit an Unemployment Failure when they become unemployed either:

- as a direct or indirect result of a voluntary act (unless Services Australia is satisfied that the voluntary act was reasonable), or
- as a result of their misconduct as an employee.

Where a Participant becomes unemployed as described above, this is referred to as a 'potential Unemployment Failure' in these Guidelines (i.e. a Participant has potentially committed an Unemployment Failure').

Participants can commit an Unemployment Failure even if they have Meaningful Engagement Job Plan.

When the Provider creates a report because of a potential Unemployment Failure, the report will be sent through the Department's IT Systems to Services Australia. The creation of an Unemployment Failure report does not trigger payment suspension.

Services Australia will determine if the Participant has committed an Unemployment Failure, considering whether the work was suitable or the Participant's voluntary act was reasonable (for example, if the Participant resigned due to bullying or unsafe work practices).

If Services Australia determines a Participant has committed an Unemployment Failure, the Participant's Income Support Payment is cancelled and it cannot be paid for 4 weeks. Participants can reapply for payment at any time after their payment has been cancelled but they may not receive Income Support Payment again until they have served their preclusion period.

12.6.2 Identifying a potential Unemployment Failure

Providers have Deed obligations when they become aware (e.g. when an Employer notifies the Provider, or the Provider receives information from the Department) that a Participant has become unemployed apparently as:

- a direct or indirect result of a voluntary act of the Participant, or
- a result of the Participant's misconduct as an employee.

(Deed Reference(s): Clause 141)

Contact with the Participant

Providers must try to contact the Participant on the same Business Day that they become aware of the potential Unemployment Failure.

Where contact can be made with the Participant, the Provider must discuss the circumstances of the potential Unemployment Failure with the Participant and consider the issues outlined below to determine if the Participant became unemployed as a direct or indirect result of an act of the Participant that was voluntary or as a result of the Participant's misconduct as an employee, and therefore there is evidence they could have potentially committed an Unemployment Failure.

If, after discussing the circumstances of the apparent failure with the Participant, the Provider considers the Participant has potentially committed an Unemployment Failure, the Provider must then undertake the steps required to report the potential Unemployment Failure as outlined in 12.6.3 Reporting a potential Unemployment Failure.

If, after discussing the circumstances of the potential Unemployment Failure with the Participant, the Provider considers the Participant has not committed an Unemployment Failure, no further action is needed.

Where contact cannot be made with the Participant, the Provider must undertake the steps needed to report the potential Unemployment Failure as outlined in 12.6.3 Reporting a potential Unemployment Failure.

If there is contact with the Participant after the Business Day on which the Provider became aware of the potential Unemployment Failure, the Provider must discuss the circumstances of the potential Unemployment Failure with the Participant and consider the issues outlined below to determine if the Participant became unemployed as a direct or indirect result of an act of the Participant that was voluntary or as a result of the Participant's misconduct as an employee. The Provider must then update the draft Unemployment Failure report accordingly. Further details are outlined in 12.6.3 Reporting a potential Unemployment Failure.

If the Provider is not in contact with the Participant, as noted in 12.2.2 Compellable Contact Appointment, Providers can schedule a compulsory Contact Appointment where there has been an apparent Work Refusal Failure.

If the Participant does not contact their Provider, their Income Support Payment may be suspended and then cancelled.

Determining if the unemployment is due to a voluntary act of the Participant

When the Provider discusses the reasons that the Participant became unemployed, the Provider must consider if the Participant became unemployed as a direct or indirect result of a voluntary act.

Examples include:

- the Participant resigns from a job or end their contract early, with or without giving notice (direct voluntary act)
- the Participant leaves a job without informing the Employer (indirect voluntary act).

The Participant does not commit an Unemployment Failure when they become unemployed involuntarily, for a reason that was outside their control. For example:

- the Employer is downsizing and dismissed the Participant
- the Employer is restructuring or relocating and either dismissed the Participant or the Participant left as the location is no longer suitable
- the Participant was dismissed as the Employer considered them to be unsuitable, unable to do the job or for incompetence
- the Participant was unfairly dismissed, for a prohibited reason under the Fair Work Act, or
- the Participant left or was dismissed due to illness, disability or injury, and medical evidence has been provided.

If the Participant became unemployed because of a voluntary act, the Provider must also look to understand why the Participant did the voluntary act.

Providers must ensure that they capture the reason that the Participant gave as to why they did the voluntary act. A full list of options that can be reported can be found in the [Unemployment Failure reason options \[LINK\]](#) supporting document.

Services Australia will determine if a voluntary act was reasonable and therefore is not an Unemployment Failure, according to factors listed in Social Security Law.

