

Disability Employment Services 2018

DES Grant Opportunity Guidelines

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| Opening date: | Tuesday, 12 September 2017 |
| Closing date and time: | 2.00pm (Canberra local time) on Tuesday, 24 October 2017 |
| Commonwealth policy entity: | Department of Social Services |
| Enquiries: | Community Grants Hub P: 1800 020 283 E: support@communitygrants.gov.au |
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| Type of grant opportunity: | Restricted non-competitive |

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1. Introduction

Disability Employment Services (DES) Stage 2 Grant Opportunity

- **Grant Opportunity Open Date: 12 September 2017**
- **Grant Opportunity Close Date: 2.00 pm (Canberra local time), 24 October 2017**

The Restricted Grants Application can be found on GrantConnect (www.grants.gov.au).

IMPORTANT: You must read these Grant Opportunity Guidelines before you submit your Application. These Grant Opportunity Guidelines can be found on GrantConnect (www.grants.gov.au), the Australian Government's whole-of-government grants information system. Note: Any addenda for this grant opportunity will be published on GrantConnect, and by registering on this website you will be automatically notified on any changes.

Capitalised terms used in these Grant Opportunity Guidelines have the meaning as set out in Annexure A of the draft Grant Agreement.

1.1 Disability Employment Services: DES Grant Opportunity Processes

The Program is designed to achieve Australian Government objectives

This grant opportunity is part of the DES grant program which contributes to Department of Social Services' Outcome 3: Disability and Carers Program. The Department of Social Services worked with stakeholders to plan and design the grant program according to the *Commonwealth Grants Rules and Guidelines*.



The grant opportunity opens

We publish the Grant Opportunity Guidelines and advertise on GrantConnect.



You complete and submit a Restricted Grant Application and/or Invitation to Treat (ITT) if applicable

Restricted Grant Application –Entities that registered their interest in Stage 1 (Registration of Interest) will be invited to apply through this Restricted Grant Application process.

ITT - Existing DES Providers that registered their interest in Stage 1, will receive an ITT to continue delivering the Services under the new Grant Agreement from 1 July 2018 in ESAs where that DES Provider is identified as performing at 3-Stars or above for the contract under the June 2017 Star Ratings OR receiving new or additional business through the 2016-17 DES Business Reallocation process, OR receiving new or additional business as a result of a gap-filling arrangement in 2017.



We assess all grant applications

We assess the applications against eligibility criteria (see section 3) and the assessment criteria (see section 6).



We make grant recommendations

We provide advice to the decision maker on the merits of each application.



Grant decisions are made

The decision maker decides which grant applications are successful.



We notify you of the outcome

We advise you of the outcome of your application. We may not notify unsuccessful applicants until grant agreements have been executed with successful applicants.

We will enter into a grant agreement with successful applicants. The type of grant agreement is based on the nature of the grant and proportional to the risks involved.



Delivery of grant

You undertake the grant activity as set out in your Grant Agreement. We manage the grant by working with you, monitoring your performance and making payments.

1.2 Role of the Community Grants Hub

This grant opportunity will be administered by the Community Grants Hub on behalf of the Department of Social Services (the Department) under a whole-of -Government initiative to streamline grant processes across agencies.

1.3 About the grant program

A grants round is being conducted to select service Providers for a Panel to deliver the Disability Employment Service program (DES), the Government's specialised employment service that supports people with disability into the open employment market. The DES grants will run for an initial term of five years from 1 July 2018 to 30 June 2023, with options to extend for up to an additional 10 years. The program was announced as part of the Social Services Portfolio Outcome 3: Disability and Carers.

Background on DES

The objective of DES is to provide immediate access to tailored services for job seekers whose disability is assessed as the primary impediment to them gaining employment to help them secure suitable employment in the open labour market. DES is a demand driven service, and since it began, has achieved more than 360,000 job placements and more than 210,000 employment outcomes of at least 6 months.

There are two separate sub programs within DES. These are:

1. Employment Support Services (ESS) for job seekers with permanent disability and with an assessed need for regular Ongoing Support in the workplace, and
2. Disability Management Services (DMS) for job seekers with disability, injury or health conditions who are not expected to need long-term support in the workplace but may need irregular flexible support to keep a job.

Both streams offer Generalist Services and Specialist Services:

- Generalist Services are delivered to all DES Participants regardless of the nature of their disability, injury or health condition, and
- Specialist Services are delivered to a group of Participants with specialist needs.

DES is delivered across 110 Employment Service Areas (ESAs). For the purposes of the selection process, ESAs have been identified as either metropolitan or regional. Maps providing information on ESAs are provided as part of the Application Pack.

The detailed requirements for the DES program are outlined in the Statement of Requirements at **Attachment A**.

Following extensive community consultation involving people with disability, disability peak organisations, disability service providers and employers, the following key changes will be implemented to improve DES performance, commencing from 1 July 2018:

- improving choice and control for Participants
- generating greater competition and contestability between Providers
- improving financial incentives for Providers through a new risk-adjusted funding model designed to reward Providers commensurate to the difficulty in placing the participant into sustainable employment, and
- indexing DES payments to maintain their real value.

For detailed information on the reforms to the DES program please see the Industry Information Paper which is available in the Application Pack on GrantConnect.

The expected outcomes of DES are to ensure people with disability have a greater opportunity to actively participate in Australian society. Disability Employment Services offers the platform to ensure that everyone who is able to participate in the labour market has the best opportunity and support to develop their skills and confidence to find and keep a job.

DES grant application process

The grant application process for DES is being undertaken through two stages:

- Stage 1 (completed)
 - an Industry Paper was publicly released and information sessions and webinars were held to inform interested parties of the changes to the DES program, and detail the two stage grants process for the engagement of Providers from 1 July 2018.
 - all interested entities were required to register their interest through an unrestricted *Registration of Interest* process which was open from 02 August 2017 to 29 August 2017.
- Stage 2
 - entities that registered their interest in Stage 1 have been invited to apply through the Restricted Grant Application process.
 - existing Providers that registered their interest will also be offered an Invitation to Treat (ITT) for services that are identified as:
 - performing at 3-Stars or above for the contract under the June 2017 Star Ratings
 - receiving new or additional business through the 2016-17 DES Business Reallocation process, or
 - receiving new or additional business as a result of a gap-filling arrangement in 2017.
 - gap filling arrangements may also be conducted to ensure service coverage for DES Disability Management Services (DMS) and Employment Support Services (ESS) nationally.

These Grant Opportunity Guidelines contain information for the Stage 2 DES grants opportunity.

This document sets out:

- the purpose of the grant opportunity
- the eligibility and assessment criteria
- how grant applications are monitored and evaluated, and
- responsibilities and expectations in relation to the opportunity.

You must read this document before filling out an application.

Stage 2 – Restricted non-competitive grants process (to which this Guideline applies)

Stage 2 is a restricted grant application process for entities that registered their interest in Stage 1. There are three components in Stage 2 which are:

1. Restricted Grant Application process – entities are invited to submit an application where they are:
 - not currently delivering DES
 - currently delivering DES but have been identified as performing below 3-Stars
 - currently delivering DES and have been offered an ITT but do not meet the criteria for an Invitation to Treat for at least some existing contracts; or
 - currently delivering DES and have been offered an ITT and wish to deliver additional services or locations.
2. Invitation to Treat (ITT) – entities who have received an ITT offer for services they currently deliver must accept or decline the offer. The ITT will be run as a separate process alongside the grant application process. The Invitation to Treat will run concurrently with the Restricted Grant Application process. Offers will be sent out shortly after the Stage 2 notifications on 12 September 2017, and responses are to be received by the Department no later than 24 October 2017.

(Note: Invitations to Treat will be offered as direct source grants based on a provider's entitlement at June 2017. Novation requests that will impact an Invitation to Treat offer will not be considered by the Department until Grant Agreements are executed).
3. Service gaps – the Department may approach entities suitable to deliver services where a lack of coverage has been identified. This will occur once the outcomes of the Restricted Grant Application process and ITT have been determined.

4.

Table - High-level summary of process requirements for existing DES Providers and new applicants.

| Organisation | Business* | State 2: Non-competitive grants process |
|-----------------------|-----------------------------------|--|
| Existing DES Provider | ITT offers** | Accept or decline ITT (concurrent with Restricted Grant Application process) |
| | Below 3-Stars performing business | Apply for business through Restricted Grant Application process |
| | New business | |
| New Applicant | New business | |

* Business refers to existing business levels within a particular ESA.

**Includes business: performing at 3-Stars or above for the contract under the June 2017 Star Ratings; receiving new or additional business through the 2016-17 DES Business Reallocation process; receiving new or additional business as a result of a gap-filling arrangement in 2017; or any new business since reallocation and before 29 August 2017 (commencement of the moratorium on novation) as a result of novation.

Case Study Example:

In June 2017, Alice's Disability Service received a 4-Star rating for its DES-DMS (Generalist) service in the ACT/Queanbeyan ESA and a 2-Star Rating for a specialist service in the same ESA. Alice's Disability Service wants to continue providing the DES-DMS (Generalist) and specialist services in the ACT/Queanbeyan ESA and would like to expand to deliver DES-ESS in the same ESA.

At Stage 1 – Alice's Disability Service submitted a Registration of Interest for the ACT/Queanbeyan ESA and nominated to deliver DES-DMS, DES-ESS and a specialist service in the ACT/Queanbeyan ESA.

At Stage 2: Invitation to Treat - Alice's Disability Service will receive a letter with an ITT offer for the DES-DMS business in the ACT/Queanbeyan ESA only, as this was the only business that met the 3-Star or above rating in the June 2017 Star Ratings. They will need to respond to the ITT if they wish to accept this business.

At Stage 2: Restricted Grants Application - Alice's Disability Service will receive a letter inviting them to apply through the Restricted Grant Application process online. Alice's Disability Service will be required to apply through the Restricted Grant Application process for the new DES ESS business and the existing specialist service that did not receive an ITT (as only a 2-star rating was received in June 2017. Alice will need to nominate the ESA and the service types, and respond to selection criteria for this application.

To ensure transparency in the DES selection process, Star Ratings (at the contract/ESA level) were made publicly available on the Department of Employment website DES Star Ratings [page](https://www.employment.gov.au/disability-employment-services-star-ratings) (<https://www.employment.gov.au/disability-employment-services-star-ratings>) and on the [Labour Market Information Portal](http://lmip.gov.au/) in August 2017 (<http://lmip.gov.au/>).

The DES grant opportunity will be conducted pursuant to the *Commonwealth Grants Rules and Guidelines (CGRGs)* <http://www.finance.gov.au/sites/default/files/commonwealth-grants-rules-and-guidelines-July2014.pdf>.

Restricted Grants Application - applying for services

Through the Restricted Grants Application process, applicants will be required to identify the ESAs they wish to deliver Services in.

For each ESA, applicants will apply for the generalist and/or specialist Service Types they wish to deliver in the following streams:

- DES ESS, and/or
- DES DMS.

Applicants can determine the specialist cohort they wish to deliver, and must identify this in the application. Specialist client groups can be defined by job seeker characteristic and/or disability type. For example: physical, mental health, Aboriginal and Torres Strait Islander or youth-at-risk can be specialisations. Direct Registration cannot be a specialisation.

Applicants will also be required to nominate proposed site locations in each ESA that it wishes to deliver Services from. Each site must be identified as one of the following types:

- a permanent Full-Time Site, which, as a minimum, would operate Monday to Friday from 9.00 am to 5.00 pm daily
- a permanent Part-Time Site, at which there is a regular weekly presence with hours of operation less than a Full-Time Site, or
- an Outreach Site, at which there is not a permanent presence, for example, operating on a monthly, seasonal or 'as needs arise' basis at a local library, town hall or other location.

Applicants must also nominate against each site and Service Type the Maximum Caseload for the Participants that can be serviced at that site. Providers will be required to provide coverage to the entire ESA.

Applicants will be able to apply as a consortium. Details of these arrangements are addressed at section 7.5 of these Grant Opportunity Guidelines.

Invitation to Treat Offers

An Invitation to Treat (ITT) process will run concurrently with the Restricted Grant Application process for those DES Providers who registered their interest in Stage 1. The ITT will be sent out for current business under existing arrangements including service types, sites and group/subcontracting arrangements. ITTs will only be made to current Providers for a contract that is eligible to receive an ITT offer (3 stars or above or which otherwise meets the ITT criteria).

Providers will be requested to accept or decline their existing arrangements at an ESA level, and specify their nominated maximum caseload at the site level. It should also be noted that Providers that currently only partially cover an ESA can continue to do this via the acceptance of this arrangement.

If a Provider wishes to continue providing Services in a particular ESA, but wishes to make any changes such as organisation or site changes, the Provider may choose not to accept the ITT with the current arrangements and apply through the Restricted Grants Application process for that Service.

Novation and assignment requests

While the Department is establishing a Panel of new DES Providers, a moratorium will apply to requests for novation/assignment, and/or variation to the services from existing DES Providers. The moratorium will be for the period from 29 August 2017 (close of Registration of Interest) until grant agreements are executed. The only requests the Department will consider will be where exceptional circumstances can be demonstrated. Approval of all requests is at the sole discretion of the Department.

1.4 DES Grant Opportunity outcomes

The DES grant opportunity is intended to improve the participation rates of people with disability in employment.

The objectives of the grant opportunity are to provide effective employment services to people with disability and deliver a range of services to meet the needs of employers.

2. Grant amount

A total of around \$4 billion over five years for the Disability Employment Services program is available for this grant opportunity, starting 1 July 2018.

The DES funding model includes three primary types of payments:

- Service Fees - which are paid quarterly to Providers to deliver assistance to Participants to find and secure employment or move into education
- Outcome Fees - which are paid to Providers when a participant has maintained sustainable employment or education for a particular period of time, and

- Ongoing Support Fees - which are paid to Providers to continue to deliver support to help a participant maintain employment after a 26-week employment outcome has been achieved.

Details on the funding model, including fee amounts, for DES are provided at **Attachment A**, Statement of Requirements.

3. Grant eligibility criteria

We cannot consider your application if it does not satisfy the following eligibility criteria.

3.1 Who is eligible to apply for a grant?

To be eligible you must:

- be one of the following entity types:
 - Aboriginal Corporation
 - Australian Government
 - Private Company
 - Public Company
 - Incorporated Cooperative
 - Trustee on behalf of Trust
 - Incorporated Association
 - Organisation established through a specific piece of Commonwealth or State/Territory legislation
 - Individual/Sole Trader
 - Local Government
 - Non-Entity Joint Venture
 - Partnership
 - State / Territory Government
 - Other Incorporated Entity; and
- have legal personality; and
- have a valid Australian Business Number (ABN).

An individual or organisation will have legal personality if it has the rights and obligations of a legal person. These include, but are not limited to, the right to buy, sell, assign or lease any property, enter into contracts and sue and be sued in their own name.

Applications from consortia are acceptable, provided you have a lead applicant who is the main driver of the project and all members of the consortia are eligible as per the list above.

The only entities that are eligible to apply in this Restricted Grant Application are those that have registered their interest in Stage 1 and are one of the entity types listed above.

3.2 What qualifications or skills are required?

All entities delivering DES must comply with the following standards in the specified timeframes.

Certification with the National Standards for Disability Services

The National Standards for Disability Services (National Standards) aim to promote and drive a nationally consistent approach to improving the quality of services for people with disability. The National Standards focus on rights and outcomes for people with disability.

Both DES-ESS and DES-DMS are provided for under the *Disability Services Act 1986* (the Act). It is a requirement under the Act that any organisation providing DES-ESS and/or DES-DMS be certified as compliant with the National Standards.

Applicants who do not currently hold certification against the National Standards will be required to obtain such certification within 12 months of commencement of the Grant Agreement. For further information, refer to the step by step guide to obtaining a Certificate of Compliance outlined on the Department's website (<https://www.dss.gov.au/disability-and-carers/programs-services/for-people-with-disability/australian-disability-enterprises/quality-assurance-for-employment-services>).

If you are not already compliant, you will need to outline in the Application Form anticipated dates for gaining certification, should you be successful in your grant application.

Information Technology Certification - Pathway to Accreditation Programme

DES Providers must obtain accreditation under the Pathway to Accreditation Programme within 36 months from commencement of the DES Grant Agreement.

The DES program uses the Department of Employment's ESSweb system. ESSweb manages access for DES Providers to Participants' information and handles the recording of all payments, referrals, commencements, financial and performance reporting, assurance and audit support for the many individual transactions each year.

Commonwealth Government agencies are required to comply with the *Privacy Act 1988*, the *Protective Security Policy Framework (PSPF)*, and the *Australian Government Information Security Manual (ISM)* to protect personal and sensitive data belonging to job seekers. This is also consistent with the Australian Government's obligations under the *Public Governance, Performance and Accountability Act 2013*.

The PSPF and ISM policies, protocols and guidelines demonstrate to Government that Providers are effectively managing the risks associated with the security, confidentiality, integrity, availability and aggregation of personal and sensitive information pertaining to job seekers. Any changes to the PSPF and ISM may correspondingly change the compliance requirements of DES Providers and their Third Party IT Providers (TPITPs).

To satisfy these requirements, the Pathway to Accreditation Programme is the means by which the Department of Employment, in partnership with and on behalf of, the Department of Social Services, determines the required compliance and accreditation process for DES Providers and their TPITPs.

A security assessment will be independently conducted by an Information Registered Assessor Program (IRAP) assessor. Accreditation, once granted, is valid for three years from the time of accreditation. However, if there is a variation to the organisation that affects the risk profile of their IT Systems during this time, DES Providers must seek re-accreditation for these changes.

There is a prioritised list of controls (termed a 'Statement of Applicability' (SoA)) to govern compliance for all employment services organisations. The SoA will be implemented in a phased approach to minimise operational disruption to employment services organisations while undertaking the Pathway to Accreditation programme.

The SoA is divided into three phases. This phased approach is designed to assist Providers achieve accreditation by allowing sufficient time for employment services organisations to consider and address the changes required in their organisation.

