SCHEDULE OF DOCUMENTS

Doc No	Description of document	Decision
1	*Document* Disability Employment Support Program Guideline Effective 2025	*Release in full*

LEX 57251 - Document 1

Australian Government

Disability Employment Services

Program Guideline

V 0.1

Effective end 5 June 2025

Document release under the Freedom of Information Act 1982 (Cth) by the Department of Social Services

Disclaimer

This document is not a stand-alone document and does not contain the entirety of Disability Employment Services Providers' obligations. It should be read in conjunction with the Disability Employment Services Grant Agreement and any relevant Guidelines or reference material issued by the Department of Social Services under or in connection with Disability Employment Services Grant Agreement.

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1. Introduction

These guidelines, developed by the Department of Social Services (the department), detail the objectives and operation of the Disability Employment Services (DES) program.

The primary authority for the DES program is the **Disability Employment Services Grant Agreement 2018-2023** (the Grant Agreement). The Grant Agreement is signed by the department and provider organisations and sets out where the provider can deliver services and which services they must deliver.

The **DES Program Guideline** (the Guideline) provides guidance and additional information for DES providers about how DES should be delivered. In the case of any conflict with the Grant Agreement, the Grant Agreement prevails.

The Guideline replaces many guidelines documents that describe different parts of the DES program.

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

The Guideline uses the following symbols to indicate different elements:

- System Steps (usually ESSWeb)
- Documentary evidence
- Work Health and Safety information
- Best practice suggestions

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2. Overview of the DES Program

The DES program

Disability Employment Services (DES) is the Australian Government employment service that helps people with disability find work and keep a job.

There are two different DES program services for people with disability, injury or health condition:

- **Disability Management Service** (DES-DMS) is for those who need help to find a job and occasional support in the workplace to keep a job.
- **Employment Support Service** (DES-ESS) is for those with a permanent disability to find a job and who need regular, ongoing support in the workplace to keep a job.

DES is authorised and funded under the *Disability Services Act, 1986* (the Act):

- DES-DMS is delivered under Part III of the Act as a rehabilitation service
- DES-ESS is a delivered under Part II of the Act as an employment service.

The Act has been rescinded and replaced by the *Disability Services and Inclusion Act, 2023*. However, the Act is considered to survive for the purposes of agreements made under the Act, including for DES.

DES is managed by the Department of Social Services (the department).

Aims and Objectives

The objectives of the DES program are to improve economic and social opportunities and outcomes of Australians with disability, injury or a health condition, by helping them to find and keep ongoing, meaningful employment that is appropriate to their abilities, capacities and interest.

The DES program does this by:

- considering each participant's skills, abilities, capacity, employment barriers and development needs
- delivering interventions to help each participant.

Target group

DES is an employment service designed to help people with disability, injury or a health condition. However, some people with disability, injury or a health condition program do not need support through DES and may instead be assisted through an employment service such as Workforce Australia.

A person would normally be able to get employment assistance through DES as a DES participant if their main barrier to employment is their disability, injury or health condition.

The person must also meet DES eligibility requirements.

Program Delivery

The DES program is provided to eligible participants by authorised organisations (providers). DES providers include a mix of large, medium and small organisations, and may be for-profit or not-for-profit organisations.

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Providers provide DES services under a Grant Agreement signed by the provider and the department. The Grant Agreement sets out:

- the DES program rules the provider has agreed to follow
- a list of DES services that the provider is allowed to deliver. Each service is a combination of:
  - a DES program - *DES-DMS* or *DES-ESS*
  - a location - a defined geographic area called an Employment Service Area (ESA)
  - a type – generalist or specialist

A generalist service must support eligible participants with all types of disability, injury or health condition. A specialist service specialises in supporting a nominated kind of disability (for example, vision impairment) or a nominated participant category (for example, Indigenous participants), and can only support participants who match the nominated specialisation.

DES participants are entitled to receive a professional and appropriate service. Providers must be certified against the National Standards for Disability Services (NSDS) and must deliver services that are consistent with the DES Service Guarantee, DES Code of Practice and the Disability Services and Inclusion Act Code of Conduct.

The Grant Agreement requires that providers deliver professional employment services that meet the needs of people with a disability, injury or health condition.

DES supports available

DES providers must consider the individual needs of each participant and must tailor services to help the participant become job-ready, find suitable ongoing work and keep their job. Providers can deliver a wide range of supports in a flexible way, to meet the needs of each participant.

Before each participant starts their DES program, the provider must agree a Job Plan with the person. The Job Plan is a plan for the participant and provider to help the participant find and keep a job. It outlines what support the provider will deliver and what the participant will do. The provider and the participant must update the Job Plan whenever necessary, so that it continues to provide a pathway to meaningful and long-term employment.

DES supports are available through three different phases of the program.

Employment Assistance

A person commences their DES program in the Employment Assistance phase. During this phase:

- participants receive a range of supports to help them become ready for work
- providers receive quarterly service fees, so they have funding to provide or purchase support.

Providers must deliver at least six contacts every three months. Other supports provided will vary based on each individual participant's needs, but may include:

- interventions to help the participant overcome or manage the effects of their disability, injury or health condition
- vocational support, including development of a resume and job skills training
- training to improve the participant's skills or overcome skills gaps
- help with the costs of necessary equipment, licences or transport
- help to look for work, including the use of wage subsidies where needed.

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Participants can receive supports in the Employment Assistance phase for up to 24 months.

Post Placement Support

Participants can move to the Post Placement Support phase once they commence work or an education placement that may result in a DES outcome. The provider decides when to move a person to the Post Placement Support phase. During this phase:

- participants and their employer can receive support to ensure the placement is successful
- providers receive outcome fees at specified intervals, if the placement is sustained and successful.

Supports may include, for example:

- contacts with their DES provider, as needed to support the placement
- on the job training
- support and advice for the employer about disability management and available support
- help with the costs of necessary equipment, licenses or transport
- help to access funding for workplace modifications and equipment, through the Employment Assistance Fund.

Participants can receive supports in the Post Placement Support phase for up to 52 weeks.

Ongoing Support

Participants can continue to get support in their work for as long as they need it. A participant can receive Ongoing Support at any time after they complete a 26-week employment outcome. An independent Ongoing Support Assessment must confirm that a person needs Ongoing Support, and the support level.

A DES-ESS participant can receive Ongoing Support at the Flexible, Moderate or High levels. A DES-DMS participant can receive Flexible Ongoing support if they need it.

The supports at all three levels are similar, with the intensity of support being the main difference. During Ongoing Support:

- participants and their employer can receive support to ensure the placement remains successful
- providers receive Ongoing Support fees for delivering the required support.

Participants can receive supports in Ongoing Support phase for as long as they need assistance.

Work Assist

DES also includes a separate set of supports called Work Assist, supporting people who already have a job but need help to continue working because of their disability, injury or health condition.

Work Assist provides employment supports to help a Work Assist participant's employment placement be successful. Supports available are therefore like the Post Placement Support phase and can include:

- contacts with their DES provider, as needed to support the placement
- support and advice for the employer about disability management and available support

Providers can help participants access funding for workplace modifications and equipment through the Employment Assistance Fund (EAF) but must not commence the person solely to access the EAF.

Contact Details for DES

This Guideline is available on the Department of Social Services website.

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Information about DES and other disability employment supports and services for job seekers, participants, families, carers and employers is available from JobAccess:

- go to jobaccess.gov.au
- call 1800 464 800 between 8.00am to 8.00pm [AEST] Monday to Friday and 10.00am to 2.00pm on Saturday (this 1800 number is a free call from fixed lines; calls from mobiles may be charged).

For technical and ESSWeb support, contact the Digital Employment System Service Desk on 1300 305 520.

Providers who would like more information about their grant agreement should contact their Funding Arrangement Manager.

Australian Government employment services

DES is one of the Australian Government employment services for different groups, managed by the:

- Department of Social Services (DSS)
- Department of Employment and Workplace Relations (DEWR)
- National Indigenous Australians Agency (NIAA).

Employment service	Service designed for	Managing agency
DES Disability Management Services	Job seekers who need help to manage a disability, injury or health condition and find suitable employment	DSS
DES Employment Support Services	Job seekers with long term support needs to manage their disability, injury or health condition and find suitable work	DSS
Workforce Australia Services	Job seekers who need support from a provider to develop skills and find suitable employment	DEWR
Workforce Australia Online	Job seekers who are the most job ready and capable of finding jobs without the support of a provider	DEWR
Transition to Work	Disadvantaged young people aged 15-24 years	DEWR
Community Development Program	People in remote parts of Australia	NIAA

Employment services in non-remote parts of Australia are delivered under a common framework that includes:

- income support while seeking a job, managed by Services Australia
- related participation requirements and compliance
- management of job seekers through employment services systems, managed by DEWR

DES participants are managed through ESSWeb, which is owned and maintained by DEWR. ESSWeb contains relevant information about each participant, including information about their medical conditions and participation requirements. Access to this information is limited to users with a need to know, through:

- job seeker referrals – determining which organisations have access to participant records
- user roles – defining which users can perform different system functions for their organisation.

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Participant records contain personal information about the participant. As set out in the Information Privacy Principles (IPPs), access to these records is limited to organisations and individual users with a need to access this information. All users must be aware of, and must comply with, the IPPs and privacy legislation.

Providers must ensure the consultants they employ are suitable and responsible people to access the personal information available through ESSWeb. Providers must

- ensure consultants they engage are suitable and responsible people
- arrange access for consultants to ESSWeb
- ensure consultants undertake required ESSWeb and privacy training

Providers must manage participants using ESSWeb, so that relevant information about the participant is recorded. Providers may also use their own systems to manage provider functions if those systems:

- comply with requirements about compatibility with ESSWeb
- comply with participant information management privacy requirements.

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3. Access to the DES Program

Eligibility

General eligibility

A person is eligible to receive DES services if they meet the following requirements:

Requirement	Details
Australian Residency or Visa	Must be an Australian resident or eligible Visa holder. This is a person who resides in Australia and is: • an Australian citizen • the holder of a permanent resident visa, or • a Special Category Visa (SCV) holder who is a *protected SCV holder*. Non-permanent residents can access DES-ESS (but not DES-DMS) if they hold either: • a Temporary Protection Visa (TPV), or • a Safe Haven Enterprise Visa (SHEV).
Age	Must be of working age (at least 14 years) and not yet age pension qualifying age. ESSWeb will not: • allow a person to be referred or commenced in DES outside the allowable age range • exit a commenced participant due to age.
Study	Must not be studying full-time, unless: • the student meets Eligible School Leaver eligibility criteria, or • Services Australia confirms it understood the person was a full-time student when it referred them to DES. If not, refer the student back to Services Australia. Part-time students can commence in DES to look for work.
Income support	Must be receiving a JobSeeker Payment, Youth Allowance, Disability Support Pension or Carer Payment. **Note**: Some specific eligibility criteria let non-allowees enter DES.
Independent assessment	Must be referred to DES by Services Australia after considering available certified medical evidence in an Employment Services Assessment (ESAt) that: • confirms the person has a disability, injury or health condition • considers the person can work least 8 hours per week and less than 30 hours per week **Note**: Some specific eligibility criteria let job seekers enter DES without an ESAt.
Current work	Must not already be working in open employment at their employment benchmark hours (normal hours of employment or preceding 13 weeks). Supported employment undertaken by a participant is not considered as part of current work. **Note**: People already working may be eligible to commence as a Work Assist participant.

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Information about a job seeker's eligibility for DES is normally collected through:

- the job seeker registration process, and/or
- an Employment Services Assessment (ESAt).

ESSWeb will not allow a job seeker to be referred to a DES provider or commenced as a DES participant if the job seeker's record shows they do not meet a relevant eligibility requirement.

The provider must retain documentary evidence to show the participant meets eligibility requirements.

Specific eligibility

A person may also be eligible to receive DES services if they meet other eligibility conditions that target specific groups. Where a person uses specific eligibility to access DES:

- the person will be directly registered by the provider instead of referred
- the provider is responsible for collecting documentary evidence to show the person's eligibility

Specific eligibility target groups, and the changes to eligibility conditions, are described below.

Eligible School Leavers

Eligible School Leaver (ESL) eligibility help students with significant disability transition from study to post-school open employment.

Additional requirements	Changed requirements
• Must be eligible as an ESL, due to: - approaching the end of full-time secondary schooling (final year of schooling or school-based apprenticeship/traineeship) - exiting an eligible post-school employment or work transition program, or - recently exited School Leaver Employment Supports (SLES) through the NDIS • Must need help moving to employment • Must have significant disability	• Age: Must be of legal working age and under 22 years • Independent Assessment: Does not need an ESAt referral. The provider must: - confirm the person's disability - assess that the person can work at least 8 hours per week within 2 years • Income Support: Does not need to be in receipt of income support payments

ESL is not a general early intervention program. Eligibility is restricted to students with significant disability. ESL participants are normally DES-ESS participants but can be in DES-DMS if there is a strong reason.

The evidence required to demonstrate a person's eligibility as an ESL is based on their circumstances.

Single period of service

ESL participants are restricted to a single period of service in DES. Once an ESL participant has exited DES, they are no longer eligible to access DES through the ESL pathway and must have a Valid ESAt/JCA to determine their eligibility.

Students transitioning from secondary schooling

Students can access DES as an ESL to assist with transitioning from school to work where they are in either:

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- their final year of secondary schooling. This is normally Year 12, but may be earlier if the student, parents and school have agreed that this will be the student's final schooling year, or
- an Australian School Based Apprenticeships and Traineeships (ASBAT) placement that has been modified to accommodate the job seeker's disability.

Eligibility requirement	Documentary Evidence to be retained
Attendance at a qualifying secondary course Significant disability, evidenced by additional resourcing	Statement from student's school (or former school) that clearly: • identifies the student • states the student's identified disability • 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 additional 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 Disability Support Pension (DSP) recipients. In addition, if the participant is a DSP recipient in a mainstream class, one of: Letter from Services Australia confirming receipt of the DSP, or Screen print out of the ESSWeb 'Allowance History' screen showing the student's receipt of the DSP.
If in final year of schooling	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, or Copy of student's most recent school report which shows the school year that the student is currently enrolled in, or (*for earlier final years of schooling*) Letter or email from the school Principal (or representative) stating 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.
If attending an ASBAT placement that has been modified to accommodate the job seeker's disability	Statement from the training organisation setting out the specific modifications that have been made to the delivery of the training component to accommodate the job seeker's disability; and/or Relevant paperwork confirming Disabled Australian Apprentice Wage Support Program (DAAWS) approval

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Eligibility requirement	Documentary Evidence to be retained
Aged under 22 years Capacity to work 8+ hours per week	Direct Registration Form, which includes: • confirmation of the student's age • an assertion in the 'Declaration by DES Provider' that the Provider considers the Participant can work at least 8 hours per week
Need for DES-DMS instead of DES-ESS (where applicable)	File note setting out the reasons DMS is required. For example, DES-DMS may be suitable for a student with vision impairment with strong vocational skills, who is expected to require only transitional support and not High Ongoing Support

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
- include the date and the name and position of the person making the statement.

A statement may 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.

Students in SLES/Work transition programs

A person can access DES as an ESL to get help finding suitable work if they:

- previously received School Leaver Education Supports (SLES) through the NDIS, or
- are in the final six months of, or exited within the last 20 days, an eligible state/territory government:
  - post-school disability employment program, or
  - post-school to work transition program.

Eligibility requirement	Documentary Evidence to be retained
If exited a SLES	Statement from the National Disability Insurance Scheme (NDIS) provider or state/territory government post-school employment provider, including: • a statement that the job seeker was in the SLES program • the dates the job seeker commenced and exited the program
If exiting an eligible post-school transition to work program participation	Statement from the transition to work program provider, including: • the name of the transition to work program • a statement that the job seeker was in the program • the dates the job seeker commenced and exited (or is expected to exit) the program

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Eligibility requirement	Documentary Evidence to be retained
Aged under 22 years Capacity to work 8+ hours per week	Direct Registration Form, which includes: • confirmation of the student's age • an assertion in the 'Declaration by DES Provider' that the Provider considers the Participant can work at least 8 hours per week
Need for DES-DMS instead of DES-ESS (where applicable)	File note setting out the reasons DMS is required. *For example*, DES-DMS may be suitable for a student with vision impairment with strong vocational skills, who is expected to require only transitional support and not High Ongoing Support

A statement may 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.

Providers are encouraged to work in partnership with schools, state and territory funded vocational training organisations and local Ticket to Work networks, to facilitate placements in ASBATs and support students in both work and study.

If a provider cannot commence a job seeker within 20 business days of their exit from a SLES, the provider can seek written approval from their Funding Arrangement Manager to do so after that time.

Special Class Clients

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

Additional requirements	Changed requirements
• Must be an identified SCC, in relation to one of: - October 2002 Bali bombings - December 2004 Asian Tsunami - July 2005 London bombings	• Independent Assessment: Does not need an ESAt referral. Provider must: - confirm the person's disability - assess and the person as being able to work at least 8 hours per week within 2 years • Income Support: Does not need to be in receipt of income support payments

Providers must retain additional evidence of a person's eligibility as a SCC.

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Eligibility requirement	Documentary Evidence to be retained
Special Class Client	Statutory Declaration from the participant stating they were present at one of: Bali Bombings; Asian Tsunami; London Bombings
Disability or illness	Medical certificate issued by a General Practitioner, or Other medical record that provides medical evidence verifying the person has a disability, injury or illness
Capacity to work 8+ hours per week	Direct Registration Form, to provide an assertion in the 'Declaration by DES Provider' that the Provider considers the Participant can work at least 8 hours per week

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

National Disability Insurance Scheme (NDIS) Participants

NDIS participant eligibility allows access to DES for NDIS participants who would otherwise be ineligible because they are not receiving an income support payment. NDIS participants receiving income support can enter DES under general eligibility.

Additional requirements	Changed requirements
• Must be receiving NDIS employment supports	• Income Support: Does not need to be in receipt of income support payments

Providers must retain additional evidence of a person's eligibility as an NDIS recipient.

Eligibility requirement	Documentary Evidence to be retained
NDIS Participant	Cover letter for the participant's current NDIS plan, or Participant's 'access met' letter, recognising eligibility for NDIS supports
Capacity to work 8+ hours per week	Direct Registration Form, to provide an assertion in the 'Declaration by DES Provider' that the Provider considers the Participant can work at least 8 hours per week

NDIS participants can usually print a copy of the cover letter of their plan from the NDIS portal.

Note: NDIS participants who receive income support payments can use general eligibility and do not need to demonstrate they are NDIS participants.

Pre-Release Prisoners

Pre-release prisoner eligibility allows access to DES for a person who can leave prison on day release.

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Additional requirements	Changed requirements
• Must be in the final 12 months of their sentence • Must be licensed to engage in paid work • Must be referred by a state/territory corrective services agency or youth justice services	• Age: Must at least 15 years and not yet Aged Pension qualifying age • Income Support: Does not need to be in receipt of income support payments

Providers must retain additional evidence of a person's eligibility as a Pre-Release Prisoner.

Eligibility requirement	Documentary Evidence to be retained
Pre-release prisoner	Relevant corrective services' referral of the Pre-Release Prisoner

Participants with Program of Support requirements

This eligibility ensures that people who need to participate in employment services as part of a DSP claim can access appropriate disability supports through DES.

Additional requirements	Changed requirements
• Must have been advised by Services Australia that their DSP claim will not be assessed until they undertake a program of support by participating in an employment service	• Income Support: Does not need to be in receipt of income support payments

Providers must retain additional evidence of a person's Program of Support requirements.

Eligibility requirement	Documentary Evidence to be retained
Program of Support requirements	Statement from the person that they have submitted a claim for the Disability Support Pension (DSP) and were advised by Services Australia that their DSP claim could not be finalised until they undertake a Program of Support

A statement may be in the form of a signed declaration or an email and must include the date and the name and position of the person making the statement.

Work Assist

This eligibility allows people already in employment to access DES support when they are having difficulty performing the essential functions of their job because of their disability, injury or health condition. Work Assist specific eligibility and program settings are described in chapter 9.

Registration

A person must be registered as a job seeker before they can receive DES or other employment services. The job seeker registration process:

- confirms the person's identity
- connects the person's job seeking with other relevant information, including income support
- allows the person to be allocated to an organisation, to receive support.

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A person may be registered as a job seeker:

- when they register for an income support payment with Services Australia. In return for receiving income support, the person usually has mutual obligation requirements to look for work through an employment service. If the person's circumstances include disability, injury, or a health condition they may be referred for an ESAt, which may refer them to DES
- if they approach a DES provider to get help finding work. The person may already be registered, or the DES provider may need to register them. This is known as 'direct registration'.

When a person registers directly with a DES provider, the provider must:

- collect relevant information about the person using the DES Direct Registration Form (DRF)
- update or create a registration record (JSID) for the job seeker
- link the job seeker's registration record with their Customer Reference Number (CRN)
- submit the registration

Providers do not need to register a person who has been referred to them because a job seeker registration must be completed before the person can be referred.

Collecting information

Providers must collect information about a directly registering person using the unaltered, complete DES Direct Registration Form (DRF) available on the DES Provider Portal. The DRF 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 DRF. This may require use of an interpreter. The job seeker can choose to have an advocate present.

All relevant DRF 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 DRF must be retained on file as documentary evidence to support the participant's direct registration and commencement in DES.

If the provider becomes aware that the person does not meet relevant DES eligibility criteria, the person may not be directly registered.

Proof of Identity

To confirm the identity of the job seeker, the Provider must sight originals or certified copies of either:

Option A: One of the following	Option B: Two of the following:
• current passport • current driver's licence • other form of photo identification from a government department or agency.	• 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

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Option A: One of the following	Option B: Two of the following:
	• other identification displaying the job seeker's name, such as a statement from a community Elder if the job seeker is an Aboriginal or Torres Strait Islander.

A provider officer must certify on the DRF that they have sighted the proof of identity documents (including any Photo ID). Do not retain a copy of the documents.

Collecting specific eligibility evidence

If a person will be using specific eligibility to access DES, the provider must collect information and evidence to show the person meets the specific eligibility requirements. This normally happens as part of job seeker registration because the provider must update the job seeker registration record to show the specific eligibility that the job seeker meets. When the registration shows that specific eligibility applies, ESSWeb checks that eligibility instead of general eligibility.

Updating or creating registration record

Each job seeker registration record has a unique Job Seeker Identification number (JSID). Providers must search for any existing JSID for the person on ESSWeb before creating a new registration record. This is important to:

- reduce unnecessary data entry and minimise duplicate records
- ensure relevant information about the job seeker's eligibility and history are considered.

Providers can search for an existing registration record on the ESSWeb 'Job Seeker Search' screen by:

- Services Australia Customer Reference Number (CRN), if known. This provides an exact match.
- JSID, if known, using the 'Quick Find' (Alt-Q). This also provides an exact match.
- Job Seeker Details, such as name, date of birth and gender. These variables are less precise and may provide multiple or no matches against existing registrations.

Search results	Action
Active record found	Review record identified and update details as required To update an existing registration record, update information from the DRF as required on the Personal Details screen
Inactive record found	Re-register the job seeker, updating details as required To re-register the job seeker, select the 'Re-register' button on the Registration screen.
No record found	Create a new registration record To create a registration record: • click 'Create a New Record' on the 'Job Seeker Search' screen • click 'Search' and 'Add' (navigates to the 'Add registration' screens) • complete Registration Screen using DRF details. Press 'Submit'.

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Search results	Action
	Contact the Employment Systems Helpdesk on 1300 305 520 to resolve difficulties creating a new Registration.

The Provider must also record important information about specific eligibility of participant groups, including:

Participant group	Action
Eligible School Leaver; Special Class Client; Work Assist participant	Obtain documentary evidence showing the person is in the target group. Click the ESAt/JCA exemption flag tick box on the 'Registration' screen and select the exemption reason for the relevant target group. This identifies the job seeker in ESSWeb as belonging to an ESAt exempt group and allows them to be commenced without an ESAt referral.
NDIS participant; Pre-Release Prisoner; Person undertaking a Program of Support	Obtain documentary evidence showing the person is in the target group. Click the Special Placement on the 'Circumstances' screen and select the exemption reason for the target group. This identifies the job seeker in ESSWeb as belonging to a specific eligibility group and allows them to be commenced using that specific eligibility, once there is a valid ESAt recommending referral to DES.

- When directly registering a job seeker in the last six months of a work transition program, record the program service provider name and expected end date in the ESSWeb 'Circumstances' panel.
- When directly registering a job seeker within 20 days of exiting SLES or a transition to work program record the name of the program service provider in the ESSWeb 'Circumstances' panel.

Linking the CRN to the registration record

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

- it transfers important information from Services Australia, such as the job seeker's income support payment type, recent referrals and mutual obligation requirements.
- no DES claims, other than the first service fee, can be lodged if a CRN is not linked to a participant's JSID.

- To link a CRN and JSID select the 'Link' button on the Registration screen.

Note: An error message will appear if the data held by Services Australia does not match the CRN and details entered. The provider must contact the Services Australia Participation Solutions Team at Services Australia on 1300 306 325 to verify the job seeker's details.

Identifying the CRN

A person who knows their CRN should supply it as part of the DRF. Job seekers already have a CRN if they are receiving (or previously received) income support payments.

If the person does not know their CRN, or does not have one, they must contact the local Services Australia Customer Service Centre. The provider should contact Services Australia with the job seeker present, if

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possible. Otherwise, the provider must advise them 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.

Submitting the job seeker registration

Submitting a registration record for a person completes their registration as a job seeker.

To submit a registration record, press the 'Submit' button at the bottom of the 'Circumstances' screen.

ESSWeb will indicate if a direct registration cannot be completed. This can happen if the person is:

- ineligible for DES. In this case, the provider should advise the job seeker they are not eligible for DES and that they should contact Services Australia for further assistance if required
- already commenced or registered with another employment services provider
- unable to undertake the program in a location where the provider delivers DES services.

Assessment

A job seeker's circumstances must be assessed to ensure they are referred to an appropriate service with suitable supports.

- If the person registers with Services Australia, these assessments are conducted before the person is referred to DES and are the reason for the referral to DES.
- If the person directly registers with the DES provider, the provider is responsible for ensuring that required assessments are undertaken.

Job Seeker Classification Index (JSCI)

All job seekers must have relevant information collected through:

- the Job Seeker Classification Instrument (JSCI), administered by provider staff, or
- the Job Seeker Snapshot, completed by Services Australia or the job seeker themselves online.

The JSCI or Job Seeker Snapshot provide an assessment of the job seeker's circumstances and determine a level of disadvantage.

If the JSCI or Job Seeker Snapshot identifies that further assessment is needed, the job seeker may be referred to Services Australia for an ESAt. The ESAt can result in the person being referred to DES.

DES providers must complete a JSCI for all directly registering job seekers. This is to provide necessary information about the participant. The job seeker's JSCI result helps to determine which funding level they will attract as a DES participant.

DES providers can refer a person for an ESAt, if needed, even if the JSCI result does not identify the need for further assessment.

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Conducting the JSCI

The JSCI is conducted on ESSWeb, or through third party systems where applicable. Providers can use an interim JSCI form to record responses if ESSWeb is temporarily available but must transfer responses to ESSWeb as soon as possible.

Providers must undertake a JSCI if:

- the participant does not have a JSCI or Job Seeker Snapshot, or
- the participant's JSCI or Job Seeker Snapshot does not reflect their current circumstances.

The JSCI must be conducted professionally, sensitively, and in a culturally appropriate manner.

When conducting the JSCI:

- the job seeker can be accompanied by a nominee (including a family member), advocate, social worker or counsellor.
- interpreter services should be used where appropriate.
- providers must inform the job seeker that information provided is protected by the Privacy Act 1988. Information on privacy, confidentiality and access or disclosure of information is available from the Office of the Australian Information Commissioner (OAIC) or by calling 1300 363 992 or teletypewriter TTY 133 677 (ask for 1300 363 992)
- providers should encourage the job seeker to provide open and honest responses to all questions, so that providers can deliver tailored services to best meet the job seeker's needs
- providers must inform the job seeker that they can choose 'do not wish to answer' in response to voluntary disclosure questions for the following topics:
  - Aboriginal or Torres Strait Islander status
  - refugee status
  - disabilities and medical conditions
  - criminal convictions, and
  - any other personal factors or characteristics that may affect the job seeker's ability to obtain and/or retain employment.
- job seekers who disclose domestic violence, family grief or trauma and who require further assistance should be supported to connect with services appropriate to their circumstances. This includes support provided by a Services Australia social worker or another national or state-based organisation.

To conduct a JSCI:

- select 'Job Seeker/JSCI' from the ESSWeb menu
- select 'Add JSCI' from the JSCI History Panel to bring up the JSCI Question Screen
- select the relevant site location from the 'Conducting Site' drop down list and save
- select the 'Method of Delivery' from the drop-down list and save

For a new JSCI, the provider must ask and record answers to all JSCI questions in sequence. For a reassessment of an existing JSCI, the provider can choose to ask only questions relating to the participant's chanced circumstances or new information and must record answers to those questions.

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To record JSCI answers:

- select the pencil icon for each group of questions on the JSCI Summary Panel
- select the relevant response to each question and save before moving to the next Question Panel

Providers must review recorded answers with the job seeker before submitting the JSCI. Only two JSCI submissions can be made each day for a job seeker.

To submit the JSCI:

- select 'Save', then 'Submit' from the Save drop down arrow
- on the JSCI ESAt Confirmation screen, review information about the current ESAt and any identified further assessment needs, and select an 'ESAt requested action'
  - 'Apply/Reapply', to continue using an existing ESAt
  - 'Do not assess', to continue without undertaking an ESAt
- select Print JSCI to print a paper copy of the JSCI

Note: Providers should not select the 'Request new' option on the 'ESAt Confirmation' screen for DES participants. This is because this option changes the JSCI status to 'Pending'. It will become 'Active' only after a new ESAt is submitted. If the provider wishes to request an ESAt, they should send an email to Services Australia's FOCUS Response team at FOCUS.RESPONSE.TEAM@servicesaustralia.gov.au

The provider must give the job seeker a copy of the JSCI to check recorded responses. The provider must:

- help the job seeker understand the report by reading aloud in a private location if needed
- use interpreter services if needed
- make any corrections advised by the job seeker.

Once a job seeker agrees on the JSCI responses, they must initial each page of the JSCI and must sign and date the final page.

The provider must then:

- provide a copy of the signed JSCI report to the job seeker
- retain a complete signed copy of the report (printed or scanned)
- retain copies of documents that support responses recorded in the JSCI

To finalise the JSCI:

- select 'Job seeker has signed a printout (retain on file)' on the ESAt Confirmation screen
  - If the job seeker refused to sign the printout, make a record on the ESSWeb Comments screen of the refusal reason and circumstances, the date and the person recording details
- select 'OK' to complete the JSCI process.

The JSCI may flag referrals to appropriate services:

- Skills for Education and Employment (SEE) program, on the JSCI Details panel
- Adult Migrant English Program (AMEP), on the JSCI Details panel
- Counselling and social worker referrals, as a message on top of the ESAt Confirmation screen.

Some information from the JSCI is used to determine the person's funding level as a DES participant.