For example, the Employment would have been unsuitable for an Inclusive Employment Australia Participant if any of the following apply:

- the job involved skills, experience or qualifications that the Participant did not have, and the Employer did not provide appropriate training
- the number of training hours was excessive compared with their assessed work capacity
- the work aggravated pre-existing disability, illness or injury
- the Employer did not provide appropriate support or facilities to take account of the Participant's disability, illness or injury
- the Participant is a Principal Carer Parent, and did not have access to appropriate care and supervision for the children at the times when the Participant had to undertake the work (which includes reasonable amounts of time needed for the Participant to travel between home and the work)
- the work hours were greater than 15 hours per week
- the work involved health or safety risks, and would contravene a WHS Law

- the work was under terms and conditions that were less generous than the applicable statutory conditions
- commuting between the Participant's home and the place of work was unreasonably difficult, or
- the Participant has a verifiable and legitimate objection to the work on moral, cultural or religious grounds.

Determining if the unemployment is due to the Participant's misconduct as an employee

The Provider must have regard to the following factors (as relevant) when assessing if the Participant became unemployed because of the Participant's misconduct as an employee:

- deliberate failure by the Participant to produce/deliver a reasonable amount of work
- the Participant's unauthorised absence(s) from work without good reason
- the Participant's improper behaviour or practices, such as theft, assault or harassment of other employees
- deliberate actions by the Participant that cause serious risk to the health or safety of other employees, or
- deliberate actions that threaten the reputation, viability or profitability of the Employer.

12.6.3 Reporting a potential Unemployment Failure

The Unemployment Failure report must be created and finalised within 20 Business Days of the incident date.

The incident date is the first full day a Participant is unemployed (e.g. if a Participant was dismissed due to misconduct, the incident date is the day after the day on which they became unemployed).

If the report is not created and submitted within 20 Business Days of the incident date (for example, where the Provider does not become aware of the potential Unemployment Failure until after 20 Business Days have passed since the incident date), the Department's IT Systems will not allow the Unemployment Failure report to be finalised, meaning the potential Unemployment Failure will not be reported to Services Australia. Instead, the Provider should schedule a Contact Appointment to discuss the importance of seeking, accepting and retaining suitable paid work.

In addition to these Guidelines, details on how to create an Unemployment Failure Report can also be found in the [Provider Actions – Reporting Unemployment Failures \[LINK\]](#) supporting document on the Provider Portal.

(Deed Reference(s): Clause 135, 141)

Steps to report Participant has committed a potential Unemployment Failure

By creating and finalising an Unemployment Failure report as described below, the Provider is confirming that they consider that the Participant has potentially committed an Unemployment Failure.

- 📄 The Provider must create and finalise the Unemployment Failure report by undertaking the following steps in the Department's IT Systems:
 - Step 1: Select 'create compliance'.
 - Step 2: Select the Event Type of the Unemployment Failure from the drop-down menu:
 - 'job seeker dismissed for misconduct', or
 - 'job seeker voluntarily leaves a job'.
 - Step 3: Record the incident date (discussed above).
 - Step 4: Answer 'yes' to the question of if they are in contact with the Participant.

- Step 5: Select the reason from the 'Reasons not accepted' column of the drop-down menu that most closely aligns with the reason that the Participant gave as to why the Participant:
 - did the voluntary act (e.g. resigned) that led to their unemployment, or
 - engaged in misconduct (or believed they did not engage in misconduct).
 A full list of the 'Reasons not accepted' drop-down menu options can be found within the [Unemployment Failure reason options \[LINK\]](#) supporting document.
- Step 6: Accurately answer the questions that will be automatically generated.
- Step 7: Select 'create', which will send the Unemployment Failure report to Services Australia for investigation and decision.

Steps to create a draft report, as a Participant has potentially committed an Unemployment Failure

When then Provider becomes aware that a Participant has potentially committed an Unemployment Failure but is unable to contact the Participant on the same Business Day, the Provider must undertake the steps described below in relation to reporting the potentially Unemployment Failure:

- 🖥 The Provider must create the Unemployment Failure report by undertaking the following steps in the Department's IT Systems:
 - Step 1: Select 'create compliance'
 - Step 2: Select the Event Type of the Unemployment Failure from the drop-down menu:
 - 'job seeker dismissed for misconduct', or
 - 'job seeker voluntarily leaves a job'.
 - Step 3: Record the incident date (discussed above).
 - Step 4: Answer 'no' to the question of if they are in contact with the Participant.
 - Step 5: Accurately answer the questions that will be automatically generated.
 - Step 6: Select 'create', which will create a draft Unemployment Failure report.

The creation of an Unemployment Failure report does not trigger payment suspension under any circumstances. Therefore, to prompt the Participant to make contact to discuss the potential Unemployment Failure, the Provider must create a compellable Contact Appointment for the Participant to attend in within 10 Business Days.

Note: If the Participant has a Meaningful Engagement Job Plan, the Participant should be notified of the appointment using the same steps as outlined in 12.2.2 Compellable Contact Appointment. The Detailed Job Plan will include the requirement to attend Provider Appointments.