- SoA Phase 1 – Self Assessment of Scope
- SoA Phase 2 – Initial audit against a sub-set of controls
- SoA Phase 3 – Final audit based on all relevant controls

The Accreditation process is the same for all Providers. Providers delivering the following services are currently required to meet these same Security Accreditation requirements:

- jobactive
- Harvest Labour Services
- New Enterprise Incentive Scheme
- Transition to Work
- ParentsNext, or
- Employability Skills and Training (EST).

If a DES Provider is currently delivering the above contracts, the Provider will still need to submit the SoA Phase 1 self-assessment of scope. The Accrediting Authority may then determine that the Provider:

- must continue with Phase 2 and 3 of the accreditation process for DES, or
- would not be required to achieve independent accreditation for DES under the same IT environment.

The accreditation process for TPITPs continues to be separate and independent to the Pathway to Accreditation programme conducted for Employment Services organisations.

For more information on the IRAP, ISM or PSPF, please refer [Department of Employment IT Security Policy](#).

4. Eligible grant activities

4.1 What the grant money can be used for

Please refer to **Attachment A** – Statement of Requirements and the draft Grant Agreement.

4.2 What the grant money cannot be used for

Please refer to **Attachment A** – Statement of Requirements and the draft Grant Agreement.

5. The grant selection process

Restricted Grant Application

First we will assess your application for completeness including checking all relevant attachments are included and all questions and criteria have been responded to, and against the eligibility criteria. Only eligible applications will move to the next stage. Eligible applications will be considered through a restricted non-competitive grant process.

We will then assess your application against the Assessment Criteria set out in Section 6. Your application will be considered on its merits, based on how well it meets the Assessment Criteria.

Financial viability checks will be undertaken on Applicants, including all members of a consortium. However, Applicants will not need to have these checks completed if they have provided a *Financial and Credentials Information Form* to the Department of Social Services, Department of Employment or Department of the Prime Minister and Cabinet within the last 12 months and all information is up to date. The *Financial and Credentials Information Form* is provided as part of the Application Pack on GrantConnect.

Invitation to Treat

An initial assessment was made by the Department based on the DES Performance Framework. The DES Star Rating system measures relative success of Providers in achieving outcomes for job seekers taking part in DES. Job seekers and employers can use star ratings to help them choose the right Provider for them. Ratings are from one to five stars, with one being the lowest, and five being the highest.

This assessment determined that Providers with 3 stars and above have already met a sufficient performance standard including demonstrating value with relevant money and would therefore not need to provide further evidence to continue to deliver DES for the services that were shown to be performing.

Based on this determination, current Providers have been invited to continue delivering the Services in ESAs where the Provider is identified as:

- performing at 3-Stars or above under the June 2017 Star Ratings
- receiving new or additional business through the 2016-17 DES Business Reallocation process, or
- receiving new or additional business as a result of a gap-filling arrangement in 2017.

Service Gaps

Service gaps will be identified following the outcome of the Restricted Grant Application process and acceptance of ITT offers.

Where the Department identifies a gap in coverage, the Department reserves the right to make appropriate and targeted interventions to sustain coverage and ensure adequate servicing, including (but not limited to):

- the direct selection/exclusive invitation of Providers to deliver Services in an ESA
- requesting Provider/s to deliver Services in ESAs through modified service delivery modes
- requiring Providers to deliver Services in an ESA(s) as a condition of delivering Services in another ESA(s), or
- requiring Providers in the ESA to expand their delivery locations in order to provide greater coverage within an ESA.

6. The Assessment Criteria

You will need to address the following Assessment Criteria in your application for the Restricted Grants Application process.

NOTE: Applicants will not need to respond to Assessment Criterion 1: Management and Governance, if they have received and are accepting at least one ITT, and are also applying through the Restricted Grant Application for new service types, new ESAs or existing business that was not offered an ITT.

New potential DES Providers or existing Providers that have not been offered an ITT for any business must respond to all Assessment Criteria.

Assessment criterion one, two and three (where applicable) are considered threshold assessment criteria. This means that each criterion will be assessed using a pass/fail concept, whereby an application that fails to achieve a pass requirement will not proceed for further assessment.

Applications that pass all of the threshold criteria will then be subject to further assessment against criterion four and the general criterion response on intended service types, ESAs and site locations indicated in the Service and Coverage Area Template.

You must answer all of the questions in the form correctly to ensure that you are prompted to complete the assessment criteria relevant to your organisation's situation. If you do not

provide a response against all of the relevant criteria your application may be adversely impacted.

The Application Form includes character limits as indicated under each assessment criterion below.

General Criterion

Intended service types, Employment Service Areas and site locations

You must identify the service type(s) (DMS/ESS, Generalist/Specialist), Employment Service Areas (ESAs), proposed site locations and Maximum Caseloads that your organisation is applying for in the 'Service and Coverage Area Template' provided in the Application Pack on GrantConnect.

The 'Service and Coverage Area Template' will detail if ESAs are classified as metropolitan or regional.

Note:

Service types (DMS/ESS and Generalist/Specialist) are the services that your organisation intends to deliver. These service types will inform aspects of the selection process.

Your nominated ESA(s), site location(s) and Maximum Caseload will inform the Department's assessment of service coverage.

Assessment Criterion 1 - Management and Governance

Demonstrate how your organisation's management and governance arrangements will drive performance and quality service delivery.

Note: *Your organisation must address this criterion once if your organisation:*

- *does not have an existing DES Deed, or*
- *has not been offered an ITT for any business under an existing DES Deed.*

Response length: 15,000 characters are provided for a response.

Your response must demonstrate:

- the governance protocols/guidelines, communication strategies, management and accountability structures that your organisation has in place to ensure that it will comply with the Grant Agreement
- how your organisation will recruit, train and retain suitably-qualified and experienced staff, and how it will ensure a supportive working environment that:
 - values the development of its staff through individual and organisational development plans, and
 - ensures front-line staff have appropriate skills to work with a range of Participants with different work capacity and capability due to their disability

- how your organisation will manage the performance and quality of service delivery, and ensure:
 - a high standard of leadership
 - effective planning
 - appropriate measurement tools across all areas of operation
 - effective processes for identifying issues and mitigating risks that may affect service delivery
 - contractual, legislative and legal compliance, and
 - continuous improvement and innovative practices; and
 - appropriate customer service and complaints handling processes.

Assessment Criterion 2 - Understanding of, and strategies to deliver, Disability Employment Services

Demonstrate how your organisation will deliver employment services for people with disability and achieve sustainable employment outcomes.

Note: *Your organisation must address this criterion:*

- *once for ESAs that are classified as a metropolitan area (if applying for ESAs identified in the application as metropolitan locations), and/or*
- *once for ESAs that are classified as a regional area (if applying for ESAs identified in the application as regional locations).*

Metropolitan Response Length: 15,000 characters are provided for a response.

Regional Response Length: 15,000 characters are provided for a response.

Your response must demonstrate your organisation’s strategies to deliver Disability Employment Services, including:

- your organisation’s understanding of the barriers that people with disability face in seeking employment in metropolitan and/or regional areas
- how your organisation will achieve sustainable employment outcomes by providing:
 - Employment Assistance, including employment preparation support, training and skills development
 - Post-Placement Support, including mentoring, and
 - Ongoing Support, including:
 - Flexible Ongoing Support (DMS and ESS), and/or
 - Moderate and High Ongoing Support (ESS)

- how your organisation will ensure that its service:
 - delivers holistic, person-centred and individualised assistance
 - is sensitive to a person's background including, Culturally and Linguistically Diverse and Aboriginal and Torres Strait Islander backgrounds
 - continually meets and adapts to the needs of employers and people with disability, and
 - fosters ongoing engagement and participation of people with disability, including Participants with participation requirements (Mutual Obligations and Compulsory Requirements) and volunteers
- how you engage or link with other services or initiatives to achieve positive outcomes for people with disability, and
- how you will identify suitable employment opportunities for people with disability, injury or health condition/s in the open labour market.

Assessment Criterion 3 - Understanding of, and strategies to deliver, Disability Employment Services for specialist cohorts

Demonstrate how your organisation will deliver employment services for people with disability in specialist cohorts and achieve sustainable employment outcomes.

Note: *Your organisation must respond to this criterion for each specialisation that it is applying to deliver.*

Specialist response length: 5,000 characters (for each specialisation you are applying for).

Your organisation's response must demonstrate its strategies to deliver Disability Employment Services to your specified specialist cohort(s) including:

- your organisation's understanding of the barriers faced by people within your specified specialist cohort in seeking employment
- how your organisation will achieve sustainable employment outcomes by providing:
 - Employment Assistance, including employment preparation support, training and skills development
 - Post-Placement Support, including mentoring, and
 - Ongoing Support, including:
 - Flexible Ongoing Support (DMS and ESS), and/or
 - Moderate and High Ongoing Support (ESS).

Assessment Criterion 4 - Past performance

Demonstrate your organisation's experience and past performance delivering disability or employment services (or similar services) relevant for people with disability.

If you are an existing DES or jobactive Provider, your star rating performance will also inform the assessment of your organisations past performance.

Note: Your organisation must address this criterion:

- *once for ESAs that are classified as a metropolitan area (if applying for ESAs identified in the application as metropolitan locations), and/or*
- *once for ESAs that are classified as a regional area (if applying for ESAs identified in the application as regional locations).*

Metropolitan response length: 25,000 characters.

Regional response length: 25,000 characters.

Your response must include:

- your organisation's experience delivering individualised disability services or employment services (or similar) that are most relevant to assisting people with disability gain and retain employment. Your response must include any experience and achievement that demonstrates, or translates to:
 - providing tailored employment services to job seekers, for example interviews, assessments, quality and sustainable job placements, and flexible and/or regular support in the workplace
 - delivering sustainable quality employment outcomes, and/or
 - assisting people with disability to gain skills, work experience and training to gain employment
- evidence to demonstrate your organisation's achievements and the sustainability of programs it has delivered, and
- any barriers that may have affected your organisation's performance, and how your organisation will address these barriers to improve performance.

7. The grant application process

7.1 Overview of application process

Restricted Grants Application

You must read these Grant Opportunity Guidelines, the Application Form, the Questions and Answers document, ESA maps and the draft Grant Agreement before you submit an application.

You are responsible for ensuring that your application is complete and accurate. Giving false or misleading information will exclude your application from further consideration.

Please complete each section of the Application Form and make sure you provide the information that has been requested.

Please keep a copy of your application and any supporting papers.

Invitation to Treat

You must read these Grant Opportunity Guidelines, ITT offer letter, the Questions and Answers document, ESA maps and the draft Grant Agreement before you respond to your ITT offer.

Please keep a copy of your response and any supporting papers.

Service gaps

Entities that the Department approaches to fill service gaps, should this be required, must read these Grant Opportunity Guidelines, the Questions and Answers document, ESA maps and the draft Grant Agreement before accepting the offer.

7.2 Application process timing

Applicants must submit their Restricted Grant Application and/or ITT response (this process will be outlined in the letter of offer for those who qualify for an ITT) by the closing time and date below.

Information on the Community Grants Hub [late application policy](#) is available on the [Community Grants Hub](#) and [GrantConnect](#) websites.

Late applications or ITT responses will not be accepted.

If an application is late or the Community Grants Hub is requested to approve a lodgement after the closing date, the Community Grants Hub will consider the matter as per the late application policy guidelines and may determine that there were exceptional circumstances beyond the applicant's control that meant they could not meet the deadline.

Examples of exceptional circumstances could include, but may not be limited to:

- Community Grants Hub infrastructure failures
- natural disasters
- power outages affecting the ability of the applicant to submit their application by the deadline, and
- death or disability of key personnel.

The expected commencement date for the granting activities is **1 July 2018** and the expected completion date is **30 June 2023**. There will be subsequent grant rounds open during the term of the Grant Agreement. For further information see Section 7.7.

Table 1: Expected timing for this grant opportunity

| Activity | Timeframe |
|--|--|
| Restricted Grants Application period | Open: 12/09/17 Close: 2.00pm (Canberra local time), on 24/10/2017 |
| Invitation to Treat period | Open: 12/09/2017 Close: 2.00pm (Canberra local time), on 24/10/2017 |
| Assessment of applications | Late Oct 2017 to Jan 2018 |
| Approval of outcomes of selection process | Late Jan 2018 |
| Negotiations and award of Grant Agreements | Late Jan 2018 to Late Mar 2018 |
| Service gap activities (if required) | Late Jan 2018 to Late Mar 2018 (or ongoing if required) |
| Activity commences | 01/07/2018 |
| End date | 30/06/2023 |

7.3 Completing the grant application

Restricted Grants Application

You will receive notification to apply to the email address you provided through the Registration of Interest (ROI) process. You must submit your grant application using the Application Form, which is included as part of the Application Pack on the GrantConnect website. The Application Form includes helpful information.

The Application Form is online and must be submitted electronically. If you have any technical difficulties please contact 1800 020 283 or email support@communitygrants.gov.au.

The Department of Social Services/Community Grants Hub will not provide an Application Form or accept an Application form for this grant opportunity by fax or mail.

You must make sure that your application is complete and accurate and submitted in accordance with these Grant Opportunity Guidelines. Ensure that you consider the time it will take to submit your application and allow enough time before the closing time to allow for any technical/internet connection issues.

If the assessment process identifies unintentional errors in your application, the Department may contact you to correct or explain the information provided.

Invitation to Treat

You will receive a letter of offer from the Community Grants Hub to the email address you provided through the Registration of Interest (ROI) process. This offer will outline the

organisation, services and ESAs to which the offer will apply. If an organisation did not register its interest through the ROI process, an ITT offer will not be issued.

You will be required to nominate whether you will accept or decline the business based on individual service types at the ESA level, and specify your nominated Maximum Caseload at the site level. Further instructions on how to accept the offer will be provided in the letter of offer.

You must make sure that your response is complete and accurate and submitted in accordance with these Grant Opportunity Guidelines.

Correction of mistakes

If you find a mistake in your application/ITT response after it has been submitted, you should contact the Community Grants Hub by phone on 1800 020 283 or by email at support@communitygrants.gov.au straight away. The Community Grants Hub may ask you for more information, as long as it does not change the substance of your application/response. The Community Grants Hub does not have to accept any additional information, nor requests from applicants to correct applications/response after the closing time.

Multiple applications/responses

If more than one application/ITT response is received from the same organisation, the following approach will be taken for the purposes of assessment:

- For identical duplicate applications/responses, a duplicate check will be conducted as part of the assessment. If an applicant has submitted more than one application/response that is identical (including areas applied for and criteria responses), the assessment team will accept the latest on time application/response.
- For non-identical duplicate applications/responses (i.e. has additional services or changes to the original), further clarification may be sought from the applicant.

7.4 Attachments to the application

The following documents must be included with your application:

- Proof of entity type (existing DES Providers do not need to provide)
- Service and Coverage Area Template (mandatory for all Applicants)
- Consortia member details (only required if you exceed the limit allowed in the form)
- Subcontractor details only (only required if you exceed the limit allowed in the form)

Your supporting documentation should be attached to **the Application Form**. There will be instructions in the Application Form to help you. **Only attach the documents you have been asked to include**. Applications that have not submitted a mandatory attachment or have submitted an attachment that is not on the requested template may be deemed not compliant and may be excluded from the process.

The maximum size allowable for individual attachments is no larger than 2MB and the form will not accept individual attachments above this size. In some areas of the form there are limits to the numbers of attachments being entered in a particular section.

The total size of all of the attachments combined in the form will not be allowed to exceed 15MB. You will need to modify your attachment files accordingly if necessary.

You will also be asked to complete a *Financial and Credentials Information Form* and a *Subcontractor Credentials Information Form* (if applicable) and send it to DESsupplementarydocs@dss.gov.au by the close date. Existing Providers that have already undertaken a financial viability check will not need to complete this form if their information in the previous check is up to date. It is the responsibility of the Applicant to ensure all relevant templates have been completed and submitted as per the instructions in the Application Form and the two forms outlined above. This mailbox has a limit of 50MB per email.

Read individual question instructions carefully to be informed of these limits and attachment requirements.

7.5 Applications from consortia

Applicants may apply as a consortium to deliver grant activities. A consortium is two or more businesses who are working together to combine their capabilities when developing and delivering a grant activity.

If you are submitting a grant application on behalf of a consortium, a member organisation or a newly created organisation must be appointed as the 'lead organisation'. Only the lead organisation will enter into a Grant Agreement with the Commonwealth and will be responsible for the performance of the Services in accordance with the Grant Agreement.

The lead organisation must complete the Application Form and identify all other members of the proposed consortium in the application.

Note: Previous request for tenders detailed different types of groups, including consortium, partnerships, joint venture and other alliances. The term consortium in this document is intended to cover all types of group arrangements with the meaning described above.

7.6 Questions during the application process

Initial Questions and Answers for this grant round are included in the Application Pack.

When there are updates to the questions and answers, they will be added to GrantConnect via an addendum, and applicants will receive notification when there is an updated addendum for them to download. If you cannot find an answer to your question relating to this grant opportunity, please send your question to support@communitygrants.gov.au. Answers to questions may be posted on GrantConnect.

Questions will only be answered to explain the Application process and Grant Opportunity Guidelines and not to advise on how to answer specific assessment criteria or about

individual applications during the assessment process. All applicants will be notified of the outcome of their Application when the selection process is complete.

If you would like help or support in using and/or submitting the Application Form, please call 1800 020 283 or TTY 1800 555 677 or email support@communitygrants.gov.au.

The question and answer period will close at **5:00pm (Canberra local time), on Tuesday, 17 October 2017**. Following this time, only questions relating to using and/or submitting the Application Form will be answered.

7.7 Further grant opportunities

Future grant opportunities

There will be subsequent grant rounds conducted, up to once a year, during the initial five year term of the Grant Agreement to allow new entities to enter the market and existing Providers to expand into new regions and service types.

Entities that are successful in these rounds will enter into Grant Agreements for the remaining length of the initial term of the Panel to 30 June 2023.

These grant rounds will be published on GrantConnect.

8. Assessment of grant applications

8.1 Who will assess applications?

An assessment team will assess all eligible and compliant applications based on their merits. The assessment team will be comprised of departmental staff. The assessment team will undertake training to ensure consistent assessment of all applications.