If a JSCI reassessment changes a DES participant's funding level, the provider will be notified by an automated message on the ESSWeb Noticeboard. The message will remain for 14 days.

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Employment Services Assessment (ESAt)

An ESAt is a detailed assessment of a job seeker'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. This includes both their:
  - baseline work capacity (how many hours the person can currently work), and
  - work capacity within 2 years, with intervention.
- refers the person to the most appropriate employment program.

Note: In this Guideline, the term 'ESAt' also includes any relevant Job Capacity Assessment (JCA). A JCA is an assessment conducted for a person who is applying for the Disability Support Pension (DSP).

A person must have a recommended referral to DES in an ESAt before they can receive DES supports, unless the person is:

- already working, and needs Work Assist support to keep working
- an Eligible School Leaver who needs support to transition to work
- a Special Class Client who is entitled to receive DES support.

A person can be referred for an ESAt once they are registered as a job seeker. The provider must ensure that the participant has any necessary information and documents and supplies them to Services Australia before the assessment.

Following the initial ESAt, DES participants can be sent for a new ESAt if their circumstances change, and a new assessment is needed.

Obtaining medical evidence

Providers must ensure that job seekers have appropriate medical evidence supporting their condition(s).

Medical evidence is required because:

- under social security law, Services Australia cannot assess that a job seeker has a partial capacity for work unless there is evidence of a fully diagnosed condition from the job seeker's treating medical practitioner.
- job seekers are eligible for DES only if they have a partial capacity for work. That is, the ESAt must assess the job seeker is able to work at least 8, and no more than 29 hours per week.

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

- advising the job seeker of the need for supporting medical evidence
- checking what evidence the job seeker has supplied, before requesting an ESAt
- helping the job seeker obtain new medical evidence, if needed.

Forms of medical evidence

Primary medical evidence is evidence from a treating medical practitioner that is sufficient to:

- confirm details of the main medical conditions affecting the person's capacity to work
- assess how these conditions affect the person's capacity to work or take part in other activities
- identify suitable interventions and assistance to help the person into work or stay in a job.

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Supporting medical evidence can also be considered in an ESAt. Supporting medical evidence supports the health professional's evidence by giving context about the functional impact of the participant's conditions.

Medical evidence (which may be primary or supporting, depending on context) can include:

- Centrelink Medical Certificate
- standard General Practitioner medical certificate
- specialist medical reports
- hospital/outpatient's reports
- psychologist reports
- Special School reports
- x-rays and related reports
- psychometric test results
- prescription medication
- reports from community services (e.g. drug and alcohol support services)

Job seekers can give their treating doctor the Centrelink 'Verification of medical conditions' (SU684) form to collect information about their condition.

Providing medical evidence

Medical evidence must be available to Services Australia to support an ESAt.

- If no medical evidence is presented, the ESAt may be cancelled
- If insufficient evidence is presented, the ESAt may not provide an accurate assessment.

Medical evidence can be provided to Services Australia by:

- the job seeker - uploading evidence to their online account using MyGov
- the job seeker - providing evidence in person to Centrelink
- health professionals - using the Health Professional Online Services (HPOS). For more information, go to www.servicesaustralia.gov.au/healthprofessionals

Before requesting an ESAt for a person, providers must:

- talk to the person about what evidence they already have
- support the person to obtain new evidence
- check with the person that appropriate evidence has been given to Services Australia.

If medical evidence is still not available after making every reasonable effort, advise Services Australia why no evidence is available by emailing FOCUS.RESPONSE@servicesaustralia.gov.au. In some 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.

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

To ensure an ESAt request can be processed, providers should include the following details in the request:

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Details	Details
Job seeker	• Client Reference Number (CRN) or Job Seeker Identification (JSID) • Date of birth • State/Territory of residence • Nearest Centrelink office • Current program – including time in DES, where appropriate • Whether the job seeker is an NDIS participant • Whether the job seeker is about to commence a job, and any details of the job.
Assessment	• Date the request is being made • Requested date for the assessment • Assessment type (Direct Registration, Change of Circumstances or Program Review) • Reason assessment is required • Whether an interpreter is required, and the interpretation language • Any special circumstances relating to the request
Medical evidence	Whether legible medical evidence clearly identifying the job seeker has been supplied, as detailed above. Medical evidence must not be attached to the email.
Provider	• Organisation name • Contact person name and number

An Excel form developed by Services Australia is available on the DES Provider Portal to help providers include all relevant details.

Providers should also advise Services Australia when requesting an ESAt, as relevant, if the job seeker:

- has displayed or threatened violent behaviour
- is not receiving income support payments but needs the ESAt to test their eligibility for DES. This is because Services Australia does not otherwise conduct ESAts for non-allowees.

If it determines that an ESAt appointment is appropriate, the FOCUS Response Team will:

- confirm to the provider that an ESAt is appropriate, within 48 hours of receiving an emailed request
- book the appointment on behalf of the provider.

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

- if the FOCUS Response Team does not make contact within 48 hours of an emailed request. The FOCUS Response Team will open the next available appointment.
- for all urgent enquiries (for example, vulnerable jobseekers)

Preparing job seeker for the ESAt

Once an ESAt appointment has been scheduled, the provider must advise the job seeker of the:

- date and time of the ESAt appointment (and venue, for face-to-face appointments)
- reasons for the assessment - that it is important to collect information about their medical and other circumstances, so they get support that matches their needs and capability
- format of the assessment - that it will involve an interview to determine their work capacity

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- need for full disclosure - discussing all barriers to employment, including disability or mental health issues, to ensure they receive the most appropriate assistance

Providers must also advise the job seeker that:

- they may have a nominee (such as mental health services provider, a family member, advocate, social worker, counsellor) with them during the assessment
- they must attend the assessment. If they do not attend, and do not have a valid reason, their income support payments may be suspended (mutual obligation requirements participants only)
- they must advise the assessor at least 24 hours before the appointment time if they cannot attend
- they may be referred to a different service after the assessment that better meets their needs.

ESAt report

When the ESAt assessor submits the ESAt report it will appear on ESSWeb with a status of 'submitted'.

To view submitted or finalised ESAt reports for a job seeker:

- select 'ESAt/JCA Assessment' from the ESSWeb Job Seeker menu
- 'Print' the relevant ESAt from the Assessment History list to view the ESAt content.

A submitted ESAt takes effect immediately. It may:

- establish or update the job seeker's baseline and 'with intervention' work capacity, to determine their:
  - employment benchmark
  - mutual obligation requirements, if applicable
- list a temporary reduced work capacity for the job seeker, and duration
- confirm or change the employment program the job seeker is eligible to access
- refer the job seeker to a provider of the job seeker's choice
- update the job seeker's JSCI / job seeker snapshot score, which may change their funding level.

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.

Providing ESAt reports to participants

A participant who asks to see their ESAt report 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 participant's request to the Department's Freedom of Information (FOI) team.

Note: JCA reports available on ESSWeb include only information relevant to the job seeker's participation in employment services. If the job seeker wishes to view additional JCA information used for DSP claims or reviews, the provider should direct the job seeker to Services Australia.

Referral

The eligibility, registration and assessment processes described in this chapter will result in each participant having a:

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- program referral – to a DES program (DES-DMS or DES-ESS) or other employment program, and
- service referral – to an organisation that delivers that program in a particular location.

Program referrals

A DES participant's program referral is normally determined by an ESAt. An ESAt will normally refer the person to DES, rather than another employment service, if:

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

An ESAt may instead refer a person to Workforce Australia Services, Transition to Work or Parent Pathways.

If the ESAt assessor decides that DES is appropriate, they will normally make a program referral of:

- DES-DMS, if the person has short-term employment support needs
- DES-ESS, if the person has permanent disability and is likely to need longer term support.

Providers cannot assist a person unless they deliver the DES program matching the person's program referral in the person's location.

A DES participant's program referral may be made to the provider they directly register with, where the job seeker does not require an ESAt. This can occur when a job seeker directly registers as a Work Assist participant, Eligible School Leaver, NDIS participant or Special Class Client.

In these cases, the program referral will be to the program delivered by the directly registering service, once the provider has confirmed that the job seeker meets the specific eligibility requirements.

Note*:* Eligible School Leavers normally have a program referral of DES-ESS but can have a program referral of DES-DMS where the provider is able to show why this program referral is appropriate.

Service referrals – Participant choice

A DES participant's program referral is normally determined by the participant. Participant choice is an important principle in DES. Participants can choose from the organisations that deliver their recommended DES program in their location when they commence their period of service and can choose to transfer to another available provider at any time.

When an ESAt makes a DES program referral (DES-DMS or DES-ESS) for a person, the person has an opportunity to review providers and choose the provider that best meets their needs. Participants are encouraged to review provider options on the JobAccess site, ahead of their ESAt.

If a participant will not choose their own service, they will be allocated a service.

Providers can assist participants who have a service referral to a service they deliver.

To receive a service referral, providers must create appropriate sessions in the ESSWeb electronic calendar. Appropriate users can refer a person to a service by creating an appointment in an available session timeslot. If there are no available sessions, the person cannot be referred to that service and will not appear on the list of available services.

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Providers must ensure the electronic calendar has available sessions for each site within two business days. This includes sessions of the following types:

- initial interview sessions (required for new referrals)
- re-engagement sessions (including for reconnections)
- contact sessions (which may be booked following a change of circumstance reassessment).

Providers are responsible for determining how many sessions they need to make available to manage their current and potential caseload. Sessions can be used for all DES programs delivered at the site.

A person can be referred to a service by an ESAt assessor or by appropriate staff from Services Australia, the Department, or the National Customer Service Line.

Job seekers who directly register with a provider have already chosen their service by registering with them. The job seeker's service referral to the directly registering provider will be confirmed by:

- any required ESAt, if it confirms the job seeker's eligibility and recommends a DES service delivered by the provider
- the provider, if the job seeker does not require an ESAt and the provider confirms that the person meets the relevant specific eligibility.

Participants can change their service referral (that is, transfer providers) at any time by choosing another provider but cannot change their program referral without a new ESAt.

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4. Employment Assistance and Service Fees

Commencement

A provider can commence a person as a DES participant when:

- the provider confirms that the person has a valid referral to their service
- the job seeker attends an initial appointment with the provider
- the provider confirms the person meets eligibility requirements at the time of commencement.
- the job seeker signs a Job Plan setting out how to address the participant's individual needs.

A person commences as a DES participant in the Employment Assistance phase of DES.

Valid referral to the service

A person has a valid referral to a service if they:

- have been referred to the service following an ESAt. ESSWeb does not allow a person to be referred to a DES service without a valid ESAt referral to the DES program delivered at that service, or
- do not require an ESAt to access DES and meets the relevant eligibility requirements.

Providers can confirm these requirements on ESSWeb:

- the participant's current service referral is shown on the Job Seeker Dashboard
- the 'ESAt/JCA Assessment' screen shows the participant's ESAt recommendations
- ESAt exemptions are shown as an exemption on the 'Registration' screen, or a special placement reason on the 'Circumstances' screen.

Initial appointment

The initial appointment is scheduled by:

- Services Australia or another referring organisation placing the participant into an initial appointment schedule that the provider has made available in the electronic calendar in ESSWeb, or
- the provider, after confirming a directly registered participant is eligible for DES

Providers will be alerted to referrals when an appointment is booked in their electronic calendar. Services Australia will only book appointments for a time after the ESAt report will be submitted.

A participant's initial appointment with their provider must be conducted face-to-face, if possible.

When	Requirements
Preparing for the initial interview	• check available information about the participant, including through any current ESAt • check any special requirements (interpreter, vulnerability, wheelchair access etc) • check if there is any Job Seeker Incident Report (JSIR).
At the initial interview	• confirm the identity of the person • check that the person is not already working at their employment benchmark

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When	Requirements
	• explain the types of services that may be provided • explain and provide the DES Service Guarantee and Code of Practice • explain the person's rights and obligations and the consequences of not meeting those obligations • discuss the person's experiences, workplace barriers, abilities and aspirations to develop an understanding of the support the person needs • advise the person that they must agree a Job Plan. This can occur at the interview.

Providers must record a result of "Attended" for the initial interview on the day the person attends it.

The person will be automatically commenced as a DES participant on ESSWeb when:

- a result of "Attended" is recorded for the initial interview, and
- the person's Job Plan has been approved.

★ Job seekers must be commenced as DES participants at the initial interview where possible.

Parent Pathways participants

Participants who transition to DES from the Australian Government's voluntary Parent Pathways service can choose to have a 'warm handover' at their initial appointment. The optional warm handover is intended to improve continuity of support by including the Parent Pathways Mentor in the discussion of the participant's progress in Parent Pathways. The participant is responsible for inviting the Mentor to the appointment.

The participant's DES Job Plan must take account of any details provided about the participant's experience in Parent Pathways. This may include their Parent Pathways Goal Plan and their goals, achievements and progress. Providers must tailor support to consider their circumstances, including any caring responsibilities.

Confirming eligibility at commencement

Providers must not commence a person if they are aware that the person does not meet DES eligibility requirements at the time of commencement.

Providers must confirm the number of hours the person is currently working in open employment, if any. This is the number of hours agreed in the person's employment agreement, or the average number of hours worked over the previous 13 weeks if there is no set number of employment hours. This does not include any hours of supported employment the person is undertaking. This check is needed because the participant's hours of employment may have changed since their eligibility was assessed in an ESAt or at direct registration.

If the person's weekly work hours are equal to their employment benchmark or higher, the provider must:

- exit the person from their service
- (if the person has mutual obligation requirements) advise the person to contact Services Australia for an assessment of whether they are fully meeting their requirements through paid work.

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Job Plan

The provider must create a new Job Plan for the participant or update an existing Job Plan.

A person cannot be commenced as a DES participant in ESSWeb until they have agreed a Job Plan.

The Job Plan must be developed before the participant commences because it provides a common understanding for the participant and the provider about how DES will address the participant's individual needs. The Job Plan is also required under legislation for participants with mutual obligation requirements.

The participant's initial Job Plan must be developed using relevant information, which can include:

- an applicable ESAt or JCA
- the Job Seeker Classification Instrument or Job Seeker Snapshot
- Capability Management Tool
- discussion with the participant about their experiences and interests.

In developing a Job Plan, under social security law delegates are required to consider the 'employment pathway plan matters', which are:

- the person's education, experience, skills and age
- the impact of any disability, illness, mental condition or physical condition of the person on the person's ability to work, to look for work or to participate in training activities
- the state of the labour market and the transport or other options available to the person in accessing that market
- the participation opportunities available to the person
- the family and caring responsibilities of the person
- the length of travel time required to comply with requirements in an employment pathway plan
- the financial costs (such as travel costs) of complying with requirements in an employment pathway plan, and the person's capacity to pay for such costs.

Period of Service

During the Employment Assistance phase, providers must deliver supports to help the participant prepare for and find suitable, ongoing employment in the open labour market. This includes address the participant's barriers to employment and developing the participant's skills, experience and confidence.

This support provided in the Employment Assistance phase is the participant's 'period of service'. This is a period of up to 24 months of active support from a provider that:

- starts when the person is commenced as a DES participant
- pauses during a suspension period or while the participant is in the Post Placement Support phase
- ends when the participant has 'completed' their period of service:

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'Completion' type	Condition
Outcome achieved	• Participant achieves a 52-week employment outcome • Participant exits after achieving at least a 26-week employment outcome • Participant achieves a 26-week education outcome
Period completed	• Participant receives available 24 months support without achieving an outcome
Disconnected	• Participant exits DES for other reasons and does not return within 13 weeks

A participant who exits DES before completing a 26-week outcome or 24 months of Employment Assistance can return within 13 weeks. They do not require a new ESAt and resume their period of service at the point they left.

The period of service is not related to a particular provider. It continues when a participant transfers to a new provider.

The eight quarterly service fees align with the 24-month period of service.

Participants can continue to receive support until the end of their period of service even if their circumstances change so that they would not be eligible to commence DES. An exception is that a participant must be exited from DES if they are assessed as being unable to work 8 or more hours per week.

When the period of service ends, the participant must be exited from DES.

After completing a period of service the person needs a new ESAt referral to return for a new DES period of service.

Suspensions

A participant's period of service may be suspended when:

- Services Australia grants the participant an exemption from their mutual obligation requirements
- A voluntary participant chooses to not participate for a period

Participant suspensions are shown on the 'Suspension and Volunteering' screen in ESSWeb.

If a participant chooses to continue in DES as a volunteer, the participant's period of service continues during the volunteering period.

Participants with participation requirements

A participant with participation requirements will be automatically suspended when Services Australia:

- assesses the participant has a Temporary Reduced Work Capacity (TRWC) or Partial Capacity for Work (PCW) of less than 15 hours per week
- notes that the participant is fully meeting their mutual obligation requirements
- grants a temporary exemption from the participant's participation requirements.

Note: A participant in the Employment Assistance phase who is expected to fully meet their mutual obligation requirements for more than 13 weeks will be exited from DES instead of suspended.

Providers will receive a noticeboard message in ESSWeb when:

- Services Australia suspends a participant

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- a participant's suspension period ends.

If a suspended participant wishes to volunteer to participate during their suspension period, the provider must enter a volunteering period when a participant with participation requirements chooses to volunteer.

To add a volunteering period for a participant, enter the start date and expected end date of the volunteering period on the Job Seeker 'Suspensions and Volunteer Periods' screen in ESSWeb.

Note: A participant cannot volunteer during any period where Services Australia assesses that they have a TRWC of 0-7 hours per week, unless the provider agrees it is safe and in the participant's interests to do so. Providers must keep a record of any reason for rejecting the participant's choice to volunteer.

Participants with no participation requirements

A participant with no participation requirements can be manually suspended by a provider when the participant cannot participate in DES for a time. This may be related to factors such as: illness; travel; family responsibilities; school holidays; personal issues.

Providers can enter a manual suspension of up to 13 weeks and can enter further suspensions as needed.

To add a suspension period for a volunteer, enter the start date and expected end date of the suspension period on the Job Seeker 'Suspensions and Volunteer Periods' screen in ESSWeb.

Providers cannot suspend a participant with participation requirements.

If a suspended volunteer wishes to continue before the expected end date of the suspension period, the provider must end the suspension period.

To end a suspension period for a volunteer, enter the actual end date of the suspension period on the Job Seeker 'Suspensions and Volunteer Periods' screen in ESSWeb.

Exits

ESSWeb will automatically exit a participant who:

- completes their two-year period of service
- is suspended by Services Australia while in the Employment Assistance phase because they are fully meeting their requirements for more than 13 weeks, and do not wish to participate as a volunteer.

Providers must manually exit a participant who:

- is a voluntary participant and stops participating in activities
- is a voluntary participant and no longer wishes to volunteer
- loses their employment after achieving at least a 26-week employment outcome
- does not need Ongoing Support after achieving a 52-week employment outcome
- does not need Ongoing Support for at least 12 months (i.e., suspended)
- does not need Ongoing Support after achieving a 26-week Work Assist outcome
- is assessed in a new ESAt or JCA as having a work capacity of 0-7 hours per week
- is assessed in an Ongoing Support Assessment as not requiring Ongoing Support

To exit a participant:

- Select '< >' in the Job Seeker Personal Summary screen for the participant
- Select 'Provider Exit' from the Action drop-down list

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- Select the reason for the exit and click 'Submit'.

Providers must provide an exit notification to a participant within 14 calendar days of their exit, unless:

- the participant is deceased
- the participant requested that they be exited
- the participant exited the caseload but not the DES program (transfers)
- the participant was referred to the provider but was never commenced.

★ Best practice is to provide the exit notification at the final contact.

Program summary

Providers must complete a program summary when a participant exits DES. The program summary provides information for Services Australia about the participant's progress in DES, to inform further actions.

Providers must complete a program summary:

- at least two days before a participant exits DES due to completing their period of service
- within 20 business days of Services Australia exiting a participant
- within 20 business days of the participant transferring to another provider
- within five days of any other participant exit from DES.

To create or update a program summary, on the Program Summary screen:

- select 'New' or change an existing program summary back to 'Draft' status
- enter or update information about the participant's progress as required
- change the status of the program summary to 'Finalised' to complete the summary.

Support to be provided

During Employment Assistance, providers help participants prepare for and find work. Providers must:

- maintain regular contacts with the participant (at least six contacts over three months)
- regularly review and update the participant's Job Plan to ensure that it always includes:
  - activities the participant will attend to prepare for and find suitable work
  - assistance the provider will deliver to increase the participant's skills and confidence
- deliver or purchase the appropriate activities and support the participant needs.

Providers have significant flexibility in what assistance is provided because each participant's needs are different. Providers must deliver whatever supports each participant needs to find and keep suitable work.

Category	Supports may include
Addressing disability / injury	• Disability management • Health support
Vocational skills	• Training and education courses
Non-vocational skills	• Language and literacy support • Presentation support

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Category	Supports may include
Building job readiness	• Work experience placements
Job search skills	• Assistance with resumes • Interview skills
Help with expenses	• Purchase of equipment needed for a placement • Payment for relevant licenses • Help with transportation
Help to find work	• Sourcing employment opportunities from employers • Reverse-marketing participants to employers • Use of wage subsidies where appropriate

Providers receive Service Fees to deliver activities and supports to participants. Providers can use service fees to purchase or deliver suitable items, activities and supports. Providers are not required to use this funding (or prevented from using it) for a particular purpose.

Effective delivery of supports during the Employment Assistance phase can help the participant find suitable employment or education, so that they can qualify for outcome fees.

Providers must include all activities the participant will attend and support the participant will receive in the participant's Job Plan and must schedule them in the participant's electronic calendar. This makes sure the participant is notified about activities arranged for them.

Participants with mutual obligation requirements must attend any compulsory activity in their Job Plan.

Contacts

Providers must deliver contacts for a participant:

- for an initial interview, when a participant commences with the provider
- as a re-engagement, following a change of circumstances ESAt
- as a reconnection requirement, as required following a mutual obligations failure
- regularly while in the Employment Assistance phase - at least six contacts each three months

Contacts can be delivered:

- face-to-face
- as an audio conversation (telephone)
- as a video conference

The provider must agree the contact schedule and mode of delivery with the participant. Providers must record the participant's preference.

To record the participant's preferred mode of contact, open the 'Job Seeker Calendar' in ESSWeb and click on the Job Seeker Calendar Settings

While a participant is in Employment Assistance, the provider must include in the participant's Job Plan:

- activity code AI09 – "Attend DES Appointments Contacts weekly or fortnightly, or

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- activity code FTXT, with the free text "I agree to attend [x] DES appointments with [provider name] over the next three months.

Providers must schedule contacts in the electronic calendar. This provides a notification to the participant to attend the contact.

Note: If a provider has an unscheduled contact with a participant, the provider must schedule the contact in ESSWeb on the day the contact occurred but record as the notification method that the contact was directly booked with the participant. This prevents a notification for the contact being sent.

Providers can discuss any issue or concerns relevant to the individual participant at a contact.

★ Contacts may include:

- functional capacity evaluations, physical/other assessments to check the participant's limits/abilities
- discussion of job search activities and help identifying appropriate job vacancies
- identification of and referral to appropriate activities
- reviewing progress and discussion of ways to overcome barriers
- reviewing and updating the participant's Job Plan.

The provider must identify any necessary supports the participant needs and supply them. This may include:

- special assistance required because of the participant's disability
- interpreter support
- adjustments because of aggressive or violent participant incidents
- need for a counsellor, carer, nominee or social worker to be present.

The provider must record, by close of business on the day of the contact, an attendance result of:

- "Attended" where the participant attended the contact
- "Did not attend (valid)" where the participant had a valid reason for not attending the contact
- "Did not attend (invalid)" where the participant had no valid reason for not attending the contact.
- "Did not attend (invalid – not in contact)" where the provider has not been able to establish contact with the participant to have a valid reason discussion.

Note: For contacts, no compliance action can be taken under the Targeted Compliance Framework (TCF) unless a result of "Did not attend (invalid) /invalid – not in contact)" or "Misconduct" is recorded in ESSWeb by close of business on the day of the scheduled contact.

If a result cannot be entered after the date of the contact, the provider must take alternative action to record whether the participant attended the contact. This may be needed where:

- the contact occurred after normal working hours
- the employment consultant is in remote a remote location without ESSWeb access
- there is an ESSWeb outage.

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If the provider cannot record an attendance result on the day of a scheduled contact:

Contact type	Action to be taken within three days:
Scheduled contact	• Include a comment in the electronic calendar's Appointment Notes, advising: - whether the participant attended - why an attendance result could not be recorded on the date of the contact.
Unscheduled contact	• Schedule a "shell" contact with the participant for the entry date. This is not a real contact, and the participant is not expected to attend it • Record the notification method as being booked directly with the participant, so the participant does not receive a notice to attend the appointment • Enter a result of "Attended" for the shell contact, because the participant attended the unscheduled contact • Include in the Appointment Notes a comment to correct the shell appointment: - the date and time the contact occurred - why an attendance result could not be recorded on the date of the contact.

Providing Interpreters

Providers must use an interpreter for provider contacts where:

- Services Australia has indicated that a provider is required
- the participant has requested an interpreter
- the provider assesses that an interpreter is required.

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 Employment Assistance Fund (EAF) for Auslan services only for job interviews, Ongoing Support Assessment interviews and Supported Wage System assessments. EAF funding cannot be used for provider contacts.

Providers must record on the participant's individual file:

- 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.

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Work Based Personal Assistance

WBPA provides regular personal support in the workplace for people with a neurological or physical disability who require personal assistance by specially trained personnel with:

- feeding by mouth or tube
- personal hygiene, such as care of a catheter, or
- administering medical interventions from a registered nurse.

Responsibility for WBPA has transitioned to the NDIS, but DES-ESS providers can continue to deliver WBPA under continuity of support arrangements to participants or ex-participants who have:

- received WBPA through DES since before 1 July 2020
- been assessed as being ineligible for support under the NDIS.

Providers can claim WBPA fees for up to 10 hours per week of personal supports for eligible participants:

- $35 per hour for personal support delivered by the provider
- $45 per hour for personal support purchased by the provider.

Monitoring participant progress and attendance

Providers must monitor participant progress and attendance at activities so that they can:

- make appropriate changes to the participant's Job Plan
- take any necessary action if the participant does not comply with their participation requirements.

Employment Assistance supports end when a participant moves to the Post Placement Support phase. A participant in the Post Placement Support phase can return to the Employment Assistance phase (for example, if their job placement ends before they complete a 26-week outcome), and the provider must continue delivering appropriate Employment Assistance supports.

Other support

Providers must:

- determine appropriate activities and support for each participant during Employment Assistance
- include the activities and support in the participant's Job Plan
- monitor the participant's attendance at activities and support and take appropriate compliance action.

Relocation Assistance to take up a Job (RATTUAJ)

RATTUAJ is a tool that providers can use to help eligible participants relocate to take up ongoing work. Providers must pay any agreed relocation expenses and then claim reimbursement through ESSWeb. Providers are not required to enter into an agreement to provider RATTUAJ.

RATTUAJ may be available where the participant 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 a DES outcome
- is not self-employment or commission-based employment.

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The employer must declare that they have unsuccessfully attempted to employ local workers.

RATTUAJ participants can apply for assistance to relocate 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
- if relocating between capitals, to a capital with a lower unemployment rate.

Note: Travel time can be determined using available geospatial calculators, such as Google Maps.

Note: The Department publishes regular capital city unemployment rate updates on the Provider Portal.

The maximum RATTUAJ amounts that can be claimed are:

- $3,000 (GST exclusive) if relocating to a capital city
- $6,000 (GST exclusive) if relocating to a regional area
- an extra $3,000 (GST exclusive) if relocating with one or more dependents.

A dependent is a member of the participant's household who is:

- a spouse/partner who is receiving an Australian Government income support payment or pension
- a financially dependent child under 24 years (including the child of a spouse/partner under social security law who is receiving a government payment for the child)
- a parent of Age Pension age who is dependent on, and relocating to live with, the participant
- otherwise genuinely dependent on the participant - the provider must record the circumstances and why they agree a dependency exists in a file note.

The provider must upload evidence of a claimed dependent to ESSWeb, including evidence of

- the dependent's identity
- relevant government payments
- the participant's legal care responsibilities
- the dependent living with the participant.

RATTUAJ Agreement

When using RATTUAJ, the provider must create and sign a RATTUAJ Agreement with the participant:

- after recording the vacancy in ESSWeb, and
- within 28 days of the participant commencing in the offered job.

The provider must create, manage and approve the RATTUAJ Agreement in ESSWeb.

The provider must upload the signed RATTUAJ Agreement to ESSWeb, including confirmation that:

- the participant accepted the job offer
- the participant has declared any claimed dependents who will be moving with the participant
- the provider has cited evidence of any claimed dependents.

The RATTUAJ Agreement will end automatically three months after it is approved. The provider must manually end the Agreement when:

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- the relocation is complete and all RATTUAJ payments have been made
- the relocation did not occur, or
- the participant did not commence the job.

If a participant with a RATTUAJ Agreement transfers to a new provider:

- the losing and gaining providers must negotiate RATTUAJ conditions
- the gaining provider must sign a new RATTUAJ Agreement with the participant

Allowable expenses

RATTUAJ payments can assist meet a participant's costs in preparing to move, moving, and settling in. The following table includes allowable costs and shows where the provider must obtain quotes for the expense.

Category	Allowable Expenses
Accommodation	• Non-rent accommodation at new location - two weeks (quote needed) • Rent at new location - up to two months
Disturbance costs	• Gardening fees (quote needed) • Cleaning fees (quote needed) • Pet boarding fees - up to one month (quote needed) • First groceries to set up house • Utility connection and exit costs • Relocation-associated legal costs • Associated medical costs • School uniforms • School enrolment fees • Reasonable breaking lease costs • Vehicle registration transfer fees • Licence transfer fees
Employment	• Tools (up to $500) • Safety clothing • Uniforms • Boots
Removalist / Self-removal	• Removalists and removalist insurance (quote needed) • Truck hire (quote needed) • Storage (quote needed) • Trailer hire (quote needed)
Rental bond	• Must not exceed any specified state or territory bond payment

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Category	Allowable Expenses
Travel	• Plane, train or ship tickets and fees (quote needed) • Car hire and car hire insurance (quote needed) • Pet transport (quote needed) • Baggage allowances • Fuel • Incidentals during travel, for example, food and drinks • In-transit accommodation costs

For items where quotes are required, the provider must obtain and retain at least two quotes (or one quote if there is a sole provider). Quotes must include:

- the suppliers name and ABN
- date of quote
- details of items in the quote including details of the service delivered
- quote amount (including GST).

Providers must ensure they understand relevant state or territory laws regarding 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
- 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.

RATTUAJ 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 two months
- Repairs—including vehicles
- Alcohol and tobacco purchases
- Post Placement Support
- Cost of return to location or additional costs at same location
- Association fees

Upfront payments

Providers can offer participants an upfront payment of up to $2000, 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 retaining receipts.

If the participant declares they are experiencing financial difficulties, the upfront payment can be over $2000. Financial hardship exists if the participant cannot commence their placement without the payment.

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Claiming reimbursement

Providers can claim reimbursement of agreed RATTUAJ expenses from the date the RATTUAJ Agreement is signed, until 56 days after the Agreement has ended.