If the Participant is in the Green Zone or Warning Zone and they do not take part in the Contact Appointment, the Participant will receive notification that their Income Support Payment will be suspended once resolution time has passed. If the Participant does not contact their Provider during resolution time, the Department's IT Systems will automatically suspend the Participant's Income Support Payment, and the Participant will receive notification that their Income Support Payment has been suspended.

If the Participant is in the Penalty Zone and they do not take part in the Contact Appointment, their Income Support Payment will be suspended for failing to participate and they will receive notification that they should contact their Provider.

Where there is contact, the Provider must then discuss the potential failure in the same conversation, as outlined in 12.6.2 Identifying a potential Unemployment Failure, and take the appropriate steps outlined below to update the draft Unemployment Failure report that has already been created on the Department's IT Systems.

If the Participant does not contact their Provider within 28 calendar days from the day on which their Income Support Payment is suspended, their Income Support Payment will automatically be cancelled.

Steps to update a draft report confirming Participant has committed a potential Unemployment Failure

By finalising an Unemployment Failure report as described below, the Provider is confirming that they have been in contact with the Participant and consider that the Participant has as potentially committed an Unemployment Failure.

- 📄 The Provider must update the report by undertaking the following steps in the Department's IT Systems:
 - Step 1: Select the edit option in the draft Unemployment Failure report.
 - Step 2: Select 'no' to the question of if they accepted the reason given by the Participant.
 - Step 3: Select the reason from the 'Reasons not accepted' column of the drop-down menu that most closely aligns with the reason that the Participant gave as to why they:
 - did the voluntary act (e.g. resigned) that lead to their unemployment, or
 - engaged in misconduct (or believed they did not engage in misconduct).
 - Step 4: Select 'submit' to send the Unemployment Failure report to Services Australia for investigation.

A full list of the 'Reasons not accepted' drop-down menu options can be found within the [Unemployment Failure reason options \[LINK\]](#) supporting document.

Steps to update a draft report confirming Participant has committed a potential Unemployment Failure

By finalising an Unemployment Failure report as described below, the Provider is confirming that they have been in contact with the Participant and consider that the Participant has not committed an Unemployment Failure.

- 📄 If the Provider accepts the Participant's reason for the Unemployment Failure, the Provider must finalise and close the Unemployment Failure report by undertaking the following steps in the Department's IT Systems:
 - Step 1: Select the edit option in the draft Unemployment Failure report.
 - Step 2: Select 'yes' to the question of if they accepted the reason given by the Participant.
 - Step 3: Select the reason from the 'Reasons accepted' column of the drop-down menu that most closely aligns with the reason the Participant gave as to why they became unemployed — a full list of these drop-down menu options can be found within the [Unemployment Failure reason options \[LINK\]](#) supporting document.
 - Step 4: Select 'submit', which will close the report (i.e. the report will not be sent to Services Australia for investigation).

12.6.4 Actions after an Unemployment Failure is applied

When the Unemployment Failure is applied, this will result in the Participant's Income Support Payment being cancelled and the Participant will need to serve a 4 week preclusion period. Cancellation of their payment will require the Participant to submit a new claim for payment.

Note: Services Australia staff will tell the Participant the outcome of their decision, consequences of this decisions, and their review and appeal rights.

When a Participant has an Unemployment Failure applied by Services Australia, the Provider must make a note of this on the Participant's record in the Department's IT Systems.

- 📄 Providers must enter a file note using the comment functionality in the Program Summary on the Department's IT Systems.

If the Participant seeks to submit a new claim for Income Support Payments with Services Australia, they may return to Inclusive Employment Australia — either resuming Services having returned within 13 weeks of the Exit or being subject to a new Referral.

Where a Participant resumes following the preclusion period, the previous Job Plan will remain in force until another Job Plan is created. If this was a Meaningful Engagement Job Plan, the Provider must take the appropriate steps to enter into a Detailed Job Plan with the Participant as outlined in Chapter 4: Job Plans at the first Contact Appointment following the Unemployment Failure.

Where a Participant is subject to a new Referral, Providers should consider if it is appropriate to enter into a Detailed Job Plan depending on the duration between the Work Refusal Failure and Commencement, having also reviewed the Job Plan history and Program Summary.

- 📄 Providers are able to view comments in the Program Summary on the Department's IT Systems made by other Inclusive Employment Australia Providers.

12.7 DSP non-compliance and associated compliance actions

This Section applies to DSP Recipients (Compulsory Requirements).

For DSP Recipients (Compulsory Requirements), instances of non-compliance must be reported to Services Australia by the Provider.

Services Australia is responsible for determining if a DSP Recipient (Compulsory Requirements) has failed to meet their requirements in their Participation Plan.

Note: As described in 5.2.3 Requirements for Participants undertaking a Program of Support a person may be required to complete a Program of Support before they claim the DSP. A Participant undertaking a Program of Support is not a DSP Recipient (Compulsory Requirements) but may be a Participant (Mutual Obligation) or Participant (Voluntary) depending on whether they are receiving an Income Support Payment and have Mutual Obligation Requirements related to that payment.