If the selection process identifies unintentional errors in your application, you may be contacted to correct or explain the information.

The assessment team may seek information about you or your Application from any source, even if that source is not nominated by you as a referee.

As part of the assessment, an internal Expert Panel will be established. The Expert Panel will assess and make recommendations having regards to:

- the assessment of applications by the assessment team;
- overall objectives for the grant activity;
- risk profile of applicants;
- distribution of Providers across all locations for service gaps, and
- overall value for money.

The Expert Panel may also consider information about you or your application that is available through the normal course of business.

8.2 Who will approve grants?

The assessment team and Expert Panel will make recommendations to the Delegate. The Delegate will be the Group Manager of the Disability, Employment and Carers Group within the Department of Social Services. The Delegate will make the final decision to approve a grant.

The Delegate's decision is final in all matters, including:

- the approval of the grant, and
- the terms and conditions of the grant.

9. Notification of application outcomes

You will be advised of the outcomes of your application in writing, when the grant application process is complete. If you are successful, you will also be advised about any specific conditions attached to the grant.

If you are unsuccessful, we will notify you in writing and give you an opportunity to discuss the outcome. You can submit a new application for the same project (or a similar project) in any future grant opportunity rounds. You should include new or more information to address any weaknesses that may have prevented your previous application from being successful.

9.1 Feedback on your application

If you are unsuccessful, you may ask for feedback from the Department within one month of being advised of the outcome. The Department will give oral or written feedback within one month of feedback being requested.

10. Successful grant applications

10.1 The Grant Agreement

If you are successful, or you have accepted an ITT, you must enter into a legally binding Grant Agreement with the Commonwealth, represented by the Department of Social Services.

The draft Grant Agreement is provided as part of the Application Pack. The type of Grant Agreement is based on the nature of the grant and proportional to the risks involved. Successful Applicants will be required to accept the terms of the Grant Agreement in its entirety and the Department expects that substantially the same form of Grant Agreement will apply to each DES Provider.

For each Grant Agreement, a Schedule will be completed, setting out the particulars of the Services that the Provider will be providing (such as the type of Service, ESA and Site(s)).

The Grant Agreement provided is a draft. The final Grant Agreement will be provided before successful organisations are required to execute the Grant Agreement. Any additional conditions attached to the grant will be identified in the grant offer or during the period for finalising the Grant Agreements.

The Department may enter into discussions with successful applicants in relation to the particulars of the Services to be provided (such as the type of Service, the Site(s) and Maximum Caseload). If there are unreasonable delays in finalising a Grant Agreement, the grant offer may be withdrawn. Where a grantee fails to meet the obligations of the Grant Agreement, the Department of Social Services may terminate its agreement.

You should not make financial commitments until a Grant Agreement has been executed by the Commonwealth.

10.2 How the grant will be paid

Information on how the grant will be paid is provided in **Attachment A** and in the Grant Agreement including:

- types of fees available for Providers
- amount of fees payable to Providers
- when fees will be paid, and
- conditions of payment (e.g. documentary evidence).

10.3 Grant Agreement variations

Once the Grant Agreement has commenced from 1 July 2018, a Provider can request variations to the Agreement for things including, but not limited to:

- changing site details
- changing subcontractors
- changes to consortium arrangements; and
- organisational details.

The Department of Social Services can vary the Grant Agreement at any time, including, but not limited to:

- exercising options to extend the Agreement Term;
- updating the fee structure based on the recalibration process;
- changes to agency-wide policy ;
- changes to policies specifically relating to the provision of disability employment services;
- changes in policies relating to other relevant programs or services;
- the introduction of new employment programs; and

- general administrative changes.

11. Announcement of grants

If successful, your grant will be listed on the Department of Social Services' [website](#) 14 days after the date of effect as required by Section 5.3 of the CGRGs.

12. Delivery of grant activities

12.1 Your responsibilities

You must conduct DES services in accordance with the Statement of Requirements listed at **Attachment A**.

You must submit reports as detailed in the Grant Agreement including, but not limited to:

- progress of the Services;
- financial status of the Provider; and
- financial statements.

You will be responsible for:

- meeting the terms and conditions of the Grant Agreement and managing the activity efficiently and effectively; and
- complying with record keeping and reporting requirements as set out in the Grant Agreement.

12.2 The Department's responsibilities

The Department will:

- meet the terms and conditions set out in the Grant Agreement;
- provide timely administration of the grant; and
- evaluate the grantee's performance.

We will monitor your performance under the DES Performance Framework identified as part of the Statement of Requirements (**Attachment A**) and may conduct site visits. Occasionally we may need to re-examine claims, seek further information or request an independent audit of claims and payments.

12.3 Grant payments and GST

Payments will be made as set out in the Grant Agreement. Payments will be GST Inclusive.

Before any payments are made, you must provide any conditions of payment including evidence that you are entitled to claim the payment in accordance with the Grant Agreement.

If you receive a grant, you should consider speaking to a tax advisor about the effect of receiving a grant before you enter into a Grant Agreement. You can also visit the Australian Taxation Office website at www.ato.gov.au for more information.

12.4 Evaluation

The Department will evaluate the DES program to measure how well the outcomes and objectives are being achieved.

The DES Performance Framework includes:

- Star Ratings to measure how well a Provider is performing;
- National Standards for Disability Services that Providers must meet to make sure they give high-quality services;
- a Service Guarantee that lists the help Participants can expect from Providers; and
- a Code of Practice that guides the way Providers work with Participants, employers and each other.

Providers will be required to maintain a minimum Star Rating performance standard in order to maintain their eligibility to deliver DES. Failure to maintain a minimum performance standard could lead to Grant Agreements to deliver DES being terminated, and in some cases, Providers being exited from the DES program entirely. This process helps ensure that the Government is getting value for money out of its DES Providers throughout the term of the Grant Agreement.

A review of the performance framework will be undertaken in late 2017 and with any changes to be introduced no earlier than 1 July 2018. Further information on the Performance Framework is at **Attachment A: Statement of Requirements**.

The Department of Social Services may undertake other research, monitoring or evaluation activities to evaluate the performance of Providers and the DES program.

13. Probity

The Australian Government will make sure that the grant process is fair, according to the published Grant Opportunity guidelines, incorporates appropriate safeguards against fraud, unlawful activities and other inappropriate conduct and is consistent with the CGRGs.

Note: These Grant Opportunity Guidelines may be changed from time-to-time by the Department of Social Services. When this happens the revised Grant Opportunity Guidelines will be published on GrantConnect at <https://www.grants.gov.au/>.

13.1 Complaints process

Applicants can contact the Community Grants complaints service with complaints about Community Grants Hub's service(s), the application process, or unsuccessful applications. Details of what constitutes an eligible complaint can be provided upon request by the Community Grants Hub. Applicants can lodge complaints through the following channels:

Telephone: 1800 634 035
Fax: (02) 6204 4587
Mail: Community Grants Hub Complaints
GPO Box 9820
Canberra ACT 2601

Any questions or complaints you have about grant decisions for the DES program should be sent to support@communitygrants.gov.au.

Applicants can also lodge a complaint about the Department's service(s) using the complaints form on the Department's [website \(https://www.dss.gov.au/contact/feedback-compliments-complaints-and-enquiries/complaints-page\)](https://www.dss.gov.au/contact/feedback-compliments-complaints-and-enquiries/complaints-page)

If you do not agree with the way the Department or the Community Grants Hub has handled your complaint, you may complain to the Commonwealth Ombudsman. The Ombudsman will not usually look into a complaint unless the matter has first been raised directly with the relevant Commonwealth entity.

The Commonwealth Ombudsman can be contacted on:

Phone (Toll free): 1300 362 072
Email: ombudsman@ombudsman.gov.au
Website: www.ombudsman.gov.au

13.2 Conflict of interest

Any conflicts of interest could affect the performance of the grant. There may be a conflict of interest, or perceived conflict of interest if, for example, you or any of your personnel:

- has a professional, commercial or personal relationship with a party who is able to influence the application selection process, such as an Australian Government officer
- has a relationship with an organisation, or in an organisation, which is likely to interfere with or restrict the applicant from carrying out the proposed activities fairly and independently, or
- has a relationship with, or interest in, an organisation from which they will receive personal gain because the organisation receives funding under the program.

You will be asked to declare, as part of your application, any perceived or existing conflicts of interests or that, to the best of your knowledge, there is no conflict of interest.

If you later identify that there is an actual, apparent, or potential conflict of interest or that one might arise in relation to a grant application, you must inform the **relevant Commonwealth**

entity and the Community Grants Hub in writing immediately. Assessment Committee members, Expert Panel members and other officials including the decision maker must also declare any conflicts of interest.

The chair of the Assessment Committee will be made aware of any conflicts of interest and will handle them as set out in Australian Government policies and procedures. Conflicts of interest for Australian Government staff will be handled as set out in the Australian Public Service Code of Conduct (Section 13(7)) of the *Public Service Act 1999*. We publish our conflict of interest policy available on the [Community Grants Hub](#) website.

13.3 Privacy: confidentiality and protection of personal information

We treat your personal information in accordance with the Australian Privacy Principles and the *Privacy Act 1988*. This includes letting you know:

- what personal information we collect
- why we collect your personal information, and
- who we disclose your personal information to.

You are required, as part of your application, to declare your ability to comply with the *Privacy Act 1988*, including the Australian Privacy Principles and impose the same privacy obligations on any subcontractors you engage to assist with the grant program.

Your personal information can only be disclosed to someone else if you are given reasonable notice of the disclosure, where disclosure is authorised or required by law or is reasonably necessary for the enforcement of the criminal law, if it will prevent or lessen a serious and imminent threat to a person's life or health, or if you have consented to the disclosure.

The Australian Government may also use and disclose information about grant applicants and grant recipients under the DES program to any other Australian Government business or function. This includes giving information to the Australian Taxation Office for compliance purposes.

We will treat the information you give us as sensitive and therefore confidential if it meets all of the four conditions below:

1. you clearly identify the information as confidential and explain why we should treat it as confidential
2. the information is commercially sensitive
3. revealing the information would cause unreasonable harm to you or someone else, and
4. you provide the information with an understanding that it will stay confidential.

We may reveal confidential information to:

- the Assessment Committee and other Commonwealth employees and contractors to help us manage the DES program effectively
- employees and contractors of our Department so we can research, assess, monitor and analyse our programs and activities
- employees and contractors of other Commonwealth agencies for any purpose, including government administration, research or service delivery
- other Commonwealth, State, Territory or local government agencies in program reports and consultations
- the Auditor-General, Ombudsman or Privacy Commissioner
- the responsible Minister or Parliamentary Secretary, or
- a House or a Committee of the Australian Parliament.

We may share the information you give us with other Commonwealth agencies for any purposes including government administration, research or service delivery and according to Australian laws, including the:

- *Public Service Act 1999*
- *Public Service Regulations 1999*
- *Public Governance, Performance and Accountability Act*
- *Privacy Act 1988*
- *Crimes Act 1914, and*
- *Criminal Code Act 1995.*

The Grant Agreement will include any specific requirements about special categories of information collected, created or held under the Grant Agreement.

13.4 Freedom of information

All documents in the possession of the Australian Government, including those about the DES program, are subject to the *Freedom of Information Act 1982* (FOI Act).

The purpose of the FOI Act is to give members of the public rights of access to information held by the Australian Government and its entities. Under the FOI Act, members of the public can seek access to documents held by the Australian Government. This right of access is limited only by the exceptions and exemptions necessary to protect essential public interests and private and business affairs of persons in respect of whom the information relates.

All Freedom of Information requests must be referred to the Department's Freedom of Information Coordinator in writing.

By mail: Freedom of Information (FOI) Coordinator
Government and Executive Services Branch (TOP CE4)

Department of Social Services (DSS)
GPO Box 9820
Canberra ACT 2601

By email: foi@dss.gov.au

14. Consultation

Stakeholders have been consulted throughout the policy development process to reform DES. The Department (including through the Disability Employment Taskforce) undertook three consultation rounds; issued two discussion papers and one issues paper; established a Disability Employment Reference Group; undertook an employer engagement forum; and participated in many sector conferences and forums to engage with Participants, Providers and employers to lay the groundwork for change to the DES program.

15. Glossary

| Term | Definition |
|----------------------------|---|
| assessment criteria | The specified principles or standards against which applications will be judged. |
| CGRGs | The <i>Commonwealth Grants Rules and Guidelines</i> published by the Department of Finance at http://www.finance.gov.au/resource-management/grants/ . |
| commencement date | The expected start date for the grant activity. |
| Commonwealth entity | A Department of State, or a Parliamentary Department, or a listed entity or a body corporate established by a law of the Commonwealth. See subsections 10(1) and (2) of the PGPA Act. |
| date of effect | This will depend on the particular grant. It can be the date on which a Grant Agreement is signed or a specified starting date. Where there is no Grant Agreement, entities must publish information on individual grants as soon as practicable. |
| decision maker or delegate | The person who makes a decision to award a grant. |
| DMS | DES Disability Management Services |
| eligibility criteria | The principles, standards or rules that a grant applicant must meet to qualify for consideration of a grant. Eligibility criteria may apply in addition to assessment criteria. |
| ESAs | Employment Services Areas |
| ESS | Employment Support Services |
| FOI Act | <i>Freedom of Information Act 1982</i> |
| grant | An arrangement for the provision of financial assistance by the Commonwealth or on behalf of the Commonwealth: |

| Term | Definition |
|--------------------|---|
| | <p>a) under which relevant money or other Consolidated Revenue Fund money, is to be paid to a recipient other than the Commonwealth; and</p> <p>b) which is intended to assist the recipient achieve its goals; and</p> <p>c) which is intended to help address one or more of the Australian Government's policy objectives; and</p> <p>d) under which the recipient may be required to act in accordance with specified terms or conditions.</p> <p>See CGRGs, section 2.3.</p> |
| GrantConnect | Website that publishes Grant Opportunities www.grants.gov.au |
| grant activity | The project /tasks /services that the grantee is required to undertake with the grant money as described in the Grant Agreement. |
| Grant Agreement | The draft Grant Agreement, which is in the form of a deed, which sets out the mutual obligations relating to the provision of the grant. |
| grant opportunity | A notice published on GrantConnect advertising the availability of Commonwealth grants. |
| grantee | An individual/organisation that has been awarded a grant. |
| IRAP | Information Registered Assessor Program |
| ISM | Australian Government Information Security Manual |
| ITT | Invitation to Treat |
| PGPA Act | <i>Public Governance, Performance and Accountability Act 2013</i> |
| PSPF | Protective Security Policy Framework |
| selection criteria | Comprises eligibility criteria and assessment criteria. |
| selection process | The method used to select potential grantees. This process may involve comparative assessment of |

| Term | Definition |
|-------------|---|
| | applications or the assessment of applications against the eligibility criteria and/or the assessment criteria. (CGRGs) |
| SoA | Statement of Applicability |
| TPITPs | Third Party IT Providers |

16.Attachment A

Disability Employment Services (DES) 2018 DES Grant Opportunity Guidelines Statement of Requirements

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1. Overview of Disability Employment Services

1.1 Introduction

The Australian Government is committed to increasing employment opportunities for people with disability, ensuring they can enjoy the social, emotional and financial benefits of employment. Labour force participation rates for people with disability have remained stagnant for the past 20 years and are currently around 53 per cent, compared to a rise from 77 per cent to more than 83 per cent for people without disability.

The National Disability Strategy 2010-2020 (the Strategy) provides a 10-year national policy framework for all levels of government to improve the lives of people with disability. One of the central outcomes of the Strategy is to ensure that people with disability, their families and carers have economic security, enabling them to plan for the future and exercise choice and control over their lives.

Disability Employment Services (DES) is an essential part of the Government's commitment to improving the social and economic participation of people with disability. DES is the Government's specialised employment service for people whose disability, injury or health condition is assessed as the main impediment to them gaining employment. The program is complemented by the Government's broader disability reforms, including the National Disability Insurance Scheme (NDIS).

There are two separate sub-programs within DES. These are:

1. DES – Employment Support Service (DES-ESS) for job seekers with permanent disability and with an assessed need for regular Ongoing Support in the workplace, and
2. DES – Disability Management Service (DES-DMS) for job seekers with disability, injury or health conditions who are not expected to need long-term support in the workplace but may need irregular flexible support to keep a job.

Both streams offer Generalist Services and Specialist Services:

- Generalist Services – means services delivered for all DES Participants regardless of the nature of their disability, injury or health condition.
- Specialist Services – means services delivered for a group of Participants with specialist needs.

Specialist client groups can be defined by job seeker characteristic and/or disability type. For example: physical, mental health, Aboriginal and Torres Strait Islander or youth-at-risk can be specialisations. Specialist providers must be able to accept Referrals (section 3.1) and Direct Registration (section 3.2) Participants. Providers with employer networks in specific industries are not considered specialist providers.

1.2 Interpretation

Unless otherwise specified, capitalised terms used in this Statement of Requirements have the same meaning as set out in Attachment A of the draft Grant Agreement. Any references to 'the Department' refer to the Department of Social Services.

2. Who can receive assistance?

DES is demand driven, which means there is not a fixed number of places or cap on the number of people who can participate in the program. All eligible job seekers can access the service.

A job seeker is eligible for DES if they:

- have a disability, injury or health condition which is identified as their primary obstacle to finding and maintaining a job;
- are aged at least 14 but have not yet attained the Age Pension qualifying age;
- are at or above the minimum legal working age in their state or territory;
- are independently assessed as being able to work at least eight hours per week within the next two years, after receiving support;
- are an Australian resident, or a Temporary Protection Visa/Safe Haven Enterprise Visas holder;
- are not studying full time, unless the job seeker is an Eligible School Leaver (refer to section 3.5); and
- are not working at or above their Employment Benchmark hours (not applicable for Work Assist Participants and Australian Disability Enterprise (ADE) participants).