Providers can claim reimbursement of expenses by selecting the appropriate payment category in ESSWeb. The provider must enter details of the expenditure, including the cost and purchase date.

Note: Purchase dates must be on or after the RATTUAJ Agreement start date. For expenses incurred before this date but within 28 days of the employment start date, the provider must record the purchase date is the first day of the Agreement and include as a note date actual date shown by the documentary evidence.

The provider must upload evidence of claimed expenses to ESSWeb, including:

- 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
  - remittance advice
- Any required quotes

Participants with challenging behaviours

Providers are responsible for ensuring the safety of participants, staff and visitors at their premises and at activities they manage or arrange. This includes managing participants with challenging behaviours.

Challenging behaviour is any behaviour that a reasonable person would consider unacceptable or hostile and that creates an intimidating, frightening, threatening, offensive or physically dangerous situation in the workplace or other location.

Where challenging behaviour occurs, providers should consider whether police involvement is required. Providers are encouraged to contact police if they believe assistance from emergency services is necessary.

Providers must have an incident management plan in place to outline how it will manage situations where participants, staff or visitors display challenging behaviours and to prevent or manage incidents.

Providers must take reasonable steps to ensure safety on the premises. This may include:

- discussing concerning behaviour with a person where it is safe to do so
- asking that a person to leave the premises
- submitting incident reports
- sharing information with Services Australia if there is a threat to Services Australia staff, by calling:
  - the Services Australia Service Centre (the closest office), or
  - the Services Australia Security Hotline on 1800 046 021. This hotline is operated nationally 7am to 7pm, Monday to Friday.
- calling 000 where there is a serious threat to the life, health or safety of a person, then following Public Interest Certificate (PIC) requirements (see the DES Records Management Instructions and Privacy Guidelines).

Providers must be aware of and comply with legal obligations for handling, using and disclosing personal and protected information.

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Incident reporting

Providers must lodge an incident report after each challenging behaviour incident. This provides a written record to help the provider and Services Australia manage safety arrangements for staff.

A common approach to incident reports for providers and Services Australia involves:

- an Incident Severity Matrix – an automated process which assigns a severity level to an incident.
- Managed Service Plans (MSPs) – 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 a WHS incident, the provider must also notify the department of the incident.

Incident reports must convey the severity and specific details of any threats. Providers must ensure an incident report is factual, comprehensive and does not include unnecessary or inappropriate commentary.

Note: Providers should be aware that participants can normally access documents containing personal information about them under the FOI Act and may be released as part of Court proceedings.

Incident type	Behaviour or action displayed during the incident
Assault – no weapon	Actual, attempted or threat of physical attack without a weapon – either directly or indirectly upon a person. Includes: striking; touching; applying force; spitting.
Assault with a weapon	Actual, attempted or threat of physical attack with a weapon (including an improvised weapon) – either directly or indirectly upon a person. Includes: striking; touching; applying force.
Health and safety	Any event where the person requires first aid or medical attention due to: physical or psychological injury; stress reaction; illness; disease; exposure.
Self-harm	Any incident where a person causes or indicates deliberate injury to themselves
Abuse	The use of language to insult or cause offence. Includes discriminatory language based on: age; disability; race; religion; sex; intersex status; gender identity; sexual orientation
Behaviour	Any incident where a customer acts in a counterproductive manner. Includes: offensive language; gestures; refusal to leave or disruptive on premises; excessive contacts; intimidation/coercion; harassment and stalking.
Property	Any incident where a person causes damage to the property and/or damage to contents of the property (i.e. furniture or office equipment within the site)

Providers can record more than one incident type in an incident report.

Providers must record an Incident Report in the ESSWeb Incident Report screen when a Participant exhibits challenging behaviour. Incidents should be recorded on the day the incident occurred or as soon as possible and within 24 hours.

Based on information recorded in an Incident Report, the Incident Severity Matrix will automatically assign one of 3 severity levels:

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Severity	Incident or behaviour and consequences
Low	Low risk to the life, health or safety of an individual or to property. The provider may issue a verbal warning or a warning letter
Moderate	Moderate risk to the life, health or safety of an individual or to property. Requires follow-up and may require escalation. An MSP should be considered
Serious	Serious risk to the life, health or safety of an individual or to property. Requires follow-up. Must be escalated to the Funding Arrangement Manager if there is a Temporary Site Closure. An MSP, including restrictions on access to services, must be considered

An incident report alert will appear in the top right-hand corner of a participant's ESSWeb record when an incident report has been lodged for the participant in the last 24 months. The alert will show the number of active incident reports.

Best practice is to contact participants by phone following serious challenging behaviour incidents, to:

- let the participant explain issues causing their behaviour and factors contributing to an incident
- warn the participant about the implications of challenging behaviour

Providers must record any warning given to a participant in the comments screen, or in the free text section of an incident report.

The discussion can help the provider determine whether it was a one-off event and to plan any MSP.

If a provider's understanding of the participant's circumstances changes because the participant discloses information or changed behaviour, the provider can choose to request a change of circumstances ESAt reassessment.

Managed Service Plans

Providers can apply MSPs at any time. MSPs protect the safety of staff and participants while allowing participants to meet their requirements, by tailoring how services are delivered to participants who display challenging behaviours.

All MSPs must be approved at site manager level or higher and must be recorded in ESSWeb.

MSPs may be:

- Reactive – if linked to an incident report in ESSWeb
- Proactive – if the MSP is created to prevent an anticipated incident

Providers must apply a timeframe that is appropriate to the circumstances. An MSP may be applied:

- short-term (up to 1 month) to provide a 'cooling off' period, consider personal factors, and/or test whether a longer MSP is needed
- long-term (1 to 12 months) to manage interactions while the provider helps the participant address barriers and personal conditions. An MSP can be extended past 12 months after a review.

MSPs can include servicing strategies the provider will implement to help address the participant's barriers or personal circumstances contributing to behaviour. This can include referrals to internal or external:

- anger management counselling

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- financial planning
- housing or accommodation assistance
- legal aid
- welfare agency, such as drug and alcohol counselling, grief counselling, social or community program/course, or family relationship counselling.

MSPs can also include service channel restrictions to help manage the impact of challenging behaviours. Providers can specify:

- which modes of contact the participant can use (face-to-face, telephone, writing)
- who the participant can contact (providers may decide to nominate a staff member as the one main contact for the participant. If so, they also should name a back-up contact)
- when the participant can make contact

Providers must notify a participant in writing of any MSP that has been applied to them, including any servicing strategies or service channel restrictions included in the MSP.

Providers must review an MSP:

- at any review date in ESSWeb
- when the participant asks the provider for a review.

Providers must review the MSP with the participant, if it is possible and safe to do so.

If a participant breaches the conditions of an active MSP, the provider must lodge an incident report in ESSWeb.

If a participant has an active MSP, an MSP alert in the top right corner of ESSWeb displays:

- service channels and the level of restrictions, in a traffic light format
- if one main contact is in place
- if servicing strategies are in place.

Transfers

Participants can at any time request that they be transferred to another available provider service. An available provider service is a DES-DMS, DES-ESS generalist or specialist service that the participant is eligible to attend and that can deliver services in the participant's ESA.

Participants can request a transfer to their nominated provider by:

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

The NCSL or Workforce Australia app will:

- refer the participant to their chose new provider
- send noticeboard messages to the current and new providers about the transfer.

Participants in the Employment Assistance phase will be transferred upon request, with no explanation required. Participants who request a transfer in the Post Placement Support or Ongoing Support phases may be asked why they wish to transfer but will be transferred if they insist on the transfer.

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Participants are transferred to the new provider at a pending status. The new provider must undertake an initial contact appointment to commence the participant.

The new provider can access the participant's records including personal details and history of events. Some information including skills assessments and participation reports will not be available to the new provider.

Note: A participant can only transfer with the agreement of both the gaining and losing providers if they:

- have a provider-lodged reactive Managed Service Plan
- have a Level 3 or Serious incident report, or
- are a Pre-Release Prisoner.

In addition to participant choice:

Circumstance	Description
Participant relocation	Where Services Australia or the provider updates the home address of a participant in Employment Assistance phase to a location outside their current ESA, the participant will receive a notification that they may wish to change providers. A transfer will occur only if the participant requests it.
Change of DES service	Participants must transfer to a new service if their service eligibility is updated (DES-DMS to DES-ESS or DES-ESS to DES-DMS). The participant can choose to remain with the same provider if that provider delivers both DES services in the participant's location
Relationship failure	Providers can request that a participant be transferred to another provider by sending a completed Transfer due to relationship failure form to the NCSL. The NCSL may approve a transfer where the provider has sufficiently documented: • the relationship breakdown, including any incidents • efforts to resolve the relationship issues (different consultants, mediation, etc) Participants can request a transfer without needing to show relationship failure.
Transfer by agreement	A participant's current provider can transfer the participant to another provider if both providers sign a Transfer by agreement form to show that both providers to show that the providers agree to the transfer. Transfer by agreement can occur for all participants but normally occurs for participants who have a provider lodged Managed Service Plan (MSP) or Serious / Level 3 incident report, or who are a Pre-Release Prisoner. These participants can only transfer by agreement of both providers.

Service Fees

Providers receive service fees for a participant while the participant is receiving Employment Assistance.

Providers can receive up to eight quarterly service fees over the 24 months of the period of service.

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- The first service fee is paid when the participant commences their period of service.
- Subsequent service fees are paid every three months.

Service fee payment values depend on the participant's DES program (DES-DMS or DES-ESS) and individual funding level.

ESSWeb automatically calculates and pays providers a service fee:

- at the start of each 13 weeks of a participant's service period
- when a participant transfers to the provider, or resumes DES after exiting (pro-rata payments)

Providers do not need to submit a claim for payment.

At each payment date, ESSWeb will generate a tax invoice for each participant and pay a service fee if:

- the participant is commenced
- the participant's Job Plan has a status of approved.

Service fees are paid in advance to provide funding so that the provider can deliver support to the participant during the quarter. The department will recover part of the service fee from the provider if:

- the participant transfers to another provider. That partial fee will be paid to the new provider.
- the participant exits DES without achieving at least a 26-week outcome. That partial fee will be paid to the participant's provider if they resume their period of service by returning within 13 weeks.

The amount that the department recovers will be a proportion of the fee equal to the remaining proportion of the service quarter.

The department may also recover or offset funding if the provider has not made reasonable attempts to deliver the required number of contacts during the service quarter.

Providers do not need to report on how service fees are used.

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5. Activities

Activities can help participants prepare for work, by developing their skills, experience, work habits and confidence.

Participants can complete activities their provider organises or delivers, or they can participate in activities they arrange themselves with the support of their provider.

DES participants do not need to undertake any number of activities. Providers can determine when a participant may benefit from an activity and can arrange for the participant to attend the activity.

A provider 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
- meet the participant's individual needs and work capacity.

Activity may be suitable if:	Activity not suitable if:
• 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	• the activity is listed as inappropriate • there is a conflict of interest in the participant attending • the activity involves tasks that could exacerbate the participant's disability, illness or injury

If a provider decides to refer a participant to an activity, the provider must:

- update the participant's Job Plan to include the activity. The provider may also need to change other activities in the Job Plan because of the participant's changed participation in activities
- schedule the activity in the electronic calendar in ESSWeb. This:
  - makes the details of the activity available to the participant
  - gives formal notification of the need to attend (compulsory activities only).

This makes sure that the participant understands the reasons for the activity and is notified of the details so they can attend the activity.

A provider can require a participant with participation requirements to attend an activity if:

- the activity is included as a compulsory requirement in the participant's Job Plan
- the activity is scheduled in the electronic calendar in ESSWeb

If an activity is included in the participant's Job Plan as a voluntary activity, the participant is not required to attend the activity. The activity must still be scheduled in the electronic calendar.

Providers must not arrange for participant to participate in any activity that:

- provides services the provider is required to deliver
- cannot be undertaken concurrently with DES
- cannot be legally undertaken by the participant

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- involves tasks or work that is owned or managed by the participant or a family member
- would displace or reduce the work of an employee
- involves nudity or tasks associated with the sex industry
- involves gambling or any other element that may bring the program into disrepute.

Participants normally arrange their own transport to and from an activity. Providers must arrange transport if:

- the participant cannot access a vehicle or does not have a driver's licence, and other 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
- the activity is residential or has an overnight accommodation element.

In these cases, transportation arrangements must be included in the risk assessment.

Once a participant has completed an activity, providers must record in ESSWeb:

- the reason the participant stopped participating in the activity (completion exit reason)
- the last date on which the participant took part in the activity (end date)
- the number of hours the participant completed in the activity.

Types of activities

Some activities are established under set activity rules. This includes:

- 'Contracted' activities – delivered by an activity provider under a contract with an Australian Government department
- 'Specified' activities – delivered by a host organisation under an agreement with the provider

Participants undertaking contracted and specified activities are covered by insurance policies taken out by the Department. The insurance is available because the activities take place under set rules.

Providers can also arrange for participants to attend a range of activities that do not have set rules. These 'other' activities are more flexible, but providers are fully responsible for managing the participant's attendance at the activity.

Contracted activities

Contracted are activities with a set structure, managed by an activity provider under a contract with an Australian Government department or agency.

Benefits of contracted activities include:

- the contracted provider manages participant health and safety during the activity
- the participant is covered by insurance policies taken out by the department during the activity.

When referring a participant to a contracted activity, the provider must:

- confirm the participant is eligible for the program and able to participant in and benefit from it
- make sure participant understands the purpose of the activity and their responsibilities
- make sure the activity provider has all the information it needs about the participant

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- pay the activity provider any costs for the activity
- provide any required support through necessary equipment, checks and licences
- encourage participants to attend the relevant activity
- work with activity providers to support participants to successfully complete the activity.

The provider must review the assessment made by the activity provider when the activity ends.

Employability Skills Training (EST)

Delivered by	Organisations contracted by the Department of Employment and Workplace Relations
Structure	Intensive pre-employment training, provided through two different training blocks: • Training Block 1: ***Workplace focused training***. This helps participants develop job search and workplace skills. • Training Block 2: ***Industry focused training***. This helps participants learn more about industries that are in demand or have emerging opportunities in their local labour market Participants can undertake one or both EST courses, in any order. Courses can be delivered either in person, online or hybrid (combination of in person and online). 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.
Duration	Each block runs for 75 hours, in a group setting, at: • 25 hours per week over 3 consecutive weeks, or • 15 hours per week over 5 consecutive weeks.
Cost to provider	Up to $1,250 for each referral to a training block, paid before the EST course starts. Providers must arrange payment to the EST provider, outside Departmental systems. Course fees are fully refundable if the EST provider cancels the EST course or finds the participant unsuitable to commence the EST course. The provider must discuss with the EST provider what happens if the participant does not attend.
Participant benefits	• Training Block 1 delivers a range of job search and workplace skills • Training Block 2 helps 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: • an updated, professionally presented résumé identifying the participant's skills and experience • an assessment showing industries/occupations that may be suitable for the participant, and recommendations for next employment/training opportunities. Refer to the EST Information for DES providers factsheet for more information.

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Participant eligibility	• Aged 15 years or over, and • In the Employment Assistance phase of DES. Participants can undertake EST multiple times if the EST provider agrees they would benefit.
Referral	Available EST places are shown on the Activity Management screen in ESSWeb Providers can refer participants to EST on this screen. When referring participants to an EST course, providers must: • provide participants with any EST course prerequisites (for example a police check, personal protective equipment or a USB memory stick) • make the participant aware of their responsibilities, such as recording attendance • disclose relevant personal information of the participant, subject to their consent, to help manage the participant's referral and participation in an EST course • ensure the EST provider has the information to complete a Risk Assessment. 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 DES provider to discuss any concerns it identifies, and • rejecting the referral if it determines the participant would not benefit.
Participation	Providers must make any required changes to Job Plan to allow participation. The EST provider will end the referral if the participants does not attend the EST course within 7 business days of the start date. ★ Best practice is for providers to work collaboratively with EST providers to support participants, and to encourage participants to attend their EST course.

End of activity	The EST provider will give the provider and participant an:
	• Updated, professionally presented résumé identifying skills and experience
	• Assessment which sets out:
	  ○ progress made by the participant
	  ○ the participant's performance against each of the course Learning Outcomes
	  ○ any units of competency completed
	  ○ industries and/or occupations suitable for the participant, considering the participant's goals, skills and the local labour market
	  ○ recommended next steps the participant should take to pursue employment and/or training opportunities based on the participant's goals, skills and the local labour market.
	• On completion of the EST course, providers should review the assessment provided by the EST provider of the participant's learning outcomes and recommended next steps.

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Career Transition Assistance (CTA)

Delivered by	Organisations contracted by the Department of Employment and Workplace Relations.
Structure	CTA providers deliver courses to help participants aged 45 years and over to build skills and confidence, to re-enter the workforce or change career. Courses can be delivered either in person or hybrid (combination of in person and online).
Duration	Each course runs for at least 75 hours (including at least 50 hours in a small group setting) over 3 to 8 weeks
Cost to provider	$1,800 for each referral to a training course, paid after the initial meeting has occurred and before the CTA course starts. Providers must arrange payment to the CTA provider, outside Departmental systems.
Participant benefits	• Building skills and confidence to use everyday technologies such as computers, tablets and smart phones. • Improving skills to apply for jobs online, and to use simple technology found in different workplaces. • Better understanding of local industries, including one or more employer visits • Identifying existing skills and how they transfer to other jobs or industries • Exploring goals and motivations. Refer to the **CTA Information for DES providers factsheet** on the portal for more information on the benefits.
Participant eligibility	• Aged 45 years or over • Not previously commence in a CTA course in the current period of service with the same provider The provider must determine that the participant is suitable for CTA prior to referral. Participants are considered suitable for referral where the provider believes they would benefit from the program, unless the participant has significant non-vocational issues that need to be addressed before they can benefit from CTA.

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Referral	Available CTA courses are shown on the Activity Management screen in ESSWeb, where Providers can refer DES participants to CTA. In referring participants to a CTA course, providers must ensure: • the participant is made aware of their responsibilities, such as recording attendance. • the disclosure of relevant personal information to the CTA provider for the purpose of managing the participant's referral and participation in a CTA Course (subject to their consent). • the CTA provider has all the information it requires to inform the required Risk Assessments for any Outbound Employer Visits As part of the referral process, participants will undertake an initial meeting with the CTA provider. The provider must collaborate with the CTA provider and participant to arrange for this Initial Meeting to take place. During the initial meeting, the CTA provider will assess the suitability of the participant. If the CTA provider believes the participant is not suitable for the CTA Course or will not benefit from CTA, the CTA provider will advise the provider that the participant has not been accepted into the CTA Course, and the reasons for this.
Participation	Providers must make any required changes to the Job Plan to allow participation. Providers are encouraged to work collaboratively with CTA providers to support participants to successfully complete the course.
End of activity	The provider must participate in a personal handover meeting with the CTA provider and the participant, 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. The CTA provider will give the participant (copy to provider): • An updated, professionally presented résumé identifying skills and experience • A personalised career pathway plan The CTA provider will also offer the participant two future Contacts to occur within 3 months of completion of CTA.

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Skills for Education and Employment (SEE)

Delivered by	Registered Training Organisations contracted by the Department of Employment and Workplace Relations
Structure	SEE provides both Accredited and Non-Accredited training that is tailored to the participant's needs. It can: • be delivered part-time or full-time • be delivered face-to-face, by distance learning, or both • focus on language and literacy only or be embedded in real-world learning • focus on specific skills or build towards a qualification (up to Certificate III).
Duration	Participants have up to two years to complete their SEE course or qualification.
Cost to provider	N/A
Participant benefits	• Addresses foundational skill gaps in English language, reading, writing, maths and digital skills. • Improved confidence leading to better engagement and pathways to stable, long-term employment or further study.
Participant eligibility	• Aged 15 years and over and left school • Assessed by a Provider as having LLND skill levels below Australian Core Skills Framework (ACSF)/Digital Literacy Skills Framework (DLSF) exit Level 3 • Deemed suitable for training without any barriers that would prevent successful participation • Not a full-time student • Not participating in AMEP
Referral	SEE providers are listed at dewr.gov.au/skills-education-and-employment/see-providers. Providers refer participants through ESSWeb following instructions on the most recent Task Card, located on the Provider Portal.
Participation	Providers must make any required changes to the Job Plan to allow participation.
End of activity	Remove the activity from the Job Plan.

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Adult Migrant Education Program (AMEP)

Delivered by	Registered training organisations contracted by the Department of Home Affairs
Structure	English language tuition that can: • be delivered part-time or full-time, in evening or weekend classes • be delivered face-to-face or online • include volunteer tutoring • provide free childcare services during classes (children under school age)
Duration	Participants have up to two years to complete their AMEP course or qualification.
Cost to provider	N/A
Participant benefits	Provides foundational English language and settlement skills to help participant participate socially and economically in Australian society.
Participant eligibility	• 15+ years of age (15-17 in specific circumstances, assessed by the AMEP provider) • permanent resident, holder of an eligible temporary visa, or citizen who previously had a temporary visa
Referral	AMEP providers are listed at immi.homeaffairs.gov.au/settling-in-australia/amep/find-a-class/providers-and-locations Providers refer participants by contacting the AMEP provider (not in ESSWeb).
Participation	Providers must make any required changes to Job Plan to allow participation. No job search requirements for a participant who studies at least 15 hours per week of AMEP.
End of activity	Activity removed from Job Plan.

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Self-Employment Assistance (S-EA)

Delivered by	Organisations contracted by the Department of Employment and Workplace Relations
Structure	Participants can access any or all of six core services: • ***Exploring Self-Employment Workshops*** – explains about small business and helps create business ideas. Delivered over 25 hours, usually within one week • ***Small Business Training*** - provides up to full Certificate IV qualification • ***Business Plan*** – help to develop a plan and assess viability of the business idea • ***Small Business Coaching*** – six personalised mentoring contacts over 12 months. • ***Business Health Checks*** – helping identify business development opportunities • ***Business Advice Sessions*** – flexible advice and support on small business issues
Duration	As noted above
Cost to provider	N/A
Participant benefits	• Small Business Coaching participants can access $300 start-up costs, up to 39 weeks of Self-Employment Allowance, and up to 26 weeks of rental assistance • Self-employment experience and skills • Potential ongoing unsubsidised self-employment
Participant eligibility	• 15+ years of age (18+ to access Small Business Coaching) • Not be an undischarged bankrupt • Additional requirements to access some Self-Employment Assistance services
Referral	To refer a participant, select the relevant S-EA provider on the Referrals screen in ESSWeb. This will not exit the participant from DES. Participants can also self-refer to a S-EA provider by approaching them directly. The S-EA provider will help identify appropriate services. The S-EA provider will advise the DES provider and refer the participant back so the Job Plan can be updated.
Participation	Participating in Small Business Training fully meets a participant's participation requirements for up to 8 weeks. During this time, they have no other requirements. At other times, the provider must update the Job Plan to allow participation in S-EA.
End of activity	The S-EA provider will end the S-EA referral and advise the DES provider.

Note: Participants in Small Business Coaching are in unsubsidised self-employment. Providers may be able to anchor the placement and claim outcome fees and bonus fees. No four-week outcomes are available.

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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 organisation that agrees to host the activity.

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.
- participants are covered by insurance policies taken out by the department.

The requirements and rules of each specified activity are set out in the Operational Handbook.

When referring a participant to a specified activity, the provider must:

- confirm the participant is eligible for the program and able to participant in and benefit from it
- make sure participant understands the purpose of the activity and their responsibilities
- make sure the host organisation has all the information it needs about the participant
- work with the host organisation to ensure the participant has training, equipment and clothing
- provide or arrange adequate supervision for the participant
- encourage participants to attend the relevant activity
- adjust the participant's other program requirements to support participation in the activity.

Observational Work Experience (OWE)

Delivered by	Host organisation under an agreement with the provider and the participant. The provider (including related entity) can also host OWE placements.
Structure	Short-term, unpaid, observational work experience placements: • Up to 8 hours per day, with at least 30-minute break every five hours • Up to 50 hours per fortnight (not more than 25 hours per week) • Involving only observation and participation in discussions - no tasks
Duration	Up to four weeks
Cost to provider	N/A
Participant benefits	• Soft skills • Better understanding of the workplace or potential career opportunities
Participant eligibility	• 15+ years of age
Referral	Providers create their own agreement with a suitable organisation to host OWE placements.

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	Providers must create the activity in ESSWeb Providers must record an OWE activity in the participant's Job Plan using code UWEP, and confirm the participant commenced within 5 business days.
Participation	Cannot be a compulsory activity. The provider must update the Job Plan to allow participation in OWE placements.
End of activity	Provider must end the placement in ESSWeb and record an exit reason.

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Provider Sourced Voluntary Work

Delivered by	A host organisation that provides a community service and is a: • not-for-profit organisation or charity (includes Government sector agencies), or • not-for-profit arm of a for-profit organisation.
Structure	Unpaid work experience placements: • up to 8 hours per day, with at least 30-minute break every five hours • up to 50 hours per fortnight (not more than 25 hours per week) Placement must benefit the participant and community and offer no financial gain to the provider or host organisation.
Duration	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
Participant benefits	• Practical employability skills such as attendance and communication • Improved confidence and understanding of workplace expectations
Participant eligibility	• 15+ years of age
Referral	Providers create their own agreement with a suitable organisation to host placements. Providers must create the activity in ESSWeb Provider must record a voluntary work activity in the participant's Job Plan using code VWRK, and confirm the participant commenced within 5 business days.
Participation	Cannot be a compulsory activity. The provider must update the Job Plan to allow participation in voluntary work placements.
End of activity	Provider must end the placement in ESSWeb and record an exit reason.

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Host organisations

Providers must only arrange activities or refer participants to host organisations that are of good standing.

Host organisations must:	Host organisations must not:
• 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 job • offer workforce experience • meet all WHS requirements	• take part in any illegal activities • encourage or allow any illegal behaviour • be involved with the sex industry • encourage or allow gambling, violence, self-harm, suicide or discrimination • behave in a way that negatively reflects on participants, providers, or the department.

If a provider becomes aware that a host organisation has engaged in any illegal or questionable behaviour, the provider must advise the department and end any current specified activity with the host organisation.

Host organisation agreements

Providers must arrange specified activities with a host organisation under an agreement. This ensures both the provider and the host organisation understand their rights and obligations.

Host organisation agreement templates can be found on the Provider Portal.

Providers must ensure each host organisation agreement includes:

- the tasks the participant will perform
- how the host organisation will meet participant needs and capabilities, including work restrictions
- the supervision that will be in place for the duration of the activity
- who will provide participant training before they start and/or perform tasks
- how the host organisation will record and report on participant attendance and participation
- how the host organisation will manage WHS and incident reporting obligations.

The provider and host organisation must sign the agreement before the participant starts the specified activity. The provider must keep evidence of the host organisation agreement.

If the provider suspects or becomes aware that a host organisation has breached a host organisation agreement, the provider must immediately tell the department and provide information about the breach.

Other activities

Other activities are any activities the provider arranges or access for a participant to attend, other than contracted activities and other activities. Examples include:

- concurrent programs
- non-vocational programs
- education and training
- job search clubs
- parenting courses
- group information sessions
- resume writing

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- interview preparation sessions

Other activities can include:

- activities with a formal structure, such as other government programs the participant can access concurrently with a DES program
- support services available from a range of private or community organisations
- activities designed by or for the provider

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:

- other activities cannot be covered by insurance policies the Department has taken out
- the provider is responsible for all aspects of the activity, including participant safety.

Ensuring participant safety

When a participant attends an activity there is a higher risk of harm occurring to the participant or harm occurring to others because of the participant. This is because:

- participants generally interact with a range of people in new locations when attending activities
- the provider has less control over arrangements outside the provider's sites.

Providers must assess and manage the higher risk before a participant starts an activity:

Requirement	Responsibility		
	Specified activity	**Contracted activity**	**Other activity**
Ensure the activity is suitable	Provider	Provider	Provider
Undertake risk assessments	Provider	Activity provider	Provider
Ensure adequate supervision; Conduct background checks; Ensure WH&S arrangements; Ensure incident notification arrangements are in place	Provider	Activity provider	Provider
Arrange insurance coverage	N/A	N/A	Provider

Risk Assessments

Risk assessments must be undertaken for all activity placements. The risk assessment is arranged by:

- the activity provider, for contracted activities
- the DES provider, for specified activities and other activities.

Providers must supply any requested information about the participant so that the activity provider can undertake relevant risk assessments.

Provider risk assessments must be conducted before a participant undertakes an activity, for:

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- the activity ('activity risk assessment')
- the participant undertaking the activity ('participant risk assessment').

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 decides that it cannot ensure appropriate safety, the provider must:

- not arrange the specified activity
- not refer any participants to the specified activity
- immediately end any activity referral that has already occurred.

Contracted activities

Providers do not need to conduct risk assessments for contracted activities managed by contracted providers. The contracted provider's contract and activity settings help to manage risks for that activity. However, providers must not refer a participant to the activity if they are aware the activity is not suitable for the participant.

Contracted activity providers complete 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 activity providers all the information they require to complete relevant risk assessments.

Specified activities

Risk assessments are part of the safety framework for specified activities. A provider who complies with this safety framework protects itself in case of injury or damage that can occur because of a placement.

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:

- an activity risk assessment. The purpose of this assessment is 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
- a participant risk assessment before the participant commences the activity. This assessment checks the activity is suitable for a person with the participant's personal circumstances.

Providers must retain copies of:

- risk assessments - activity risk assessments and participant risk assessments
- competent person details – name, description of training/qualifications/experience

Sample risk assessment and competent person register templates can be found on the Provider Portal. Providers do not need to use these templates for their risk assessments and to record competent persons.

When conducting risk assessments, the competent person must consider:

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- 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
- the type, cause and likelihood of any risks
- the result if an incident occurs
- plans to manage possible risks, including training and personal protective equipment (PPE).

Risk plans must meet relevant work health and safety laws and departmental policies and procedures. 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 arranges or accesses. The risk assessment is to prevent injury or damage that may occur during an activity, 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.

Supervision

Participants must be adequately supervised in all activity placements. Supervision must be arranged by:

- the activity provider, for contracted activities
- the DES provider, for specified activities and other activities.

Providers can work with the host organisation or activity provider to arrange suitable supervision. 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 people, 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.

Providers must make supervisors aware that they must report to the provider if a participant:

- does not attend the activity
- does not behave properly while completing an activity.

Contracted activities

Contracted activity providers are responsible for providing appropriate supervision during contracted activities.

Specified and other activities

Providers must make sure any supervisor and co-worker in close contact with the participant in an activity:

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- is a fit and proper person, including any background checks
- has a high level of knowledge, training and/or experience in:
  - each part of the activity they are involved in
  - working with, training and supervising participants in such activities
- has had work health and safety training.

Background checks

Background checks include:

- Criminal records checks
- Working with Children checks
- Working with Vulnerable People checks

Providers must:

- confirm whether background checks must be conducted for participants, supervisors and/or staff
- 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 people, including children and the elderly, or
- required by the Department.

Background checks are conducted by the relevant activity provider for contracted activities, where required. DES providers may not be 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 Grant Agreement obligations about using and disclosing personal information.