Interaction with Job Plan types

A DSP Recipient (Compulsory Requirements) may have a Meaningful Engagement Job Plan or Detailed Job Plan — see Chapter 4: Job Plans. The Participant's Job Plan type will impact when a Provider needs to undertake associated compliance actions.

A DSP Recipient (Compulsory Requirements) with a Meaningful Engagement Job Plan must have non-compliance reported to Services Australia if they do not:

- attend, and be punctual for, their Initial Interview
- attend, and be punctual for, a compulsory Contact Appointment, once notified that they are being compelled to attend under Social Security Law, or
- agree to their Job Plan.

A DSP Recipient (Compulsory Requirements) with a Detailed Job Plan must have non-compliance reported to Services Australia if they do not:

- attend, and be punctual for, an Initial Interview — noting that a Participant may transfer and thus have an Initial Interview scheduled because of the Referral process
- agree to their Job Plan

- attend any compulsory Contact Appointments, as detailed within their Job Plan, and
- attend any compulsory Activities and Job Interviews, as detailed within their Job Plan.

12.7.1 Provider Obligations

Provider staff are delegated certain powers under Social Security Law to notify DSP Recipients (Compulsory Requirements) of their requirements.

The Provider's main obligations relating to compliance for DSP Recipients (Compulsory Requirements) include:

- making sure the Participant's requirements set out in their Job Plan (including any Job Search Requirement, where applicable) are suitable and tailored to their personal circumstances and commitments — refer to Chapter 4: Job Plans and Chapter 5: Participation requirements
- actively checking and recording each Participant's attendance and level of engagement, and
- timely and accurate recording in the Department's IT Systems when a Participant has not complied, where the Provider has determined that it will report non-compliance to Services Australia.

(Deed Reference(s): Clause 136.1(c), 138.3, 142)

Participants can lodge a Complaint about the requirements in their Job Plan, and the decision to move to a Detailed Job Plan, using the following process.

- Participants should discuss their concerns about these decisions with their Provider.
- If they still wish to dispute the decision after this discussion, they can contact the NCSL (details for which can be found on the [Workforce Australia website](#)). By contacting the NCSL, the Participant is in effect making an Inclusive Employment Australia-related Complaint.
- If required, the Provider must action Complaints that are referred to them by the NCSL. This may include reviewing the decision-making process, including any Documentary Evidence recorded on the Department's IT Systems.
- If they are not satisfied with the response they receive, the Participant may take the matter further by contacting the Ombudsman's Office on 1300 362 072.

12.7.2 Identifying DSP non-compliance

Attempting contact with a Participant

Where the Participant does not attend an Appointment with their Provider, the Provider must try to contact the Participant on the day of non-attendance.

Where a Participant does not attend an activity on a particular day or days, the Provider must try to contact the Participant on the same Business Day that they become aware of the instance or instances of non-attendance.

Where contact can be made with the Participant, the Provider must discuss the non-attendance with the Participant and consider if the Participant has a reasonable excuse.

Where contact cannot be made with the Participant, Providers can decide if it is appropriate to report the non-attendance to Services Australia.

Assessing if a Participant has a reasonable excuse

A reasonable excuse would include circumstances beyond the Participant's control.

Providers must consider certain factors to find whether or not the DSP Recipient (Compulsory Requirements) had a reasonable excuse, including the Participant's:

- personal circumstances
- system-recorded vulnerability indicators (if any)
- recent compliance history, and
- any other information the Provider believes is relevant.


12.7.3 Reporting DSP non-compliance

If a Provider considers that a DSP Recipient (Compulsory Requirements) has failed to meet a reasonable requirement, the Provider:

- must consider if the Participant had a reasonable excuse for the failure
- can choose to submit a participation report to Services Australia if they consider the Participant could reasonably have completed the requirement.

Where the Provider chooses to report the non-compliance, one of the following compliance reports must be submitted to Services Australia within 10 Business Days of the incident date:

- DSP Appointment Report Diary (DARD) for failure to attend a Provider Appointment,
- DSP Activity Report (DACR) for failure to undertake compulsory Activity detailed in a Job Plan, or
- DSP Appointment Report Job Plan (DARJ) for failure to agree to a Job Plan.

-  The Provider must complete and submit the relevant compliance report to Services Australia through the Department's IT Systems.

Services Australia will review any submitted compliance reports as part of its next Participation Interview with the Participant. These interviews usually occur every three months.

Services Australia considers a range of factors when determining whether to act about a participation failure, including:

- if the failed requirement was reasonable for the Participant's circumstances
- if the Participant had an acceptable reason for not meeting the requirement
- the Participant's earlier compliance history, and
- if financial penalties are appropriate for the Participant.

If Services Australia considers the Participant has not participated appropriately it can take a range of actions including financial penalties.