Eligible job seekers do not need to be in receipt of an Income Support Payment to access DES-ESS. Normally job seekers not receiving income support payments (non-beneficiaries) are not eligible to participate in DES-DMS; however, non-beneficiaries in the following categories can access DES-DMS provided that they meet all of the general eligibility requirements and one of the following:

- eligible for assistance under a specific Structural Adjustment Package (SAP);
- under 21 years of age;
- eligible to receive Work Assist (refer to section 3.7);
- considered a Special Class Client – certain classes of job seekers may be considered eligible for DES-DMS as a result of extreme or unusual circumstances, such as natural disasters. Current Special Class Client categories are victims of the Bali bombings, December 2004 Tsunami, and London bombings. Special Class Client categories are declared by the Australian Government
- considered an Eligible School Leaver; or
- assessed as having a low income.

3. How do job seekers connect to DES?

3.1 Job seeker Referrals

In most cases the Department of Human Services (DHS), through Centrelink (DHS-Centrelink) will refer a job seeker to DES following an Employment Services Assessment (ESAt) or Job Capacity Assessment (JCA).

An ESAt or JCA is an assessment of a job seeker's barriers to finding and keeping a job. The ESAt or JCA assessor determines a job seeker's work capacity, Ongoing Support needs, and the most appropriate employment service (e.g. DES or jobactive) for a job seeker based on their individual circumstances. The DES sub-program (DES-ESS or DES-DMS) in which an eligible job seeker is assisted is generally determined by the nature of the job seeker's disability and the need for Ongoing Support.

The job seeker's current and future work capacity are expressed in weekly work capacity bandwidths:

- zero to seven hours;
- eight to 14 hours;
- 15 to 22 hours;
- 23 to 29 hours; and
- 30 plus hours (or full-time).

A DES Participant's future work capacity is generally used to determine their Employment Benchmark, which is the number of hours, on average, a Participant (other than a Work Assist Participant) must work each week to achieve a Full Outcome, as set out in section 7.4. Participants will have an Employment Benchmark of eight, 15, 23 or 30 hours per week. Employment Benchmarks are also relevant to Four-week Outcomes and Pathway Outcomes.

The ESAt or JCA also identifies interventions that will help the job seeker overcome any barriers to finding and keeping a job. The ESAt or JCA assessor refers job seekers to the most appropriate service which can include a Referral to other services (for example, to jobactive).

3.1.1 Potential Changes to the Gateway and Assessment Process

Concerns were raised through the DES reform consultation process in relation to the current gateway and assessment process and a review has been scheduled to be undertaken in 2017-18.

Significant changes to the current arrangements are not proposed before the start of the new DES program in 2018. It is currently proposed that an expert consultant will be engaged to undertake the detailed review with a view to identifying any potential improvements that may be able to be made to the validity, reliability and utility of ESAts and the equivalent component of the JCA. The review will include engagement with stakeholders to understand

their views of the current assessment approach as part of considering what changes, if any, may be required. That part of a JCA that is used to assess eligibility for Disability Support Pension is outside the scope of the review. To support the review, the Department has formed a working-level project reference group comprising peak bodies representing people with disability and employment service providers. Once the review has been completed and changes are required, the Department will determine the most effective way to introduce them from 2019.

3.2 Direct Registration of job seekers

While most job seekers are referred to DES by DHS-Centrelink, DES Providers can register job seekers who approach them directly. This is known as Direct Registration. Direct Registration enables Providers to commit to early intervention partnerships with services such as health facilities and schools. In most cases, the Provider needs to refer a Directly Registered job seeker for an ESA to determine their eligibility for DES.

The job seeker may be Commenced in DES without being Referred for an ESA where the job seeker:

- meets the eligibility requirements for a DES Participant and is not already being assisted by a DES, jobactive, Transition to Work (administered by the Department of Employment) or Community Development Program (CDP) provider; and
- has a valid ESA or JCA that identifies DES as the recommended service.

Eligible School Leavers, Work Assist Participants and Special Class Clients Participants can be Directly Registered without an ESA or JCA, provided the job seeker meets all other eligibility criteria.

3.3 Job seeker choice

Job seekers are encouraged to choose their DES Provider.

If a job seeker is unsure which DES Provider to select, when they are at DHS-Centrelink a list of DES Provider Sites will be generated to assist the job seeker to choose their Provider. The list will be generated and ranked based on the following order:

1. Providers within 10 kilometres (km) of the Participant's residential address, ordered based on their Site's Star Rating (highest to lowest). If no Star Rating is available for a Site, these Sites will be displayed after the 3-5 Star Providers, and ahead of 1-2 Star Providers.
2. Providers within 25 km, 50 km and 100 km, following same ordering process, as number 1.

The list will be capped at 20 Sites. If the job seeker declines to choose a Provider, they will be Referred to the highest-performing Provider, closest to their residential address. The approach outlined may be revised in light of experience of how best to support choice by Participants.

DES Providers must provide DES Program Services to all Participants who are Referred to, or who Directly Register with, the Provider.

To support the job seeker in their choices, a mobile application and website will be available to provide them with information about Providers and the services they can receive. This will also assist Providers to inform job seekers regarding the range of services they can receive.

Job seekers can choose a Provider within or outside the Employment Service Area (ESA) in which they reside, as long as they are able to have a face-to-face meeting with their Provider for the Initial Contact and any re-connection appointments (please refer to section 5.1 for more information on all contact arrangements).

A job seeker will be able to choose a DES Provider and Providers will not be able to refuse to Commence a Participant, as per section 3.4.

Job seekers are also able to access a function on the Job Search website called Connections for Quality (see section 8.3) and information about the performance of DES Providers in each ESA by primary disability groupings. The DES Outcome Rates by Disability Type Report can be found on the Department of Employment's Labour Market Information Portal:

www.lmip.gov.au/default.aspx?LMIP/Downloads/DisabilityEmploymentServicesData/DESOutcomeRatesbyDisabilityType

3.4 Provider caseload

As a tool to manage their caseload, a Provider can nominate a Maximum Caseload for each Site. DES Providers have 'no right of refusal of a Participant,' meaning that they must have appointments available and accept a Referral or Direct Register job seeker who wishes to receive Services from the Provider. Providers are only able to refuse Referrals or to Directly Register a job seeker if the Provider is a Specialist Service Provider and the job seeker is not part of the specialist cohort, or the Provider has reached their self-nominated Maximum Caseload.

The Maximum Caseload is the maximum number of Participants that the Provider can service across all program support phases, at one time. This allows Providers to manage their caseload so it does not exceed their business capacity. DES Providers nominate a Maximum Caseload for each Site, and the default Maximum Caseload value is 'unlimited'. Suspended Participants do not count toward the Maximum Caseload.

The Maximum Caseload can be changed during the course of the Grant Agreement. An increase of Maximum Caseload will be actioned in conjunction with the Department; lowering the Maximum Caseload will require agreement from the Department.

Providers can still have appointments available if they have exceeded their Maximum Caseload. The Department may contact a Provider if they are under their Maximum Caseload and do not have appointments available.

A Provider is not guaranteed a minimum caseload. A Provider will have to attract job seekers based on the Services they offer and the prospects of sustainable employment outcomes for Participants.

3.5 Eligible School Leavers

Eligible School Leavers (ESL) arrangements provide young people with significant disability, streamlined access to DES. ESLs can access DES without having their eligibility determined through an ESA.

An ESL Participant is a job seeker who Directly Registers with a DES Provider and is seeking to transition from:

- secondary school to post school open employment; or
- an eligible state/territory government disability post-school employment or transition to work program to open employment.

DES eligibility under ESL arrangements is confirmed with Documentary Evidence to show that the young person is:

- attracting additional state or territory education funding due to their disability;
- in a disability special school or disability special class in a mainstream school; or
- receiving a Disability Support Pension (DSP).

To be eligible to Register and Commence in DES as an ESL, the job seeker must:

- register while they are a current full-time student who is generally in their final year of secondary school;
- be in their final six months of participating in an eligible state or territory government post school employment or transition to work program for people with disability that is listed in the DES Concurrency Supporting Document; or
- be within 20 days of exiting an eligible state or territory government post-school employment or transition to work program for people with disability.

In addition, the job seeker must:

- be of legal working age;
- be assessed by the DES Provider as having capacity to work for a minimum of eight hours a week with the assistance of a DES Provider;
- not be currently Employed for eight hours or more per week; and
- meet all other eligibility requirements for DES as outlined in the DES guidelines.

Note: The education funding arrangements for students with disability are currently under review in consultation with state and territory governments and the National Disability Insurance Agency. Any changes to these funding arrangements may impact ESL policy in DES.

3.5.1 School Leaver Trial

In the 2017 Budget, the Australian Government announced that it is providing for a School Leavers Trial, from 1 July 2018.

The School Leaver Trial will trial expanded eligibility for DES to assist a broader group of secondary school students with disability who are not currently eligible for DES. The School Leaver Trial will collect information to assist in determining whether or not DES support is effective in improving the transition between school and work for this expanded group of School Leavers, and seek to establish for whom DES support in the last year of school may be beneficial; what kinds of support may be beneficial and at what cost.

The School Leaver Trial activity will test the effectiveness of broadening eligibility to support a wider group of students. The target group for this trial activity will consist of up to 1,000 students with disability in their final year of school who experience less significant need for support than the existing ESL cohort, and who volunteer to participate in the trial.

The School Leaver Trial will be designed and overseen by an expert consultant, and will be informed by engagement with relevant stakeholders, including representatives of people with disability. When the detailed design of the trial is finalised the Department will communicate with the relevant parties about any opportunities to participate.

3.6 Participants with Mutual Obligations Requirements or Compulsory Participation Requirements

3.6.1 Mutual Obligation Requirements

Under Social Security Law, generally people receiving income support payments with Mutual Obligation Requirements must show that they are actively looking for work and are participating in a range of activities that will help them into employment, unless the Department of Human Services (DHS) has granted the Participant an Exemption from these requirements.

Mutual Obligation Requirements include the range of requirements a Participant can be compelled to fulfil under Social Security Law in return for activity-tested income support. These include attending Provider Appointments, undertaking Job Search and acting on referrals to jobs, and participating in any other activity that is relevant to their personal circumstances and that will help the Participant improve their employment prospects.

Participants must meet their Mutual Obligation Requirements to continue to receive their income support payment. Participants on the following income support payments have Mutual Obligation Requirements:

- Newstart Allowance;
- Youth Allowance (other);
- Parenting Payment Single (PPS) when their youngest child turns six (6); and

- Special Benefit (Nominated Visa Holders).

Providers' obligations in relation to a Participant's Mutual Obligation Requirements are outlined in sections 5.1.2 (Job Plans) and 6 (Overview of the Compliance Framework for Participants).

3.6.2 Compulsory Participation Requirements for DSP Recipients under 35 years

DSP recipients aged less than 35 years, with an assessed future work capacity of eight or more hours work per week, generally have compulsory activity requirements in order to remain qualified for DSP. The intent of compulsory activity requirements is to support the job seeker to prepare for, find and maintain employment and may include work experience, education and training, or rehabilitation activities to overcome individual barriers.

If the DSP recipient's compulsory activity is participation in DES, the DSP recipient is required to agree to a Job Plan, attend participation interviews with DHS-Centrelink, attend scheduled appointments with their DES Provider and undertake the activities included in their Job Plan, or their DSP payment may be suspended or cancelled.

It may be appropriate to Exit a compulsory DSP recipient under certain circumstances, but in order for the person to remain qualified for DSP, a Job Plan must always be in place. For this reason, the Program Summary (see section 5.1.7) with relevant information must be provided so that DHS can arrange a Participation Plan with the person and they can undertake the new activities. It may be appropriate to exit a person when:

- an alternative program would be more suitable for the person and can be agreed in the Job Plan; or
- comprehensive servicing to address all current employment barriers has been completed; or
- despite best efforts, they cannot be engaged to participate because they are wilfully non-compliant.

A compulsory DSP recipient who is working still has participation requirements so must have a Participation Plan in place and attend DHS-Centrelink for annual interviews. If a compulsory DSP recipient is working and no longer requires Provider support, they should have a new Participation Plan with DHS-Centrelink before they are Exited.

3.6.3 Program of Support

Generally, job seekers with a work capacity of eight or more hours, without a severe impairment, must demonstrate they have actively participated in a Program of Support, such as DES, to be DSP eligible. There is no compliance framework for those subject to a Program of Support. However, they must engage with the DES program or they may jeopardise their eligibility for the payment.

Most DSP recipients who have Program of Support requirements will also be required to meet the compulsory participation requirements for under 35 year olds. Participation in the

DES program will meet both their Program of Support requirement and their compulsory participation requirement. It is important that DES Providers work with these recipients to meet their Programme of Support requirements and actively participate in DES because failure to participate in their DES program may jeopardise their eligibility for DSP.

3.7 Work Assist Participants

Work Assist (currently termed Job in Jeopardy) provides support to an employee and their Employer if they require DES assistance to keep their job due to the impact of their injury, disability or health condition.

Work Assist Participants may Directly Register with a DES Provider. The DES Provider will work with the Participant and their Employer to support the Participant in building their capacity to maintain their employment.

To be eligible to receive Work Assist a person must:

- be currently employed;
- be assessed by a DES Provider as requiring assistance to maintain their job and likely to require Ongoing Support; and
- have been working in that job for a minimum of eight hours per week over a consecutive period of 13 weeks, or there is an expectation that the job will last for at least 13 weeks for a minimum of eight hours per week on average.

People eligible for Work Assist are not required to have an ESA or JCA. The DES Provider needs to establish eligibility and keep Documentary Evidence of the person's eligibility for Work Assist.

The service that is delivered as part of Work Assist is guided by the individual needs of the Participant and their Employer with the objective of building their capacity to work so they can maintain employment with their current Employer. It must be delivered in a flexible way which takes into consideration the Participant's work requirements and individual circumstances. Work Assist assistance may include, but is not limited to:

- providing advice and assistance to the Participant and their Employer to identify their barriers to maintaining their employment and implementing strategies to overcome these barriers;
- providing advice and assistance to the Participant and their Employer about how the work may be redesigned; and
- providing assistance and information to Employers and staff to support the Participant in the workplace.

If the Participant requires Ongoing Support to retain their employment, a Work Assist Participant may be eligible to receive Ongoing Support (Flexible, Moderate or High) after achieving the 26-week Outcome. Access to Ongoing Support is determined by an Ongoing Support Assessment.

If a Work Assist Participant who is receiving Services from a DES–DMS Provider is assessed as needing Flexible Ongoing Support, they can remain with their DES–DMS Provider. If the

Participant is assessed as needing more regular Ongoing Support, the Participant must be transferred into DES–ESS with the same Provider (if the existing DES–DMS Provider offers both Services) or Referred to a DES–ESS Provider.

3.8 National Disability Insurance Scheme (NDIS)

NDIS participants can receive assistance through DES, provided they meet DES eligibility requirements. A goal of the NDIS is to assist people with permanent and significant disability to participate more fully in social and economic life. For many NDIS participants not already in work, employment is a significant goal. In pursuing this, the NDIS works with employment services rather than seeking to replace or duplicate them. The aim is that with the combined support of DES and the NDIS, individuals will have better support and opportunities to participate in the workforce. DES and the NDIS are designed to be flexible and complement each other to give eligible people the whole-of-life approach they need to pursue their goals and aspirations and participate economically and socially in the community.

The National Disability Insurance Agency has responsibility to consider whether a support is most appropriately funded through the NDIS or other service systems. DES Providers are not entitled to payment for providing the same or similar services as provided by the NDIS, unless otherwise specified by the Department. The Department has been working to consider cross-over points between the programs to ensure supports under each program are complementary rather than duplicated services and Participants can transition smoothly between services. This work will take time to complete as the NDIS moves to full scheme.

4. When is a Participant in service?

A Provider must provide Services to a Participant during their Period of Service. A Participant's Period of Service begins on Commencement and ends when the Participant reaches 52 Consecutive Weeks of Employment from the Anchor Date or is Exited, whichever happens earlier. A Participant's Period of Service (other than Work Assist Participants) is made up of Employment Assistance (for up to 18 months), Extended Employment Assistance (for up to six months if required), Post Placement Support and Ongoing Support (up until 52 Consecutive Weeks in Employment). Period of Service does not include any time that a Participant is not participating in the program.

During a Participant's Period of Service, there may be times when Services are Suspended because of the Participant's individual circumstances. For example, Services may be Suspended where:

- DHS-Centrelink notifies the DES Provider of an Exemption from participation (DHS-Centrelink will also notify the DES Provider when the Exemption is lifted) via the Department's IT System;
- the Participant is a Volunteer (Non-mutual Obligation) who faces a situation that affects their ability to participate for a period of time. This Suspension period must be recorded by the DES Provider in the Department's IT System; or
- a Participant requires a Program Review, and this is delayed beyond 78 weeks of Employment Assistance.

Participants may Exit the Service for a number of reasons, including if the Participant:

- stops receiving Income Support Payments and does not volunteer for further Services;
- is fully meeting their part-time participation requirements and does not volunteer for further Services;
- starts full time education or training and DHS-Centrelink no-longer requires them to participate in DES, and does not volunteer for further Services;
- has an ESAt or JCA that determines that DES is no longer an appropriate Service;
- is a DSP recipient who is no longer required to participate in compulsory work-focused activities as a condition of receiving DSP and does not volunteer for further Services;
- the participant completes 18 or 24 months in Employment Assistance and is not in an Employment or Education Placement;
- has achieved a 52-week Employment Outcome and does not need Ongoing Support to retain their job;
- has achieved a 26-week Full Outcome for Education; or
- no longer requires Ongoing Support.

Volunteer (Non-mutual Obligation) Participants may generally choose to Exit DES at any time.

If a Volunteer (Non-mutual Obligation) Participant does not attend activities or appointments with a DES Provider and has not advised that they wish to cease Services, the DES Provider must try to contact the Participant at least once on each of the two consecutive Business Days before Exiting the Participant. This is a courtesy to confirm that the Participant no longer wishes to participate in the Service. The DES Provider should make a record of each attempt in the Department's IT Systems.

If the Participant advises they no longer wish to receive Services, the DES Provider must Exit the Participant. If the DES Provider's attempts to contact the Participant are not successful, the DES Provider may Exit the Participant or, alternatively Suspend the Participant and continue to make reasonable attempts to contact them.

If the Participant advises they no longer wish to receive Services, the DES Provider must Exit the Participant.