Incident management

Providers must ensure that supervisors understand how to manage 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.

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Incident type	Timeframe	Description
Critical	Within 1 hour	• 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	• Non-critical incident relating to a work, health and safety 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 incident report and claim form, if the incident will result in an insurance claim.

When an incident occurs at an activity:

Who	Required action
Supervisor	• 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
Activity provider/ host organisation	• 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 using the WHS Employment Assistance Program Incident Report on the Provider Portal
Provider	• Complete a Public and Products Liability Incident Report, 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, available on the Provider Portal, when a third party is making an insurance claim as a result of a reported incident

Insurance for activities

The Department purchases insurance policies to cover specified and contracted activities.

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: • personal injury to a third party, or • damage to a third party's property while participating in approved activities

The department's purchased insurance policies do not cover:

- illness or sickness a participant picks up during an activity, including COVID-19
- activities that are not contracted or specified activities

Note: there may be time limits for making claims

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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 if they have alternative insurance in place.

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 Grant Agreement 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 host organisations have appropriate insurance coverage.

Where coverage is not broad enough, providers purchase or fund additional insurance for the activity.

Providers must advise the department about incidents when they occur as they could result in a liability claim, even if a claim is not made immediately.

The provider must also follow any instructions from the department or the department's insurance broker and give them all the details of an incident after it happens. The insurer is responsible for deciding liability and providers should not admit fault or accept responsibility for any alleged carelessness.

Forms for the provider to complete to let the department know of any personal accident or public and products liability incidents are available on the Incidents and Insurance page on the Provider Portal.

Providers must keep a copy of all incident reports and records so they can be used as supporting evidence in any insurance claims.

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6. Wage Subsidies

Purpose

Wage subsidies give participants an opportunity to show they are suitable for ongoing employment.

Wage subsidies help to meet the initial costs to an employer of providing an employment opportunity. This reduces the risk to the employer of offering an employment placement. Wage subsidies are not ongoing because DES places participants into unsubsidised, continuing, open employment.

Employers may be eligible for one of three wage subsidies that target different participant circumstances:

Wage Subsidy	Eligible participants	Duration	Employment Intensity	Max. Value
Wage Subsidy Scheme	All DES participants	13 weeks	At least 8 hours per week	$1,650
Wage Start Subsidy	Employment benchmark of 15+ hours/week, Unemployed and in DES for 12+ months, and Not eligible for Restart Wage Subsidy	26 weeks	Average of at least 15 hours per week	$6,000
Restart Wage Subsidy	Aged 50 years or older, and Received income support for 6+ months	26 weeks	Average of at least 20 hours per week	$10,000

Wage subsidies are not appropriate for all placements. Wage subsidies can be used where an employer:

- has a continuing employment position available
- is unwilling or uncertain about offering the position to the participant
- would offer a placement to the participant if the subsidy is available.

Principles of wage subsidy use:

- the subsidy must be negotiated and agreed before the placement starts
- subsidies help with initial participant costs and are not ongoing
- the subsidy value cannot be more than the wage paid to the participant during the subsidy period
- only one subsidy can be used for a placement.

Eligibility

A subsidy can be used when the participant, employer and placement meet eligibility conditions.

Eligibility	Requirement	Not allowed
Participant	• registered with the provider • meets the eligibility requirements for the wage subsidy being used	• in Work Assist • outstanding workers compensation claim • business/family relationship with employer

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Eligibility	Requirement	Not allowed
Employer	• legal entity, sole trader, partnership or trust with a valid Australian Business Number (ABN) (Can be a labour hire company or group training organisation that is paying the participant's wages)	• DES provider (including related entity) • an Australian Government or State or Territory government agency • self-employment • receiving another government wage subsidy or funding for the same worker or position • has been excluded from receiving subsidies • already employ/employed the participant • previously received a subsidy for participant • poses reputational risk (e.g., history of dismissing staff or illegal activities)
Placement	• open employment conditions consistent with DES outcome requirements • ongoing position available • provides employment of at least the minimum hours and duration for the wage subsidy being used	• already supported by another wage subsidy • would displace any existing employee • commission-based, self-employment or a subcontracted position • 'non-payable outcome' as defined in the DES Grant Agreement • funded by Commonwealth or State/Territory government

A participant's eligibility for a Wage Start subsidy is shown on ESSWeb on the Wage Subsidy and Relocation Assistance Eligibility section of the Registration screen

The employment position can be:

- full-time, part-time, or casual employment
- an apprenticeship or traineeship
- found by the provider or directly by the participant

Up to two Wage Subsidy Scheme subsidies can be used for a participant in a financial year.

Negotiating a wage subsidy

Providers must negotiate a wage subsidy with an employer as part of an employment placement. A subsidy can be used where if the provider believes it is needed to create the employment opportunity.

The terms of a subsidy must be negotiated before the placement starts so that the provider and the employer understand the conditions of subsidy payment.

Providers must make clear to employers that negotiations do not mean a subsidy has been offered. Negotiations are to discuss suitable terms for the subsidy. There is no agreement to pay a wage subsidy until an agreement has been signed by both the employer and the provider.

The terms that the provider negotiates for a DES wage subsidy must be consistent with the limits of the wage subsidy being used:

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Subsidy	Duration	Employment hours	Subsidy value - not more than:
Wage Subsidy Scheme	13 weeks	8 hours per week	$1,650
Wage Start subsidy	26 weeks	15 hours per week, on average	$6,000
Restart wage subsidy	26 weeks	20 hours per week, on average	$10,000

Note: Providers must seek the department's agreement before negotiating any Wage Start subsidy. This is because the number of available Wage Start subsidies is limited.

Note: For the Wage Subsidy Scheme, the 13 weeks of 8 hours or more must be worked within 26 weeks.

Other conditions to be negotiated include:

- expected start and end date of the subsidy
- placement position title and the work the participant will do
- wage and conditions of employment to be offered
- hours the participant will work as part of the placement
- documentary evidence the employer must give the provider, including timing
- payments the provider will make to the employer, including timing
- any planned unpaid breaks (e.g. shutdown periods)
- support the provider and employer will give the participant to ensure the placement is successful.

Providers must request approval to access a Wage Start subsidy before negotiating with the employer. Requests should be made in writing to DESadmin@dss.gov.au. The subject line should include the four-digit Organisation Code, a description (Wage Start Subsidy Request), the JSID and the employer's name.

Paid work trials

Providers can negotiate a wage subsidy for a participant who has completed a paid work trial with an employer. A paid work trial is up to two weeks of paid employment on a trial or probation basis.

The wage subsidy is to encourage the employer to offer a longer employment opportunity. The subsidy period can start at the commencement of either the paid work trial or the subsequent longer employment placement.

Wage subsidies are not available following unpaid work trials such as work experience or internships.

Provider subsidies

Providers can enhance a DES wage subsidy using its own funding. Where a provider chooses to do this:

- the provider subsidy must be set out in a separate, non-DES agreement
- the provider subsidy can extend the terms of the subsidy (such as placement duration and/or employment intensity), but cannot impose new conditions on the employer
- the total wage subsidy amount (DES wage subsidy plus provider subsidy) must not be more than the wage paid to the participant.

DES wage subsidies cannot be used where another subsidy is being used for the same participant or position. A provider subsidy is allowed because it is an enhancement of the DES wage subsidy, not a second subsidy.

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There is no requirement for providers to enhance a wage subsidy. Any provider subsidy amount will not be reimbursed by the department. Providers may choose to offer an enhanced subsidy if the further incentive is needed to create the employment opportunity or extend the period of employment under agreed conditions.

Provider subsidies must be created as a separate, non-DES agreement because any terms and conditions included are not part of the agreement that the department will support. Providers must pay a subsidy under the DES agreement if the placement meets the terms of that agreement, even if the placement does not meet the terms of the provider subsidy agreement.

Agreeing a wage subsidy

Providers must document the terms of a wage subsidy in an agreement signed by provider and employer.

Providers must not offer a wage subsidy agreement unless they are satisfied the negotiated terms are consistent with the requirements of the relevant subsidy. If a provider finalises a subsidy that is not consistent with relevant requirements, they will not be able to claim reimbursement of the subsidy.

Providers must use the wage subsidy agreement supplied by the department. The agreement must:

- include the specific terms and conditions to be met through the work placement
- include the requirements that the employer must meet, including providing required evidence
- set out how the wage subsidy will be paid to the employer.

The form of the agreement document depends on the wage subsidy being used:

- Wage Subsidy Scheme subsidies are detailed a separate agreement for each subsidy used
- Wage Start and Restart subsidies use a two-stage document including:
  - a standing head agreement with the employer
  - separate schedules for each subsidy arrangement, containing details of that subsidy.

The wage subsidy agreement must be:

- negotiated by the employer and the provider before the placement starts
- signed and recorded in ESSWeb within the following times after the placement starts:
  - Wage Subsidy Scheme: 8 weeks (56 days)
  - Wage Start Subsidy: 12 weeks (84 days)
  - Restart Wage Subsidy: 12 weeks (84 days)

Note: For Wage Start and Restart subsidies, this means the schedule detailing the subsidy arrangements.

Agreements not approved in ESSWeb within the required timeframe will be deleted by the department and cannot be reimbursed.

Wage subsidy head agreements start on the date the last party signs the document, and end on 30 June 2025.

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Recording a Wage Subsidy agreement

Wage Subsidy Scheme

Providers must create a new wage subsidy agreement for each Wage Subsidy Scheme subsidy. An agreement can be created once the provider:

- creates the vacancy in ESSWeb for the employment placement to be supported by the subsidy
- records a referral result of 'Expected to Start' or 'Placement Confirmed' against the vacancy.

★ Best practice is to search for any existing agreement for the participant on the Agreement Search screen.

To create a Wage Subsidy Scheme agreement in ESSWeb:

- select the 'Create' button on the Agreement Search screen.
- select the relevant job placement from the list of available job placements for the participant
- select 'Link' to populate vacancy and employer details
- complete remaining subsidy details and Additional Terms and Conditions, if relevant
- select 'Submit'

To approve the agreement, providers can either:

- select 'Approve' and 'Send to Employer'. The employer will be able to sign the agreement through the Workforce Australia Online for Businesses website. The provider will be notified when the employer signs the agreement, or
- select 'Sign Offline', then print the agreement to provide in hard copy. When the employer has signed the agreement, select 'Approve' on the confirmation message.

Wage Start and Restart subsidies

Providers must create:

- a head agreement with the employer
- a schedule under the head agreement, for each Wage Start or Restart subsidy with that employer.

The provider must create the head agreement only once. While the head agreement is current, providers can create any number of wage subsidy schedules, as needed.

To create a head agreement with an employer:

- download the sample Wage Start Agreement and remove the 'Sample' watermark
- complete the subsidy details

Supporting wage subsidy placements

The wage subsidy period:

- starts on the date listed in the wage subsidy agreement (schedule)
- ends 26 weeks later, except that:
  - Wage Subsidy Scheme subsidies end earlier if the participant completes 13 weeks employment of 8 hours or more

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- Wage Start and Restart wage subsidy end dates may be delayed by any pause during the subsidy period.

The wage subsidy period can be paused if a participant cannot work due to ill health or if the employer has a shutdown period.

The wage subsidy period is not paused during any period of paid or unpaid approved leave. During approved leave the participant is considered to have been employed at their:

- normal hours of employment, or
- average weekly hours of employment (if the participant works variable hours).

Both the participant and employer must agree to approved leave. Employers cannot ask a participant to take leave in order meet wage subsidy requirements.

During a wage subsidy placement, providers must:

- support the participant and employer to make sure the placement is successful
- ensure the employer understands and meets wage subsidy agreement terms and requirements
- collect documentary evidence to show whether the terms of the agreement were met.

Participants are usually in the Post Placement Support phase during a wage subsidy period. The support that providers deliver to ensure the placement is successful also supports a wage subsidy placement.

If a participant transfers to a new provider during wage subsidy period, the new provider must assume responsibility for the subsidy. The new provider must:

- agree with the employer a wage subsidy matching the agreed wage subsidy conditions
- support the participant and employer as needed
- collect documentary evidence and make payments as agreed.

Documentary Evidence of employment

Providers must collect and keep documentary evidence showing how the participant was employed and paid during the subsidy period. Providers cannot pay the subsidy to the employer unless the documentary evidence shows that the terms of the subsidy agreement were met.

Providers can show employment using the forms of evidence used for hours-based employment outcomes:

- payslips covering the relevant period
- certification from the employer's payment system
- signed and dated statement or email from the employer, or
- declaration through the Workforce Australia website.

Providers must upload this evidence to ESSWeb before claiming reimbursement of a wage subsidy.

Providers must make sure employers understand what evidence the employer must provide, when it must be provided, and that that there will not be a subsidy payment until the evidence is provided.

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Wage Subsidy Payments

Payments to employers

Providers make agreed wage subsidy payments to the employer from their own funds. Providers can claim reimbursement of funds from the department.

Providers must determine how and when to make agreed subsidy payments to employers. These payments do not occur through ESSWeb.

The timing, frequency and conditions under which providers will make a wage subsidy payment must be included in the agreement.

A provider must pay the agreed wage subsidy to an employer if:

- the placement was delivered in a way that meets the conditions of the wage subsidy agreement
- the employer provides satisfactory documentary evidence demonstrating the conditions were met.

Providers must not pay a wage subsidy until they collect evidence showing subsidy conditions were met.

The provider must make a partial payment to the employer if the subsidised placement:

- lasts at least six weeks, and
- does not meet the full wage subsidy conditions.

The partial payment must be a proportion of the agreed total wage subsidy amount. That proportion is:

- the number of weeks that the participant met the agreed subsidy requirements, divided by
- the number of weeks that the participant was required to meet the requirements (13 or 26 weeks).

Reimbursement payments to providers

Providers can claim reimbursement from the department for wage subsidy payments made under a standard wage subsidy agreement.

The department will reimburse actual payments made up to the limits allowed in a DES wage subsidy agreement that is consistent with relevant wage subsidy rules.

To claim reimbursement of the subsidy, the provider must upload to ESSWeb:

- the evidence the provider collected to show that the subsidy is payable
- evidence of the wage subsidy payment to the employer, including:
  - the amount of the wage subsidy payment or payments
  - the name or JSID of the participant
  - the employer's details including the ABN
  - the date the payment was made.

This evidence can be in the form of:

- a record of transaction, such as a bank statement or report from the provider's financial system
- a valid tax invoice and corresponding receipt from the employer
- a tax invoice from the employer and remittance advice, or
- a statutory declaration, email or other correspondence from the provider.

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Providers can claim reimbursement for wage subsidies paid to employers:

- in one claim at the end of the subsidy period, for the Wage Subsidy Scheme
- in one or more claims, for the Wage Start or Restart wage subsidies.

Wage Subsidy Scheme

To claim reimbursement in ESSWeb of payments made under the Wage Subsidy Scheme:

- Select the 'Wage Subsidy Scheme' and relevant participant on the Agreement Search screen
- Select the relevant agreement
- Upload any documentary evidence by selecting 'Edit' on the Payment Instalments Schedule
- Select 'Reimburse Claim'
- Confirm details on the Payment Summary screen are correct, including the Declarations
- Swipe the slider to 'Yes' and select 'I Agree'

Wage Start and Restart wage subsidies

Employers must invoice the provider to receive a Restart payment.

To claim reimbursement in ESSWeb of Wage Start or Restart subsidy payments:

Providers must claim reimbursement of Wage Start and Restart subsidies within 56 days of the subsidy end date.

Goods and Services Tax (GST) treatment

The total maximum wage subsidy amounts specified in this guideline include GST.

If an employer who is not registered for the GST submits a tax invoice for the correct amount:

- the provider must pay the wage subsidy employer the amount (GST exclusive)
- the Department will reimburse the full (GST inclusive) amount to the provider
- the provider must remit the additional GST amount to the Australian Tax Office.

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7. Post Placement Support and Outcome Fees

Accessing Post Placement Support

Note: This chapter discusses actions which may occur during the Employment Assistance phase, including:

- sourcing and recording employment and education placements. These processes usually occur in Employment Assistance but fit with the anchoring and outcomes processes in this chapter
- claiming fees for four-week outcomes. While these fees can occur in Employment Assistance, they occur as part of the employment process that normally results in employment outcomes.

A provider delivers Post Placement Support to help a participant remain in one or more employment or education placements and progress towards:

- an employment outcome, for sustained employment or unsubsidised self-employment
- an education outcome, for passing a qualifying education course, or
- a combined employment and education outcome.

Anchoring placements

Providers decide when to anchor an employment or education placement. Anchoring a placement:

- moves the participant from Employment Assistance to the Post Placement Support phase
- changes the focus of support to the participant from work preparation to placement support
- pauses the participant's period of service, including progress towards the next service fee
- starts the participant's outcome period, including progress towards the next outcome fee.

Not all placements result in the participant being moved to Post Placement Support. Providers must consider the likelihood of that the placement will result in an employment, education or combined employment and education outcome when deciding whether and when to:

- move a participant to Post Placement Support
- re-anchor an employment placement
- move a participant back to Employment Assistance (during the 26-week period only)
- move a participant in Post Placement Support to Ongoing Support (after the 26-week period only)
- exit the participant as an independent worker (after the 26-week period only).

Available outcomes

During a period of service, a participant can achieve a maximum of one 13-week outcome, one 26-week outcome and on 52-week outcome. The outcomes can be achieved in the following ways.

Outcome type	13-week Period	26-week Period	52-week Period
Employment outcome	Full and Pathway Outcomes available	Full and Pathway Outcomes available	Full and Pathway Outcomes available
Education outcome	Full and Pathway Outcomes available	Full Outcomes only	Not available
Combined outcome	Full Outcomes only	Full Outcomes only	Not available

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Note: A participant can achieve two 13-week outcomes at a pathway level in a period of service where:

- the first 13-week outcome is a pathway education outcome
- the participant then completes an employment outcome that would normally be a full outcome.

Providers can normally claim outcome fees where they can show the participant met the relevant outcome conditions. Providers cannot claim an outcome fee if:

- the provider, or another provider, has already claimed the available outcome fee for that outcome period (13-week, 26-week or 52-week) in the participant's period of service
- the outcome is a full education outcome, and the participant has already achieved a full education outcome for that outcome period (13-week outcome or 26-week outcome) in any DES period of service
- the placement is a 'Non-Payable Outcome' as defined in the DES Grant Agreement.

Providers may also be able to claim other fees related to employment placements.

Other employment placement fees	When the fee may be claimable
Four-week outcome	Four weeks after an employment placement is confirmed
Bonus outcome	When a 13-week or 26-week employment outcome is claimed
Moderate intellectual disability payment	When a four-week outcome or employment outcome (13-, 26- or 52-week outcome) is claimed for a participant: • with a moderate intellectual disability • who works an average of at least 15 hours per week.

Note: A provider can claim a four-week outcome for an employment placement either the Employment Assistance or Post Placement Support phases. The placement does not need to be anchored for this fee.

Support to be provided

The support needed in each placement will vary depending on the participant's individual circumstances. Providers are not required to deliver specific supports during Post Placement Support, including regular contacts. This is because:

- the participant is expected to concentrate on successfully undertaking their placement
- the provider is expected to provide any supports the participant may need.

Providers must ensure the participant is aware that support is available when needed.

★ Best practice is to establish a relationship with the participant's employer to determine whether the provider can help make the placement successful by assisting with advice, training, support or accessing financial support for modifications or equipment. This can also help the provider to obtain documentary evidence about the participant's progress in the placement.

Note: The participant must agree that the provider can contact their employer. Providers must ensure the participant understands that provider contact with the employer can help to make the placement successful.

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Category	Support examples
Participant support	• Support adjusting to job duties • Help to learn new skills • Assistance with study and training
Employer support	• Assistance with advice and training • Help with job design
Workplace modifications and equipment	• Supporting the employer or participant to access Employment Assistance Funds
Connecting with relevant supports	• Assisting the employer or participant to access organisations offering relevant expertise

Job Plan

Providers must review the participant's Job Plan and make appropriate changes when the participant commences Post Placement Support. This is because the participant's focus changes from work preparation and job search to undertaking the placement. Providers must remove activities that conflict with this focus or adjust activities to recognise the participant needs to undertake the placement. If a person is fully meeting requirements through 30 hours per fortnight of paid work, there must be no other compulsory requirements in the Job Plan.

Changes to post placement support arrangements

Options for supporting a participant in an employment placement change as the placement continues:

When	Available actions to support an employment placement
Anchor to 26-week outcome	• Post Placement Support
26-week to 52-week outcome	• Post Placement Support, or • Ongoing Support (if eligible)
After the 52-week outcome	• Ongoing Support (if eligible), or • Exit participant as an independent worker (support not needed)

No longer tracking towards an outcome

Post Placement Support helps a participant progress to the next outcome point. If a participant exits their placement or their hours of employment reduce, it may become clear that the participant will not achieve the next employment outcome. Options for the provider in this case:

When	Available actions when the next outcome will not be achieved
Anchor to 26-week outcome	• Return the participant to the Employment Assistance phase • Re-anchor the employment placement (if still employed)
After the 26-week outcome	• Support the participant through Ongoing Support (if still employed at 8 hours or more per week, on average) • Exit the participant from DES

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Employment Assistance Fund

The Employment Assistance Fund (EAF)is free government financial support through JobAccess that helps purchase work-related modifications, equipment and services for people with disability or mental health conditions. The EAF can be used to help with the cost of:

- adjustments to the physical workplace
- modifications to work vehicles
- special equipment for the workplace
- information and communication devices
- Auslan interpreting services (not available for appointments with the provider)
- specialist services for employees with specific learning disorders and mental health conditions
- disability awareness training for the workplace (including deafness awareness)
- mental health awareness and first aid training.

DES providers can help eligible participants and employers to access the EAF, where needed. The EAF is not part of DES and is not restricted to DES participants.

Providers can request support for participants who:

- have been offered, or are working, employment of at least 8 hours per week for at least 13 weeks.
- need work-related assistive technology, special work equipment or Auslan interpreting.

Providers can seek EAF assistance by:

- confirming the participant meets the eligibility requirements in the EAF Guidelines
- documenting the EAF assistance being requested in the participant's Job Plan
- collecting the documentary evidence required by the EAF Guidelines
- completing the EAF application on JobAccess Secure

Providers will be advised whether the EAF application has been approved, normally within 10 days. If the EAF application is approved, the provider:

- must create an EAF application file to contain all relevant documentation
- can purchase the approved EAF assistance
- can claim reimbursement of EAF expenses through ESSWeb.

The EAF application file must contain:

- relevant sections of the approved Job Plan
- 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 assistance has been provided
- any completed 13-week Post Implementation EAF Outcomes Survey
- written agreement of affected parties' ownership of any workplace modification

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To claim reimbursement of approved EAF expenses:

- log into JobAccess Secure and select the approved EAF application
- select 'Items/Modifications' and 'Add' the item cost
- select 'Service Provider' in the Reimbursement drop-down box
- edit the added Items/Modifications to include actual purchase
- claim the reimbursement through the 'Available Payments' screen in ESSWeb.

Employment placements and outcomes

Participants can undertake a range of work placements to develop experience, work skills and confidence, and to test their suitability for continuing employment with an employer.

Providers must:

- record vacancies when they are identified
- confirm the placement by entering the job placement start date, when the participant commences in the vacancy. This starts the four-week period that can result in a four-week outcome
- anchor the placement by moving the participant to Post Placement Support, when the provider thinks the placement is likely to result in an outcome.

DES employment outcomes are available only for placements that are:

Requirement	Details
Legal	Employment The participant must be employed under a recognised instrument that provides at least minimum workplace entitlements. In particular, the placement must include payment rates of at least: • the relevant modern award for the position • the national minimum wage (if no modern award covers the job), or • the agreed Supported Wage System wage rate (if this applies). For information about workplace entitlements, see the Fair Work Ombudsman: • Minimum workplace entitlements fact sheet • Minimum wages fact sheet Providers must not refer participants to any placement that does not meet minimum workplace entitlements. If a participant finds and commences a job that does not meet these requirements, the provider must: • make the participant aware of the Fair Work Ombudsman and relevant information • not move the participant to Post Placement Support or claim outcome fees. **Unsubsidised self-employment** The participant must not be receiving any kind of personal income subsidy. A personal income subsidy is income paid by the government or private sector the offsets the expenses or supplements the income from the self-employment.

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Requirement	Details
	The participant can receive income support payments, including the Self-Employment Allowance available through Self-Employment Assistance. These payments cannot be included in the participant's earnings from self-employment.
Sufficient	The participant's employment or self-employment must be enough to: • reduce their income support payments to zero, because of the income earned, or • allow them to achieve a pathway outcome, because of the hours worked. **Note**: In some cases, a participant may not be eligible for an outcome when they work enough hours. This includes where the participant: has an employment benchmark of 8; had the job at commencement in DES; has already achieved a pathway education outcome.
Ongoing	A placement is 'ongoing' employment where it is: • offered on a permanent or ongoing basis • under a fixed term contract that is reasonably expected to be: - extended at the end of the contract, or - followed by another contract of employment • casual or seasonal employment that is reasonably expected to be available beyond 26 weeks • an apprenticeship or traineeships that is reasonably expected to become employment at the end of the apprenticeship or traineeship, or • unsubsidised self-employment that is expected to continue beyond 26 weeks.
Open	A placement is 'open' employment where: • the employer operates on a commercial basis • the position is open to people without disability, or involves functions and conditions like those in a commercial business • the position involves day-to-day contact with employees and/or non-employees without disability • the position involves independent work, without close supervision. If a provider believes a placement that does not meet all these requirements is open employment, the provider can seek the department's agreement. Unsubsidised self-employment is open employment.
Payable	DES outcome conditions prevent payment for some placements that are legal, ongoing, and open employment. This is to ensure that outcome fees are available only for quality placements that are consistent with program objectives. Outcomes are not payable for any placement that meets Non-Payable Outcome conditions, as defined in Annexure A (Definitions) of the DES Grant Agreement.
No conflict of interest	Participants must normally be employed by an organisation that is not related to the participant's provider. This is because there is a conflict of interest when the provider controls the activity that can result in an outcome fee to the provider.

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Requirement	Details
	Providers can claim outcomes for a participant employed by the provider or a related entity under conditions that address a potential conflict of interest. That is, the participant must be employed: • at full wage conditions – no wage subsidy or other cost offset can be used • for the full outcome period – the participant cannot be employed by the provider or related entity for part of the period, after starting in other employment. The provider does not need to obtain prior approval from the department to manage this conflict of interest.

Providers decide when to confirm and anchor a placement.

This means four-week outcomes can be claimed in either the Employment Assistance or Post Placement Support phases.

DES recognises employment outcomes when a participant sustains employment for:

Outcome Period	Starts	Duration
13-week period	Anchor date	13 consecutive weeks
26-week period	Anchor date	26 consecutive weeks
52-week period	26-week outcome	26 consecutive weeks

Outcomes periods are consecutive weeks because the objective of DES is sustained employment. However, a participant can have up to:

- four weeks of 'permissible breaks' in each 13-week period. A permissible break can be used where the participant cannot work their normal hours, for reasons beyond the control of the participant or the provider
- seven days of 'voluntary change in employment' breaks between jobs. This break can be used to cover small gaps between jobs when a participant voluntarily changes to a new job.

If a permissible break or voluntary change in employment break is used:

- the days covered by the break are not included in that outcome period
- the outcome period end date is extended by the days in the break so that the outcome period is still 13 or 26 weeks in length.

An employment outcome is achieved where, for the entire outcome period, a participant:

- remains employed or in unsubsidised self-employment and
- meets an outcome condition for a full outcome or pathway outcome.

Outcome level	Earnings-based outcome	Hours-based outcome
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

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Outcome level	Earnings-based outcome	Hours-based outcome
Pathway outcome	N/A	Hours worked each week, on average, are close to the participant's individual employment benchmark

The hours each participant must work to achieve an hours-based outcome is based on their individual employment benchmark. This is usually based on the participant's future work capacity:

Future work capacity bandwidth	Employment benchmark	Weekly work hours to achieve a:	
		Full outcome	Pathway outcome
0-7 hours / week	N/A	N/A	N/A
8-14 hours / week	8	8	N/A
15-22 hours / week	15	15	10
23-29 hours / week	23	23	15
30+ hours / week	30	30	20

Note: Participants with partial capacity to work cannot be required to look for or accept additional work if they are already working 30 hours per fortnight (15 hours per week).

Employment outcomes are not available for a placement that meets any of the conditions defined as a "non-payable outcome" in the Grant Agreement.

When a participant is ready to look for work, providers must:

- include job search requirements in a participant's Job Plan
- source employment vacancies and refer participants to suitable vacancies
- record the participant's employment placements as they occur.

The provider must determine when to anchor an eligible placement and deliver Post Placement Support.

Task	Details
Finding and recording an employment placement	Participants can achieve an employment outcome in a placement found by: • the provider – providers must work with employers to source vacancies • the participant – participants actively search for employment, when ready. This includes both suitable employment and unsubsidised self-employment. Providers must record placement in ESSWeb when details are available. This may be before a participant starts in the job. To create an employment vacancy, enter information on the 'Vacancy Details' screen, under the 'Employer and Vacancies' menu item, including the job description, employer details, hours, salary and whether the placement is: • pre-existing employment (participant was in position on commencement) • apprenticeship or traineeship.

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Task	Details
Linking the participant to the placement	Providers must link the participant to each placement the participant is undertaking. The combined hours the participant works in each linked placement during the outcome period can count towards the participant's employment hours. To refer the participant to that vacancy, enter the participant job seeker identification number on the vacancy record. Providers can find a previously created vacancy by conducting a search on the 'Vacancy Search' screen, under the 'Employer and Vacancies' menu item
Confirming an employment placement	Providers must confirm a placement when the participant starts working in it. Confirming an employment placement starts the four-week period that can result in a four-week outcome. To confirm an employment placement in ESSWeb: • open the vacancy record • select the wage subsidy tick box if a wage subsidy has been negotiated for the placement • select a referral result of 'placement confirmed' • enter the employment placement start date as the placement result date. The employment placement start date can be up to 56 days before the date the placement is being confirmed but cannot be before the vacancy start date. **Note**: Providers must not confirm a placement while a participant is suspended.
Anchoring an employment placement	Providers must anchor a placement when a participant is ready to start their outcome period. Providers decide when to anchor a placement. Anchoring an employment placement starts the 13-week period that can result in a 13-week employment outcome, and other employment and related outcomes. The outcome period commences on the date the provider moves the participant to Post Placement Support. Providers cannot backdate the employment anchor date. **Note**: Providers must confirm a placement before anchoring the placement. If this does not happen, no outcome fees will be available for the placement.
Supporting the employment placement	While the participant is progressing towards an outcome, the provider must: • deliver contacts to the participant when needed (no minimum requirements) • help the provider or participant access funding for workplace modifications or equipment through the Employment Assistance Fund, if needed. • provide other supports to the participant and employer as needed • collect documentary evidence of the participant's employment. **Note**: Providers must not contact the participant's employer unless the participant has consented to such contact.
Managing changing employment circumstances	Providers must determine how to support changed participant circumstances.