Providers should continue to set appropriate requirements for DSP Recipients (Compulsory Requirements) on their Caseload, regardless of any actions taken by Services Australia.


Where the Provider chooses not to report the non-compliance, they must use another engagement strategy to ensure the Participant meets their requirements.

12.8 Record Keeping

Providers must keep Documentary Evidence which is not kept on the Department's IT Systems.

Below is a summary of the Documentary Evidence requirements for this Chapter.

For failure to meet the Meaningful Engagement Requirement

-  File note recording a summary of how the provider determined that the participant was not meaningfully engaging and hence incurred a Meaningful Engagement Requirement failure.

- Any determination as to if a Pattern of Disengagement has been shown as determined by the provider.

For Work Refusal Failures and Unemployment Failures

- Depending on the failure or apparent failure, in addition to the evidence recoded in the Department's IT Systems, Documentary Evidence could include:
 - the format of the prior notification
 - a hard copy of a manually prepared notification of the requirement
 - any relevant fully or partially completed Job Searches that do not meet quality standards
 - details of the relevant incident, including the parties involved and what occurred
 - Valid Reason assessments
 - notification of an Employment offer
 - details related to their Employment and/or Employer, or
 - details provided by a Complementary Services provider.

For DSP compliance reporting

- In addition to the evidence recorded in the Department's IT Systems, Documentary Evidence could include:
 - the format of the prior notification
 - a hard copy of a manually prepared notification of the requirement
 - details of the relevant incident, including the parties involved and what occurred, or
 - reasonable excuse assessments.

Chapter 13: Servicing Participants with challenging behaviours

Supporting Documents for this Chapter

- [Temporary Site Closures](#)
- [Provider Actions: Completing an Incident Report](#)
- [Challenging behaviour Incident Reporting Terminology](#)
- [Managed Serviced Plan Arrangements letter template](#)
- [Serious Incident Report form](#)
- [Sample letter for advising Participation of arrangements under Managed Serviced Plan \[LINK\]](#)
- [Public Interest Certificate \(PIC\) Guidelines \[LINK\]](#)

13.1 Chapter Overview

This Chapter provides information for Providers on how to recognise and manage challenging behaviours. It includes information on how to provide safe and ongoing Services to Participants with challenging behaviours so that they can remain connected with Services and (where applicable) meet their Mutual Obligation Requirements, while limiting risks to the safety of Provider staff, other Participants and property.

All Providers are responsible for ensuring people's safety on their premises and that the Services they deliver are safe. Providers can adapt the strategies in this Chapter to meet their own circumstances. This Chapter supplements, but does not replace, Provider internal operational policies and procedures. Providers are responsible for informing themselves of their relevant legal and Deed obligations, including relevant Work Health and Safety (WHS) and Privacy Laws, and compliance with these obligations. This Chapter does not cover WHS Incidents. For WHS Incidents refer to Chapter 7: Activities.

13.2 Recognising challenging behaviour

Challenging behaviour is any behaviour that is unacceptable or hostile and that creates an intimidating, frightening, threatening, offensive or physically dangerous situation in the workplace or other location.

Challenging behaviour:

- can be verbal or physical aggression, self-harm, property damage, non-compliance or disruptive depending on the context and the person
- can pose a risk of harm to the Participant, others or property
- can be impacted by the physical setting, or topic or tone of discussion, and/or
- can stem from underlying causes like, low literacy or communication, sensory issues, loss of or low hearing, emotional distress, health and wellbeing including mental health

A Participant may exhibit the following challenging behaviours:

- physical violence against any person such as hitting, kicking, punching, spitting or throwing objects
- physical abuse, sexual abuse or harassment, inappropriate touching or stalking of staff members or other Participants including intimidation that leads another to feel an immediate or immanent threat of personal safety
- verbal or written threats to self or others over a phone call or videoconference, in person, or via letter, email or social media and may include swearing, offensive noises or gestures, inappropriate or suggestive comments

- taking a physical stance or creating something that poses a serious or immediate threat of violence
- intentionally damaging, defacing, or destroying property theft of property, undertaking illegal actions on the Provider's premises, use of the Provider's equipment and/or property for illegal purposes, and/or
- causing injury to oneself - for example, cutting or indications of suicide or self-harm.

13.3 Managing a challenging behaviour Incident

The Department views the safety of Provider staff and Participants as a priority and acknowledges that Providers have a wide variety of expertise and arrangements in place to address safety concerns and challenging behaviours.

Providers are responsible for people's safety on their premises and that the Services they deliver are carried out safely. Where challenging behaviour is observed, Providers should consider if police involvement is required and are encouraged to contact police if they believe assistance from emergency services is necessary.

13.3.1 Maintaining an Incident Management Plan

It is the Provider's responsibility to have an Incident Management Plan in place that outlines its approach to managing situations where Participants, staff or visitors display challenging behaviours, or where Provider staff identify that a situation has the potential to escalate to become an Incident. Providers must provide a copy of this plan upon the Department's request.