5. Assistance Provided to Participants

5.1 Services in DES

Services within DES are tailored to the individual needs and circumstances of each Participant. Services should focus on providing a pathway to employment for the Participant and ensuring that Participants are best placed to meet Employers' needs.

All Services for Participants should be delivered within the framework that recognises and is sensitive to all factors relevant to the individual; for example, type and nature of disability, caring responsibilities, age, cultural and linguistic diversity, skills and experience.

All DES Providers must:

- conduct an Initial Interview (section 5.1.1);
- work with the Participant to develop a Job Plan (section 5.1.2);
- provide Employment Assistance (section 5.1.3);
- arrange a Program Review, once a Participant has received 18 months of Employment Assistance (section 5.1.4);
- provide Post Placement Support while a Participant is progressing towards an Outcome (section 5.1.5);
- complete a Program Summary, when required (section 5.3.1);
- provide Ongoing Support in the workplace, when required (section 5.1.6);
- comply with an independent Ongoing Support Assessment of the Participant's needs (5.1.7); and
- facilitate workplace assessments and modifications, including Employment Assistance Fund and Wage Subsidies (section 5.10, 5.12), and arrange regular workplace support such as Work Based Personal Assistance.

DES Providers should also work cooperatively with other programs and services provided by the Department, other Commonwealth government agencies, state or territory or local governments and community services to maximise a Participant's capacity to obtain employment.

Services can be offered in a flexible way to meet the needs of Participants and Providers. An initial face-to-face contact is required to help establish the Provider-Participant relationship (for Participants in Employment Assistance only), and then Participants and Providers will be able to determine how they will engage with each other after that. Providers must offer face-to-face contacts if the Participant chooses, but can also offer to deliver support via online video conferencing software, or telephone. This arrangement may be particularly beneficial to Participants and Providers in regional areas, who may no longer have to regularly travel long distances to meet with their Provider.

Participants who transfer to another Provider while in Post Placement Support or Ongoing Support will not need to have their initial contact face-to-face, although it is encouraged to help establish the Participant-Provider relationship.

5.1.1 Initial Interview

To commence a job seeker in DES the Provider needs to have an Initial Appointment and an Approved Job Plan. When a job seeker starts in DES, the Provider is, at a minimum, required to:

- explain the Services the DES Provider delivers and the type of activities the Participant may undertake;

- explain the rights and obligations of the Participant to participate in DES including the required level of Contacts and participation requirements, and the implications of not meeting their participation requirements (if applicable);
- confirm the Participant's identity;
- provide access to an interpreter, where required;
- explain the Service Guarantee and Code of Practice;
- prepare and approve a Job Plan with the Participant; and
- record completion of the Initial Interview on the Department's IT System.

A DES Provider must also complete an initial Job Plan to address a Participant's most urgent barriers to finding and maintaining a job and specify any immediate interventions required. A detailed Job Plan may not be possible at the Initial Interview because the DES Provider may need to:

- build trust and rapport with the Participant over time to develop or update the Job Plan;
- assess and identify appropriate interventions to address the Participant's vocational barriers and non-vocational barriers for inclusion in the Job Plan; and
- identify relevant activities and timing for inclusion in the Job Plan.

During the Initial Interview and subsequent interviews, the DES Provider must continue to develop and update an individually tailored Job Plan with the Participant. In order to do this, the DES Provider should undertake a thorough assessment of each Participant's circumstances, including their abilities, goals, education and training needs and employment assistance requirements.

If the job seeker does not attend their Initial Interview, the DES Provider must attempt to contact the job seeker within two Business Days to make another appointment.

5.1.2 Job Plans

The Job Plan underpins the provision of Services to a Participant and is recorded on the Department's IT System. All Participants must have a Job Plan.

The Job Plan must be agreed between the Participant and the Provider. The Job Plan sets out the agreed activities to be undertaken by the Participant and the Provider's commitment to the delivery of a tailored service offer to the Participant to achieve sustainable employment.

For Participants with Mutual Obligation Requirements or in receipt of Disability Support Pension while aged under 35, with compulsory participation requirements, the Job Plan must contain activities that will help the Participant meet these requirements under the Social Security Law including attending all Provider appointments, acting on referrals to jobs from their Provider and undertaking job searching. Information on the Mutual Obligation Requirements or compulsory participation requirements for DSP recipients can be found in the Guide to Social Security Law at guides.dss.gov.au/guide-social-security-law.

All activities that are being used to satisfy the Participant's Mutual Obligation Requirements must be included in the Participant's Job Plan.

The items that may be considered suitable for inclusion in the Job Plan for Participants with Mutual Obligation Requirements include:

- job search requirements;
- act on referrals to specific jobs made by their DES Provider and attend job interviews offered by Employers;
- activities designed to develop job search and job interview skills or soft skills needed in the workforce;
- language, literacy, and numeracy activities, under the Skills for Education and Employment (SEE) Program;
- National Work Experience Programme;
- voluntary work;
- part-time work;
- full-time or part-time study; and
- items which address non-vocational issues.

In addition to these requirements, the Job Plan for a Participant with Mutual Obligation Requirements or compulsory participation requirements can also include voluntary activities (for example, psychological counselling). Providers must develop a Job Plan with each Participant at their Initial Interview. Providers must review the Job Plan at each Contact with the Participant and update the Job Plan regularly to ensure it is current throughout the Period of Service as a Participant progresses and their needs change, including when a Participant is in receipt of Ongoing Support. Providers must retain a copy of the Job Plan and supply a copy of the Job Plan to the Participant.

5.1.3 Employment Assistance

Initially, the focus of Employment Assistance is for Providers to gain an understanding of the Participant's circumstances, including the impact of the Participant's disability, injury or health condition on their ability to find and maintain employment and formulating a service offering.

The DES Provider must provide a suitable and flexible mix of Services and support to meet the varying needs and personal circumstances of different Participants, which may include:

- functional capacity evaluation, physical assessment or other assessments to determine a person's abilities or limits;
- a Skills Assessment;
- support in managing whole-of-life issues that affect a Participant's Employment prospects;
- training, work-hardening or physical-conditioning programs;
- job design – assisting Employers to design jobs that incorporate the necessary flexibilities to successfully employ people with disability;
- job carving – analysing work duties in a given job and identifying tasks that could be performed by a job seeker with disability;

- providing information on how employment opportunities will be sourced, including an outline of how the DES Provider will canvass and approach Employers regarding Employment opportunities;
- job search services, including job search and career option advice;
- employment placements that provide the Participant with opportunities to build new skills and experiences, but would not meet the quality and sustainability criteria required for it to be an Outcome;
- organising a PaTH Internship, where appropriate (section 5.5);
- Employment preparation and Employment Placement; and
- accessing and arranging Employer incentives such as Wage Subsidies, the Employment Assistance Fund (EAF) or the Supported Wage System (SWS).

The Services provided can be delivered in a number of ways, for example:

- through in-house Service provision;
- purchased from an external provider; or
- accessed within the local community.

Regular Contact with the Participant should be maintained throughout the period of Employment Assistance. During this period, the DES Provider must provide a minimum of six Contacts over each period of three months to Participants. The timing and duration of these Contacts will depend on the individual circumstances of each Participant.

The Contacts must focus on:

- reviewing and updating the Participant's Job Plan;
- reviewing the Participant's progress towards overcoming identified vocational and non-vocational barriers;
- guiding the Participant's job search activities including identifying appropriate vacancies, and referring the Participant to such vacancies;
- identifying relevant training, work experience, internships or other interventions; and
- identifying any relevant changes and recording them in the Department's IT System.

Participants who find suitable Employment can commence an Employment Placement and progress towards a Four-week Outcome while receiving Employment Assistance, or while receiving Post Placement Support. A Four-week Outcome is payable where a Participant remains employed for the four-week period and works total hours over a four-week period equal to at least three weeks at their Employment Benchmark. For example, a Participant with an Employment Benchmark of 15 hours must work at least 45 hours over four weeks.

For Employment Outcomes, the Employment Assistance phase is suspended when a Participant is anchored (Provider sets the Anchor Date) and the Provider delivers Post Placement Support.

A Participant can return to the Employment Assistance phase if Post Placement Support ends prior to a 26-week Outcome.

For Education Outcomes, the Employment Assistance phase is suspended at the commencement of the education course. The Provider delivers Post Placement Support to assist the Participant to achieve an Education Outcome.

A Participant can receive up to 18 months of Employment Assistance and, if deemed eligible, up to six months of Extended Employment Assistance.

5.1.4 Program Review

If a Participant is not in Employment or an Education Placement at the completion of 18 months of Employment Assistance in DES, the DES Provider must arrange a Program Review for the Participant. This review is completed by an employment services assessor who will determine whether the Participant has capacity to benefit from a further six months of in DES (Extended Employment Assistance), or they would benefit from being referred to another program.

Where a Participant is taking part in employment or undertaking significant education or training, the DES Provider (rather than an employment services assessor) may determine if a further six months of assistance is likely to result in the Participant achieving an Employment Outcome.

If a Participant disagrees with the Program Review, they are able to express their concerns to the employment services assessor who conducted the Assessment or they can lodge a Complaint with DHS-Centrelink. DHS-Centrelink will investigate the Complaint and take appropriate action.

The Provider will Exit the Participant if the Participant is not placed into Employment or a Qualifying Education Course within six months after the Program Review.

5.1.5 Post Placement Support

Employment Outcomes

Providers must deliver Post Placement Support to Participants progressing towards three Employment Outcomes: 13, 26 and 52-week Employment Outcomes (unless the Participant is receiving Ongoing Support). DES Providers are responsible for determining when a Participant begins to progress towards these Employment Outcomes by setting the Anchor Date, and should only do so when the Participant is likely to meet the requirements of an Employment Outcome, set out in section 7.4.

Post Placement Support delivered by the Provider must assist the Participant to maintain their Employment. Once the DES Provider sets the Anchor Date, they are expected to maintain contact with the Participant. DES Providers should ensure the Participant settles into Employment and that any issues that arise for either the Participant or the Employer are addressed. Types of Post Placement Support a DES Provider may deliver include:

- assistance with job design, or assistance to adjust to duties or learn new skills;
- organising workplace assessments and modifications, including through liaison with the JobAccess provider;

- providing assistance and information for Employers and staff to support Participants in the workplace;
- continuing to support the Participant and the Employer throughout any Wage Subsidy placement;
- where appropriate, considering eligibility for the Supported Wage System; or
- arranging access to Work Based Personal Assistance for ESS Participants, where the Participant is not eligible for the NDIS.

If the Participant does not meet the requirements for either a 13-week or 26-week Employment Outcome, the Provider must resume delivering Employment Assistance. If the Participant has achieved a 26-week Employment Outcome and does not meet the requirements of the 52-week Employment Outcome, and does not meet eligibility for Ongoing Support, the Participant must Exit.

A Participant in Post Placement Support that achieves a 52-week Employment Outcome must Exit the Program.

Education Outcomes

DES Providers must deliver Post Placement Support to Participants progressing towards 13 and 26-week Education Outcomes for undertaking a Qualifying Education Course. The Anchor Date must be set as the start date of the Qualifying Education Course. Post Placement Support delivered by the Provider must assist the Participant to undertake and complete their education activity. This may involve assistance with time management and access to training materials, referral to study skills workshops and providing advice to tutors/instructors about issues people with disability may encounter while studying.

If the Participant does not meet the requirements of a 13 or 26-week Education Outcome, the Provider must resume delivering Employment Assistance. If the Participant meets the requirements for a 26-week Education Outcome, the Participant must Exit.

DES Providers must also deliver Post Placement Support to Participants progressing towards a Combination of Education and Employment Outcome (eligible Participants only). The Anchor Date is the start of the education activity.

5.1.6 Ongoing Support in the workplace

After the 26-week Employment Outcome the Provider will decide whether the Participant can continue in Post Placement Support, or if more support is needed, move the Participant into one of three levels of Ongoing Support:

- Flexible Ongoing Support (DES-DMS and DES-ESS participants);
- Moderate Ongoing Support (DES-ESS only); or
- High Ongoing Support (DES-ESS only).

Participants can move into Ongoing Support at any point between the 26 and 52-week Outcomes. The Provider should also arrange an Ongoing Support Assessment (section 5.1.7) as soon as possible to confirm the Participant's Ongoing Support needs.

Participants can receive Ongoing Support for as long as it is required to maintain their Employment. Participants who commence Ongoing Support on or after 1 July 2018 must work at least eight hours per week in order to continue receiving Ongoing Support.

Ongoing Support consists of DES Providers delivering a number of Contacts to the participant. The number of Contacts provided varies according to the level of support provided. Contacts can be delivered flexibly, by different, agreed modes of delivery.

Flexible Ongoing Support is paid on a fee-for-service basis for each Contact. A maximum dollar cost will apply for Flexible Ongoing Support, equivalent to six Contacts of support in a six-month period. When the Participant reaches this limit, the Participant's support requirements must be independently assessed by an Ongoing Support Assessor to determine whether or not the Participant requires further support.

Participants in DES–ESS are also eligible to receive Moderate Ongoing Support and High Ongoing Support. For these levels of Ongoing Support, DES Providers are paid either 13-weekly in arrears or four-weekly in arrears to provide six and 12 Contacts, respectively, over a 13 week period.

Participants that achieve a 52-week Employment Outcome while in Ongoing Support will stay in DES and continue their period of Ongoing Support until their next Ongoing Support Assessment is due and their Ongoing Support needs are re-evaluated (refer to 5.1.7).

DES Providers will be paid Ongoing Support payments as shown in Table 2.6 and Table 2.7

Ongoing Support is not available to Participants who have achieved an Education Outcome.

5.1.7 Independent Assessment of Ongoing Support needs

The Provider must refer the Participant to an Ongoing Support Assessment (OSA) if they determine that Ongoing Support is needed. The OSA is undertaken by Ongoing Support Assessors, which are independent, nationally accredited assessors through the National Panel of Assessors (section 5.11). The OSA independently establishes the Ongoing Support needs of the Participant.

The OSA is completed where a Provider determines that a Participant is likely to need Ongoing Support in the workplace to retain their job and where:

- a DES-ESS or DES-DMS Participant has achieved a 26 Week Employment Outcome and is working toward a 52-week Outcome;
- the maximum number of Contacts over a six month period has been reached for a Participant in Flexible Ongoing Support;
- a Work Assist Participant has achieved a 26 Week Work Assist Outcome Fee; or
- a change in circumstances means that a Participant may need a higher level of Ongoing Support (a Change of Circumstances Reassessment).

A further OSA is required:

- 52 weeks after the Participant's most recent OSA or Change of Circumstances Reassessment;

- 52 weeks after an OSA (other than a Change of Circumstances Reassessment) that recommended a different level of Ongoing Support than the previous OSA;
- 78 weeks after the most recent OSA (other than a Change of Circumstances Reassessment) and the most recent confirmed the same level of Ongoing Support as the previous OSA.

Ongoing Support Assessors may also be DES Providers, but cannot undertake an OSA of Participants for whom they, or a Related Entity, are providing DES.

Where the Provider disagrees with the OSA recommendation, a dispute process is available.

5.2 Moving between DES Program Services

Participants are referred to DES–DMS or DES–ESS based on the independent ESA or JCA, which consider the Participant's individual need and level of disadvantage.

A Participant may be referred to an ESA to be reassessed at any time during their Period of Service if their circumstances change (for example, their condition deteriorates or new information becomes available that had not previously been taken into account). Where a new ESA recommends a different DES program, the Participant can transfer to a DES Provider that delivers the new program.

Participants receiving Ongoing Support may not be referred for an ESA by a Provider. Where a Participant in DES–DMS needs more regular support than is available through Flexible Ongoing Support, they can be referred to an OSA. Where the OSA recommends Moderate or High Ongoing Support, the Participant can be transferred to a DES-ESS Provider.

Movement between DES–DMS and DES–ESS will not constitute an Exit from DES and the Participant will continue in their current Period of Service.

5.3 Changing Providers during a Period of Service

Participants can continue with the same DES Provider during their Period of Service. A Participant may change DES Providers by requesting a transfer up to five times during a Period of Service, without needing to provide justification to the Department. If a Participant has reached their maximum of five discretionary transfers and feel they are unable to achieve or maintain a reasonable and constructive service relationship with their current Provider, or they believe they will receive better Services that could enhance their Employment prospects from another Provider, the Participant can contact the National Customer Service Line to request a transfer. The Department will then review the request and determine if a transfer is appropriate.

Participants who transfer between two Providers take their associated Service Fee funding with them, as outlined in section 7.3.

If a Participant changes address and their DES Provider operates a Site in the new location that is accessible to the Participant and provides the same Services as their current location,

the DES Provider must continue to provide Services to the Participant at the new Site, regardless of the Provider's Maximum Caseload limits. In this circumstance, any transfer of Service Fees between its Sites is an internal matter for the DES Provider.

If a Participant changes their residential address and can no longer reasonably gain access to a Site belonging to their original DES Provider, the Participant must select and transfer to a new DES Provider.

Outcome Fees are paid to the Provider assisting a Participant at the time the Outcome Fee becomes payable. Outcome Fees are not pro-rated.

Moderate and High Ongoing Support Fees are paid in arrears and are paid to the Relinquishing Provider and the Gaining Provider on a pro-rata basis, following a transfer to another DES Provider.

5.3.1 Program Summary

The Program Summary is a record of the Participant's achievements in DES. A DES Provider must complete a Program Summary using the Department's IT Systems when a Participant Exits a program or prior to referring a Participant for a Program Review.

This report is available to DHS-Centrelink should the Participant require further assistance after Exiting DES. The Program Summary may also be made available to the Department for monitoring purposes.

The report provides DHS-Centrelink and the employment services assessor with information on the Participant's progress, achievements and barriers to maintaining sustainable Employment identified during the Participant's participation in DES. Where the Participant is being Referred for a Program Review, the Program Summary includes information on the Participant's capacity to benefit from a further six months of servicing in DES. DES Providers must complete the Program Summary with as much detail as possible as in some cases the continuation of the Participants' Income Support will be dependent on the information provided - see section 3.6.