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Task	Details
	Participant is no longer employed Provider must: • return participant to Employment Assistance (before the 26-week outcome) • exit the participant from DES (after the 26-week outcome). **Participant's hours of employment reduced** • continue to support in Post Placement Support or Ongoing Support (if the participant may still qualify for a full or pathway outcome) • return participant to Employment Assistance (before the 26-week outcome) • exit the participant from DES (after the 26-week outcome). **Participant's hours of employment increased** Provider must decide whether to: • continue to support in Post Placement Support or Ongoing Support • re-anchor the employment placement. **Re-anchoring placements** Re-anchoring an employment placement re-starts the outcome period from the new anchor date. Providers can re-anchor an employment placement at any time before the participant achieves a 26-week outcome. Providers may choose to re-anchor a placement if they think the participant is likely to achieve a better outcome in the new outcome period. If a placement is re-anchored after the participant has achieved a 13-week outcome: • the participant must complete at least a pathway outcome in the 13-week period • the provider must claim an outcome fee of $0 for that outcome • the participant can then progress to a claimable 26-week outcome. Providers cannot re-anchor an employment placement the 26-week outcome.
Entering a permissible break	Permissible breaks are available only where a participant's employment placement was impacted by events beyond the control of the participant and employer. Providers are not required to use a permissible break that is available. Providers may choose to not use an available break if: • the participant is expected to meet outcome requirements anyway • an outcome would not be available because the total break would be too long. To record a permissible break: • navigate to the Breaks section of the Outcome Details screen • enter the number of permissible break days to add • agree with the declaration and select 'Update Breaks' Providers can use one or more permissible breaks totalling no more than:

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Task	Details
	• 28 days in the 13-week outcome period • 28 days between the 13-week and 26-week outcomes • 56 days in the 26 consecutive weeks following the 26-week outcome. For each permissible break used, the provider must retain 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 remains employed following the event or circumstances • the full name, phone number and email address of the person making the statement. **Note**: Using a permissible break changes the outcome period because: • permissible break periods do not count towards the outcome period • the outcome period is extended by the length of any permissible break.
Entering a voluntary change in employment break	A voluntary change in employment break is available where a participant accepts another job and has a short break between the two jobs. To record a voluntary change in employment break: • navigate to the Breaks section of the Outcome Details screen • enter the number of voluntary change in employment break days to add • agree with the declaration and select 'Update Breaks' A voluntary change in employment break can be up to 7 days in length. Providers can use one break for each voluntary change in employment.
Claiming outcome fees	Providers can claim outcome fees and any related fees when they can demonstrate the participant met outcome requirements for the relevant period.
Completing a 52-week employment outcome	Providers must support participants for the first 52-weeks of an employment placement. After the 26-week outcome is completed, this support can be in: • Post Placement Support, or • Ongoing Support, if the participant needs additional support When a participant has completed a 52-week outcome, the provider must either: • exit the participant from DES because they are an independent worker, or • continue to support the participant in Ongoing Support. To exit a participant: • Select '< >' in the Job Seeker Personal Summary screen for the participant • Select 'Provider Exit' from the Action drop-down list • Select the reason for the exit and click 'Submit'.

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Employment outcome fees

Outcome fees are available to claim on ESSWeb at the end of each outcome period. If a permissible break or voluntary change in employment break is used, the fee will be available at the revised end of the outcome period.

Available payments are shown on the Available Payments > Job Seeker Payments screen in ESSWeb.

To claim an available outcome fee, providers must:

- upload documentary evidence that the participant completed the outcome conditions
- complete any required actions in ESSWeb to enable the payment
- certify that the fee is payable by claiming the fee.

Providers must an outcome fee only if they believe all the requirements have been met.

Claiming earnings-based outcomes

Providers can claim an earnings-based outcome where they can show that the participant's income was high enough to reduce their income support payments to zero for the entire outcome period.

Providers can claim an earnings-based full outcome using the Job Seeker Rate Reduction Result (JRRR) tool. Income support participants must report how much they have earned to Centrelink, and the JRRR shows how much the participant's income support payments were reduced each fortnight due to that income.

Note: A participant's income support payments reduce at a slower rate than their earnings, so participants are not penalized for working.

Centrelink reporting fortnights do not align with DES outcome periods. Providers can claim a full outcome only where the JRRR 100% rate reduction applied:

- from the Centrelink fortnight containing the outcome period start date
- to the Centrelink fortnight containing the outcome period end date.

If the outcome period contains a permissible break or voluntary change in employment break, the JRRR must show a 100% rate reduction until the changed end date, except for any Centrelink fortnight entirely within a break period.

Providers must upload documentary evidence for any break used.

Pathway outcomes are not available for earnings-based outcomes, including for partial rate reduction or for 100% rate reduction for part of the outcome period.

The JRRR provides evidence the participant completed an earnings-based outcome. Providers do not need to upload or retain other evidence.

The JRRR automatically runs from the employment placement start date.

Providers cannot claim an earnings-based outcome if the participant:

- was not receiving income support before the employment outcome period
- had their income support cancelled for a reason not related to earnings
- stopped declaring earnings to Centrelink during the outcome period. The 'View Declared Earnings' button on the Job Seeker Personal Summary screen shows declared earnings for the participant

or if the provider is aware the income was not earned at a rate at least equal to the relevant minimum wage.

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If the provider has evidence that the participant's earnings were different from those reported to Services Australia, the provider must enter the relevant earnings information into ESSWeb. This will be reported to Services Australia.

Providers claim earnings-based outcomes by submitting a special claim.

Claiming hours-based outcomes

Participants must work the following hours to complete a full employment outcome:

Employment Benchmark	13-week Period	26-week Period	52-week Period
8 hours	104	208	208
15 hours	195	390	390
23 hours	299	598	598
30 hours	390	780	780

Participants must work the following hours to complete a pathway employment outcome:

Employment Benchmark	13-week Period	26-week Period	52-week Period
8 hours	N/A	N/A	N/A
15 hours	130	260	260
23 hours	195	390	390
30 hours	260	520	520

Note: the 13-week outcome period is 13 consecutive weeks. The 26-week and the 52-week periods are 26-consecutive weeks in duration.

Providers can claim an hours-based outcome using:

- the Job Seeker Employment Hours Result (JEHR) tool, or
- documentary evidence that the participant worked the required hours across the outcome period.

Claiming outcomes using the JEHR

Income support participants must report to Centrelink the hours they work each fortnight, and the JEHR shows how many hours the participant reported working during. As these hours are self-reported by participants and can result in reduced income support payments, JEHR hours are an accepted form of evidence of employment.

The JEHR shows hours worked in set Centrelink reporting fortnights, which do not align with DES outcome periods. To contain the full DES outcome period, the JEHR reporting periods may include additional days and hours worked before and after the outcome period. Further additional days and hours may be included in the Centrelink fortnights containing the start and end of any permissible or voluntary change in employment break used.

This means the JEHR period may be days or weeks longer than the outcome period it covers. In this case the JEHR may not provide sufficient evidence that the participant worked the required number of hours within the outcome period. Generally, providers can claim a JEHR outcome where:

- the JEHR period is the number of Centrelink fortnights required to cover the outcome period

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- the average weekly hours worked during this JEHR period is at least:
  - the participant's employment benchmark, for a full outcome
  - the corresponding weekly hours requirement, for a pathway outcome.

Providers must upload documentary evidence for any break used.

The JEHR provides evidence the participant completed an hours-based outcome. Providers do not need to upload or retain other evidence.

The JEHR automatically runs from the employment placement start date.

Providers cannot claim an hours-based outcome using the JEHR if the participant:

- was not receiving income support before the employment outcome period
- had their income support cancelled or stopped reporting earnings during the outcome period.

Providers claim a JEHR-based outcome by submitting a special claim.

Claiming outcomes using Documentary evidence

Providers must upload evidence showing that the participant:

- was employed or in unsubsidised self-employment for the full outcome period being claimed
- worked enough hours to complete a full or pathway employment outcome
- 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).

Requirement	Evidence
Collect evidence that the participant: • was employed for the full outcome period • worked hours required • was employed at the correct wage	Acceptable forms of evidence for paid employment include: copies of pay slips covering the entire outcome period of the claim signed and dated written statement or email from the employer or participant, (see below) file notes (see below). File notes will be accepted only if the department is satisfied by evidence from the provider that they made reasonable efforts to obtain pay slips or a written statement/ email but could not do so. 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 Practicing Accountant or Certified Accountant signed and dated written statement or email from an accountant and/or registered bookkeeper signed and dated written statement or email from the participant (see below).

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Requirement	Evidence
	Statements or emails from employers or participants, and provider file notes, 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 an email of person making the statement • 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.
Upload evidence to ESSWeb	Providers must upload evidence to ESSWeb to support a claim.
Enter information about the placement into ESSWeb	To claim an hours-based outcome using documentary evidence: • Select the available outcome fee from the Available Payments screen • Enter the number of hours worked by the participant • Complete the statement that the fee is claimable

Special claims

If a provider considers they are entitled to claim a fee that is not listed as an available claim in ESSWeb, the provider can submit a special claim or an Automated Special Claim. The Automated Special Claim process can also be used to downgrade an outcome, e.g. ESSWeb has calculated a full outcome however the provider believes that only a pathway outcome can be justified.

Automated Special Claims cannot be used for:

- claims outside of the 56-day claim period
- claims for participants transferred to a different provider
- full outcomes based a combination of Education and Employment activity
- education outcomes.

The department will monitor the use of Automated Special Claims. If a provider uses the facility in a manner that is assessed by the department as high risk or fraudulent, their access to the process may be removed.

Other employment-related fees

Four-week outcome fees

Providers can claim a four-week employment outcome fee when they have evidence showing that the participant worked at least three times their employment benchmark hours in the four weeks after the provider confirms their placement.

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Four-week outcome fees are based on confirmed placements rather than anchored employment outcomes. This means the fee can be claimed:

- for up to four placements during a period of service
- while the participant is in Employment Assistance or Post Placement Support.

Four-week outcomes cannot be claimed for any:

- employment placement in a provider's own organisation or related entity
- unsubsidised self-employment
- education placement.

Four-week outcome fees are available to claim on ESSWeb four weeks after the provider confirms the placement. A four-week outcome fee will not be available if the provider has already claimed four four-week outcome fees for the participant in the current period of service.

Available payments are shown on the Available Payments > Job Seeker Payments screen in ESSWeb.

To claim an available four-week outcome fee, providers must:

- upload documentary evidence that the participant remained employed for the four weeks, and during that time worked at least:
  - 24 hours, if the participant's employment benchmark is 8
  - 45 hours, if the participant's employment benchmark is 15
  - 69 hours, if the participant's employment benchmark is 23
  - 90 hours, if the participant's employment benchmark is 30
- complete any required actions in ESSWeb to enable the payment
- certify that the fee is payable by claiming the fee.

Documentary evidence must be in one of the forms accepted for hours-based employment outcomes.

Bonus fees

Providers can claim a bonus outcome fee when they claim a 13-week employment outcome or 26-week employment outcome payment if the provider can show the employment placement was:

- part of an apprenticeship or traineeship
- directly related to a field of study the participant previously completed in a qualifying training course.

Bonus fees are available in ESSWeb when a provider claims a 13- or 26-week employment outcome fee and the participant meets the conditions for the bonus.

Bonus	Qualifying conditions
Apprenticeship / Traineeship	Participant commenced apprenticeship before the outcome period. Provider applied the apprenticeship indicator in ESSWeb when creating the vacancy
Directly related employment	Participant completed a qualifying training course in the 12 months before commencing employment

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Bonus	Qualifying conditions
	Provider indicated that the employment placement was in an occupation directly related to the training course, before confirming the placement.

Note: Generic modules within a qualifying training course, such as general hygiene or safety modules, are not eligible for a directly related employment bonus.

Providers must upload evidence that the participant meets the bonus fee conditions.

Documentary evidence that a participant is undertaking an apprenticeship or traineeship may be:

- Copy of the training contract the participant has entered (or other form of agreement for an apprenticeship used by the relevant State or Territory training authority). The document does not need to be approved by the relevant authority, as this may take some time, or
- Signed and dated statements or extracts from State/Territory government departments or apprenticeship centres that confirm the participant's apprenticeship with the employer.

Documentary evidence that a participant has achieved at least a Certificate II qualification in a qualifying training course may be:

- copy of the statement of attainment issued by the training institution which shows the modules/units the participant has completed; or
- written statement from the training institution confirming the Participant's achievement of the Qualifying Training Course at Certificate II level or above and lists the modules/units completed.

Moderate Intellectual Disability Payment (MIDP)

The MIDP is available in ESSWeb when a provider claims a four-week outcome or employment outcome (13-, 26- or 52-week outcomes) and the participant:

- is recorded in ESSWeb as having a moderate intellectual disability
- is a DES-ESS participant
- worked an average of at least 15 hours per week across the outcome claim period.

Providers must upload the evidence that the participant has a moderate intellectual disability.

A person's moderate intellectual disability is normally identified at registration or assessment. 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 Centrelink, an ESAt assessor, an education authority or a State/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

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- the assessment outcome

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.

To record that a participant has a moderate intellectual disability, add the 'Moderate Intellectual Disability' special client type indicator on the Circumstances tab of the Registration screen.

Education placements

A secondary objective of DES is to deliver education that improves a participant's employment opportunities.

Providers can 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. That is, where:

- completing the course is likely to lead to an employment outcome for the job seeker
- there is little chance of the job seeker finding employment with their existing skills
- the course will lead to qualifications in an identified area of skills shortage, or
- the course provides skills or qualifications for occupations in areas of high labour demand.

Participants can refuse to undertake a course that does not align with their goals and interests.

Full-time study in an approved short course:

- meets a participant's mutual obligation requirements
- may result in a DES education outcome at the full outcome or pathway outcome level, if:
  - the course provides skills that are identified as being in demand on the Skills Priority List
  - the participant and course meet the requirements of the full or pathway outcome
  - the participant completes and passes the requirements of a semester of the course.

Education outcomes are usually pathway outcomes, because education is a secondary objective of DES. Providers can claim a 13-week education outcome at the pathway outcome level when a participant passes the requirements of a semester of a qualifying course. The participant must then return to Employment Assistance to look for further work, as no 26-week education outcome is available at the pathway level.

Note: When a participant finds work after completing a 13-week education outcome at the pathway outcome level, they can qualify for a second 13-week outcome during the same period of service. The second 13-week outcome is available only if they meet the requirements of a 13-week employment outcome at the full outcome level and is paid at the pathway outcome level.

Education outcomes are available as full outcomes in limited circumstances, for participants in target groups undertaking a higher-level course. Full education outcomes are available at:

- 13-week outcome when the participant passes the requirement of a semester of a qualifying course
- 26-week outcome when the participant passes the requirements of second semester of the course.

The participant must be exited from DES after completing a 26-week education outcome, as no 52-week education outcome is available.

Participants can achieve only one full education outcome for the 13-week period and one full education outcome for the 26-week period, across all periods of service.

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Providers must get the department's approval before delivering an education course to a participant on their caseload through their own organisation or a related entity. This helps to manage the conflict of interest where the provider manages the participant and controls the activity that can provide an outcome fee.

Education outcomes

DES education outcomes are available where they have evidence showing the participant met the following requirements:

Requirement	Details
Participant interest	The focus of DES is employment. Providers must not refer participants to a course that may result in an education outcome unless the course aligns with occupations that are identified in the participant's Job Plan as being of interest. Participants can refuse to attend a course that does not align with their career goals or aspirations.
Participant eligibility	Full outcomes A full education outcome is available only for a participant who: • has not completed a full education outcome in any period of DES service • meets at least one of the following conditions: - has not completed Year 12 - is a DSP recipient with compulsory participation requirements - is a principal carer parent receiving Parenting Payment, Newstart Allowance, Youth Allowance (other) or Special Benefit at the start of the relevant semester Pathway outcomes Pathway education outcomes are available for all DES participants.
Course requirements	A course must pass the requirements of a course that: • is at least two semesters in length • is approved for Austudy/Abstudy purposes • provides a qualification of at least: - Certificate II level for a pathway outcome - Certificate III level for a full outcome
Sufficient	The participant must be undertaking full-time study. That means: • a university course representing a full-time student's standard student load • a course of at least 15 class contact hours per week, or • a course that the institution has determined to be full-time
Provide skills for occupations that are in demand	An occupation is in demand if the Skills Priority List published by Jobs and Skills Australia lists the occupation as having a shortage ('S') in Australia or in the participant's state.
Payable	DES outcome conditions prevent payment for some placements that are legal, ongoing, and open employment. This is to ensure that outcome fees are

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Requirement	Details
	available only for quality placements that are consistent with program objectives. Outcomes are not payable for any placement that meets Non-Payable Outcome conditions, as defined in Annexure A (Definitions) of the DES Grant Agreement.
No conflict of interest	Education courses must normally be delivered by an organisation that is not related to the participant's provider. This is because there is a conflict of interest when the provider controls the activity that can result in an outcome fee to the provider. Providers can claim outcomes for a course delivered by the provider or a related entity where the department agrees there is no conflict of interest. Providers must demonstrate to the department's satisfaction that: • there is a genuine need for the participant to obtain the qualification, based on the participant's work objectives and training needs • the qualification is not available from other local or online courses, or those other courses are not suitable for the participant. The provider must obtain approval from the department for a course delivered by the provider or a related entity before the course starts, by sending their Relationship Manager a completed *DES Related Entity Education Placement Request Form.*

Providers must update a participant's Job Plan to include any full-time study. Otherwise, the participant's JobSeeker Payment may cease (s693 pf the Social Security Act 1991).

If the provider determines the education course will lead to an education outcome, the provider must record and anchor the education placement in ESSWeb.

Task	Details
Finding and recording an education placement	Providers must record an education placement in ESSWeb if they intend to claim an outcome fee for the placement. To create an education placement • Record the set start and end date for each semester. If the semester has no defined dates, the anticipated end date must be at least 13 weeks after the semester start date. Details can be entered up to 56 days after the education course commences.
Anchoring an education placement	Providers must anchor an education placement within 56 days of the semester start date. The anchor date is the semester start date. Education placements cannot be re-anchored. Anchoring an employment placement starts the 13-week period that can result in a 13-week education outcome, and other employment and related outcomes.
Supporting the employment placement	While the participant is progressing towards an outcome, the provider must: • deliver contacts to the participant when needed (no minimum requirements) • provide other supports to the participant and employer as needed

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Task	Details
	• collect documentary evidence the participant completed the course.
Managing changing education circumstances	If a provider becomes aware that a participant has stopped attending an education course, the provider must return the participant to Employment Assistance. Providers cannot re-anchor education placements, or use permissible breaks or voluntary change in employment breaks.
Claiming outcome fees	Providers can claim outcome fees and any related fees when they can demonstrate the participant met outcome requirements for the relevant period.
Completing a 13-week pathway education outcome	After a participant completes a 13-week pathway education outcome, the provider must return the participant to the Employment Assistance phase. No 26-week pathway education outcome is available. The provider must help the participant look for work while in Employment Assistance. The provider can claim: • a second 13-week outcome as a pathway outcome if the participant meets the requirements of a 13-week full employment outcome • a zero-dollar 13-week outcome if the participant meets the requirements of a 13-week pathway employment outcome. This allows the provider to claim a 26-week outcome if the participant meets the requirements for that outcome.
Completing a 26-week education outcome	After a participant completes a 26-week full education outcome, the provider must exit the participant from DES. No 52-week education outcome is available. To exit a participant: • Select '< >' in the Job Seeker Personal Summary screen • Select 'Provider Exit' from the Action drop-down list • Select the reason for the exit and click 'Submit'.

Education outcome fees

Outcome fees are available to claim on ESSWeb at the end of each outcome period. The outcome period ends on the semester end date recorded for the education placement.

Available payments are shown on the Available Payments > Job Seeker Payments screen in ESSWeb.

To claim an available outcome fee, providers must:

- upload documentary evidence that the participant completed the outcome conditions
- complete any required actions in ESSWeb to enable the payment
- certify that the fee is payable by claiming the fee.

Providers must an education outcome fee only if they believe all the requirements have been met.

Claiming outcomes using Documentary evidence

Providers must upload evidence showing that the participant completed and passed the requirements of the course semester.

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Requirement	Evidence
Collect evidence that the participant: • attended the course • passed course requirements	Acceptable forms of evidence for an education course include: Written statement from the training institution, confirming: • student name and Unique Student Identifier (USI) • course name and qualification level (i.e., Certificate II or III) • period covered by the statement • student contact hours and attendance • the student completed and passed course requirements • whether the student attended full-time or part-time • full name, phone number and email of person making the statement • date the statement was made. (*26-week outcomes only*) Certification from the training institution that the participant was awarded the relevant qualification, including: • Student name and USI • the qualification awarded, including qualification level • the training institution awarding the qualification • date the certification was awarded.
Upload evidence to ESSWeb	Providers must upload evidence to ESSWeb to support a claim.
Enter information about the placement into ESSWeb	To claim an outcome using documentary evidence: • Select the available outcome fee from the Available Payments screen • Complete the statement that the fee is claimable

Combined Education and Employment placements

DES outcomes are also available for participants who complete part-time education in combination with part-time employment. Combined education and employment outcomes are full outcomes.

The outcome period for combined outcomes is the education course semester dates. The participant must be studying and employed for the full outcome period.

A combined employment outcome is achieved where, for the entire outcome period, a participant:

- attends the course and passes the requirements of the course
- is employed and works the required average of hours.

Providers must record both employment and education placements that participants undertake and must determine when the combination of those placements qualifies the participant for a combined outcome.

Combined employment and education outcomes are available under the following conditions:

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Requirement	Details
Participant interest	The focus of DES is employment. Providers must not refer participants to a course that may result in an education outcome unless the course aligns with occupations that are identified in the participant's Job Plan as being of interest. Participants can refuse to attend a course that does not align with their career goals or aspirations.
Eligible participants	Combined outcomes are full outcomes and are available only to participants who are eligible to achieve a full education outcome. That is, a participant who: • has not completed a full education outcome in any period of DES service • meets at least one of the following conditions: - has not completed Year 12 - is a DSP recipient with compulsory participation requirements - is a principal carer parent in receipt of Parenting Payment, Newstart Allowance, Youth Allowance (other) or Special Benefit
Qualifying courses	A course must be: • a single qualification course • at least two semesters in length • approved for Austudy/Abstudy purposes • at least Certificate III level. As with placements that qualify for education outcomes, the course must: • provide skills for occupations that are in demand (Skills Priority List) • be a payable outcome • not represent a conflict of interest
Employment	The participant must be employed under a recognised instrument that provides at least minimum workplace entitlements, including the relevant minimum wage. As with placements that qualify for employment outcomes, the placement must be: • open employment • ongoing employment • a payable outcome • not represent a conflict of interest The participant must be undertaking the employment placement for the full outcome period, which is the education placement semester. Participants undertaking unsubsidised self-employment cannot achieve a combined employment and education outcome.
Intensity	If the participant has compulsory participation requirements (DSP <35 years) or has not completed Year 12, combined work and study must include: • part-time study (as determined by the training institution), and • weekly employment of at least:

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Requirement	Details
	- 8 hours, if employment benchmark is 8 - 10 hours, if benchmark is 15 - 15 hours, if benchmark is 23 or 30 If the participant is a principal carer parent with part-time participation requirements, combined work and study must include: • part-time study (as determined by the training institution), and • employment (at least 20 hours per fortnight)

Providers must record in the participant's Job Plan that the participant has started an education or training

Task	Details
Finding and recording placements	Providers must record details of: • employment placements as described under 'Employment Placements' • education placements as described under 'Education Placements'.
Anchoring education placement for the combined employment and education outcome	The outcome period for a combined employment and education outcome is the education placement semester, and the semester start date is the anchor date. **Note**: The participant must already be working at the semester start date and must be employed for the full combined employment and education outcome period. If the provider has already anchored the employment placement to commence an employment outcome period, the provider can choose to re-anchor the placement as a combined employment and education outcome, from the semester start date. Providers must record, but do not need to anchor, the employment placement.
Supporting the employment and education placements	While the participant is progressing towards an outcome, the provider must: • deliver contacts to the participant when needed (no minimum requirements) • provide other supports to the participant and employer as needed • collect documentary evidence the participant completed the course.
Managing changing circumstances	If a provider becomes aware that a participant has stopped attending an education course or is no longer employed during the outcome period, the participant cannot complete the combined employment and education outcome. The provider must either: • return the participant to the Employment Assistance phase, or • re-anchor the placement as an employment outcome, if the participant is still working and may complete an employment outcome.
Claiming outcome fees	Providers can claim outcome fees and any related fees when they can demonstrate the participant met outcome requirements for the relevant period.
Completing a 26-week combined	After the 26-week combined employment and education outcome is completed, the provider must exit the participant from DES.

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Task	Details
employment and education outcome	To exit a participant: • select '< >' in the Job Seeker Personal Summary screen • select 'Provider Exit' from the Action drop-down list • select the reason for the exit and click 'Submit'. If a participant completes a 13-week outcome and will not continue to a 26-week outcome, the provider must return the participant to Employment Assistance.

Combined employment and education outcome fees

Combined outcome fees are available to claim on ESSWeb at the end of each outcome period. The outcome period ends on the semester end date recorded for the education placement.

Available payments are shown on the Available Payments > Job Seeker Payments screen in ESSWeb.

To claim an available outcome fee, providers must:

- upload documentary evidence that the participant completed the outcome conditions
- complete any required actions in ESSWeb to enable the payment
- certify that the fee is payable by claiming the fee.

Providers must an education outcome fee only if they believe all the requirements have been met.

Claiming outcomes using Documentary evidence

Providers must upload evidence showing that the participant completed and passed the requirements of the course semester.

Requirement	Evidence
Collect evidence of the education and employment placements	Providers must collect evidence of the placements the participant completed: **Education placement** Written statement from the training institution Certification from the institution that the qualification was awarded to the participant **Employment placement** Copies of payslips covering the entire outcome period Signed and dated written statement or email from the employer or participant File notes, if the Department is satisfied the provider could not reasonably get better evidence.
Upload evidence to ESSWeb	Providers must upload evidence to ESSWeb to support a claim.

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Requirement	Evidence
Enter information about the placement into ESSWeb	To claim an outcome using documentary evidence: • Select the available outcome fee from the Available Payments screen • Complete the statement that the fee is claimable

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8. Ongoing Support

Ongoing Support (OS) is continuing, tailored support to help a participant remain in employment. It can be delivered by the provider for as long as it is needed.

OS is available at three levels of intensity, based on the participant's individual support needs:

OS Level	Participant support requirements	Guide - Support over six 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

Higher OS levels are available only in DES-ESS because DES-ESS is designed for participants with permanent injury, disability or health conditions who are expected to require longer term support in employment. If a DES-DMS participant requires Moderate or High Ongoing Support, they must transfer to a DES-ESS service.

Determining need for Ongoing Support

Not all participants require OS. OS is available only where:

- the provider identifies the participant needs the support
- an independent Ongoing Support Assessment (OSA) confirms the participant needs OS.

When assessing whether a participant requires OS, providers must consider how much support the participant has needed during their employment placement. The OSA will also consider this.

Providers normally consider whether a participant needs OS when:

Condition	Details
Participant achieves a 26-week employment outcome	This is when OS becomes available for the participant. The provider must decide whether the participant can achieve a 52-week outcome in Post Placement Support, or whether they need additional support in OS. If the provider thinks the participant needs OS, the provider: • must request an OSA immediately • can deliver OS until the OSA is completed (maximum of 28 days) - DES-ESS providers can deliver OS at the level they think appropriate. Participants can move between PPS and OS at any time as required, until a 52-week Outcome is achieved.
Participant achieves a 52-week employment outcome	This is when OS becomes the only DES support option available for the participant. The provider must decide whether the participant can work independently, or whether they need support to remain in their job. If the provider thinks the participant needs OS, the provider: • must request an OSA immediately

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Condition	Details
	• can deliver OS until the OSA is completed (maximum of 28 days) - DES-ESS providers can deliver OS at the level they think appropriate.
Participant achieves a Work Assist outcome	This is when OS becomes available for a Work Assist participant. OS is the only DES support option available for the participant after the Work Assist outcome. The provider must decide whether the participant can work independently, or whether they need support to remain in their job. If the provider thinks the participant needs OS, the provider must request an OSA immediately. The provider cannot deliver OS until the OSA confirms that the Work Assist participant needs OS.

Providers cannot claim OS Fees for delivering OS beyond the first 28 days, unless the requested OSA has confirmed the participant needs OS. If the participant completed a Work Assist outcome the provider cannot deliver any OS until the requested OSA has confirmed the participant needs OS.

Once the initial OSA is completed, the provider can claim OS Fees only up to the level recommended by the OSA.

Participants cannot return to PPS after achieving a 52-week outcome or Work Assist outcome. If a participant does not require OS to continue working, the provider must exit them as an independent worker.

To exit a participant as an independent worker:

- click 'Manage Referral' on the Dashboard > Job Seeker Personal Summary screen in ESSWeb
- in the Action box select 'Provider Exit'
- scroll down and select 'Ongoing Support not required – independent worker'
- click submit.

Ongoing Support Assessments

OSAs provide an independent assessment of a participant's need for OS. OSAs are conducted by assessors who are National Panel of Assessment (NPA) providers.

DES providers are responsible for determining when an OSA is required:

- to confirm a provider's assessment that a participant requires OS ('initial' OSA)
- when a provider thinks an OS participant's support needs have changed ('change of circumstances')

OSAs are valid for a set period. After that period expires, a new OSA must be conducted if the participant continues to need OS. ESSWeb will set the date that a subsequent OSA must be conducted, as:

- 52 weeks after the last OSA, in most cases
- 78 weeks after the last OSA, if
  - the participant's last two OSAs recommended the same OS level, and
  - the participant's last OSA was not a change of circumstances OSA.

ESSWeb will notify providers six weeks before a subsequent OSA is required.

If the provider does not think further OS is needed, the provider does not need to take any action. OS must end by the subsequent OSA due date.

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Requesting an OSA

Providers request that an OSA be conducted by submitting an OSA allocation. This must occur:

- within two days of a participant (other than a Work Assist participant) moving to the OS phase, or
- within two days of being notified that a subsequent OSA is required.

To request an OSA allocation, use the Job Seeker > Ongoing Support > Allocations sub menu in ESSWeb. Enter the participant's employment details, the case manager's contact details and any other relevant information.

ESSWeb will allocate the assessment to an OS assessor, who will accept or reject the allocation within one day of receiving it. If the allocation is rejected, the provider must resubmit the OSA allocation.

Supporting evidence

Providers must help the OS assessor make an accurate assessment by providing documentation outlining the support provided to the participant over the employment period.

Information that must be provided	Possible evidence sources
• Frequency of support • Number of contacts provided • Hours of support provided • Specific strategies for support provided	• ESSWeb records (Contact dates, times and formats; comments on servicing; Job Plan) • 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 assist the assessor by including information about the participant's:

- current and previous barriers to work, including how those barriers impact the participant and the participant's progress against them
- support history and anticipated support requirements.

Supporting the OSA

The provider must support the OSA assessor with information about the participant as required.

The assessor may seek the provider's assistance in contacting the participant to arrange an interview. The provider must advise the OSA assessor as soon as possible if they cannot contact the participant.