13.3.2 General considerations

Strategies may differ between Providers and their Sites. Participants have different situations. Many factors can cause challenging behaviour. This also affects which strategy works best to manage that behaviour.

When Providers face challenging behaviours, they might want to talk to the Participant about it. Participants have the right to ask questions. They can also share their thoughts on their rights and support required. In these situations, Participants should not be seen as showing challenging behaviours if they are not being abusive or using offensive language.

If a Participant shows challenging behaviour during an Activity, the Provider should act appropriately. This action should follow the situation, these Guidelines, the Deed, and WHS Laws.

13.3.3 Immediate notification requirement

Where there is a real and imminent threat to the safety of a Participant, person or property call 000 immediately and answer / follow instructions of the operator, then when it is safe to do so, as soon as practical after the Incident follow the Public Interest Certificate (PIC) requirements (more details are available in [Part A Guidelines: Chapter 6: Privacy \[LINK\]](#) and [Public Interest Certificate \(PIC\) Guidelines \[LINK\]](#)).

13.3.4 Notifying Services Australia

If a Participant threatens Services Australia staff or property, the Provider must share that information. This helps keep staff and other Customers safe.

- First, the Provider should attempt to call the local Services Australia Service Centre (the office closest to the Provider's location or the location of a threat) to advise of the risk.

- If the Provider can't reach the local Services Australia Service Centre or is unsure who to call, they should call the Services Australia Security Hotline on 1800 046 021.
 - This hotline is managed by Services Australia Regional Security Advisers and is operational nationally between 7:00 am and 7:00 pm Monday to Friday.

In the event of an emergency - call 000.

Incidents should be recorded on the day of the Incident occurred or as soon as possible and within 24 hours of the Incident.

13.3.5 Temporary Site closures

A Provider may temporarily close their Site if a Participant shows a challenging behaviour that creates a real or perceived threat to the safety of staff, others and property. The Site remains closed until the issue is resolved or they feel the threat has passed. Please refer to the [Temporary site closure advice for Providers \[LINK\]](#) on the Provider Portal.

13.3.6 Disclosure of Personal and Sensitive Information

Providers must know and follow their legal duties when handling, using, and sharing Personal and Sensitive Information.

For information on disclosing Personal Information and Sensitive Information refer to [Part A Guidelines: Chapter 6: Privacy \[LINK\]](#).

13.4 Reporting Incidents of challenging behaviours

Providers are required to submit an Incident Report after each challenging behaviour Incident. The Incident Report creates a written record of challenging behaviour Incidents to help the Provider and Services Australia manage safety for staff and to establish proactive mitigations that reduce the risk of future occurrences.

The arrangements are designed to make Participants' experiences more consistent across Departments with Employment Services by aligning processes and terminology. The common approach to Incident Reports for Providers and Services Australia involves:

- An Incident Severity Matrix –an automated process that assigns a severity level to an Incident.
- Managed Service Plans – arrangements that Providers can put in place to tailor the way Services are delivered to Participants who display challenging behaviours.

Note: If a challenging behaviour Incident is also considered a WHS Incident, the Provider must also notify the Department of the WHS Incident.

Incident Reports must include the severity and details of any threats. Providers must ensure an Incident Report is factual, comprehensive and does not include unnecessary or inappropriate commentary.

Accurate recording in Incident Reports ensures all staff are informed about the history of a Participant's challenging behaviour so they can make an assessment on the likelihood of further Incidents and determine appropriate future servicing arrangements to minimise risks to people and property.

Accurate recording of Incidents also ensures that, if the Participant is transferred to another Site or Provider, the receiving Site or Provider is aware of the challenging behaviour/s and can arrange to service the Participant accordingly.

Note: Providers should be aware that Participants can access documents held by the Department or Providers containing Personal Information about them under the FOI Act and may be released as part of Court proceedings.

Incidents should be recorded on the day the Incident occurred or as soon as possible and within 24 hours of the Incident.

Providers should follow the steps outlined in the [Completing an Incident Report \[LINK\]](#) supporting document on the Provider Portal.

- 📄 Providers must complete an Incident Report for all Incidents where a Participant displays challenging behaviour through the Managed Service Plans and Incidents function in the Department's IT Systems. The [Challenging Behaviour Incident Reporting Terminology \[LINK\]](#) supporting document on the Provider Portal includes the terms used for reporting Incidents in the Department's IT Systems.

Note: In the event of a serious incident, it is expected that the Provider also notifies the Department by completing the [Serious Incident Report form \[LINK\]](#) (available on the Provider Portal). The Serious Incident Report should be completed and submitted to the Providers Funding Agreement Manager and/or Relationship Manager within 24 hours of the serious incident occurring.