The Program Summary details:

- the reason for the Exit, where relevant;
- assistance provided or purchased on behalf of the Participant;
- barriers to future Employment; and
- comments that might assist the employment services assessor to determine the next step for the Participant.

5.4 National Work Experience Programme Placements

The National Work Experience Programme (NWEPP) places job seekers 18 years of age and older, and in receipt of an income support payment, in real life work experience placements. An NWEPP Placement is a short-term unpaid work experience placement hosted by a potential Employer that allows DES Participants the opportunity to gain specific vocational

skills and to experience a work-like environment. NWEP Placements are voluntary for DES Participants; however, Participants with Mutual Obligation Requirements must continue to meet their obligations during the NWEP Placement.

An NWEP Placement is not considered employment (and does not create an employment arrangement for the purposes of Commonwealth legislation). As there must be a likelihood of ongoing, paid employment for Participants, NWEP placements cannot take place in volunteer or unpaid jobs, or non-ongoing or temporary positions.

NWEP Placements must not displace paid employment, and Employers must not use placements inappropriately. DES Providers must monitor these placements to ensure Participant interests are protected, as are those of existing employees. In addition, NWEP Placements must not take place in an organisation that has downsized its workforce in the previous 12 months. Similarly, NWEP must not be used as a stop-gap measure while an organisation is undertaking recruitment exercises or as a way of meeting ad hoc needs in lieu of creating paid employment opportunities.

Participants can participate in such placements for a maximum of 4 weeks duration with a minimum of 25 hours participation per week.

The Department purchases personal accident insurance and public and/or product liability insurance to cover Participants participating in NWEP. Insurance purchased by the Department is additional to the insurance DES Providers are required to obtain themselves (as specified in the Grant Agreement).

5.5 PaTH Internships

DES participants aged 17-24 years who are in receipt of income support, have Mutual Obligation Requirements, and have received Employment Assistance for at least six months, are able to volunteer to undertake internships under the Prepare – Trial – Hire (PaTH) initiative.

Internships are for 30 to 50 hours per fortnight, for four to 12 weeks. They include an income support supplement for Participants, a payment to the business hosting the internship and a PaTH Internship Outcome Fee for DES Providers where the internship is successfully completed. Providers can also claim an Employment Outcome, if the internship results in ongoing Employment and the Participant meets all requirements for an Employment Outcome.

An outcome fee is also available at the completion of an internship (section 7.4).

DES participants engaged in PaTH Internships are covered by personal accident insurance and public and/or product liability insurance taken out by the Department. For more information on Participant and Employer entitlements under the PaTH initiative go to www.jobactive.gov.au/path.

5.6 Meeting Employer needs

DES focuses on providing Participants with the skills and training to meet the needs of Employers. DES Providers should develop strong labour-market knowledge and use this knowledge to develop and adapt strategies to meet the diverse needs of Employers. DES Providers should engage with Employers to hire people with disability, and create awareness to the support, incentives and training available to Employers to develop their capacity to employ people with disability. DES Providers are required to work with industry and local Employers, as well as the JobAccess Service, to create employment opportunities for Participants, develop a working knowledge of an Employer's business needs and the target appropriate Employer support, and develop skills and training activities for Participants that align with local skills needs and are suited to vacancies with local Employers.

5.7 Engagement with other services in the community

DES Providers are expected to work cooperatively with other programs and services in the community (for example, the JobAccess Service and the Employer Engagement (NDRRC) function see section 5.8), other Government agencies, state, territory and local governments and community services to maximise opportunities for Participants.

DES Providers can access a range of other Government assistance for eligible Participants. Programs accessible for Participants in DES include:

- New Enterprise Incentive Scheme (NEIS);
- Adult Migrant English Program (AMEP); and
- Skills for Education and Employment (SEE).

DES Providers must maintain regular contact with the Participant during participation in these programs.

5.8 National Disability Coordination Officer

The National Disability Coordination Officer (NDCO) Program works strategically to assist people with disability access, and participate in Higher Education and Vocational Education and Training ('Tertiary Education') and subsequent employment, through a national network of regionally based NDCOs. The NDCOs work with stakeholders at the local level to reduce systemic barriers, facilitate smooth transitions, build links and coordinate services between the education, training and employment sectors.

There are three key objectives for the Program:

- improved linkages between schools, Tertiary Education providers, employment service providers (including DES) and providers of disability programs and assistance at all government levels;
- improved transitions for people with disability between school / community and Tertiary Education, and then to subsequent employment; and
- improved participation by people with disability in Tertiary Education and subsequent employment.

NDCOs seek to build effective, collaborative relationships in order to identify issues and opportunities within their NDCO region to influence systemic change. NDCOs are expected to build and maintain relationships with employment agencies, including DES Providers and the JobAccess Service.

5.9 The JobAccess Service

The redeveloped JobAccess Service and website was introduced on 1 July 2016 as the national hub for workplace and employment information for people with disability, Employers and service providers.

The JobAccess Service incorporates previously separate services: the JobAccess advice service and website; the Employment Assistance Fund; the National Disability Recruitment Coordinator (NDRC); The Complaints Resolution and Referral Service (CRRS); and the National Disability Abuse and Neglect Hotline (the Hotline).

The JobAccess Service includes a comprehensive, easy to use website - www.jobaccess.gov.au - and a telephone information service that provides free advice on disability employment related matters. It contributes to increasing the employment and retention of people with disability by offering help and workplace solutions for people with disability and their Employers.

DES Providers can refer Employers and people with disability to the JobAccess telephone advice service for confidential, expert advice on disability employment matters on 1800 464 800 (including TTY).

The JobAccess Service manages the Employment Assistance Fund (EAF).

The NDRC component of JobAccess aims to: build Employer demand and create job opportunities for people with disability, including Participants of DES; and provide assistance to Employers to develop disability recruitment and employment opportunities. Once Employers make a commitment to work with the NDRC service, the service helps the Employer to develop systems and processes for recruiting and maintaining the employment of people with disability in their workforce.

The NDRC disseminates information about an Employer's job vacancies to DES Providers who deliver Program Services in the area where the jobs are located.

The NDRC also facilitates relationships between Employers and DES Providers to implement strategies for recruiting and maintaining the employment of people with disability.

CRRS is delivered as part of JobAccess to provide an independent, fair, impartial and nationally accessible complaints resolution and referral service for people with disability who are users of Australian Disability Enterprises, Disability Employment Services or Advocacy Services funded under the Disability Services Act (1986).

The National Disability Abuse and Neglect Hotline (the Hotline) delivers a complementary referral service to the complaints handling mechanisms of the states and territories, as well

as other complaints handling bodies such as the Commonwealth Ombudsman, Anti-Discrimination Boards and CRRS.

5.10 Employment Assistance Fund

The Employment Assistance Fund (EAF) helps people with disability and/or a mental health condition by providing financial assistance to purchase a range of work related modifications and services.

The EAF is available to people with disability who are about to start a job or who are currently working, as well as those who require assistance to find and prepare for work.

The fund is available where the limitation, restriction or impairment substantially affects every day work activities and a modification is essential to enable the person with disability carry out their employment duties.

The EAF may reimburse the cost of work related modifications and services including, but not limited to the cost of modifications to the physical work environment and work vehicles; adaptive equipment for the workplace; information and communication devices; Auslan interpreting services; specialist services for employees with specific learning disorders and mental health conditions; disability and deafness awareness training; and mental health awareness training.

Where required, Workplace Modification Assessments are available, free of charge, to:

- to identify the work requirements, work environment, nature of the Participant's disability and barriers to performing work tasks as a result of the Participant's disability;
- conduct research into available modifications that will be suitable to respond to the identified barriers, and;
- discuss and recommend with the Employer and Participant the potential modifications which are available through the EAF to improve access to work and work productivity.

For more information go to www.jobaccess.gov.au/employment-assistance-fund-eaf or contact JobAccess on 1800 464 800.

5.11 National Panel of Assessors

The National Panel of Assessors (NPA) provides a range of assessments to assist with the needs of people with disability in the workplace. No funding is provided on appointment to the NPA. Panel Providers are required to enter into a non-exclusive grant agreement with the Department. Assessments are allocated to Providers as required by the Department. Assessments must be completed by assessors approved by the Department, who meet mandatory qualifications and industry experience requirements. The range of assessments includes:

- Ongoing Support Assessments (section 5.1.7);
- Supported Wage System Assessments (section 5.13), and;
- Workplace Modification Assessments as required for EAF applications (section 5.10)

5.12 Wage Subsidies

Wage Subsidies enable Providers to offer financial assistance to Employers who employ eligible Participants and are designed to encourage Employers to provide sustainable employment. Providers should carefully consider the needs of the Participant and the Employer and, where appropriate, offer a Wage Subsidy to assist Participants most in need, as part of a tailored support solution. Providers must negotiate the wage subsidy with the Employer prior to employment, and sign a Wage Subsidy Agreement with the Employer, outlining the terms and conditions for payment of the Wage Subsidy. Once the Provider has received the required Documentary Evidence of employment from the Employer, the Provider may claim reimbursement from the Department.

5.12.1 Wage Subsidy Scheme

The Wage Subsidy Scheme provides a subsidy of up to \$1,650 (GST inclusive) to Employers who take on DES participants in new jobs for at least eight hours per week, over at least 13 weeks.

5.12.2 Restart

The Restart wage subsidy provides a subsidy of up to \$10,000 (GST inclusive) to hire and retain mature age employees who are 50 years of age and over and have been on an eligible allowance (any Australian Government income support payment or pension from Centrelink or the Department of Veteran's Affairs) for six months. Payments are made by DES Providers to businesses over six months, and Employers can negotiate how often they receive the payments. Employers may also be able to receive a 'kickstart' payment of up to 40 per cent of the total amount after four weeks of the job starting. DES participants are eligible for Restart assistance for job placements of at least 20 hours per week on average.

5.13 Supported Wage System

The Supported Wages System (SWS) is an industrial relations mechanism that has been in place since 1994. The SWS enables Employers to pay a productivity-based wage to people whose work productivity is reduced as a result of disability. Eligible employees undergo an assessment of their productivity in comparison to other employees. Assessments must be conducted annually in accordance with the model SWS provisions contained in awards and agreements.

Once the employee's eligibility has been confirmed, an NPA assessor will organise and undertake a SWS Assessment. The NPA assessor will time or measure the eligible employee's productivity against the productivity of a person without disability, which determines the productivity rate of the eligible employee. For example, if a person with disability is assessed at performing at 70% compared to a person without disability, their productivity rate is 70%. This productivity rate is then applied to their wage. For example, if the productivity rate is determined at 70%, the person's wage can be reduced to 70% of the award wage.

DES Providers can assist the Employer or employee to apply for SWS on their behalf by contacting the Department's Supported Wage Management Unit (SWMU) in their state on 1800 065 123.

5.14 New Enterprise Incentive Scheme

Eligible job seekers who are interested in starting and running small businesses can access assistance through New Enterprise Incentive Scheme (NEIS). NEIS provides accredited small business training, business advice and mentoring for eligible job seekers, as well as ongoing income support for up to 52 weeks.

Eligible Participants are able to access NEIS while concurrently receiving assistance under DES. DES Providers are required to work together with NEIS Panel Members and continue to deliver DES to the Participant during their participation in NEIS. Providers will continue providing Ongoing Support to the Participant where required after their completion of NEIS.

5.15 Relocation Assistance to Take up a Job

The Relocation Assistance to Take up a Job program provides financial relocation assistance to eligible Participants who need to move away from home to take up Employment of at least six months.

DES Participants are eligible for relocation assistance if they have been receiving an eligible income support payment for the last 12 months. For the relocation assistance to be payable, the Participant must move within Australia and at least 90 minutes away from their primary residence. If the move is between capital cities, the new location must have a lower unemployment rate than the Participant's primary residence.

Providers are expected to:

- assess the Participant, relocation and placement eligibility;
- assess and pay allowable relocation expenses;
- enter into a Relocation Assistance to Take Up a Job Agreement with Participants that outlines servicing arrangements; and
- assist Participants with relocations.

6. Overview of the compliance framework for Participants

Note: The Compliance Framework arrangements are subject to review and any changes will be published when available on the Department's website at www.dss.gov.au/DES.

Many DES Participants who are in receipt of a Non-activity Tested Income Support Payment such as some Disability Support Pension recipients are able to volunteer for DES. These Participants are not subject to Mutual Obligation Requirements. However, DES Participants who are receiving an Activity Tested Income Support Payment are subject to a fair and effective job seeker compliance system. The compliance system is intended to be work-like in nature and intended to encourage participation and engagement. Persistent and wilful non-compliance is penalised under the compliance framework.

From 1 July 2018, pending legislative change, a new compliance framework applies to job seekers with Mutual Obligation Requirements in DES and Jobactive. All Participants will commence in the Personal Responsibility Phase (demerits phase). Where DES Participants fail to attend an Appointment or Activity without a Valid Reason, this will result in payment suspension until re-engagement, and accrual of a demerit, but no actual penalty while in this phase.

To better identify Participants who are simply having difficulty meeting their requirements, Providers will assess each Participant's capability and requirements after their third demerit and DHS will also do so after their fourth. At either point, if they are found to be unable to meet their requirements because of some underlying capability issue, their requirements will be adjusted and they will remain in the demerits phase, with their demerits reset to zero. Where necessary, the Participant may also have an assessment conducted to determine if they have a reduced capacity to participate in work and other activities. This will help to ensure that any capability issues or vulnerabilities a Participant may have are identified and taken into account before the Participant is subject to a financial penalty.

If a Participant accrues four demerits within six months and the capability interviews and assessments determine that the Participant's requirements were appropriate, they will enter the Intensive Compliance Phase (three strikes phase). In this phase, Participants will face graduated penalties, beginning with loss of half their fortnightly payment for their first failure without reasonable excuse. They will lose all of their fortnightly payment for their second failure and payment cancellation for four weeks for their third failure.

These penalties will provide a strong message to recalcitrant Participants, but will typically only apply after Participants have committed at least 5 failures without a Valid Reason and have been subjected to multiple checks to ensure their requirements are appropriate.

However, once a Participant is in the three strikes phase, they can still avoid any penalties by meeting all their requirements. Those who remain fully compliant for three months will return to the demerits phase, with their demerits reset to zero. This will provide a strong incentive for Participants to change their behaviour and start to comply.

Participants in either phase who refuse an offer of suitable work or fail to start in a suitable job without a Valid Reason will have their payment cancelled for four weeks. This penalty is identical to that imposed on job seekers who have reached three strikes. It recognises the seriousness of refusing work and the importance of reducing reliance on welfare wherever possible.

The primary compliance role of DES Providers is to notify Centrelink when a Participant fails to meet their Mutual Obligation Requirements. Specifically, DES Providers are expected to:

- ensure that Participants are aware of their obligations in order to meet their Mutual Obligation Requirements, particularly prior to and during their participation in a program or activity, where non-attendance will potentially result in an immediate loss of payment;
- schedule all required job seeker appointments in a new online diary tool;
- monitor the Participant's participation or attendance at Appointments and activities included in a Participant's Job Plan, including attendance at interviews, education or Training;
- report Participant non-attendance at Appointments and Activities, where the Participant does not have a Valid Reason for not attending;
- assess whether participants have a Valid Reason for non-compliance and remove demerits from Participants' records where a Valid Reason is given; and
- conduct a Capability Review of any referred Participant who incurs a third demerit, to ensure that participation requirements set out in the Participant's Job Plan are reasonable for the Participant's individual circumstances and capabilities.

Pending legislative change, the compliance system for DES Participants will consist of:

- Mutual obligation failures – [Social Security \(Administration\) Act - Section 42AC](#);
- Work refusal failures – [Social Security \(Administration\) Act - Section 42AD](#); and
- Unemployment failures – [Social Security \(Administration\) Act - Section 42AE](#).

DHS–Centrelink will continue to place vulnerability indicators on Participant records through the Department's IT System to ensure DES Providers and DHS–Centrelink can carefully consider the Participant's individual circumstances, capacity to comply and barriers to participation both when negotiating the contents of an Job Plan and when deciding whether to report any non-compliance or record a participation failure against individuals who are vulnerable. DES Providers will need to notify DHS–Centrelink if they identify a vulnerable Participant who does not have a vulnerability indicator recorded, so that DHS–Centrelink can record a vulnerability indicator if appropriate.

7. Payments to DES Providers

The payment model for DES Providers includes Service Fees, Outcome Fees, Ongoing Support Fees and Work Assist Fees. The focus for DES Providers should be on obtaining sustainable, meaningful Employment Outcomes for Participants, and this is reflected in the DES fee structure.

DES Providers will need to meet Documentary Evidence requirements for payment claims as specified in the Grant Agreement.

7.1 Risk-adjusted Funding Model and Dynamic Fee Schedule

DMS and ESS will both have five Funding Levels that Participants will be assigned, with level one being the lowest funding level and level five the highest. A Participant's Funding Level will be determined by a number of factors, including labour market data, demographic characteristics, disability type and other relevant statistical data. This allocation is based on the principle of risk-adjusted funding, that is, achievement of outcomes for harder-to-place Participants, those less likely to gain employment, is encouraged by having proportionately higher payments available.

The Department will periodically recalibrate the fee schedule, where appropriate to reflect changes in the relative likelihoods of employment on which payments are based. Adjustments to the model will be based on both client characteristics and local labour market characteristics using data already collected by the Australian Bureau of Statistics, DHS-Centrelink, the ESAt, JCA, and the Job Seeker Classification Instrument (JSCI). Other relevant sources of data may also be incorporated into the adjustment process.

The Department will notify Providers of any changes to the fee schedule before these changes come into effect.

7.2 Indexation of Payments

Annual indexation of the fee schedule on 1 July each year will adjust payment rates in line with a measure of inflation. The first indexation point is 1 July 2019.

The Department will notify Providers about any changes to DES payments before they come into effect.

7.3 Service Fees

Service Fees are paid to cover the Services delivered to Participants while receiving Employment Assistance, specified at section 5.1.3. They are paid in advance for each 13 weeks of Employment Assistance.

DES-DMS Participants often have an injury, disability or health condition that can be effectively addressed through the early delivery of appropriate interventions. The first two DMS Service Fees are set higher in recognition that Participants will require early and intensive assistance such as rehabilitation services and other interventions

DES-ESS Service Fees have a flat fee structure, recognising that the personal circumstances of a Participant are unlikely to change throughout their period of DES.