The OSA assessor may request that the provider:

- support and attend an assessment interview with the participant. The interview can include a nominee or advocate for the participant – if needed, the interview can be with the nominee or advocate instead of the participant

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- arrange and participate in a workplace component of the OSA so that the OSA assessor can conduct the employer interview in the participant's workplace (where the participant has given consent).

OSA outcomes

The OSA assessor undertakes the assessment 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 ESSWeb.

ESSWeb will notify the provider of the OSA recommendation. The full assessment report can be viewed on the Job Seeker > Ongoing Support > Participant Assessment History screen in ESSWeb.

Recommendation	Action required
OS level that is available from the current DES service	The provider must: • discuss the recommended OS level with the participant at their next contact • agree how the OS will be delivered • update the participant's Job Plan, if needed • deliver the recommended level of OS. Providers must normally deliver the recommended level of OS. Providers: • can deliver a lower level of OS than the recommended level during periods where the participant does not require their normal level of support. • will not be paid higher fees for delivering a higher level of support than the recommended level.
OS level that is not available from the current DES service *(i.e., the OSA recommends that a DES-DMS participant receive Moderate or High OS)*	The provider must: • discuss the recommended OS level with the participant • help the participant to choose a DES-ESS service in their area • contact the chosen provider to explain the transfer and discuss the participant's circumstances • transfer the participant to the new provider. Providers may not choose to deliver a lower level of OS than the recommended level to retain the participant in DES-DMS. If the DES-DMS provider also delivers DES-ESS in the participant's location, the participant can choose to transfer to the provider's DES-ESS service.
OS not required	If 52-week outcome has not been completed, return participant to PPS If 52-week outcome or Work Assist outcome has been completed, exit participant as an independent worker If participant will not complete 52-week outcome, exit participant from DES

Disputing the OSA

Providers or participants can dispute an OSA assessment report if they think the content or recommendation of the report is not accurate. Assessments must be disputed as soon as possible, and within 28 days of the OSA completion date. Providers can include additional information, if appropriate.

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To dispute an OSA report (within 28 days of OSA completion date):

- the provider or participant contacts the OS assessor to explain their view and to present reasons and evidence (including any additional information)
- if the assessor agrees changes are required, 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 assessor does not agree to change the OSA report and the provider still considers the recommendation is incorrect, they can contact the DSS Relationship Manager. The Department will attempt to determine an outcome to the dispute within 28 business days.

If the OSA report recommends Moderate or High OS for a DES-DMS participant, the provider must assist the participant to transfer to a DES-ESS service that the participant chooses. The DES-ESS service can be a service delivered by the existing DES-DMS provider organisation, where available.

If the report states that OS is not required, the provider must not deliver OS, and must:

- support participants who are progressing towards the 52-week outcome in the PPS phase
- exit participants who have already achieved a 52-week outcome as an independent worker.

Providers and participants cannot dispute an OSA more than 28 business days after report is completed. Providers can request a change of circumstances OSA if they think an OSA completed more than 28 days previously 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 required to give an explanation.

Providing Ongoing Support

Providers can deliver OS to a participant by moving the participant to the OS phase in ESSWeb and specifying the OS level for that participant.

To move a participant to OS:

- go to Job Seeker > DES Participation Management screen in ESSWeb
- select 'New Phase' and 'Ongoing Support' from the dropdown menu
- click Submit
- select 'New Support Level' and the appropriate level of OS
- click Submit.

Providers must meet with a participant who is commencing OS to:

- discuss, decide and explain the support that will be provided through OS, and
- update the participant's Job Plan as required, including the OS contact schedule.

Providers must deliver contacts and support required for the participant's OS level as set out below.

Support must focus on helping the participant meet the requirements of their current employment. However, providers can also deliver:

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- up-skilling of a participant, including qualifications, if the participant is reasonably likely to find new employment. Up-skilling does not need to be in the participant's current industry
- one-off job search assistance to look for new, sustainable employment, when the participant is ready to look for their next job. Up to 25 per cent of OS can be used to find new work.

Note: Where a participant in WorkCover requires OS, the provider must only provide services the participant requires that is over and above what they are being provided under WorkCover.

Contact requirements

Providers must deliver OS at the level that best meets the participant's needs. This level is determined by:

- the provider, in the period of up to 28 days before the initial OSA is completed for participants who have completed a 26-week Employment Outcome
- the current OSA, when available and in any case after the 28 days of OS.

Flexible OS can be delivered when needed, up to a maximum of six 'instances' of support in any 26-calendar week period. An instance is one or more contacts equating to at least four hours of service.

Providers must record details of Flexible OS provided in the ESSWeb Ongoing Support Management screen.

The frequency of required Moderate and High OS contacts depends on whether the provider intends to claim fees monthly or quarterly.

OS level	Quarterly claim requirement	Monthly claim requirement
Moderate	At least 6 contacts in the quarter	At least 1 contact in the claim month, and 6 contacts across the claim month and two preceding months
High	At least 12 contacts in the quarter	At least 1 contact in the claim month, and 12 contacts across the claim month and two preceding months

Providers must normally deliver the OS level recommended by the OSA. If a participant has lower support needs for a period, providers can move participant to a lower OS level, deliver the support required for that level and claim the corresponding fees.

Providers cannot change the participant to a higher level of OS than their assessed level. If a participant's circumstances change so that they need more support, the provider can request new OSA.

Providers must agree the Support counts as an OS contact when it is delivered in one of the forms of accepted OS support:

- Face to face contacts
- Verbal discussion by phone
- Video conference
- Meaningful exchange of email or text messages - more than one message that includes:
  - details about support the participant needs to maintain employment and work independently
  - one or more responses to the messages by the participant.

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To record the agreed mode of contact in the Job Plan, use the AI13 Ongoing Support contact code and select the mode of contact from the drop-down menu.

When Ongoing Support can be provided

Providers can normally deliver OS to an eligible 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.

Participants who have received OS since before 1 July 2018 can continue to receive OS under the conditions that applied when they first received OS. These 'grandfathered' participants can receive OS while they remain employed and working, even if they average less than 8 hours work per week.

If the hours of employment for an OS participant (excluding a 'grandfathered' participant) fall below 8 hours per week on average, the provider should suspend delivery of OS until the hours increase.

Providers may also choose to suspend delivery of OS if a participant:

- does not require support for a period (for example, during Christmas shutdowns, annual leave or extended periods of sickness leave), or
- leaves their employment position and transfers within 20 business days to another employment position.

Suspending OS pauses the OS delivery period. This makes it easier for the provider to deliver the minimum contacts requirements when the participant can receive support.

Note: Providers must continue to deliver OS if a participant requires assistance during their annual leave or the Christmas shutdown to maintain their open employment. The participant does not need to meet the minimum 8 hours work requirement during these periods.

Purchased support

Support purchased from a third-party external provider is not counted as OS. This supplementary support can be delivered in addition to required contacts and will be considered by an OSA assessor when determining how much support the participant needs.

OSA assessors will generally consider that purchased support delivered in a group setting equates to a lesser amount of individual support. For example, an OSA assessor may consider that a participant's attendance at an 8-hour day group-training course translates to one hour of support.

Support that can be delivered through Ongoing Support

Providers can deliver a range of supports through OS, including:

- social and behavioural assistance
- cognitive Assistance
- vocational Assistance
- physical assistance and personal care
- workplace environment assistance
- special assistance (counselling, treatment of episodic conditions, prevention of harm)

The support provided through OS must:

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- be reasonable, necessary, and directly relate to maintaining the participant's employment
- address the gap between the participant's job requirements and what the participant can do (or has difficulty doing) due to their injury, disability, or health condition
- (for professional services such as psychological interventions) 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 assistance 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.

It must not duplicate, substitute, or subsidise:

- employer obligations
- other requirements under the DES Grant Agreement
- assistance available under any other Australian or State Government service.

Providers must record details of OS delivered to a participant:

- Flexible OS provided must be recorded in the ESSWeb 'Ongoing Support Management' screen
- Moderate and High OS contacts must be recorded in the Electronic Calendar and a result recorded by the end of the day the contact occurred.

The following provider actions may not be counted towards OS provided to a participant:

- Contacts that are not required to retain or maintain the participant's current open employment
- Job search activities, except after up-skilling has been completed and recorded in the Job Plan
- Subcontracting arrangements unless approved by the Department
- Time spent by staff at meetings, training and undertaking administration.

Suspending Ongoing Support

Providers can suspend delivery of OS, as appropriate. Providers:

- must suspend OS when a participant does not meet OS requirements (such as working average of fewer than 8 hours per week, unless a 'grandfathered' participant)
- may suspend OS during periods when they consider the participant does not require OS.

Suspending OS pauses the period during which the provider must meet the support requirements for the relevant OS level. This prevents:

- continued delivery of contacts at a time the participant is unable to benefit from the support
- condensed delivery of contacts, once a participant can participate, in order to meet support requirements for the relevant OS level within the set OS delivery period.

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Exits from Ongoing Support

Providers must exit a participant from OS if:

- the participant's employment ends, and the participant does not commence other employment within 20 business days
- the provider or an OSA assesses that the person does not require OS
- the provider assesses that the participant (excluding a 'grandfathered' participant) is unlikely to return to work at an average of at least 8 hours per week
- the participant is in Moderate or High OS and OS has been suspended for more than 12 months (unless otherwise agreed by the Department).

Participants exited from OS can return to the Post Placement Support phase if they remain employed and are progressing towards an employment outcome. Otherwise, the participant must be exited from the DES program.

Participants on WorkCover

A participant is normally considered to be employed while they are receiving worker's compensation payments (WorkCover). During this period, WorkCover is the primary source of employment supports. This means a participant may require less (or no) OS during a WorkCover period. The provider must:

- Exit the participant from OS, if the provider or OSA determines participant no longer requires OS
- Suspend delivery of OS, if they are working fewer than 8 hours per week (unless 'grandfathered')

If a provider intends to continue delivering OS to a WorkCover participant, they must refer the participant for a change of circumstances OSA. The OSA will assess how much support the participant needs through OS while they are being supported through WorkCover. This avoids doubling up of resources.

Participants can be suspended for up to three months at a time, for up to 12 months in total. Participants who would be suspended for more than 12 months must instead be exited.

Claims and evidence

OS claims can be lodged once a current OSA is in place for the participant. A claim cannot be lodged:

- before the initial OSA result has determined the participant requires OS, or
- for any period where a subsequent OSA is required but has not been obtained.

Support delivered in the first 28 days and before the initial OSA can be claimed once the OSA has been submitted, even if the OSA recommends no OS or a different OS level.

Flexible OS fees are paid on a fee-for-service basis for each instance of support over four hours delivered and claimed. A maximum of six instances of Flexible OS can be claimed 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 support is required.

Moderate and High OS fees are paid monthly (by default) or quarterly in arears, where the provider demonstrates they have delivered the minimum required contacts within that time.

- For monthly claims, at least one contact must fall within the monthly claimable period, and the minimum contacts must be made over three consecutive monthly claim periods

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- For quarterly claims, the provider must deliver the minimum contacts within the period.

Providers must retain documentary evidence to demonstrate that throughout the claim period:

Requirement	Evidence
Collect evidence that the participant: • was employed for the full outcome period • worked at least 8 hours per week, on average	Acceptable forms of evidence for paid employment include: copies of pay slips covering the entire outcome period of the claim 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 outcome period • full name, phone number an email of person making the statement • date the statement was made.
Support provided to the participant	File notes or other evidence showing: • Support provided to the participant • Relevant changes to the participant's circumstances and support needs. • Any assistance that was purchased, including receipts and invoices.

OS Fees are paid in arrears, based on support delivered by the provider:

- Flexible OS fees are paid for each instance delivered
- Moderate and High OS fees are paid monthly (by default) or quarterly (where requested, after the initial OSA has been completed), where the provider has delivered the relevant minimum contacts.

Providers can claim OS fees for OS delivered to the participant, through ESSWeb.

ESSWeb will display available OS fees on the Job Seeker Payments screen or the Site Payments screen, for any participant on the provider's caseload that is in:

- Flexible OS, where an instance of support has been recorded, or
- Moderate or High OS, where the nominated payment period (monthly or quarterly) has ended and a Tax Invoice has not been submitted for the available Fee.

Note: Fees are not available to claim if an OSA is required but has not been completed. This includes:

- initial OSA – any period after the first month of OS
- subsequent OSA - for any period after the due date of the OSA.

Providers may choose to record the participant's working hours in the Working Hours field on the Job Seeker Payments screen in ESSWeb, before claiming the relevant OS Fee.

To claim an available OS Fee on ESSWeb, a provider staff member with authority to claim must:

- select the available claim from the list on the Job Seeker Payments screen or Site Payments screen (on the Site Payments screen, the user must select the Claim Category and Payment Type)

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- submit the tax invoice presented by the system for that claim, after ensuring documentary evidence to support the claim has been collected and retained.

By submitting a claim, the staff member asserts that the conditions of the claim were met. This includes that the provider delivered the minimum number of contacts during the OS claim period.

Note: Monthly claims for Moderate or High OS Fees must include at least one contact in each claimed month, as well as the relevant minimum number of contacts across three consecutive months.

Note: A tax invoice will not be presented if the provider staff member does not have authority to make the claim on behalf of the provider.

Approved claims will be paid on the next scheduled fortnightly payment date.

Pro-rata payments

Pro-rata payments will be made if a participant changes OS level or DES service during a claim period:

- Where a participant was in both Moderate and High OS during a claim period, the OS fee will be:
  - a proportion of the High OS fee equal to the proportion of the period in High OS, plus
  - a proportion of the Moderate OS fee equal to the proportion of the period in Moderate OS.
- Where a participant was in Flexible OS and at least one other OS level during a claim period, the OS fee will be a proportion of the Moderate/High OS fee equal to the proportion of the period in Moderate/High OS.
- Where a participant transfers to a new DES service during the claim period, each provider can claim a partial OS fee based on the proportion of the claim period they supported the participant.

Special Claims

If a claim cannot be approved through normal automated claim processes, providers can lodge a special claim override request in ESSWeb. Special claims are manually assessed by Departmental users on a case-by-case basis. They will be approved only where the Department is satisfied the claim is payable.

Special claims may be approved in instances including:

- an available fee was not claimed through automated processes for valid reasons
- the Department has previously agreed that OS can be provided to a participant not working the normally required average of 8+ hours per week

To submit a special claim, select Overrides & Special Claims from the Payments screen on ESSWeb.

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9. Work Assist

Work Assist supports people who have difficulty completing their work duties due to their injury, disability, or health condition. The intent of Work Assist is to continue working at the person's normal hours of employment (the hours they were working before seeking Work Assist).

Work Assist participants do not have an employment benchmark. Providers must instead address the participant's employment barriers and build their capacity, so participants can resume their normal hours of employment, before they received Work Assist.

Work Assist includes phases like other DES participants.

Phase	Support needs
Employment Assistance	A person commences Work Assist in the Employment Assistance phase. Providers may need to work with the participant and employer to address the barriers to employment, before the participant is able to work at their normal hours of employment. Participants can receive up to 52 weeks of Work Assist support.
Post Placement Support	Providers anchor a person into Post Placement Support when the person is ready to work consistently at their normal hours of employment. Providers support the participant in their placement. Participants are supported to achieve a 26-week Work Assist outcome.
Ongoing Support	Providers can continue to support participants in Ongoing Support, if needed, once they complete a 26-week Work Assist outcome. This is normal Ongoing Support - the person is no longer a Work Assist participant.

Providers normally work with the person's employer to ensure appropriate supports are in place. If a person does not choose to disclose their injury, disability or health condition to their employer, they must provide a signed and dated statement that they are having difficulties fulfilling the requirements of their job due to the impact of their injury, disability or health condition.

Work Assist helps a participant to continue working in their current job. Work Assist does not support a change in employment, and providers cannot use a voluntary change in employment break for Work Assist participants.

Eligibility

A person is eligible to receive Work Assist if they meet DES general eligibility requirements, with the following changes:

Additional requirements	Changed requirements
• Must have worked an average of at least 8 hours per week in the 13 consecutive weeks	• Independent Assessment: Does not need an ESAt referral. Provider must:

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Additional requirements	Changed requirements
before they registered with the provider (or in the time worked to date, if less than 13 weeks) • Must be having difficulty meeting the essential requirements of their job due to their disability, injury or health conditions, and need the support of the DES provider to maintain their employment	- confirm the person's disability - assess and the person as being able to work at least 8 hours per week within 2 years • Income Support: Does not need to be in receipt of income support payments

Work Assist eligibility information is collected through the job seeker direct registration process. Work Assist participants are not referred by Services Australia.

The provider must retain documentary evidence to show the participant meets eligibility requirements.

Providers should normally work with the person's employer to collect appropriate documentary evidence of their eligibility and need for Work Assist through the employer form.

Eligibility requirement	Documentary evidence of eligibility
Age, residency, study	Fully completed direct registration form
Disability or illness	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(s) affects the person and their ability to do their job Evidence must usually be from within the last two 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.
Additional Work Assist requirements	Fully completed and signed employer form or alternative forms of evidence shown below.

If the person has not agreed to disclose their disability or request for support to their employer, the evidence normally provided by the employer form must be collected using the evidence shown below.

Eligibility requirement	Documentary evidence to be retained
Employment over last for 13 consecutive weeks	Payslips/signed and dated statement confirming: • employer name • employment details, including date commenced • employment has lasted/will last for at least 13 weeks • employee's hours of employment each week (normal and current)
Difficulty carrying out job requirements	Signed and dated employee statement, including:

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Eligibility requirement	Documentary evidence to be retained
	• that they are having difficulties fulfilling the essential requirements of their job, due to the impact of their injury, disability or health condition • why they consider they need DES assistance.
Need for support to maintain employment	Signed and dated file note from the provider stating: • why the employee needs Work Assist • why the employee will require Ongoing Support.

A participant cannot receive Work Assist if:

- they are receiving workers' compensation payments
- the support they need is available through Employment Assistance Fund (EAF)
- the job is a non-payable outcome for DES purposes
- they are currently being supported in employment services.

Directly registering an eligible participant

When directly registering an eligible Work Assist participant, providers must immediately record a Work Assist flag on the participants' registration screen in ESSWeb.

To record a Work Assist flag in ESSWeb:

- find the participant record by clicking on the 'jobseeker icon'. Enter the jobseeker ID.
- on the Registration screen, scroll down to the Special Placements section. Click on pencil icon.
- on the Special Placement panel that appears, select:
  - 'Yes' check box, then 'Add' button to add the new placement type.
  - 'Work Assist ESAt/JCA exempt' from the special placement type drop down list
  - 'Submit' button to add the new special placement type for the jobseeker
  - 'Save special placement' button.
- scroll down to registration page. Confirm it appears on the special placement panel.

The Work Assist flag is needed to provide access to the Work Assist program. If an employee is commenced before the Work Assist flag is added, they will be a non-Work Assist DES participant. To request that the Work Assist flag be added after commencement, the provider must:

- contact DESadmin@dss.gov.au and
- provide documentary evidence to confirm the employee's Work Assist eligibility.

Providing Work Assist

Although Work Assist participants are already working, Work Assist support can include elements of:

- job readiness and stabilization, like some Employment Assistance phase supports
- employment support, like Post Placement Support phase supports.

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Task	Details
Creating a Job Plan	The Job Plan for a Work Assist participant must include the individually tailored assistance they will receive. Until the provider anchors the Work Assist placement, the Job Plan must include at least 2 contacts per month. **Note**: Providers must not approve the Job Plan without documentary evidence to confirm the participant's eligibility for Work Assist. This will prevent ESSWeb automatically commencing the participant. Participants will be automatically commenced as Work Assist participants if: • their registration is complete and a Work Assist flag has been added • an 'Attended' result is recorded against the completed initial interview • their Job Plan has an 'Approved' status • their Work Assist job placement has been confirmed
Finding and recording an employment placement	To create the Work Assist placement details: • create employer details at Employer and Vacancies > Employer • enter vacancy details at Employer and Vacancies > Vacancy, including the job description, employer details, current and normal hours, salary
Linking the participant to the placement	To refer the participant to that vacancy, enter the participant job seeker identification number on the vacancy record. Providers can find a previously created vacancy by conducting a search on the 'Vacancy Search' screen, under the 'Employer and Vacancies' menu item
Confirming an employment placement	To confirm an employment placement in ESSWeb: • open the vacancy record • select a referral result of 'placement confirmed' • enter the employment placement start date as the placement result date. The employment placement start date can be up to 56 days before the date the placement is being confirmed but cannot be before the vacancy start date. **Note**: Providers must not confirm a placement while a participant is suspended.
Building capacity	If the participant is not immediately ready to resume their normal hours of work, the provider can deliver a range of supports to build the participant's capacity and work readiness, including: • help to redesign work • workplace assistance and information on how to support the participant • relevant interventions: physiotherapy, occupational therapy, counselling etc • assisting with EAF applications.

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Task	Details
Anchoring an employment placement	Providers must anchor a placement when a participant is ready to start their outcome period. Providers decide when to anchor a placement. Anchoring an employment placement starts the 13-week period that can result in a 13-week employment outcome, and other employment and related outcomes. To anchor the Work Assist placement in ESSWeb: • click on DES Participation Management • scroll down to phase movement details • in the new phase box select post placement support • click the submit button The outcome period commences on the date the provider moves the participant to Post Placement Support. Providers cannot backdate the employment anchor date. **Note**: Providers must confirm a placement before anchoring the placement. If this does not happen, no outcome fees will be available for the placement.
Supporting the employment placement	While the participant is progressing towards an outcome, the provider must: • deliver contacts to the participant when needed (no minimum requirements) • help the provider or participant access funding for workplace modifications or equipment through the Employment Assistance Fund, if needed. • provide other supports to the participant and employer as needed, such as: - assistance with advice and training - help with job design - assisting with access to organisations offering physiotherapy, occupational therapy, pain management, psychological counselling, etc • collect documentary evidence of the participant's employment. **Note**: Providers must not contact the participant's employer unless the participant has agreed to disclose their disability to the employer.
Managing changing employment circumstances	If a participant loses their job, the provider must exit them from Work Assist. If a participant's work hours fall below their normal hours, providers may: • return a participant to the Employment Assistance phase of Work Assist • re-anchor the Work Assist placement if it later increases, noting that the Work Assist period is limited to 52 weeks.
Entering a permissible break	Permissible breaks are available only where a participant's employment placement was impacted by events beyond the control of the participant and employer. Providers are not required to use a permissible break that is available. Providers may choose to not use an available break if: • the participant is expected to meet outcome requirements anyway

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Task	Details
	• an outcome would not be available because the total break would be too long. To record a permissible break: • Navigate to the Breaks section of the Outcome Details screen • Enter the total number of permissible break days and select 'Update breaks' Providers can use one or more permissible breaks not longer than: • four weeks in the first 13-weeks of the Work Assist outcome period • four weeks in the second 13-weeks of the Work Assist outcome period. For each permissible break used, the provider must retain 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 remains employed following the event or circumstances • the full name, phone number and email address of the person making the statement. **Note**: Using a permissible break changes the outcome period because: • permissible break periods do not count towards the outcome period • the outcome period is extended by the length of any permissible break.
Claiming Work Assist outcome fees	Providers can claim outcome fees and any related fees when they can demonstrate the participant met outcome requirements for the relevant period.
After a Work Assist outcome	When a participant has completed a Work Assist outcome, the provider must either: • exit the participant from DES because they are an independent worker, or • continue to support the participant in Ongoing Support. To exit a participant as an independent worker • Click 'Manage Referral' on the Job Seeker Personal Summary screen • In the action box select provider exit • Scroll down and select 'Ongoing Support not required – Independent Worker' • Click submit

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Work Assist fees

Service fees

ESSWeb automatically generates a tax invoice and pays a Work Assist service fee:

- when the participant commences
- 13 weeks after the participant commences.

Providers do not need to provide documentary evidence to claim service fees.

Work Assist outcome fee

ESSWeb automatically generates a tax invoice for a Work Assist outcome fee 26 weeks after the placement is anchored. If a permissible break is used, the fee will be available at the revised end of the outcome period.

Note: Providers cannot use a change of employment break for a Work Assist placement.

Available payments are shown on the Available Payments > Job Seeker Payments screen in ESSWeb.

To claim an available outcome fee, providers must:

- upload documentary evidence that the participant completed the outcome conditions
- complete any required actions in ESSWeb to enable the payment
- certify that the fee is payable by claiming the fee.

Providers must an outcome fee only if they believe all the requirements have been met.

Requirement	Evidence
Collect evidence that the participant: • was employed for the full outcome period • worked their normal hours • was employed at the correct wage	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 (see below) 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. 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 Practicing Accountant or Certified Accountant signed and dated written statement or email from an accountant and/or registered bookkeeper signed and dated written statement or email from the participant (see below).

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Requirement	Evidence
	Statements or emails from employers or participants, and provider file notes, 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 an email of person making the statement • 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.
Upload evidence to ESSWeb	Providers must upload evidence to ESSWeb to support a claim. To upload documentary evidence in ESSWeb: • Scroll to bottom of the Outcomes Details screen • Select appropriate document category from the drop-down list to upload – Work Assist Outcome Documentary Evidence • Click on upload
Enter information about the placement into ESSWeb	To claim Work Assist outcome in ESSWeb: • Select the available outcome fee from the Available Payments screen • Enter the number of hours worked by the participant • Complete the statement that the fee is claimable • Submit the tax invoice that will be presented.

Providers cannot not claim fees related to employment in other parts of the DES program, including:

- Four-week outcome fees
- Employment outcome fees (13, 26 and 52 weeks)
- Bonus fees
- Moderate intellectual disability payments.

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10. Participation Requirements and Compliance

Participation requirements

Participants with participation requirements

Most DES participants have participation requirements. This means they must participate in activities that help them look for suitable work. Participation requirements may be either:

- mutual obligation requirements – requirements that a person has in return for the Government providing income support payments, or
- compulsory participation requirements – requirements that a person under 35 years of age may have in return for the Government providing the Disability Support Pension (DSP).

The type of participation requirements a person has depends on the income support payment they receive.

Participation requirements	Payment
Mutual obligation requirements	• JobSeeker Payment • Youth Allowance (other) • Parenting Payment Single (when youngest child turns 6) • Special Benefit (nominated visa holders).
Compulsory participation requirements	• DSP, if the recipient: - is assessed as able to work 8 or more hours per week - is aged under 35 years of age - does not have a dependent child under 6 years of age - does not have a Supported Wage System agreement, and - does not work in Australian Disability Enterprises (ADEs).
No requirements	• DSP (except as above) • No payment

A participant's participation requirements are listed on the ESSWeb Dashboard > Job Seeker Personal Summary screen.

Participation requirements ensure the participant engages with efforts to help them find suitable employment. People with participation requirements must:

- participate in an appropriate employment program - including DES-DMS or DES-ESS
- enter into a Job Plan and fully comply with the plan's compulsory requirements
- attend appointments with their provider
- act on job referrals and attend job interviews offered by employers
- undertake job searches, where appropriate
- participate in any relevant compulsory activity that is relevant to their personal circumstances and will help the Participant to improve their employment prospects.

Participants who do not comply with these requirements may experience penalties unless they have an acceptable reason for not complying with the requirement. These penalties are managed through:

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- the Job Seeker Targeted Compliance Framework (TCF), for participants with mutual obligation requirements
- reporting to Services Australia, for participants with compulsory participation requirements.

Participation levels

A person can have full-time or part-time participation requirements. Participation requirements are usually based on the person's assessed work capacity. This usually aligns with the participant's DES employment benchmark. Participants fully meet their requirements if Services Australia considers they are working or undertaking appropriate activities for enough hours.

Work Capacity	Employment Benchmark	Requirements	Fully meet requirements
30+ hours / week	30	Full-time	70 hours / fortnight
23-29 hours / week	23	Part-time	30 hours / fortnight
15-22 hours / week	15	Part-time	30 hours / fortnight
8-15 hours/week	8	None	Quarterly appointments with Services Australia
0-7 hours/week	None (ineligible)	None	Quarterly appointments with Services Australia

A person's work capacity is bandwidth is:

- the higher of their assessed baseline work capacity and their future work capacity, or
- their temporary reduced work capacity (TRWC), if any, until the end of the TRWC period.

A person who has a baseline and future work capacity of less than 30+ hours per week has a partial capacity to work (PCW). DES participants usually have PCW and part-time requirements because people with a future work capacity of 30+ hours per week are not eligible to commence DES.

Participation requirements can also be based on other circumstances. Principal Carer Parents in receipt of Parenting Payment, Newstart Allowance, Youth Allowance (other) or Special Benefit have part-time requirements and an employment benchmark of 15 due to their caring responsibilities.

Participants fully meeting participation requirements

Services Australia can determine that a participant is fully meeting their requirements if they have:

- full-time requirements and are working and studying at least 70 hours per fortnight
- part-time requirements and are undertaking at least 30 hours per fortnight of an approved activity.

Circumstances	Fully meet requirements by undertaking 30 hours per fortnight of:
Partial capacity for work (PCW)	• Paid work (including self-employment) • Approved study • Combination of above
Principal Carer Parents (PCP)	• Paid work (including self-employment) • Approved study • Approved voluntary work • Combination of above

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Circumstances	Fully meet requirements by undertaking 30 hours per fortnight of:
Carer Allowance (from 1 April 2025)	• Approved study and paid work • Approved study and voluntary work (of which the approved study is at least 15 hours per fortnight)
Aged 55 years or older	• Paid work (including self-employment) • Approved voluntary work • Combination of paid work and voluntary work
PCW/PCP Minister of Religion	• Paid pastoral work for their religious organisation

Note: This summary is a simplified list of activities that can meet requirements. Services Australia will determine when a participant is fully meeting their requirements under more detailed conditions.

Providers can advise Services Australia that an activity fully meets a participant's requirements through ESSWeb. If a provider wishes to advise Services Australia, they must first:

- create the activity in ESSWeb
- add the activity to the participant's Job Plan as a voluntary activity
- move the participant to Post Placement Support, if it is likely to lead to an outcome.

To record than an activity is fully meeting a participant's requirements:

- select the activity in the participant's Job Seeker Calendar
- click 'Create Activity Requirement' and record the dates of the activity
- select 'Yes' in the 'Mutual obligation requirement' to show the activity fully meets requirements.

Services Australia can also become aware that a participant is fully meeting their requirements from the participant's required fortnightly reporting of work and activities.

If Services Australia determines that a participant is fully meeting their requirements, it will:

- suspend the participant's DES program while they are fully meeting their requirements
- contact the participant to develop a Job Plan with the participant.

This suspension does not affect participants who are in the Post Placement Support or Ongoing Support phases. Participants in the Employment Assistance phase can volunteer to participate in DES if they wish.

If the participant will be fully meeting their requirements for 13 weeks or more, Services Australia will also notify the participant that they:

- are fully meeting their mutual obligation requirements
- do not need to undertake employment services while fully meeting their requirements
- will be exited from DES in two weeks unless they wish to continue as a volunteer.

Note: Services Australia will not send this notification to participants who are in the Post Placement Support or Ongoing Support phases when they are suspended. These participants will not be automatically exited.