13.5 Post-Incident contact

The Department recommends that Providers initiate a post-Incident Contact with the Participant to discuss their behaviours and the impacts those behaviours had on other Participants and staff. It is suggested that this contact is made after a minimum of 7 days to allow time to pass from the Incident and via a phone call following serious challenging behaviours. The purpose of a post-Incident Contact is to provide the Participant with an opportunity to debrief. It is also for both the Participant and Provider staff member to gain a clearer understanding of the issues triggering the behaviours and other factors contributing to the Incident (personal circumstances, barriers, and vulnerabilities, etc).

A post-Incident Contact should support Providers to understand if an Incident was a one-off event, or if there are ongoing factors that warrant the implementation of a Managed Service Plan with servicing strategies and service channel restrictions to address the underlying issues impacting their behaviour.

Where either ongoing factors or a change of circumstances are identified through the post-Incident Contact, best practice is to conduct an update of the Job Seeker Snapshot to capture any change of circumstances for the Participant (see 2.3 Job Seeker Snapshot and Job Seeker Classification Instrument).

13.6 Key steps before applying a Managed Service Plan

Following an Incident or change in behaviour, the Provider should discuss the type of behaviour expected from Participants and advise, where appropriate, the implications of behaving in a way that does not meet those expectations. This will ensure the Participant is given the opportunity to:

- improve their behaviour, and
- disclose any contributing barriers or personal circumstances.

This information can be given verbally or in writing. Where a warning is given, it must be recorded on the Department's IT Systems, through the comment functionality in the Participant's Summary or in the Incident Report where the warning was a result of an Incident.

Before the Provider decides to apply a Managed Service Plan, they should consider:

- the severity of the behaviour and/or Incident(s) including any safety concerns the behaviour may raise
- any contributing factors including barriers or personal circumstances
- the time needed to address issues (e.g. a Participant may only require a short 'cooling off' period), and
- the importance of ensuring Participants remain connected to employment services (see 13.3.2 General considerations).

13.6.1 Determining if there were contributing factors

Consideration of the contributing factors should be explored before Providers consider servicing through a Managed Service Plan. Examples of factors that Providers could consider include:

- any known Non-Vocational Barriers, such as a death in the family, caring responsibilities, mental health or other health or disability (past or present), drug or alcohol dependencies (past or present), and
- if the Participant has disclosed information or displays / has previously displayed behaviour that may warrant conducting a new Job Seeker Snapshot due to a change of circumstances for a Participant.

All Managed Service Plan arrangements must ensure that a Participant (Mutual Obligation) or DSP Recipient (Compulsory Requirements) remains connected to employment services to meet their participation requirements.

The Provider should ensure that the Participant understands the requirements of the Managed Service Plan arrangements.

13.7 Creating a Managed Service Plan

Managed Service Plans enables a Provider to consider alternate ways to Services to Participants with challenging behaviours.

Managed Service Plans focus on keeping staff and Participants safe. They also help Participants to stay connected to employment services. When needed, these Plans help Participants (Mutual Obligations) and DSP Recipients (Compulsory Requirements) to meet their participation requirements. A Managed Service Plan can be applied at any time, either short-term or long-term, where it is considered by the Provider to be appropriate.

All Managed Service Plans must be approved at Site manager level or higher and must be recorded in the Department's IT Systems.

- 📄 Providers must record all Managed Service Plan arrangements and restrictions that are put in place in the Managed Service Plan screen on the Participant's record in the Department's IT Systems.

13.7.1 Report types

Managed Service Plans may be:

- Reactive — if linked to an Incident Report in the Departments IT Systems, or
- Proactive — if the Managed Service Plan is created to prevent an anticipated Incident.

13.7.2 Timeframes

Providers must apply a timeframe that is appropriate to the circumstances and severity of the Participant's behaviour and/or Incident(s).

A Managed Service Plan may be applied:

- **short-term** (up to 1 month) — to provide a 'cooling off' period, consider personal factors, and/or test whether a longer Managed Service Plan is needed, and
- **long-term** (1 to 12 months) — to allow time for the Provider to assist the Participant to address any barriers or personal circumstances, provide support and manage interactions between the Provider and the Participant to ensure the safety of all involved.

A long-term Managed Service Plan can be extended beyond 12 months. This happens if a review shows it's still needed. The goal is to help the Participant tackle the causes of their challenging behaviours and manage risks to people and property from these behaviours.

13.7.3 Servicing strategies

Managed Service Plans can include servicing strategies that the Provider will implement to help address the Participant's barriers or personal circumstances contributing to behaviour. This can include referrals internal or external for:

- behaviour management counselling
- financial planning
- housing or accommodation assistance
- legal aid
- drug and alcohol counselling, grief counselling, social or community program/course, or family relationship counselling, and/or
- health practitioner.

13.7.4 Service channel restrictions

Providers may apply service channel restrictions in the Managed Service Plan. Providers can impose partial or full restrictions of one or more service channels.

Providers can specify:

- contact channels that the Participant can use (face-to-face, phone, writing)
- who the Participant can contact — Providers may decide to nominate a staff member as the One Main contact for the Participant, and
- when the Participant can make contact.