The first Service Fee is paid when the Participant Commences in DES and Provider completes any requirements advised by the Department. Subsequent payments are made for each further 13 weeks of Employment Assistance, in keeping with the amounts set out in Table 2.1.

The Department’s IT Systems will determine the number of Participants who have Commenced the Service or entered into a subsequent 13 weeks of Employment Assistance during each fortnight and generate a list of eligible Participants for whom the DES Provider is entitled to claim a Service Fee payment.

The DES Provider is able to see the payments in the Department’s IT System for Participants who have just Commenced and payments for Participants who have progressed into a subsequent 13-week period of Employment Assistance.

Service Fees continue until the Provider sets the Anchor Date and begins delivering Post Placement Support, or the Participant Exits the Service, or transfers to a different Provider.

Table 2.1 – Service Fees

| | DMS 1 | DMS 2 | DMS 3 | DMS 4 | DMS 5 | ESS 1 | ESS 2 | ESS 3 | ESS 4 | ESS 5 |
|---|---------|---------|---------|---------|---------|-------|-------|-------|---------|---------|
| 1st & 2nd Quarterly Service Fees | \$1,141 | \$1,141 | \$1,141 | \$1,141 | \$1,141 | \$662 | \$662 | \$662 | \$1,389 | \$1,389 |
| 3rd, 4th, 5th, 6th, 7th & 8th Quarterly Service Fee | \$571 | \$571 | \$571 | \$571 | \$571 | \$662 | \$662 | \$662 | \$1,389 | \$1,389 |

Pro-rated Service Fees

If a Participant changes Providers the Gaining Provider will receive a pro-rated Service Fee based on the amount of time left in the Participant’s 13 week period of Employment Assistance. The Relinquishing Provider will have a proportion of the Participant’s Service Fees deducted from future payments based on the amount of time left in the Participant’s 13-week period of Employment Assistance, where they were no longer with the Relinquishing Provider.

If a Participant Exits DES during the Employment Assistance phase, the Relinquishing Provider will have a proportion of the Participant’s Service Fees deducted from future

payments. The deducted amount will be relative to the time remaining in the 13-week Employment Assistance period.

7.4 Outcome Fees

DES Outcome Fees are set high in recognition of the amount of work DES Providers will need to do to assist each Participant to find quality employment that suits their individual skills and interests. The fee schedules vary between DMS and ESS programs, whereby the ESS Participant rates tend to have higher Outcome Fees than DMS Participants who generally have less severe or complex barriers to employment. Participants are entitled to 52 weeks of support from their DES Provider once the Provider sets the Anchor Date. This is to give them the best chance of achieving long-term employment.

There are two main types of Outcomes Fees: Full Outcomes and Pathway Outcomes. The payments associated with a Pathway Outcome are less than the payments for a Full Outcome.

The Definition of, and requirements for, Full and Pathway Outcome Fees are included in Annexure A of the Grant Agreement.

A Provider can claim up to four Four-week Outcomes for the same Participant during a Period of Service. However, a Provider can only claim one 13, 26 and 52-week Outcome for the same Participant during a Period of Service. The only exception to this rule is that a 13-week Pathway Employment Outcome can be claimed (if eligibility requirements are met), where the Provider previously claimed a 13-week Pathway Education Outcome for the Participant in the same Period of Service.

Four-week Outcomes

Four-week Outcomes are payable when a Participant is placed in a job and they work, at a minimum, hours equivalent to three times their weekly Employment Benchmark over a Four-week Period. For example, a Participant with an eight hour Employment Benchmark, must work at least 24 hours over the Four-week Period to attract a Four-week Outcome. The Participant must remain employed for the entire Four-week Period and Employment must not be a Non-Payable Outcome.

DES Providers are required to maintain Documentary Evidence to support a claim for a Four-week Outcome and record the Employment Placement on the Department's IT System.

The DES model allows DES Providers to offer Participants exposure to multiple job opportunities. Providers can claim up to four Four-week Outcomes for each Participant during their Period of Service. This means that Participants can try a range of jobs, building their skills and experience or gradually increase their hours.

Table 2.2 – Four-week Outcome Fees

| | DMS 1 | DMS 2 | DMS 3 | DMS 4 | DMS 5 | ESS 1 | ESS 2 | ESS 3 | ESS 4 | ESS 5 |
|--------------------------|-------|-------|---------|---------|---------|-------|-------|---------|---------|---------|
| Full Outcome: 4 Weeks | \$658 | \$865 | \$1,048 | \$1,246 | \$1,628 | \$704 | \$976 | \$1,191 | \$1,414 | \$1,897 |

13, 26 and 52 Week Employment Outcomes

13, 26 and 52-week Employment Outcomes are paid to DES Providers for Participants who remain in Open Employment for 13, 26, 52 Consecutive Weeks, respectively. Payment amounts for Employment Outcomes will depend upon whether the Participant is working below or at their Employment Benchmark (see section 3.1) or based on the income they generate. Full Outcomes are paid in recognition of a Participant achieving sustainable employment that equals or exceeds their Employment Benchmark each week, on average, for 13, 26 and 52 Consecutive Weeks from the Anchor Date. Full Outcomes are also paid where a Participant remains employed for 13, 26 and 52 Consecutive Weeks from the Anchor Date and generates sufficient income to cease their Income Support Payments. The requirements for Pathway Outcomes are less than for Full Outcomes and recognise that the Participant is employed below their Employment Benchmark, but is making progress towards achieving sustainable employment at their Employment Benchmark.

Employment Outcomes are payable where Employment is undertaken over a period of Consecutive Weeks. However, there are some situations where the Consecutive Weeks can be broken by a Permissible Break. A Permissible Break is a period of time during which a Participant involuntarily ceases Employment or has a break in their Employment caused by a situation which is outside their control and returns to the same or an alternative Employer. Participants can have Permissible Breaks of up to four weeks in total while progressing towards a 13-week Employment Outcome and four weeks while progressing towards a 26-week Employment Outcome.

Participants working toward a 52-week Outcome can have Permissible Breaks of up to four weeks during the first 13 weeks of the 27 to 52 week period. The Participant can also take an additional four weeks of Permissible Breaks during the remaining 13 weeks of the 52-week Period.

In addition, if a Participant chooses to leave a job to move to alternative Employment, for example to take up a better job, a break of seven calendar days between jobs will be allowed. This is known as a Voluntary Change in Employment.

If a Participant loses their job prior to achieving a 13-week or 26-week Employment Outcome and has exhausted their allowable breaks, as outlined above, the Participant must be returned to Employment Assistance and Service Fees will resume.

Outcome Fees (including Work Assist 26-week Outcome), and Bonus Fees, will be payable to the Provider who is delivering Services to the Participant at the time the relevant Outcome Fee or Bonus Fee becomes payable.

Table 2.3 – 13, 26, 52-week Outcome Fees

| | DMS 1 | DMS 2 | DMS 3 | DMS 4 | DMS 5 | ESS 1 | ESS 2 | ESS 3 | ESS 4 | ESS 5 |
|-------------------------------------|---------|---------|---------|---------|---------|---------|---------|---------|---------|----------|
| Full Outcome: 13 Weeks | \$1,048 | \$1,816 | \$2,663 | \$3,767 | \$6,426 | \$1,246 | \$2,395 | \$3,567 | \$5,032 | \$9,060 |
| Full Outcome: 13 Weeks Bonus Fee | \$210 | \$363 | \$533 | \$753 | \$1,285 | \$249 | \$479 | \$713 | \$1,006 | \$1,812 |
| Pathway Outcome: 13 Weeks | \$346 | \$599 | \$879 | \$1,243 | \$2,121 | \$411 | \$790 | \$1,177 | \$1,661 | \$2,990 |
| Pathway Outcome: 13 Weeks Bonus Fee | \$69 | \$120 | \$176 | \$249 | \$424 | \$82 | \$158 | \$235 | \$332 | \$598 |
| Full Outcome: 26 Weeks | \$1,623 | \$2,811 | \$4,124 | \$5,833 | \$9,951 | \$1,929 | \$3,705 | \$5,518 | \$7,786 | \$14,017 |
| Full Outcome: 26 Weeks Bonus Fee | \$325 | \$562 | \$825 | \$1,167 | \$1,990 | \$386 | \$741 | \$1,104 | \$1,557 | \$2,803 |
| Pathway Outcome: 26 Weeks | \$536 | \$928 | \$1,361 | \$1,925 | \$3,284 | \$636 | \$1,223 | \$1,821 | \$2,569 | \$4,626 |
| Pathway Outcome: 26 Weeks Bonus Fee | \$107 | \$186 | \$272 | \$385 | \$657 | \$127 | \$245 | \$364 | \$514 | \$925 |
| Full Outcome: 52 Weeks | \$361 | \$625 | \$917 | \$1,296 | \$2,211 | \$429 | \$823 | \$1,226 | \$1,730 | \$3,115 |
| Pathway Outcome: 52 Weeks | \$119 | \$206 | \$302 | \$428 | \$730 | \$141 | \$272 | \$405 | \$571 | \$1,028 |

13 and 26-week Education Outcomes

13-week and 26-week Education Outcomes are paid to DES Providers in recognition of Participants making progress towards sustainable employment through education. Payment amounts for 13-week Education Outcomes will depend upon whether or not the Participant belongs to a specific cohort. 13-week Full Education Outcomes can be claimed for particular Participant cohorts who complete one Semester, or where the course does not have defined Semesters, at least 13 weeks of a Qualifying Education Course (QEC), starting from the Anchor Date and where the QEC is a minimum Certificate III course. 13-week Pathway Education Outcomes can be claimed for Participants that meet these requirements, but are not part of the eligible Participant cohorts (minimum Certificate III requirement does not apply). DES-DMS Level 5 and DES-ESS Level 5 Participants will be paid at the respective DMS/ESS Level 4 rate for Full and Pathway Education Outcomes.

26-week Full Education Outcomes can be claimed for particular Participant cohorts who complete one Semester, or where the course does not have defined Semesters, at least 13 weeks of a QEC at least a Certificate III level, immediately following a 13-week Full Education Outcome. A 26-week Pathway Outcome is not available for Education Outcomes. Participants who achieve a 13-week Pathway Education Outcome must be returned to Employment Assistance.

A QEC is a single qualification course that is approved for Austudy or Youth Allowance (Student) or Abstudy purposes; normally two or more Semesters in duration within a 12-month period; and is Full-Time Study. Eligible Participant cohorts are able to meet the requirements of a 13 and/or 26-week Education Outcome by undertaking a QEC on a part-time basis.

Types of Outcomes – Bonus Fees

A Bonus Fee of 20 per cent on top of payments for Full and Pathway Outcomes is available when a DES Provider places a Participant in an Apprenticeship or Traineeship or, for an Employment Outcome, where the:

- Participant has completed a Qualifying Training Course;
- Employment is directly related to the Qualifying Training Course; and
- Participant commences Employment within 12 months of completing the Qualifying Training Course (that is, a minimum of a Certificate II Training course related to the role the Participant is placed in).

Bonus Fees can be claimed for both Full and Pathway Outcomes. Bonus Outcome Fees are not available for the Four-week Outcome or 52-week Employment Outcome.

Non-Payable Outcomes

There are some situations that do not attract a Four-week Outcome Fee, Outcome Fees, Work Assist Outcome Fees and as such are listed in the Grant Agreement as Non-payable Outcomes.

Internship Outcome Payment

An outcome fee is available to providers where a participant undertakes an internship as outlined in section 5.5. Providers will be able to claim a single outcome fee at the four week period of the internship, regardless of whether an internship runs for either four, eight or 12 weeks

Table 2.4 – Internship Outcome Payment

| | DMS 1 | DMS 2 | DMS 3 | DMS 4 | DMS 5 | ESS 1 | ESS 2 | ESS 3 | ESS 4 | ESS 5 |
|----------------------------|-------|-------|-------|-------|-------|-------|-------|-------|---------|---------|
| Internship Outcome Payment | \$800 | \$800 | \$800 | \$800 | \$800 | \$800 | \$800 | \$800 | \$1,100 | \$1,100 |

Moderate Intellectual Disability Payment

Where a DES-ESS Provider is assisting a Participant with Moderate Intellectual Disability, and the Participant meets the requirements of a Full Outcome, the Provider is eligible for Moderate Intellectual Disability Payment (MIDP). A job seeker who is eligible for the Moderate Intellectual Disability Payment may be identified through Direct Registration, Referral, via a JCA or ESA, or at Commencement, or they may already be on a DES Provider’s caseload when eligibility for the Moderate Intellectual Disability Payment is assessed. Generally, to be eligible for the Moderate Intellectual Disability Payment, the job seeker must meet the eligibility criteria for DES-ESS, and either:

- have an assessed Intelligence Quotient (IQ) of 60 or less, or
- have been classified by a registered psychologist, using a recognised assessment tool, as having moderate intellectual disability.

Moderate Intellectual Disability Payment may be claimed on Four-week Outcomes, 13-week Full Outcomes and 26-week Full Outcomes, where these fees apply to a job of at least 15 hours per week. Moderate Intellectual Disability Payments are only available for Employment Outcomes.

Table 2.5 – Moderate Intellectual Disability Payment

| | ESS 1 | ESS 2 | ESS 3 | ESS 4 | ESS 5 |
|---|----------|----------|----------|----------|----------|
| Moderate Intellectual Disability Payment – 4 Weeks | \$2,110 | \$2,110 | \$2,110 | \$2,110 | \$2,110 |
| Moderate Intellectual Disability Payment – 13 Weeks | \$6,622 | \$6,622 | \$6,622 | \$6,622 | \$6,622 |
| Moderate Intellectual Disability Payment – 26 Weeks | \$13,441 | \$13,441 | \$13,441 | \$13,441 | \$13,441 |
| Moderate Intellectual Disability Payment – 52 Weeks | \$2,444 | \$2,444 | \$2,444 | \$2,444 | \$2,444 |

7.5 Flexible Ongoing Support Fees

Flexible Ongoing Support is paid on a fee-for-service basis for each Instance of support over four hours. A maximum dollar cost applies for Flexible Ongoing Support, equivalent to six Instances of support in any six-month period. Once six Instances of Flexible Ongoing Support have been claimed within a 26-week period, the DES Provider must arrange for an OSA to determine if a higher level of support is required or whether a further period of Flexible Ongoing Support is more appropriate. Flexible Ongoing Support Fees are only available to claim after an initial OSA has confirmed the Participant’s Ongoing Support needs. After this OSA is complete, the Provider can claim fees for instances of Flexible Ongoing Support delivered prior to the OSA (from 56 days prior to the OSA).

Table 2.6 – Flexible Ongoing Support Fees

| | DMS 1 | DMS 2 | DMS 3 | DMS 4 | DMS 5 | ESS 1 | ESS 2 | ESS 3 | ESS 4 | ESS 5 |
|---|-------|-------|-------|-------|-------|-------|-------|-------|-------|-------|
| Flexible Ongoing Support (per instance) | \$400 | \$400 | \$400 | \$400 | \$400 | \$400 | \$400 | \$400 | \$400 | \$400 |

7.6 Moderate and High Ongoing Support Fees

Moderate and High Ongoing Support fees are paid in arrears, either quarterly (13 weeks), or monthly (four weeks). At least one Contact must fall within the monthly claimable period in order for each claim for payment to be made. The minimum Contacts must be made per Quarterly Ongoing Support claim or over three consecutive Monthly Ongoing Support claims. In-line with Ongoing Support Eligibility, only DES-ESS participants can generate Moderate and High Ongoing Support fees. Section 5.1.6 outlines contact and eligibility requirements for Ongoing Support. As with Flexible Ongoing Support Fees, Moderate and High Ongoing Support Fees are only available to claim after the participant has undertaken their first OSA. After this OSA is complete and the Participant's Ongoing Support needs are verified, the Provider can claim Moderate and High Ongoing Support Fees within 56 days from when they fall due. The claim period will reflect any Ongoing Support delivered prior to the OSA.

Table 2.7 – Moderate and High Ongoing Support Fees

| | ESS 1 | ESS 2 | ESS 3 | ESS 4 | ESS 5 |
|--------------------------------------|---------|---------|---------|---------|---------|
| Moderate Ongoing Support (Quarterly) | \$1,200 | \$1,200 | \$1,200 | \$1,200 | \$1,200 |
| High Ongoing Support (Quarterly) | \$3,000 | \$3,000 | \$3,000 | \$3,000 | \$3,000 |

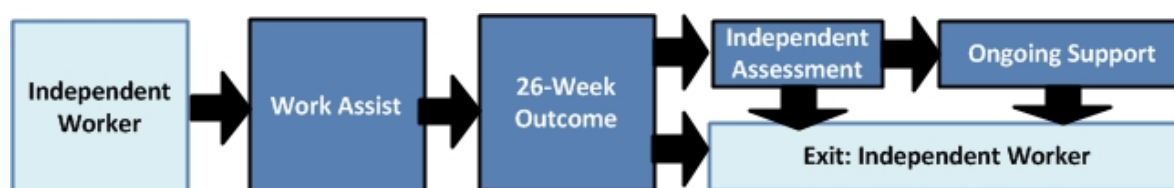
7.7 Work Based Personal Assistance Fees

Work Based Personal Assistance Fees are paid at \$35.00 per hour (GST inclusive) for Work Based Personal Assistance provided by the DES-ESS Provider and \$45.00 per hour (GST inclusive) for Work Based Personal Assistance purchased from another provider. Participants eligible for the NDIS cannot receive Work Based Personal Assistance.

7.8 Work Assist Fees

Previously named Job-in-Jeopardy Assistance, Work Assist provides a pathway to people with disability already in the workforce to receive support from DES to maintain employment. The actual structure of the program has not changed (see Figure 1).

Figure 1: Work Assist



The Fees available for eligible Work Assist Participants are two 13-week Service Fees and a 26-week Work Assist Outcome Fee.

The Service Fees are paid in advance for each 13 weeks of Service Commenced by the Work Assist Participant.