If a participant who is fully meeting their requirements wishes to volunteer, the provider must enter a volunteer period in ESSWeb. Participants will not be exited from DES during a volunteering period.

Providers can continue to track and claim outcome fees for participants who have been suspended by Services Australia because they are fully meeting requirements while they are in Post Placement Support.

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Participants with an exemption

Providers cannot exempt participants from their participation requirements. Providers can refer a participant to Services Australia if the participant is temporarily unable to meet requirements for any reason. Participants usually need to provide evidence showing why an exemption is needed.

Services Australia can temporarily exempt a participant from their participation requirements for a variety of reasons, including those set out below.

Common exemption reasons: all participants	Common exemption reasons: principal carers
• illness / medical reasons • childbirth (6 weeks before until 6 weeks after) • caring for children with a disability • domestic violence • major personal disruption to a participant's home • major personal crisis (including homelessness) • natural disaster (bushfire, flooding, cyclone etc) • volunteering during a state or national emergency • temporary caring responsibilities • parental leave • undertaking jury duty • community service order for more than 20 hours per week • being a newly protected witness • being a newly arrived refugee • Indigenous cultural business	• a registered and active foster carer providing temporary care in an emergency or a respite situation • home schooling or helping with distance education for one or more of the children • the main supporter or carer for a child in secondary school • caring for a family of four or more children aged 18 years or under • a relative but not a parent of a child is living with them due to a family law order • a relative but not a parent of a child (kin child), caring for the wellbeing of the kin child

If Services Australia grants an exemption, the participant's DES program is automatically suspended. Participants continue to receive support if they are in the Post Placement Support or Ongoing Support phases, or if they volunteer to continue receiving services in the Employment Assistance phase.

If the participant will not receive services for more than 13 weeks because of an exemption, the provider should exit the participant from DES.

Note: Participants who are exempted for 13 weeks or more will not receive the notification provided to participants who fully meet their requirements for 13 weeks or more, that they will be exited.

Providers must ensure that requirements are achievable at all times – including while an exemption is being assessed by Services Australia.

Volunteers (participation requirements)

A participant can volunteer to participate in DES if their requirements are suspended because they are:

- fully meeting their participation requirements through other activities
- temporarily exempt from participation requirements.

To enter a volunteer period:

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- select the Suspensions and Volunteer Periods screen under the Job Seeker menu
- select the edit button on the Volunteer Periods pane
- enter the start date and expected end date of the volunteering period
- indicate that a Job Plan has been negotiated with the participant.

While participating as a volunteer, the person does not have participation requirements in DES. Any requirements relate to other activities.

If the participant stops fully meeting their participation requirements or their exemption ends, they are no longer a volunteer, and their part-time or full-time requirements resume.

Volunteers (no requirements)

A person who has no participation can volunteer to participate in DES if they are:

- a DSP recipient aged 35 years or older, or under 35 years but have no participation requirements (for example, if they are manifestly eligible for DSP because of a severe impairment)
- not an income support payment recipient but meet non-allowee specific eligibility criteria

Volunteers with no requirements are not required to participate in DES or undertake activities.

Providers can exit volunteers from DES if the participant is not participating appropriately.

Program of Support

Services Australia will not approve a new application for the DSP unless the person:

- is manifestly eligible for DSP because they have a severe impairment, or
- can show they actively participated in a Program of Support with an employment service for at least 18 months within the previous three years.

The Program of Support qualifying condition means that it is important DSP applicants can actively participate in an employment service.

DES is often the appropriate employment service for people applying for the DSP. That is why there are specific eligibility requirements that allow people with Program of Support requirements to access DES.

A person's active time in DES counts towards their Program of Support. If the person's program is suspended due to an exemption from participation requirements, the suspended period will not count towards the Program of Support. Providers must ensure participants who wish to meet the Program of Support condition understand this, as the participant may wish to volunteer to participate.

The Program of Support qualifying condition encourages participants to participate in employment services, but it is not a participation requirement.

If a person with Program of Support requirements is not participating appropriately, providers can:

- take non-compliance actions under the TCF, if the person has mutual obligation requirements
- exit the participant, if the participant does not have requirements.

Job Plans

All DES participants must have a Job Plan to coordinate efforts to get the participant into suitable work. The Job Plan must be agreed before a participant can commence DES and must remain current.

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A Job Plan is required under:

- Social security law, if the participant has participation requirements. A Job Plan is:
  - an Employment Pathway Plan (participants with mutual obligation requirements)
  - a Participation Plan (participants with compulsory participation requirements)
- the DES Grant Agreement, if the participant does not have participation requirements.

The Job Plan shows the activities the participant must undertake to meet their participation requirements.

A Job Plan:

- outlines a pathway to ongoing employment, based on the participant's individual needs
- provides a common understanding for providers and participants about activities that the participant will undertake and support that the provider will provide
- sets out what the participant must do to meet their participation requirements.

The Job Plan must:

- be individually tailored to the participant
- consider the participant's development needs as well as their strengths and interests
- be reviewed regularly and updated as needed, so it is always current.

Task	Details
Negotiating a Job Plan	Provider staff have been delegated the power to: • require a participant currently referred to the provider to agree to a Job Plan • approve a Job Plan • vary the terms of a Job Plan. A Job Plan can be agreed online or in a hard (paper) copy. Under social security law, when developing a Job Plan providers must consider: • the person's education, experience, skills and age • the impact of any disability, illness, mental condition or physical condition of the person on the person's ability to work, to look for work or to participate in training activities • the state of the labour market and the transport or other options available to the person in accessing that market • the participation opportunities available to the person • the family and caring responsibilities of the person • the length of travel time required to comply with requirements in an employment pathway plan • the financial costs (such as travel costs) of complying with requirements in an employment pathway plan, and the person's capacity to pay for such costs.
Making sure participants understand requirements	At the first interview, providers must explain to the participant: • the purpose of the Job Plan • the participant's rights and responsibilities under the Job Plan • how to give prior notice if they can't meet requirements in their Job Plan

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Task	Details
	• what can happen if they don't meet a requirement without giving prior notice or having a reasonable excuse • their right to appeal decisions and where they can find help to do this • the Service Guarantee and employment services code of practice • the section in the Job Plan titled 'information you need to know' • how information is protected under privacy legislation and social security law • that all relevant contact information will be recorded and updated in ESSWeb A participant can bring a support person or interpreter to provider appointments to make sure they understand their Job Plan and requirements, before agreeing to it. **Note**: Participants in residential programs for drug and 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. Residential rehabilitation facilities can also advise the provider that a participant has entered a residential program, as participants generally will not have access to communication devices.
Creating a Job Plan	To create a Job Plan in ESSWeb: • select the Job Plan screen from the Job Seeker menu • add one or more activity codes under 'Activities – Compulsory' and/or 'Activities – Voluntary', as required for the participant • add one or more assistance codes • select 'Finalise' and complete the Finalise Plan pane. The next step in this process depends on whether the provider gives the Job Plan to the participant to approve on paper or online. **Note**: Providers can edit activity and assistance code descriptions by clicking the pencil icon against the activity or assistance code.
Providing the Job Plan for the participant to agree	**Signing a paper copy Job Plan** To print the Job Plan: • select 'Finalise' on the Finalise Plan pane • select 'Print' on the Job Plan Summary pane. If a participant asks for time to consider the Job Plan: • select 'Set Think Time' in the Job Plan Summary • read the full Verbal Notification Script to the participant and select 'Yes'

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Task	Details
	Agreeing a Job Plan online Providers can send the Job Plan for online approval only if the participant: • has a linked Workforce Australia for Individuals account • is speaking with the provider consultant. To send a Job Plan to the job seeker online: • select 'Send to job seeker' on the Finalise Plan pane • read the full Verbal Notification Script to the participant and select 'Yes' Participants always receive think time when the Job Plan is sent online.
Signing a Job Plan	Participants must agree the Job Plan within the two-day think time. If a participant with mutual obligation requirements does not agree the Job Plan and does not have a good reason they will be subject to compliance action under the Targeted Compliance Framework.
Approving the Job	Online Job Plans are automatically approved when the participant agrees the plan. To approve a signed paper Job Plan in ESSWeb: • click 'Approve' on the Job Plan Summary screen • add the date the participant signed the Job Plan and select 'Yes'.
Reviewing the Job	Providers must review Job Plans with the participant regularly, and whenever they: • have a change in their circumstances • commence a new activity • complete an activity that was in their Job Plan • undertake an ESAt or JCA • have a Capability Interview or Capability Assessment which determines that their Job Plan is inappropriate. ★ Best practice is to review the Job Plan at each provider contact. Where the review indicates an update is needed, the provider must update the plan.
Updating the Job Plan	The participant's Job Plan must be reviewed frequently and updated as required. To update a Job Plan in ESSWeb: • select the Job Plan screen from the Job Seeker menu • add, edit or remove activity codes and assistance codes as needed • select 'Finalise' and complete the Finalise Plan pane

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Task	Details
	• give the updated Job Plan to the participant for agreement, as set out above.

Activities and requirements

Job Plans contain one or more activities. Providers set whether an activity is compulsory or voluntary:

- compulsory activities are "requirements". There may be compliance action if a participant does not complete a requirement and has no acceptable reason for not completing the requirement
- voluntary activities are activities the participant has agreed to undertake, but there is no compliance action if the participant does not complete the activity.

If a participant has participation requirements, their Job Plan must include one or more compulsory activities and can also include voluntary activities.

If a participant has no participation requirements, their Job Plans can include only voluntary activities.

It is important to identify a participant's strengths and any barriers they have to finding employment. Vocational and non-vocational activities must be tailored to the participant's individual needs and work capacity and must work towards helping them overcome or manage barriers.

The participant must be capable of doing the activities and requirements included in their Job Plan. Requirements in a Job Plan must be:

- meaningful – the participant must understand what the activity is and why it is included
- tailored and appropriate – taking account of the participant's capacity and circumstances
- clear and understood – the participant must understand what the activity requirement is, and the consequences of not meeting their requirements.

Providers must enter activities into the Job Plan using:

- a set list of activity codes. This allows the activity to be linked to the Job Seeker Dashboard so that the participant can view and manage their participation in the activity
- additional specific details about the activity, such as:
  - the names of education and training organisations, and the type of training being undertaken
  - the names of employers and the type of work being undertaken
  - hours of participation required for the activity.

In the following table:

- 'C' means the activity can be a compulsory activity
- 'V' means the activity can be included as a voluntary activity
- 'Yes' means the activity is automatically pre-populated in new Job Plans
- 'Yes*' means the activity is automatically pre-populated and cannot be removed. If the code is not appropriate, do not schedule activities against it.

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Category	Code	Description	Available		Auto
Appointments	AI09	Attend DES appointments	C	V	Yes
	AI13	Attend DES Ongoing Support appointments	C	V	Yes
	AI15	Attend third-party appointments	C	V	Yes*
Personal responsibility	PA03	Personal responsibility to report and record attendance	C		Yes
	PA04	Actioning job referrals and opportunities	C	V	Yes*
Non-Vocational	NV02	Counselling		V	
	NV04	Non-vocational training	C	V	
	NV05	Parenting skills program		V	
	NV07	Drug and alcohol rehabilitation		V	
	NV09	Self-help group or support group	C	V	
	NV10	Undertake an assessment	C	V	
	NV12	Childcare		V	
	NV13	Intervention – non-specific	C	V	
	NV14	Health maintenance program		V	Yes
Job search	JS04	Job search contacts voluntary		V	
	JS05	Job search with disability – activity tested	C		
	JS06	Job search with disability – non-activity tested		V	
	JS07	Research and prepare applications	C	V	
	JS09	Job search monthly	C	V	Yes
	JS10	Job interviews	C	V	Yes
Employment	EM52	Small business coaching	C	V	
	EM54	Self-employment	C	V	
	EM56	Paid work	C	V	
Participation	ET52	Adult migrant English	C	V	
	ET53	Apprenticeship / traineeship	C	V	
	ET56	SEE or ESL course	C	V	
	ET57	SEE and/or ESL assessment	C	V	
Job Plan	ET58	Small business training	C	V	
	ET59	Study – part-time or full-time	C	V	
	ET60	Updating work related licences/quals/m-ships	C	V	
	ET64	Work preparation	C	V	

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Category	Code	Description	Available		Auto
	WE10	Unpaid work experience (for work experience (other))		V	
	WE11	Voluntary Work	C	V	
	WE09	Temporary relocation to undertake an activity		V	
	WE15	Defence force reserves	C	V	
Services Australia use only	A102	Attend quarterly appointment	C	V	
	A108	Reduced capacity requirements	C	V	
	ET63	Youth activities	C		
	WE16	Community services order	C	V	
	EM51	Disability supported employment	C	V	

Commonly used activity codes are pre-populated into new Job Plans. Providers must:

- remove activity codes that do not apply (or not include activity details, if code cannot be removed)
- add any other relevant activity codes
- add relevant specific details against the activity codes.

Job Plans usually include the following activities:

- AI09 - Attendance DES appointments (especially during the Employment Assistance phase)
- PA03 - Personal responsibility, if the participant can manage their own attendance at activities
- JS09 - Job search monthly, if the participant is ready to look for work.

Assistance

Job Plans also include information about the assistance the participant will receive. Assistance must be appropriate to the participant's needs. It is not compulsory and there are no penalties if the assistance does not occur.

Providers must detail the assistance they will provide using the list of provider assistance codes below. Providers must include details of the assistance to be provided along with the code.

Code	Provider assistance
AS21	Directly contact employers for suitable jobs on the participant's behalf
AS02	Health and Allied Services Assistance
AS19	Psychological Assistance
AS18	On the job assistance
AS20	Ongoing Support Assistance
AS03	Interpreter Services Assistance
AS04	Non-Vocational Assistance
AS05	Provider Services Assistance

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Code	Provider assistance
AS06	Relocation Assistance
AS07	Self-Employment Assistance
AS08	Short Term Childcare Assistance
AS10	Training – Books and Equipment Assistance
AS11	Training – Courses Assistance
AS12	Transport and Licensing Assistance
AS13	Wage Subsidy Assistance
AS14	Work Experience Activities Assistance
AS15	Work Related Clothing and Presentation Assistance
AS16	Work Related Tools and Equipment
AS17	Other Assistance

Setting appropriate activities and assistance

Providers must consider each participant's circumstances and needs when setting activities and requirements in the participant's Job Plan.

★ Best practice is to review, where relevant, the participant's:

- ESAt assessment of barriers, needs and work capacity
- Job Capacity Framework
- Capability Management Tool

Activities in the Job Plan must be reasonable for the participant. Providers must consider:

Participant's circumstances	Other factors
• assessed work capacity, capacity to meet requirements • education, experience, skills, and age • family/caring responsibilities (including availability of childcare) • capacity to pay for related financial costs (e.g. travel) • vulnerabilities (homelessness, psychiatric issues, mental illness, severe drug or alcohol dependency, traumatic relationship breakdown etc) • impact on participant's disability / vulnerabilities • cultural factors	• activity options available • the local labour market • transport options and travel time - reasonable travel time is 90 minutes each way (60 minutes if a principal carer parent or has a partial capacity to work)) • any history of the participant not complying with their participation requirements • any cultural factors • relevant history, including family violence

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Job search requirements

Job search is usually included in a participant's Job Plan if the participant is:

- capable of looking for work
- not already working enough hours in a suitable job (sufficient work test).

Providers must include in Job Plan the number of jobs that the participant must look for each month. If the participant has compulsory job search requirements, use activity code JS09.

Providers must have a conversation with participants about Mobility Allowance. If appropriate, providers must instead use codes JS05 (activity tested) or JS06 to trigger a higher rate of Mobility Allowance.

Job-ready participants with good capacity usually need to look for 20 jobs each month. This is also the maximum job search requirement that can be set. Providers must set a smaller number of job searches if appropriate for a participant's circumstances. This can include no job searches if the participant is not ready to look for work.

Providers may reduce the number of job searches required because of participant circumstances including:

- participation in approved study or training
- physical, intellectual or psychiatric impairment
- non-residential treatments/counselling for drug and alcohol dependency
- high family and caring responsibilities
- accommodation situation
- education or skill level, where this is likely to substantially limit job opportunities
- current employment status (part-time or casual work)
- domestic violence (including family violence) or family relationship breakdown
- low English language skills, if the participant is doing a course to improve these skills
- cultural factors
- the state of the labour market and the transport options available.

The following table shows how many job searches can be set under different participant circumstances.

Requirements	Circumstances	Max. job search
Full-time	Undertaking 40 - 69 hours of paid work per fortnight	10 searches
	Undertaking 70+ hours of paid work per fortnight	No searches
	Undertaking 70+ hours combined work / approved study per fortnight	No searches
	Early School Leaver (ESL) in full-time education or training course	No searches
	ESL in 25+ hours per week combined part-time education and work	No searches
	Participant aged 60+ years	10 searches
Part-time	Undertaking 11+ hours of paid work per fortnight	10 searches
	ESL in 15+ hours per week combined part-time education and work	No Searches
Any	Undertaking approved language, literacy and numeracy (SEE/AMEP)	No searches
	Self-Employment Assistance participants in Small Business Coaching	No searches

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Requirements	Circumstances	Max. job search
	Childbirth: three months before due date	No searches

If drug or alcohol dependency is affecting a participant's involvement in work and/or activities, and appropriate treatment services are not available, providers must record this on the Personal Summary Page ('What you need to know').

The Job Plan formally notifies a participant that they must attend a compulsory activity, where:

- the activity details in the Job Plan includes the full details of the requirement (date, time and location)
- the activity is linked to an appointment in the participant's ESSWeb electronic calendar.

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
  - when their job searches must be reported by
  - how many job searches they have undertaken and how many still need to be undertaken
- monitor the number and quality of job searches the participant undertakes, including:
  - recording the number of efforts submitted to them by no later than close of business on the day the participant reports efforts to them
  - reviewing and confirming the quality of job search efforts submitted online or directly by no later than five business days after the end of each job search period.

Assessing the quality of Job Search efforts

Under social security law, providers must consider whether the jobs in a job search effort 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
- applied for using a variety of methods to contact potential employers.

Participants do not need to meet these criteria in every instance, or at all if not appropriate for their circumstances.

Where the provider determines a job search effort to be unsatisfactory, the provider must:

- educate the participant on how to improve their job search efforts to achieve quality
- ensure the participant submits additional job search efforts to meet their requirements before the end of their reporting period.

If the provider assesses that submitted job search efforts are not of satisfactory quality to have satisfactorily met their requirement, the participant's payment may be suspended.

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 period may differ
- the most appropriate pathway for the participant to obtain sustainable employment.

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Principal carer parents

Under the *Social Security Act 1991*, a Principal Carer Parent is the person who has the most responsibility for the daily care, welfare and development of a child who is under 16.

Requirements in a Job Plan must reflect a Principal Carer Parent's family and caring responsibilities.

- During school terms, face-to-face appointments / activities should be scheduled during school hours, unless the principal carer parent confirms they are available
- At other times, providers must make alternative arrangements if suitable childcare is not available
- Participants have no participation requirements in the fortnight that includes Christmas
- Inability to find suitable childcare is an acceptable or valid reason for not meeting a requirement.

Participants who are fully meeting their requirements through work continue to fully meet their requirements during any Christmas shutdown of up to eight weeks. This applies if employment is expected to continue.

Providers can approve voluntary work in an organisation approved by Services Australia where:

- the Principal Carer Parent lives in a weak labour market
- there is limited access to locally available training opportunities
- there is a significant vocational aspect to the voluntary work.

Scheduling activities

Providers must schedule activities in a participant's Job Plan in their electronic calendar in ESSWeb. Participants can see this information on the Job Seeker Dashboard. Scheduling activities:

- gives the participant information about the activity and how to attend it
- acts as a formal notification to the participant of their requirements.

Providers must schedule all requirements from the participant's Job Plan in their ESSWeb calendar, except:

- job search requirements
- agreeing a Job Plan
- acting on a job opportunity

To schedule an activity in the participant's electronic calendar:

To schedule an activity in the participant's electronic calendar:

- create the activity on the Activity Management screen, from the Activities navigation menu
- select the Activity Type and click Next
- enter activity details (name, dates, description, etc)
- add provider contact details
- add host details, if an external host has been selected

The participant can see the details of the activities on the Job Seeker Dashboard.

Providers must include the:

- activity code
- whether the activity is:
  - formal: an activity requiring the Activity Management area of ESSWeb
  - informal: non-accredited training, provider-supported sessions

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  - one-off: day-long workshop or seminar
- name or description of the activity
- start time and end time
- location, including any special instructions needed to locate a venue
- name of any third-party provider or training organisation

Note: Providers must never schedule a contact, set a compulsory requirement, or threaten to use the Targeted Compliance Framework for the purpose of requesting a payslip or other proof of employment from a participant. Providers can ask a participant to supply a payslip or other proof of employment, but participants are not required to supply evidence of employment.

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 requirement. Personal events can be created for anytime between 6 am and 9 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 calendar and must provide assistance when necessary.

Providers can 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.

Providers must regularly review personal events added by participants, including information from the participant about the personal commitment, and must decide whether to confirm the personal event. The provider must consider the nature of the personal event and the participant's personal situation.

It is best practice to incorporate review of personal events into regular contacts with the participant.

If a provider confirms a personal event, the provider must:

- advise the participant that requirements can still be scheduled for that time
- not schedule any requirement 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"
- request more information about the person 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 it:

- contacts the participant to explain why the conflict 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 ESSWeb
- formally notifies the participant of the requirement.

The requirement cannot be booked at the same time if:

- the personal event is paid work
- the participant is unable or unwilling to reschedule their confirmed personal event

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- the engagement is not a compellable requirement.

Formal Notifications

Under Social Security law, participants must be given appropriate notice of any compulsory requirement in their Job Plan. The Secretary of the Department of Employment and Workplace Relations has delegated to provider employees 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 financial penalties.

When the provider schedules a requirement in the participant's electronic calendar, ESSWeb will automatically create and record the selected notification type to be issued. If a requirement is re-scheduled, the provider must formally notify the participant of the new requirement.

Formal notification always includes:

- the reason for the appointment (if the requirement is an appointment)
- whether the requirement is for the purpose of re-engagement
- the date and start time of the requirement
- the location or address of the requirement
- whether the participant must record their own attendance, and consequences of not doing so
- any evidence the participant needs to record their own attendance
- advice that the participant must contact their provider before the requirement, if they become aware of an acceptable reason preventing them from attending or completing the requirement, to inform the provider of that reason
- advice about possible consequences for participants if they do not meet their requirement
- a statement that the notification is a notice under Social Security law.
- advice that the participant must complete the requirement in return for income support payments

The provider must issue a participant formal notification within the appropriate timeframe before the requirement is scheduled to occur. If reasonable notice timeframes are not met, the electronic calendar will not allow a requirement to be booked unless the provider is in direct contact with the participant, and they have agreed to attend this requirement and the provider records this.

Targeted Compliance Framework

The Targeted Compliance Framework (TCF) encourages participants to engage with their provider, take personal responsibility for managing and meeting their mutual obligation requirements, actively look for work, and improve their employment prospects.

The TCF targets financial penalties towards participants who persistently commit mutual obligation failures without a valid reason or reasonable excuse, while providing protections for those who are trying to comply with their requirements.

Participants commit mutual obligation failures when they fail to comply with their requirements. If a participant persistently commits mutual obligation failures, they progress through the 3 zones of the TCF and may face financial penalties.

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Under the TCF, a participant's income support payment may be:

- suspended or reduced if they commit a mutual obligation failure
- suspended and/or cancelled if they commit a work refusal failure (that is, they refuse or fail to accept an offer of suitable employment, subject to certain exceptions)
- cancelled if they commit an unemployment failure (that is, they become unemployed because of a voluntary act (other than a reasonable act) or misconduct
- cancelled if they do not meet a Reconnection Requirement within 28 calendar days of it being notified to the Participant.

Provider Obligations

Providers' main obligations relating to the TCF are set out in section 5H (Compliance and the Targeted Compliance Framework of the DES Grant Agreement. In summary, this includes:

- assessing and reviewing a participant's capability to record/report their own participation
- making sure the participant's mutual obligations requirements and job search requirement are suitable and tailored to their personal circumstances and commitments
- actively monitoring and recording participant's compliance with their requirements
- timely and accurate recording in ESSWeb when a participant has committed a mutual obligation failure, work refusal failure or unemployment failure.

Provider staff must successfully complete all mandatory TCF training identified on the Targeted Compliance Framework page, on the Learning Centre, at least every 12 months.

Key elements of the TCF

The TCF comprises 3 zones for Participants. Participants progress accrue demerits when mutual obligation failures are applied, which causes them to move through the zones.

Zone	Description
Green Zone (no demerits)	Participants start in the Green Zone when they commence employment services. They progress to the Warning Zone when any mutual obligation failure is applied.
Warning Zone (1 to 5 demerits)	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 a reconnection requirement is met. Participants must attend: • a Capability Interview with their provider if the participant accrues 3 demerits. The Capability Interview determines whether the participant remains in the warning zone or returns to the green zone with their demerits reset to zero • a Capability Assessment with Services Australia if the participant accrues 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.

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Zone	Description
	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 if a Capability Assessment confirms that the participant's mutual obligation requirement were suitable for them.
Penalty Zone (more than 5 demerits)	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 1 weeks' income support payment • second mutual obligation failure — loss of 2 weeks' income support payment 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.

Recording participation by close of business

Providers must schedule all requirements in a participant's electronic calendar, except the requirement to:

- undertake adequate Job Searches
- enter into a Job Plan
- action a job referral task or job opportunity.

Providers must confirm and/or record participation against each scheduled requirement, by close of business on the day that the requirement is scheduled to occur in the participant's electronic calendar.

If an outcome is not recorded by close of business on the same day the requirement was scheduled, ESSWeb will automatically suspend the participant's income support payment:

- after 5 business days resolution period, for participants in the Green Zone or Warning Zone
- immediately, for participants in the Penalty Zone.

Note: This does not apply to provider appointment requirements.

The participant's income support payment will not be affected if, within the 5-day resolution period, they:

- contact their provider to report their participation
- give a valid reason for the mutual obligation failure, or
- meet a reconnection requirement that has been set

and this is recorded in ESSWeb.

Personal Responsibility

Providers must determine if a participant can accurately record and report their participation in their Mutual Obligation Requirements online. The Provider must consider whether a Participant is able to:

- plan, manage, and report their requirements, including if experiencing a short-term crisis
- use the online service themselves, or with appropriate support, by navigating to their homepage and reporting the tasks they have completed or reporting attendance at Activities.

This would include if the Participant has:

- connected their myGov profile to their Workforce Australia account or is willing to do so

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- an ability to log on to the Workforce Australia website and/or app, view their homepage and report their own participation and job search efforts
- reliable access to technology such as a computer or smartphone and connection to the internet that would allow them to plan, undertake and record their participation
- an understanding of:
  - what they need to report and where they can find information on how to report their job search efforts
  - what to do and who to contact if their circumstances may prevent them from meeting the requirements in their Job Plan or their job search requirement

If the participant is not capable of navigating and reporting online, the provider must remove PA03 requirement from the Job Plan. The provider must:

- record the participant's participation against each requirement scheduled in their electronic calendar, by close of business on the day of the scheduled requirement. This includes reporting the completion of a task or attendance at an activity.
- work with the participant to improve their capability to accurately report and record their attendance and completion of requirements.

★ When the participant able to accurately record and report their own attendance at their requirements, best practice is to the PA03 requirement back into the Job Plan.

Note: Participants without the PA03 requirement in their Job Plan are still required to be available to assist their provider in confirming and recording their attendance at compulsory requirements.

When the participant is capable of accurately recording and reporting their own attendance, the provider must include the PA03 requirement in the participant's Job Plan. The participant must report their daily attendance. The provider must monitor the participant's daily attendance at compulsory appointments, activities, and interviews in their Job Plan to ensure attendance results are recorded in ESSWeb by close of business on the day of the requirement.

If a participant with PA03 requirements is not routinely recording their own attendance, the provider must review whether the participant is capable of accurately recording and reporting their own attendance.

Mutual obligation failures

The consequences of a mutual obligation failure depend on the participant's zone.

Participant zone	Consequence
Green Zone or Warning Zone	• Accrue a demerit (or more, for a fast-track failure) on the participant's record, unless the participant has a valid reason • Participant's income support payment will be automatically suspended in 5 business days, unless within that resolution time: - the participant provides a valid reason, or - the participant attends a reconnection requirement
Penalty Zone	• Non-compliance report on the participant's record, which may result in a financial penalty • Participant's income support payment is suspended immediately

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A 'mutual obligation failure' is defined in section 42AC of Social Security (Administration) Act 1999).

Failure type	Mutual obligation failure definition in legislation
Job Plan	• Failing to agree to a Job Plan
Non-attendance	In relation to a compulsory Job Plan requirement or notified requirement: • Failing to attend, be punctual for or participate in an appointment • Failing to attend or participate in, an activity • Failing to attend a job interview (*fast-track failure*) • Failing to comply with any other requirement
Job search	• Failing to undertake the required number of job searches in their Job Plan
Misconduct	In relation to a compulsory Job Plan requirement or notified requirement: • Acting in an inappropriate manner during an appointment or while participating in an activity • intentionally acting in a way that could result in employment not being offered (*fast-track failure*)
Job referral	• Failing to act on a job opportunity set by their provider in their Job Plan or notified requirement (*fast-track failure*)

Note: Providers must not use or threaten to use the Targeted Compliance Framework to request payslips or other proof of employment from a Participant. Providers may request that a Participant supply payslips or other proof of employment, but Participants are under no obligation to supply evidence of employment.

'Fast-track failures' failures that result in a Participant having a Capability Interview or Capability Assessment more quickly than would otherwise be the case. If a Participant has:

- fewer than 3 demerits when they incur a demerit for a fast-track mutual obligation failure, ESSWeb will automatically increase the number of demerits to 3, or
- either 3 or 4 demerits when they commit a fast-track mutual obligation failure, ESSWeb will automatically increase the number of demerits to 5.

Misconduct—Acting in an inappropriate manner

Mutual obligation failures are 'misconduct' if they were caused by inappropriate behaviour by the participant during:

- a notified appointment or activity requirement, or
- a job interview, which could or did result in an offer of employment not being made.

The provider must determine that the inappropriate behaviour was 'misconduct' because it

- was within the participant's control
- prevented the purpose of the relevant appointment, activity or job interview from being met, and
- would be judged by a reasonable person as being inappropriate in the circumstances.

Misconduct during an appointment, activity or job interview may be include:

- dressing in a way that is clearly inappropriate
- showing an obvious lack of interest to the extent that it prevents participation
- exaggerating the severity of an existing injury or illness to avoid fully participating
- leaving the relevant appointment, activity or job interview before its completion.

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Behaviour that is not misconduct because it is beyond the participant's control includes:

- dressing inappropriately because the participant does not have appropriate clothes to wear
- are affected by a significant personal crisis
- are affected by a medical condition.

Five Business Day Resolution Time: payment suspensions for Green and Warning Zones

Resolution time allows participants 5 business days to contact their provider, discuss the mutual obligation failure, and resolve the failure, if possible, before the participant's payment is impacted.