Note: If a One Main contact is nominated, the Provider should also name a back-up contact.

13.7.5 Approval to apply a Managed Service Plan

All Managed Service Plans require approval from a Site Manager of the Provider or equivalent and must be recorded in the Department's IT Systems.

13.7.6 Advising the Participant of arrangements

Participants must be notified of the servicing strategies and service channel restrictions in writing as soon as possible after the Managed Service Plan arrangements have been approved. This notification should also advise the Participant that they can request the restrictions be reviewed at any time.

Participants can be provided a letter:

- in person, if the Participant is on Site
- by postal delivery — Providers should consider registered post to ensure that they can confirm that the Participant has received the letter, or

- by email.

An [Sample letter for advising Participation of arrangements under Managed Serviced Plan \[LINK\]](#) of a letter that may be sent to a Participant is available on the Provider Portal.

13.7.7 Participant's request for review or appeal

Participants can have their Managed Serviced Plan reviewed at any time or appeal the Managed Service Plan when it is applied or reviewed. Participants can request a review by their Provider or contact the National Customer Service Line (NCSL) on 1800 805 260 to discuss the arrangements in the Managed Service Plan.

The Participant should be given the opportunity to participate in the review of the Managed Service Plan.

As part of the review, the Provider should work through the Managed Service Plan with the Participant where possible and safe to do so. If an agreement cannot be reached, the Provider can contact their Account Manager.

Note: If a Managed Service Plan expires, it will not be automatically renewed, and the Participant will no longer have any restrictions in place.

Where necessary, Providers should discuss options with their Account Manager to either extend the Managed Service Plan (if there is a continued threat to safety) or transition the Participant off the Managed Service Plan.

The outcomes of a review may be to:

- end a Managed Service Plan and return a Participant to standard service channels
- extend a Managed Service Plan unchanged, or
- vary the Managed Service Plan arrangements and set a new review date.

Additional reviews of a Managed Service Plan can be initiated where there is a request from the Participant.

13.8 Servicing Participants with a Managed Service Plan

Providers should consider how the Participant will be serviced when the Managed Service Plan and service channel restrictions have been lifted, and they return to standard servicing.

Providers must record in the Participant's Managed Service Plan the ongoing measures that will be implemented to encourage improved behaviour by the Participant.

13.8.1 Breach of Managed Service Plan

It is considered a breach when a Participant does not follow the servicing arrangements and service channel restrictions as set out in their Managed Service Plan.

Where a Participant is in breach of the Managed Service Plan, the Provider must lodge an Incident Report in the Department's IT Systems.

If the Provider identifies that the Participant was not aware of the Managed Service Plan (i.e. did not receive their letter), this should also be recorded in the Department's IT Systems.

Where a Participant has a Managed Service Plan in place, a 'Managed Serviced Plan Alert' will be in the Participant's record in the Department's IT Systems.

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Where a Participant repeatedly breaches their Managed Service Plan and/or continues to be a threat to staff, the Provider should escalate the matter to their Account Manager. Where necessary, the Account Manager will refer the case to the relevant team in the Department for review and further assistance in managing the behaviour.

13.9 Additional considerations for transfers

Participants with a current Provider-lodged and/or Services Australia-lodged Serious Incident Report and/or Reactive Managed Service Plan seeking a transfer to a different Provider may only be transferred with the involvement of the Department. For more information, Providers should refer to the relevant transfer processes in 3.4 Transfers.

13.9.1 Notification during transfers and Referrals

Providers will receive a notification for all Participants with Incidents and/or Managed Service Plans in the Department's IT Systems. Provider staff should review the details of historical Participant Incident Reports and Managed Service Plans in the Department's IT Systems prior to scheduling an Initial Interview so they can implement appropriate safety measures to protect Participants and staff and improve engagement. This may include implementing a proactive Managed Service Plan limiting face-to-face servicing where appropriate, ensuring there are clear expectations around behaviours and a plan to move towards opening the full suite of communication channels and strategies to support the Participant to manage their behaviour.




13.9.2 Transfers due to relationship failure

If a Provider thinks it cannot maintain a reasonable and constructive servicing relationship with a Participant, they can request that the Participant be transferred to another Provider for servicing. This type of request will require the Provider to demonstrate a genuine attempt to implement post-Incident servicing arrangements as outlined in this Chapter. The [Transfer Due to Relationship Failure Form \[LINK\]](#) can be found as a supporting document under Chapter 3: Commencements, Transfers, Suspensions and Exits.

13.10 Record Keeping

Providers must keep Documentary Evidence which is not kept on the Department's IT Systems.

Below is a summary of the Documentary Evidence requirements for this Chapter.

-  Providers must document Managed Service Plans and Incident Reporting in the Department's IT Systems.
-  Providers must also document WHS Incidences, where the challenging behaviour is associated with an WHS Incident.
-  Any warnings given to a Participant must be recorded using the comments function in the Department's IT Systems.