The 26-week Work Assist Outcome Fee can be claimed when the Participant remains in active employment, as defined in the Work Assist Guidelines, for 26 Consecutive Weeks after their employment has been stabilised.

Table 2.8 – Work Assist Fees

| | DMS 1 | DMS 2 | DMS 3 | DMS 4 | DMS 5 | ESS 1 | ESS 2 | ESS 3 | ESS 4 | ESS 5 |
|-------------------------------------|---------|---------|---------|---------|---------|---------|---------|---------|---------|---------|
| Work Assist Service Fee (Quarterly) | \$1,200 | \$1,200 | \$1,200 | \$1,200 | \$1,200 | \$1,200 | \$1,200 | \$1,200 | \$1,200 | \$1,200 |
| Work Assist Outcome Fee | \$2,600 | \$2,600 | \$2,600 | \$2,600 | \$2,600 | \$2,600 | \$2,600 | \$2,600 | \$2,600 | \$2,600 |

8. DES Performance Framework

The Disability Employment Services performance framework is designed to drive performance and improvement in the delivery of quality Services to all Participants.

The overarching performance framework includes:

- star ratings to measure how well a Provider is doing;
- National Standards for Disability Services that Providers must meet to make sure they give high-quality services;
- a Service Guarantee that lists the help jobseekers can expect from providers;
- a Code of Practice that guides the way Providers work with jobseekers, Employers and each other.

Providers will be required to maintain a minimum Star rating performance standard in order to maintain their eligibility to deliver DES. Failure to maintain a minimum performance standard could lead to the Department requiring a Provider to cease performing Services at an ESA, and in some cases, Providers being exited from the Panel of DES Providers entirely. This process helps ensure that the Government is getting value for money out of its DES Providers throughout the term of the Grant Agreement.

A review of the performance framework will be undertaken in late 2017 and with any changes to be introduced no earlier than 1 July 2018. Star ratings will continue to have a role in DES. Poor-performing Providers may have their Grant Agreement terminated if they have a low star rating over multiple consecutive performance periods.

The Performance of DES Providers is continuously assessed and reported against in order to drive continuous improvement in the delivery of quality Services to all job seekers. As

stated previously, the KPIs and performance measures to apply from July 2018 onwards will be reviewed from late 2017. The review is expected to be finalised by March 2018. Any updates to these arrangements will be advised shortly after they have been finalised.

Performance for the period March 2013 to June 2018 is currently measured against the following three Key Performance Indicators (KPI):

KPI 1 (Efficiency)

KPI 1 is an efficiency indicator which seeks to minimise the average time taken by Providers to achieve employment outcomes for their Participants. Efficiency is implicitly captured by the existing effectiveness performance measures and the Star Ratings regression methodology.

KPI 2 (Effectiveness)

The effectiveness KPI seeks to maximise the number of Job Placements, 13 and 26-week Outcomes, and 52 Week Sustainability Indicators achieved by Participants, as well as the number of Participants maintained in employment where assistance is required. There is also recognition in the Bonus Outcomes performance measure (no financial payment) for achieving Outcomes for Aboriginal and Torres Strait Islander peoples.

KPI 3 (Quality)

Quality is an important part of the DES Performance Framework and is embedded in the DES program arrangements. Certification against the National Standards for Disability Services is the main factor in assessing quality. In addition, Job Plan assessments form part of the performance assessment for KPI 3. The Department undertakes quality assessment of Job Plans to ensure they are tailored to the individual needs of the Participant.

Feedback from Participants and Employers and the delivery of Service in accordance with the Code of Practice and Service Guarantee (see section 8.4) are also assessed for this KPI. Where a DES Provider chooses to invest in additional quality systems such as business excellence frameworks, the Department also takes this into account.

The Star Ratings calculations do not include KPI 3. However, KPI 3 may be considered in any future Grant Agreement extensions or purchasing exercises. The Department may also take into account other factors in assessing a Provider's performance as set out in the Grant Agreement. The Department will provide clear and timely feedback to DES Providers about the quality of their Services to give DES Providers the opportunity to address any issues raised.

Assessment of the quality of a DES Provider’s Service may include feedback from Participants on a DES Provider’s claims against the suite of Connections for Quality service indicators (see section 8.3) and extent of collaboration with other community services that can support Participants, such as mental health services.

8.1 Use of performance information

A range of performance information is provided to job seekers, Employers and DES Providers. The performance framework will continue to provide Participants of DES with information to inform their decisions.

Job seekers may use the performance information to compare Providers in their area, through the Australian JobSearch website (www.jobsearch.gov.au), and nominate their preferred Provider.

Providers may assess their own performance relative to other Providers and identify areas for improvements. Employers may also be able to determine the best Providers to source new staff.

Site level performance is expressed in five Star Ratings bands for DES, and ratings are released publicly every three months. The Star Ratings bands are displayed in Table 2.9.

DES Providers receive Star Ratings and star percentages for each ESA and Site in which the DES Provider operates. The Department conducts yearly performance reviews to make information available to DES Providers about how they are tracking relative to their peers. Where a DES Provider is not performing well, the Department can work with the DES Provider to improve performance, including sharing best practice.

Table 2.9: DES Star Ratings Bands (March 2013 to June 2018)

| Rating | Performance |
|--------|---|
| 5 | 40% or more above the average |
| 4 | Between 20% and 39% above the average |
| 3 | Between 19% above and 20% below the average |
| 2 | Between 21% and 49% below the average |
| 1 | 50% or more below the average |

In addition to Site Star Ratings, Outcome Rates by Disability Type are published to assist job seekers to make a choice about the Provider that is most likely to meet their needs in their local area (particularly for their disability type). The report provides information about the performance (Outcome rates) of DES Providers in each ESA and LMR by primary disability groupings. This information does not form part of the DES Performance Framework - it is available to assist job seeker choice of DES Provider. The report can be found at:

www.lmip.gov.au/default.aspx?LMIP/Downloads/DisabilityEmploymentServicesData/DESOutcomeRatesbyDisabilityType

8.2 Measure of performance

The DES Star Ratings measure the relative performance of Providers in delivering Services contributing to the objectives of the DES program, focusing on Key Performance Indicator (KPI) 1 Efficiency and KPI 2 Effectiveness.

Each Provider receives a Star Rating ranging from 1-Star to 5-Stars. The Star Ratings take account of cumulative performance over a three-year rolling assessment period or each set of Star Ratings. The Star Rating calculations are based on the claims (e.g. 13-week Full Outcome Fee) and other information entered into the Department's IT System for each job seeker, to collect the performance achieved over the assessment period for the Site or ESA being assessed for a set of performance measures.

KPI1 and KPI 2 are assessed through a set of performance measures and each performance measure is weighted to reflect its relative importance to overall DES performance (see Table 2.7). The weightings for each indicator reflect the Government's objectives.

The performance achieved for a Site or ESA for each performance measure (based on the claims and other information) is compared to the expected performance over the same assessment period for that Site or ESA. The expected performance takes into account the national average performance for a particular performance measure and then adjusts for differences in Participant and labour market characteristics for that particular Site or ESA using statistical regression. The relative site or ESA performance for each performance measure (actual performance compared to expected performance) is calculated and then the pre-determined weightings are applied for each performance measure. The weighted performance scores are combined to provide an overall performance score for that particular Site or ESA. The overall performance for a particular Site or ESA is then compared to all other sites or ESAs in DES and the percentage distance the site or ESA score is above or below the average performance will determine what star percentage and Star Rating is awarded. More information on the DES Star Ratings can be found at:

www.dss.gov.au/freedom-of-information/operational-information/disability-employment-and-carers-group/des-star-ratings-supporting-document

The following table sets out the DES performance measures and weightings:

Table 2.10: DES performance measures and weightings (March 2013 to June 2018)

| KPI 2 Effectiveness | | Weightings | |
|---------------------|--|------------|---------|
| | | DES-DMS | DES-ESS |
| 2.1 | Job Placements | 5% | 5% |
| 2.2 | 13-week Outcomes | 35% | 30% |
| 2.2.1 | 13-week Full Outcomes | (25%) | (20%) |
| 2.2.2 | 13-week Pathway Outcomes | (5%) | (5%) |
| 2.2.3 | 13-week Bonus Outcomes | (5%) | (5%) |
| 2.3 | 26-week Outcomes | 50% | 40% |
| 2.3.1 | 26-week Full Outcomes | (40%) | (30%) |
| 2.3.2 | 26-week Pathway Outcomes | (5%) | (5%) |
| 2.3.3 | 26-week Bonus Outcomes | (5%) | (5%) |
| 2.4 | 52-week Sustainability Indicator/Job-in-Jeopardy | 10% | 10% |
| 2.5 | Ongoing Support | - | 15% |

Note: These performance measures and weightings will be reviewed to apply for the period from July 2018 onwards. In addition it may be reviewed post July 2018 at the Department's discretion in consultation with the industry throughout the term of the Grant Agreement.

8.3 Connections for Quality

Successful applicants may be required to publish information about their service on the Connections for Quality section of the jobactive (also known as JobSearch) website, available at: www.jobsearch.gov.au/provider/connections-for-quality

The Connections for Quality website provides information about the Services offered by DES Providers. This information is used to assist:

- job seekers to choose a DES Provider who will work with them to find employment;
- job seekers to see how DES Providers have helped other job seekers and their links with the community;
- Employers to see how successful each Provider is in placing job seekers into employment; and
- by showing how Providers work within communities and how they assist with Employers' recruitment needs.

The Connections for Quality page includes a feedback mechanism for job seekers and Employers to comment on the Services they have received in accordance with the claims made on the Providers Site page. Feedback received by the Department is taken seriously and is acted upon accordingly.

The role of Connections for Quality in providing information to Participants is being considered as part of the development of an app and website to assist Participant choice of Provider.

8.4 Code of Practice and Service Guarantee

Organisations delivering Australian Government funded employment services agree and are committed to observe the Employment Services Code of Practice. The Code of Practice reflects the Government's expectations of how DES Providers will interact with job seekers, Employers and each other. The Service Guarantee specifies the level of service each Participant can expect to receive. Together the Code of Practice and the Service Guarantee form part of the performance framework and ensure each Participant receives a high-quality service.

Participants who believe they are not receiving service of the standard identified in the Code of Practice and Service Guarantee are able to raise this with their DES Provider in the first instance and, if not satisfied, may then raise their complaint with the National Customer Service Line (NCSL) or the Complaints Resolution and Referral Service (CRRS). The CRRS is an independent service that works to investigate and resolve complaints about services funded under the Disability Services Act 1986 (Cth). The NCSL and CRRS are both able to investigate matters reported to them, and will work to ensure the job seeker is receiving the standard of service required.

The Code of Practice and Service Guarantee are available at Annexure C of the draft Grant Agreement.

8.5 Charter of Contract Management

The Employment Services Charter of Contract Management sets out the Department's commitment to work collaboratively with employment service providers to build a strong and vibrant employment services sector, which continuously improves and builds on good practice, to achieve outcomes for unemployed Australians.

The Charter is a principles-based document and sets out the standards and conduct that DES Providers can expect from the Department in overseeing and administering the delivery of DES. The Charter is available at: <https://www.dss.gov.au/our-responsibilities/disability-and-carers/programmes-services/disability-employment-services>

8.6 Grant Agreement compliance

The Department will monitor compliance matters such as fraud, malfeasance, invalid claims and other potential breaches of the Grant Agreement. The Department will raise any concerns with DES Providers in a timely manner and incorporate this in their KPI 3 assessment. The Department may also exercise any of the rights available to it under the Grant Agreement. Compliance monitoring is supported by ongoing review and a program of regular and discrete program assurance activities

9. Arrangements for Transition

9.1 Transition overview

The Transition Period, set by the Department, will involve a set of arrangements designed to support the continuous and effective delivery of the DES program covering the ending of current contracting arrangements, into the lead-up and commencement of new contracting arrangements on 1 July 2018.

The Transition Period will commence at least three months prior to the commencement of the new program. In accordance with the DES Deed, the Transition Period will not start prior to January 2018 and notice of at least 60 Business Days will be provided. In the lead-up to this time, regular updates will be published on the Department's website to inform Providers of the transition arrangements.

All current DES Participants will be notified of their rights, responsibilities and changes under the new program, including their capacity to choose a Provider.

Further information about the Transition Period will be released by the Department in late 2017 / early 2018.

9.2 Transition objective and principles

The objective of the Transition Period is to facilitate a smooth transfer to the Disability Employment Services Grant Agreement, which has minimal disruption to Participants, Employers and Providers. The Department will make decisions relating to the Transition Period based on the following principles:

- Minimal disruption and continuity of service delivery for Participants and Employers;
- Honour existing contractual arrangements with current DES Providers; and
- Supporting the commencement of the new model on time on 1 July 2018.

A core activity of the Transition Period will be implementing arrangements for the transfer of Participants of DES Providers that will cease to deliver DES from 1 July 2018 to successful applicants.

The Department will manage the Transition Period, in consultation with the DES sector. A DES Transition Reference Group comprised of representatives of DES Providers, people with disability and Employers will be established to ensure the Transition Period is managed as sensitively and efficiently as possible.

9.3 Communications

Communication with all stakeholders is vital to support the smooth transition of the current DES program to the new arrangements from 1 July 2018.

The Department will provide ongoing information to Participants, Providers, and Employers throughout the Transition Period through a number of communication methods.

Information for Participants

For current DES Participants, accessible fact sheets and letters will be provided about the changes to the DES program and how it may impact them. For DES Participants, information will be provided to help inform their choice of Provider, if they wish or are required to change Providers. Information will include:

- what services to expect from a DES Provider;
- a list of DES Providers within a close proximity to the Participant; and
- Provider performance (star rating at site level, if one is available);

Information for Participants will be available on the JobAccess website as well as the Department of Social Services website. Participants will be able to contact the National Customer Service Line (NCSL); JobAccess call centre and the Department's Feedback and Complaints unit (www.dss.gov.au) for further information or if they have feedback or a complaint. Participants will have the right to choose another DES Provider if they are unsatisfied with the Services they are receiving.

Information for Employers

Fact sheets and communication about any Provider changes as a result of the selection process will be developed for Employers, including Employers who are currently employing a Participant, where appropriate.

Information for Providers

Regular information will be communicated to DES Providers to ensure a smooth transition for Providers and Participants, including Transition Guidelines, fact sheets and advice documents. Webinars will also be conducted to provide information or training to Providers.

9.4 Transition Period Activities

Ceasing of Referrals and Direct Registration

The preferred approach for the Department is that Referrals and Direct Registrations during the Transition Period will be to DES Providers that will continue to provide DES from 1 July 2018.

During the Transition Period, the Department will cease Referrals to Providers who will no longer deliver DES-DMS or DES-ESS in an ESA from 1 July 2018. Once the Department ceases Referrals to a Provider:

- Participants can no longer be Referred to the Provider from DHS-Centrelink;
- Participants will not be Referred to the Provider following an exit and re-Referral;
- the Provider's site will no longer be available for transfers of Participants; and
- the Provider cannot Directly Register a job seeker.

The Department will determine the date to cease Referrals, taking in consideration factors including the number of Providers in the ESA that will continue to deliver DES and the mix of contract types (for example, Generalist and Specialist).

Selection of Initial Provider

The Department will provide Participants whose Provider will no longer be delivering DES in an ESA, with the opportunity to select who their DES Provider will be from 1 July 2018. If they do not wish to exercise their choice, they will be offered to transition to a different Provider, close to the Participant's residential address.

Participants whose current DES Provider will continue to deliver DES from 1 July 2018 will continue to receive services from this Provider. Where a current Provider exits the market during the Transition Period and prior to 1 July 2018, the Participant will be transferred to a current DES provider that will continue to deliver DES after 1 July 2018. If they wish to transfer to a different provider, they can do so under current transfer rules.

Joint Meetings

Joint meetings are a mechanism for Relinquishing Providers and Gaining Providers to exchange information to support a smooth transition for Participants, Providers and Employers (if applicable). The objective of the joint meetings is to facilitate the handover of all past and current information about a Participant, including Employer details (if applicable) and the arrangements in place that support the continuity of Service. Joint meetings should be held for all Participants (excluding those at suspended or pending status) needing to transfer to another Provider.

9.5 Transition Arrangements for Fees

Note: All transitional arrangements, including Fees, will be put forward to the Transition Reference Group for discussion. Further advice will be provided in transition documentation.

A Participant's Period of Service will continue on 1 July 2018, rather than being reset.

Service Fees that fall within 13 weeks from the start of the new Disability Employment Services Grant Agreement will be paid at the current (pre-1 July 2018) rate. If a current DES Provider exits DES on or before 1 July 2018, Service Fees will be pro-rated, meaning the Department will pay the relevant Service Fee proportionate to the amount of time the Provider has left in the program.

For Transition Participants, the Gaining Provider can claim a pro-rata Service Fee under the new fee schedule, based on the time left until the Participant's next Service Fee is due, once the Participant is Commenced.

Job Placement Fees will be available for eligible Participants placed on or before 30 June 2018.

Education and Employment Outcomes and Bonus Fees will be claimable by the Provider that the Participant was Commenced with at the time the Fee became available, including where a Participant is transferred due to their Provider leaving the market prior to 1 July 2018.

Where a Participant's Anchor Date was prior to 1 July 2018, the Fee will be paid under the current fee schedule. The new fee schedule will apply where the Anchor Date is after 1 July 2018 or later.

Changes to the criteria for Education Outcomes will apply to any claims that fall due on or after 1 July 2018.

The 52-week Employment Outcome will be available to Providers for Participants with an Anchor Date of 1 July 2018 onwards.

For Transition Participants in Moderate and High Ongoing Support, pro-rata arrangements will exist for Gaining Providers. Providers can claim for any for any Instance of Flexible Ongoing Support or Work Based Personal Assistance, if the Provider delivered the Service.

Participants who are in Ongoing Support prior to 1 July 2018 will be grandfathered and will not be required to work the eight-hour a week requirement to remain eligible for Ongoing Support. This grandfathering arrangement will continue until the Participant Exits the program.

Providers will be expected to continue to make payments and deliver appropriate support to the Participant and the Employer if a DES wage subsidy Participant transfers between Providers.