While in the Green Zone and the Warning Zone, a participant's payment may be suspended 5 business days after the day a mutual obligation failure is recorded in ESSWeb, unless they contact the provider and:

- the provider records that the participant has a valid reason, or
- the participant agrees to or meets a reconnection requirement for the mutual obligation failure.

During the 5 business days resolution time, the provider must:

- be available to engage with the participant
- determine whether the participant has a valid reason for the mutual obligation failure
- immediately record this assessment in ESSWeb.

The participant's payment will not be suspended if, within the resolution time:

- the provider records the participant has a valid reason
- the provider records the participant does not have a valid reason, but the participant meets a reconnection requirement that has been set.

If this does not occur within the resolution timeframe, the payment will be suspended until the participant meets the reconnection requirement.

Resolution time does not apply when participants are in the Penalty Zone. Instead, the participant's payment is suspended when the mutual obligation failure is recorded in ESSWeb, to encourage the participant to contact the provider to discuss the participation failure.

Notifications to Participants of Mutual Obligation Failures

When the provider records in ESSWeb that a participant has committed a mutual obligation failure while they are in the Green Zone or Warning Zone, the participant must be sent a notification to advise them:

- they appear to have failed to meet a mutual obligation requirement
- their income support payment may be suspended after 5 business days if they take no action
- to contact their provider as soon as possible

If the participant has their payment suspended after 5 business days, or the participant is in the Penalty Zone when the provider records the failure, the participant must be sent a notification to advise them:

- 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.

The notification will be sent:

- automatically by ESSWeb, if the participant's SMS or email are recorded in ESSWeb.
- by the provider, if the participant's SMS or email address are not recorded. The provider must send the notification to the participant's postal address on the same day the provider records the failure.

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If the participant does not comply with a reconnection requirement within 28 days of receiving a notification, Services Australia will normally cancel the participant's income support payments.

Participant contact

The provider must attempt to contact the participant on the same business day they become aware that the participant has missed a mutual obligation requirement.

Note: The provider must instead wait for the participant to contact them, where the participant:

- failed to meet their Job Search requirement by the end of their reporting period, or
- failed to enter into a Job Plan after being notified to do so.

Where the provider cannot contact the participant, 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. This will:

- create a pending demerit on the participant's record if the participant is in the Green Zone or the Warning Zone. The participant's payment will be automatically suspended in 5 business days unless the participant provides a valid reason or attends a reconnection requirement during that time, or
- create a pending non-compliance report on the participant's record if the participant is in the Penalty Zone. The participant's payment will be immediately suspended.

Prior notice and Acceptable Reasons

A participant does not commit a mutual obligations failure when they do not comply with a requirement, if the provider determines that the participant has provided:

- a valid reason why they did not participate in a scheduled requirement, or
- an acceptable reason why they are unable to participate in a future scheduled requirement.

A participant has a valid reason when the provider is satisfied that the reason given by a participant:

- would directly prevent the participant from meeting the mutual obligation requirement at the time the mutual obligation requirement is scheduled to occur
- would be considered reasonable by a member of the general public, and
- aligns with the participant's personal circumstances as known by the provider.

A participant has an acceptable reason for not participating in a scheduled requirement when:

- the participant notifies 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 the participant has a valid reason for being not meeting the requirement.

Note: Prior notice that the participant will be working at the time of a requirement, including through an accepted personal event in the electronic calendar) is an acceptable reason.

If the provider is satisfied that the participant has an acceptable reason, they must either:

- reschedule the engagement by moving it to another day and/or time in the electronic calendar and notifying the participant of the new requirement details, or
- remove the scheduled mutual obligation requirement from the electronic calendar by recording that it is 'No Longer Required' and notifying the participant the requirement has been removed.

When a mutual obligation requirement is rescheduled or removed, the provider must select that the requirement is "Rescheduled" or "No Longer Required" in the participant's electronic calendar.

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- If the provider selected "No Longer Required" for a requirement that was attending a job interview, acting on a job opportunity, or not meeting the monthly job search requirement, the provider must also select the most relevant acceptable reason from the drop-down menu.

If the Provider is not satisfied that the Participant has an acceptable reason, they must

- tell the participant why the reason is not an acceptable reason
- remind the participant that they are still expected to meet this mutual obligation requirement
- remind them about the potential consequences of non-compliance
- provide support and information to help the participant meet their requirement.

Determining a valid reason

When the provider and participant contact occurs, the provider must discuss the reasons for the missed requirement so they can determine:

- whether a mutual obligation failure has actually occurred, and if so
- whether the participant has a valid reason.

Providers must assess whether a participant has a valid reason for a mutual obligation failure. If the provider records in ESSWeb that the participant:

- has a valid reason for a failure, any demerit on their record relating to that failure will be removed
- does not have a valid reason, the demerit will be confirmed.

A Provider must determine the participant has a valid reason when the provider is satisfied the reason:

- directly prevented the participant from meeting the requirement at the time the failure occurred
- would be considered reasonable by a member of the public, and
- aligns with the participant's personal circumstances as known by the provider.

Note: If a provider determines that drug or alcohol dependency is a valid reason, they must identify any available and appropriate treatment program and must encourage the participant to participate in that program. If the participant refuses or deliberately fails to participate in the treatment, the provider cannot accept drug and alcohol dependency as a valid reason for subsequent failures, unless:

- the treatment that the participant was referred to was not available or appropriate
- the participant was genuinely unable to participate in the treatment
- the participant agreed to participate in the treatment but, despite taking all reasonable steps to commence 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 benefit from further treatment of the same kind as the type of treatment.

When the Participant has a Valid Reason

On the day the provider determines a participant has a valid reason for a failure, the provider must:

- record the assessment that the participant had a valid reason in ESSWeb
- select the description of why the reason was valid from the drop-down menu.

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Note: In ESSWeb, 'reasons accepted' means valid reasons.

By recording a reason that is valid, the provider is:

- removing any re-engagement requirement associated with the mutual obligation failure
- finalising the mutual obligation failure to prevent the participant's payment being affected
- lifting the participant's payment suspension if the participant's payment is suspended
- removing the relevant demerit from the participant's record.

The steps the Provider must take, depending on the type of mutual obligation failure with a Valid Reason, are described below.

Task	On the day the provider determines the participant has a valid reason:
Failures against requirements in the participant's electronic calendar	Select: • 'Did Not Attend—Valid' — if the provider has not already recorded an attendance result in relation to the relevant requirement. • 'Yes' to the question of whether they accept the Participant's given — if the provider has already recorded 'Did Not Attend—Invalid' or 'Misconduct'.
Failures to meet Job Search requirement	Job search failures automatically created and confirmed by ESSWeb. Select 'Yes' on the Outstanding Non-Compliance screen in ESSWeb to indicate acceptance of the participant's reason. The system will prompt providers to record the reason the participant provided.
Failures to enter into a Job Plan	Select 'Yes' on the Outstanding Non-Compliance screen in ESSWeb to indicate acceptance of the participant's reason. The system will prompt the Provider to record the reason the participant provided. After recording the valid reason, create a provider appointment for the participant to attend within 2 Business Days after the day the provider recorded their assessment. If the participant attends the provider appointment, the provider must discuss the Job Plan with the participant. If the participant does not attend the provider appointment, this is a mutual obligation failure, and the provider must comply with their usual obligations regarding mutual obligation failures.
Failures to act on a job referral task or job opportunity	Select 'Unsatisfactory—Valid' on the Outstanding Non-Compliance screen in ESSWeb to indicate acceptance of the participant's reason.

When the Participant does not have a Valid Reason

On the day the provider determines a participant does not have a valid reason for a failure, they must:

- record the assessment that the participant did not have a valid reason in ESSWeb
- select the description of why the reason was not valid from the drop-down menu. The reason must be the closest available to the reason described by the participant.

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Note: In ESSWeb, 'reasons not accepted' means not valid reasons.

By recording the participant's reason is not a valid reason, the provider is confirming the relevant demerit on the participant's record.

On the day the Provider determines a participant does not have a valid reason for failing to meet a mutual obligation requirement, the provider must also explain the following to the participant:

- why their given reason was not a valid reason
- the consequences of having no valid reason for non-compliance, depending on their zone:
  - Green or Warning Zone — their income support payment will be suspended in 5 business days unless they meet a reconnection requirement within that time
  - Penalty Zone — their income support payment has been suspended and they must meet a reconnection requirement to have their income support payment suspension lifted
- how this decision will be displayed on the 'Participant's Compliance Status Indicator' on the online dashboard including the number of demerits the participant has accrued
- whether 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, including financial penalties and payment cancellation, and
- what and when the participant's reconnection requirement will be.

Reinforcing the consequences of failing to meet mutual obligation requirements encourages participants to meet their mutual obligation requirements in the future and remain engaged with their providers.

The way the provider records this differs depending on the type of mutual obligation failure the participant has committed.

Task	**On the day the provider determines the participant does not have a valid reason:**
Failures against requirements in the participant's electronic calendar	Select: • 'Did Not Attend—Invalid' — if the provider has not already recorded an attendance result in relation to the relevant requirement. • 'No' to the question of whether they accept the Participant's given — if the provider has already recorded 'Did Not Attend—Invalid' or 'Misconduct'.
Failures to meet Job Search requirement	Job search failures automatically created and confirmed by ESSWeb. Select 'No' on the Outstanding Non-Compliance screen in ESSWeb to indicate the participant's reason was not accepted. The system will prompt providers to record the reason the participant provided.
Failures to enter into a Job Plan	Select 'No' on the Outstanding Non-Compliance screen in ESSWeb to indicate the participant's reason was not accepted. The system will prompt the Provider to record the reason the participant provided.

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Task	On the day the provider determines the participant does not have a valid reason:
Failures to act on a job referral task or job opportunity	Select 'Unsatisfactory—Invalid' on the Outstanding Non-Compliance screen in ESSWeb to indicate the participant's reason was not accepted.

Demerits

Demerits are applied when a participant doesn't meet a mutual obligation requirement and doesn't have a good reason. An applied demerit is the result of a mutual obligation failure occurring in the Green and Warning Zone. An applied demerit will cause the participant to progress through the TCF.

Providers must remove a demerit where:

- the participant was found to have a valid reason for the failure, after the demerit was applied
- the demerit was recorded in error.

When removing the demerit, the Provider must record the reason for the removal in ESSWeb.

Note: If the participant is in the Penalty Zone when the provider assesses that a demerit should be removed the provider must contact their provider lead for advice before removing the demerit.

Each demerit has a lifespan of six months. This means the demerit expires 6 months after it is applied, and the IT system automatically removes it from the participant's record.

Note: The decision to apply a demerit is not a decision under Social Security Law.

Participants cannot appeal or ask for a formal review under Social Security law if they disagree with a decision to apply a demerit. However, if a participant disagrees with a provider's decision about a demerit they can discuss the decision with their provider. The provider can remove the demerit if they agree the participant had a valid reason for the failure.

If a participant still wishes to dispute the decision after this discussion, they can contact the National Customer Service Line (NCSL). The provider must action complaints that are referred to them by the NCSL. This may include reviewing the demerit decision-making process, any valid reason assessments or information that has been recorded on ESSWeb.

Reconnection requirements

A reconnection requirement is what a participant must do to prevent their income support payment from being suspended or to restore their payment. Usually, the requirement will mirror the mutual obligation requirement that the participant failed to meet.

Note: 'Reconnection requirements' are referred to as 're-engagement requirements' in ESSWeb.

Reconnection Requirements are set:

- automatically by ESSWeb when the participant has failed to:
  - meet their job search requirement or
  - enter into a Job Plan, after the 5-business day resolution time has expired.
- by providers, for other failure types. When a provider discusses the reasons for a mutual obligation failure with the participant, and the provider records that the participant did not have a valid

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reason, the provider must set a reconnection requirement for the participant. This will generally be to attend an appointment or activity.

A reconnection requirement is a mutual obligation requirement. The provider must comply with the Grant Agreement when recording, rescheduling or removing reconnection requirements in an electronic calendar.

When a participant commits multiple mutual obligation failures before there is a contact with their provider to discuss those mutual obligation failures:

- only one reconnection requirement can be set, and
- the provider must advise the participant they only have to meet one reconnection requirement.

The provider must record 'Re-engagement Not Required – non-compliance discussed' in ESSWeb if:

- they are in contact with the participant, and
- they are satisfied that a re-engagement requirement is not necessary.

Recording this will remove the need for a separate re-engagement requirement and end resolution time.

If the purpose of the initial requirement needs more time to be achieved (for example to discuss Job Search), a new requirement can be booked.

If a provider does set a reconnection requirement, they must record the reason in the comment section of ESSWeb.

Reconnection requirements are still required following mutual obligation failures for:

- Initial appointments
- Job Plans
- Job search
- When the participant must attend a Capability Interview or Capability Assessment.

When setting a reconnection requirement, the provider must:

- set the reconnection requirement as the type specified by ESSWeb
- schedule the reconnection requirement in the participant's electronic calendar
- notify the participant of the reconnection requirement.

The reconnection requirement must be scheduled to occur within 2 business days following the day the provider discussed the failure with the participant, except where:

- ESSWeb automatically set the date and time of the reconnection requirement, or
- the participant has a valid reason for not being able to meet the reconnection requirement within the 2-business day timeframe.

After a reconnection requirement is set, it may be appropriate in some cases to lift a payment suspension and remove the need for the reconnection requirement. This can occur as set out below.

Reason	Provider action on the Outstanding Non-Compliance screen of ESSWeb
Participant has a valid reason why they	The provider must: • select 'Unable to Re-engage Within 2 Business Days'

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Reason	Provider action on the Outstanding Non-Compliance screen of ESSWeb
cannot attend within 2 business days	• select the most appropriate valid reason from the drop-down.
Provider cannot provide reconnection requirement within 2 business days	The Provider must: • select 'Re-engagement Not Required' • select the most appropriate valid reason from the drop-down.
Changed participant circumstances make payment suspension or reconnection requirement inappropriate	The Provider must: • select 'Compliance action no longer appropriate' • select the most appropriate valid reason from the drop-down.

If a provider becomes aware a participant has failed to meet a reconnection requirement, the provider must:

- attempt to contact the participant on the same business day to discuss the failure
- determine whether the participant had a valid reason for the failure.

The provider must record in ESSWeb:

- 'Did Not Attend—Invalid' if the provider could not contact the participant. The provider must set a new reconnection requirement and the participant's payments will be suspended in 5 business days resolution time, if not already suspended
- 'Did Not Attend–Valid' if the provider determined the participant had a valid reason. The provider must then schedule a new mutual obligation requirement of the same type that the participant failed to meet, to occur within 2 business days
- 'Did Not Attend—Invalid' if the provider determined the participant did not have a valid reason. The provider must set a new reconnection requirement and the participant's payments will be suspended in 2 business days reconnection time, if not already suspended.

When a provider records 'Did Not Attend—Invalid' or 'Misconduct' for a participant in the Penalty Zone:

- ESSWeb creates a non-compliance report and submits it to Services Australia for investigation
- the participant's income support payment is suspended.

When a Provider records 'Did Not Attend— Valid' for a participant in the Penalty Zone, any non-compliance report on their record relating to that mutual obligation failure will be closed.

When a participant with an open non-compliance report attempts to finalise their fortnightly report:

- they cannot finalise their fortnightly reporting requirement or receive their payment
- they will be prompted to contact Services Australia to discuss the non-compliance report.

Record Keeping

In addition to the evidence recorded in ESSWeb, the Provider must retain documentary evidence of mutual obligation failures.

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Failure	Documentary evidence the provider must retain of the failure
Failure to attend a job interview or act on a job opportunity	Copy of any manually prepared and prior notification of the requirement to attend the job interview or act on the job opportunity
Failure to attend an appointment	Copy of the manually prepared and prior notification of the requirement to attend the appointment
Failure to meet a job search requirement	Hard copy of any relevant fully or partially completed Job Searches
Inappropriate behaviour during an appointment/activity	Details of the job/employer and/or details of relevant incident, including dates, the parties involved and what has occurred

Capability Interviews

The purpose of a Capability Interview is to determine whether:

- the requirements in the participant's Job Plan are appropriate for their circumstances, and
- the participant is capable of meeting the requirements.

ESSWeb will usually identify that a participant's reconnection requirement is a Capability Interview when:

- their demerit count has reached three 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.

When a Capability Interview is triggered, ESSWeb lists the Capability Interview as 'outstanding'. Until the provider finalises the Capability Interview:

- the participant's income support payment is suspended
- the participant cannot accrue further demerits.

Note: Providers must still create Work Refusal Failure reports and Unemployment Failure reports, regardless of whether the participant has an outstanding Capability Interview in ESSWeb.

Scheduling the Capability Interview

The provider must schedule the Capability Interview to occur within 2 business days after the participant accrues the relevant demerit, unless one of the circumstances below applies.

Reason	Provider action on the Outstanding Non-Compliance screen of ESSWeb
Participant gives an acceptable reason why they cannot attend within 2 business days	To lift the payment suspension, the provider must: • select 'unable to re-engage within 2 Business Days' • select the most appropriate reason from the drop-down menu. As the Capability Interview remains 'outstanding', the provider must reschedule the Capability Interview to occur within 14 business days of the demerit that triggered the Capability Interview.

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Reason	Provider action on the Outstanding Non-Compliance screen of ESSWeb
Part-time or outreach services prevent face-to-face delivery of the Capability Interview within 2 days, but the provider determines that it must be delivered face-to-face	To lift the payment suspension, the provider must: • select 're-engagement not required' • select the most appropriate reason from the drop-down menu. As the Capability Interview remains 'outstanding', the provider must reschedule the Capability Interview to occur within 14 business days of the demerit that triggered the Capability Interview.
The participant transfers to a new provider after the Capability Interview is triggered	The original provider does not need to conduct the Capability Interview as it is 'No Longer Required'. The new provider must reschedule and finalise the Capability Interview as it remains 'outstanding'.
The participant is granted an exemption after the Capability Interview is triggered	The Capability Interview is 'No Longer Required' while the exemption is in place. The provider must reschedule and conduct the Capability Interview when the exemption ends.

The scheduled Capability Interview must:

- be of sufficient length to allow a thorough review of the participant's personal circumstances and have a detailed discussion. The recommended time is between 30 and 60 minutes.
- avoid clashes with paid work, and with any other personal events in the calendar where possible.

The provider must be in direct contact with the participant when scheduling a Capability Interview in the participant's electronic calendar. This ensures that the participant receives formal notification of the Capability Interview within a reasonable timeframe and that the provider can explain:

- the purpose of the Capability Interview
- the reason the participant must participate in a Capability Interview
- the serious potential consequences of continued mutual obligation failures.

Providers must conduct Capability Interviews face-to-face except unless prevented by circumstances beyond the participant or provider's control ('allowable circumstance'). This includes where the participant:

- lives 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
- has restricted availability to attend the Capability Interview face-to-face, due to:
  - participation in full-time Education (including training), or
  - the participant's employment hours, or
- is not medically fit to attend the Capability Interview face-to-face.

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If allowable circumstances prevent the Capability Interview from being delivered face-to-face, the provider must conduct it via telephone or videoconference within the standard 2 business days timeframe.

When scheduling the Capability Interview to be delivered via phone or videoconference, the provider must record the 'allowable circumstance' in the Department's IT Systems.

The provider must accurately complete a pre-interview check in ESSWeb prior to the Capability Interview.

The provider must prepare for the Capability Interview by referring to the Capability Interview Best Practice Guide, on the Learning Centre

To finalise the Capability Interview, select 'submit' in ESSWeb after:

- completing the pre-interview check, and
- recording all the relevant information during the Capability Interview.

ESSWeb will determine whether a participant's mutual obligation requirements are appropriate, based on the information that the provider records in relation to the Capability Interview.

If the result of the Capability Interview is that the mutual obligation requirements are:

- not suitable – the participant returns to the Green Zone with their demerits reset to zero
- suitable – the participant continues in the Warning Zone.

Capability Assessments

A Capability Assessment provides further protection for the most vulnerable participants and another opportunity for participants to disclose issues that may affect their ability to meet their requirements.

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.

The purpose of a Capability Assessment is to determine whether:

- the requirements in the participant's Job Plan are appropriate for their circumstances, and
- the participant is capable of meeting the requirements.

If the result of the Capability Assessment is that the mutual obligation requirements in the Job Plan are:

- not suitable – the participant returns to the Green Zone with their demerits reset to zero
- suitable – the participant enters the Penalty Zone and will incur financial penalties for future non-compliance.

ESSWeb will identify that a participant's reconnection requirement is a Capability Assessment if:

- the participant's demerit count has reached five demerits (including through a 'fast-track' failure)
- no Capability Assessment was conducted for the participant in the last 60 days.

When a Capability Assessment is triggered, ESSWeb will display the formal notification script the provider must then read to the participant. This notification informs the Participant that:

- they must contact Services Australia as soon as possible to participate in a Capability Assessment
- their income support payment will remain suspended until they do this.

Participants will be unable to report to Services Australia for their next fortnightly income support payment until they contact Services Australia to undertake the Capability Assessment.

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Until Services Australia finalises a Capability Assessment that has been triggered:

- the participant's income support payment is suspended
- the participant cannot accrue further demerits.

Note: Providers must still create Work Refusal Failure reports and Unemployment Failure reports, regardless of whether the participant has an outstanding Capability Interview in ESSWeb.

Services Australia will notify the provider:

- via a noticeboard message in ESSWeb of the Capability Assessment outcome
- in the participant's record of any requirements in their Job Plan that are inappropriate and/or need to be renegotiated with the participant

The provider must review the outcome and any servicing recommendations of a finalised Capability Assessment on the Targeted Compliance Framework History Screen in ESSWeb. The possible outcomes are shown below.

Participant is:	Consequences and required provider actions
Capable	The participant's Job Plan or mutual obligation requirements are suitable, so: • the participant will move into the Penalty Zone. • mutual obligation requirements do not need to be updated. The provider must: • advise the participant their Job Plan has been assessed as suitable for them • explain the participant's Job Plan requirements and the consequences of non-compliance • advise the participant they are now in the Penalty Zone, and the mutual obligation failure may result in loss of part or all of their payment • review the CMT as Services Australia may have identified issues to consider when renegotiating the participant's Job Plan requirements in the future
Not Capable due to: • errors in compellable requirements • ongoing circumstances • newly disclosed information	The participant is not capable of meeting the requirements in their Job Plan, so: • the participant will move into the Penalty Zone. • mutual obligation requirements do not need to be updated. The provider must: • advise the participant their demerits have been reset to zero and they have returned to the Green Zone • review the CMT for service recommendations recorded by Services Australia before renegotiating the participant's Job Plan requirements • In consultation with the participant, update the Job Plan so that it is suitable within 10 Business Days following the finalisation of the Capability Assessment • explain the participant's Job Plan requirements and the consequences of non-compliance.

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Serious Failures – Work Refusal Failures

A participant commits a work refusal failure when they refuse or fail to accept an offer of suitable employment.

A work refusal failure is a serious failure that can result in suspension of the participant's income support payments or cancellation of payments if they do not have a reasonable excuse:

- when a provider creates a work refusal failure, the report will be sent to Services Australia
- if Services Australia determines a participant has committed a work refusal failure without a reasonable excuse, the participant's payment is cancelled and 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.

On the same business day that a provider becomes aware a participant has apparently committed a work refusal failure, the provider must attempt to contact the participant to discuss the circumstances and must consider whether the participant has refused or failed to accept an offer of employment.

Note: If the participant did not receive an offer of employment (e.g. they attended an interview but were not offered the position), the participant did not commit a work refusal failure.

If the provider assesses that the participant has refused or failed to accept an offer of employment, they must assess whether the work offered was suitable for the participant. Work is not suitable if:

- 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 the principal carer, and does not have access to appropriate care and supervision for the children at the times they would be required to undertake the work (including reasonable travel time between home and the work)
- the participant is the principal carer, or has a partial capacity to work, and the work hours are greater than 15 hours per week
- 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 law of the Commonwealth, a State or a Territory relating to occupational health and safety
- 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 90 minutes each way in commuting time, using the participant's normal mode of transport)
- 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.

In addition, if the participant has a partial capacity to work or is a principal carer, work is unsuitable where:

- travel time between the participant's home and place of work would normally exceed 60 minutes

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- the participant would be financially worse off by undertaking the work, considering:
  - the financial cost to the participant in providing appropriate care and supervision for any children for whom the participant is the principal carer, at the times when the participant would be required to undertake the work
  - the financial cost of travel that the participant would incur in undertaking the work
  - the reduction in income support, additional tax paid or impact on public housing, and/or
  - the financial benefit for the participant of undertaking the work would be marginal because of the financial cost in providing appropriate care and supervision of children for whom the participant is the principal carer, while the participant would be required to work.

If the provider determines the participant potentially did not accept an offer of suitable work, they must create and finalise a work refusal failure report within 10 business days of the date the participant refused work. For example:

- if the participant was given 14 days to accept the offer and did not do so, the incident date is the 14th day (unless the participant actively refuses the job on an earlier day), or
- if, when the offer was made, the participant agreed a start date with the potential employer, but did not commence work on that date, the incident date is the date the participant was due to start.

To create a work refusal failure report in ESSWeb:

- select 'create compliance' and the appropriate Event Type from the drop-down menu:
  - select 'job seeker failed to commence suitable job' where the participant refused or failed to accept an offer of suitable work by failing to commence work on the agreed start date
  - select 'job seeker failed to accept suitable job' where the participant refused an offer of suitable employment
- record the incident date (date the participant refused work)
- answer 'yes' or 'no' to the question of whether they are in contact with the participant
- select a 'Reasons not accepted' reason from the drop-down menu that will appear that most closely aligns with the reason the participant
- otherwise accurately answer the questions that will be automatically generated, and
- select 'create' to finalise the Work Refusal Failure report and send it to Services Australia.

If the provider recorded that they were not in contact with the participant, the participant will receive notification advising that:

- they appear to have committed an apparent work refusal failure
- they must contact their provider as soon as possible
- their payment may be suspended after 5 business days if they take no further action.

If the participant does not contact their provider within 5 business days:

- the participant's payments will be automatically suspended
- the participant will receive notification their payment is suspended and to contact their provider.

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If the participant does not meet a reconnection requirement within 28 calendar days of being notified of the requirement, their income support payment will normally be cancelled by Services Australia.

When the participant contacts the provider, the provider must finalise the work refusal failure report by updating the report to show whether the participant's reason has been accepted.

An income support payment suspension will be lifted once the participant contacts their provider and the provider finalises the work refusal failure report

ESSWeb will not allow a work failure report to be finalised more than 10 business days after the work refusal failure.

To update the work refusal failure report:

- select the edit option in the draft report (doing this confirms contact with the participant)
- record whether the provider accepted the reason given by the participant:
  - select 'no' and the reason from the 'Reasons not accepted' drop-down menu that most closely aligns with the reason given by the participant, if the provider does not accept the reason given. This confirms the provider considers the participant committed a failure.
  - select 'yes' and the reason from the 'Reasons accepted' drop-down menu that most closely aligns with the reason given by the participant, if the accepts the reason given. This confirms the provider considers the participant did not commit a failure.
- select 'submit' to send the work refusal failure report to Services Australia

When the provider submits the work refusal failure report after being in contact with the participant:

- the work refusal failure report is finalised.
- any suspension of the participant's income support payment is lifted.

Serious Failures – Unemployment Failures

A participant commits an unemployment failure when they become unemployed:

- as a direct or indirect result of a voluntary act (unless Services Australia is satisfied that the voluntary act was reasonable), or
- because of their misconduct as an employee.

An unemployment failure is a serious failure that can result in cancellation of the participant's payments:

- when a provider creates an unemployment failure, the report will be sent to Services Australia
- if Services Australia determines a participant has committed a work refusal failure without a reasonable excuse, the participant's payment is cancelled and cannot be paid for 4 weeks.

On the same business day that a provider becomes aware a participant has apparently committed an unemployment failure, the provider must:

- attempt to contact the participant to discuss the circumstances
- if successful, consider whether the participant committed an unemployment failure
- create an unemployment failure report if there is a potential unemployment failure.

The provider must discuss with the participant the reasons they became unemployed and must consider whether the participant became unemployed:

- as a result of a participant's misconduct, due to the participant's:

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- deliberate failure to produce/deliver a reasonable amount of work
- unauthorised absence(s) from work without good reason
- improper behaviour or practices, such as theft, assault or harassment of other employees
- deliberate actions 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, or

- voluntarily from a direct action of the participant, unless the voluntary act was reasonable (such as resigning due to bullying).

If the provider determines the participant potentially committed an unemployment failure, they must create and finalise an unemployment failure report within 20 business days of the date the participant became unemployed ('incident date').

To create an unemployment failure report in ESSWeb:

- select 'create compliance' and the appropriate Event Type from the drop-down menu:
  - select 'job seeker dismissed for misconduct' where the participant became unemployed apparently as a result of the participant's misconduct as an employee
  - select 'job seeker voluntarily leaves a job' where the participant became unemployed apparently as a direct or indirect result of a voluntary act of the participant
- record the incident date (date the participant failed to accept an offer of suitable employment)
- answer 'yes' or 'no' to the question of whether they are in contact with the participant
- select a 'Reasons not accepted' reason from the drop-down menu that will appear that most closely aligns with the reason the participant
- otherwise accurately answer the questions that will be automatically generated, and
- select 'create' to finalise the unemployment failure report and send it to Services Australia.

The creation of an unemployment failure report does not trigger payment suspension. Therefore, to prompt the participant to make contact in order to discuss the potential unemployment failure, the provider must create a provider appointment within 10 business days to discuss the potential failure.

If the participant does not attend the provider appointment:

- if the participant is in the Green Zone or Warning Zone, the participant will receive notification:
  - their payment will be suspended after 5 business days if they do not contact their provider
  - their payment has been suspended, 5 business days later if they have not made contact
- if the participant is in the Penalty Zone, their income support payment will be suspended for failing to participate and they will receive notification that they should contact their provider.

When the participant contacts the provider, the provider must finalise the draft unemployment failure report by updating the report to show whether the participant's reason has been accepted.

ESSWeb will not allow a work failure report to be finalised more than 20 business days after the unemployment failure.

To update the unemployment failure report:

- select the edit option in the draft report (doing this confirms contact with the participant)

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- record whether the provider accepted the reason given by the participant:
  - select 'no' and the reason from the 'Reasons not accepted' drop-down menu that most closely aligns with the reason given by the participant, if the provider does not accept the reason given. This confirms the provider considers the participant committed a failure.
  - select 'yes' and the reason from the 'Reasons accepted' drop-down menu that most closely aligns with the reason given by the participant, if the accepts the reason given. This confirms the provider considers the participant did not commit a failure.
- select 'submit' to send the work refusal failure report to Services Australia

Compulsory participation requirements compliance

DSP recipients with participation requirements must meet compulsory requirements in their Job Plan.

If a DSP recipient with compulsory requirements fails to meet a compulsory requirement, the provider:

- must consider whether 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.

Providers can submit the following participation reports to Services Australia:

- 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
- DSP Appointment Report Job (DARJ) for failure to agree to a Job Plan.

Services Australia will review any submitted compliance reports as part of the next participation interview with the participant. These interviews usually occur every three months.

If Services Australia considers the participant has not participated appropriately it can take a range of actions including financial penalties.

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