

# **Workforce Australia Guidelines**

#### Part B: Career Transition Assistance

## **Disclaimer**

This Guideline is not a stand-alone document and does not contain the entirety of Provider obligations. It must be read in conjunction with Workforce Australia - Career Transition Assistance Deed 2022-2027 (the **Deed**), including any relevant Guidelines and reference material issued by the Department of Employment and Workplace Relations under or in connection with the Deed.

This Guideline is not legal advice and the Commonwealth accepts no liability for any action purportedly taken in reliance upon it and assumes no responsibility for the delivery of the Services. This Guideline does not reduce the obligation of Providers to comply with their relevant legal obligations and, to the extent that this Guideline is inconsistent with obligations under the Privacy Act, Social Security Law, the WHS Laws or any other legislation or laws relevant to the respective jurisdictions in which Providers operate, the relevant legislation or laws will prevail.

## **Version History**

Version 1.3 Published on: 16 September 2022 Effective from: 10 October 2022

In this version of the Guideline:

- the Placement Management Services Chapter has been deleted and reserved, following the cessation of the National Work Experience Program and PaTH Internships, and
- the Glossary, the Career Transition Assistance Chapter and the Work Health and Safety Chapter have been updated have been updated to give effect to those changes, as well as other terminology changes and clarifications of existing requirements under the Deed.

A full version history of this Guideline can be found on the <u>Archived Guidelines page on the Provider Portal</u>.

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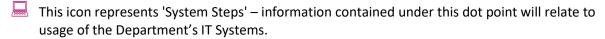
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# **Guideline Interpretation and Glossary**

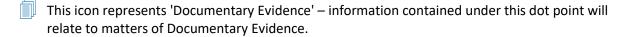
#### **Reading Notes**

In this Guideline, 'must' means that compliance is mandatory and 'should' means that compliance represents best practice for Providers and is expected by the Department.

While reading this document, please note the following Icons and their meaning:



This icon represents 'Work, Health and Safety Steps' – information contained under this dot point will relate to matters of Work, Health and Safety.



#### **Glossary**

All capitalised terms in this Guideline have the same meaning as in the Deed unless otherwise defined below.

**'Continuous Supervision'** means that a Participant must be with or alongside the Supervisor or within the Supervisor's line of sight at all times while undertaking the Activity.

'Income Support Payment' has the same meaning as under section 23 of the *Social Security Act* 1991 (Cth).

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

**'Employment Fund'** means a flexible pool of funds held by the Department and nominally credited to the Workforce Australia Services Provider at the Site level, and which may be accessed by Workforce Australia Services Providers for Reimbursement of:

- (a) purchases of goods or services which genuinely assist Participants to build experience and skills to get a job; and
- (b) a Wage Subsidy for Workforce Australia Services Participants.

'Job Seeker' means an individual who has not yet been assessed by the Provider as eligible and suitable to participate in CTA in accordance with the Deed.

'Mutual Obligation Requirement' means any activity test, participation requirement or other requirement that a Participant must meet in order to receive an Income Support Payment, including a requirement that, if not complied with, would be:

- (a) a Mutual Obligation Failure;
- (b) a Work Refusal Failure;
- (c) an Unemployment Failure; or
- (d) a failure to meet a Reconnection Requirement,

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under the Social Security Law.

'Points Requirement' means the requirement that a Participant (Mutual Obligation) meet their Points Target in each Points Reporting Period, and which must be specified in the Participant's Job Plan.

'Points Based Activation System' or 'PBAS' means the system which allows Participants to meet their Mutual Obligation Requirements by undertaking sufficient tasks and activities to meet a monthly Points Target.

'QR Code' means 'Quick Response' code. A machine-readable code consisting of an array of black and white squares, typically used for storing URLs or other information for reading by the camera on a smartphone.

'Referral Cap' means, for the Head Licence Term and in relation to each Employment Region, a cap of no more than 50 per cent of the total referrals made by the Provider:

- (a) to one or more CTA Providers who are its Own Organisation, a Related Entity or a Subcontractor; and
- (b) which have resulted in a commencement of a Participant with the CTA Provider(s).

**'Résumé'** means a one to two-page document that lists the Participant's work experience, education and skills and that is prepared in a form suitable for submission to an Employer.

**'Self-assessment Report'** means a report that providers complete for the Department regarding their performance against the KPIs at the end of each Performance Period.

**'Service Offer Commitment'** means a commitment the Provider made in its response to the request for proposal for this Deed as recorded by the Department in the Department's IT Systems.

**'Supervisor App'** means the mobile application which allows Supervisors listed in the Department's IT Systems to record the daily attendance of Participants at a Course.

'Vulnerable People' means children and people who are elderly, disabled or otherwise vulnerable.

'Wage Subsidy' means a payment identified as a Wage Subsidy in any Guidelines, and any other wage subsidy as advised by the Department.

'Workforce Australia Online for Individuals Base Service' or 'Online Base Service' refers to the Department's *Self-managing in Workforce Australia Online for Individuals* service that is available to any Australian wishing to participate in employment services who is not otherwise considered a fully eligible Participant. Access is via myGov, with no referral from Services Australia required. The Online Base Service will enable users to look for jobs, develop their résumé and access complementary programs, based on the eligibility of each program.

'Workforce Australia Online for Individuals Full Service' or 'Online Full Service' refers to the Department's Self-managing in Workforce Australia Online for Individuals service available to fully eligible Participants who are assessed as able to self-manage their search for work. The Online Full Service allows Participants to self-manage their participation in employment services with a range of supports available such as access to the Digital Employment Fund, pre-employment pathways for eligible Participants and support provided by the Digital Service Contact Centre (DSCC).

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# **Chapter 1. Career Transition Assistance**

#### Supporting Documents for this Chapter:

- Part A Guidelines: Privacy Chapter
- Online Delivery Supporting Document and Request Form
- Workforce Australia Online for Individuals Base Service Process
- Course Management Instructions
- Supervisor App Instructions
- Department's training resources:
  - o **Learning Centre**
  - Knowledge Base
  - o Provider Portal supporting documents

#### 1.1. Chapter Overview

Career Transition Assistance (CTA) is a program for mature age Participants aged 45 years and over, providing practical assistance to increase employability and competitiveness in the local job market. CTA courses are scheduled for a minimum of 75 hours over a period of up to 8 weeks.

This chapter outlines overarching requirements for Providers, Participant eligibility, program design (including core components of the CTA program), activity management and payments to Providers.

Note: Unless otherwise specified, all requirements in this chapter apply to Disability Employment Services (DES) Participants, noting DES Participants are managed outside the Department's IT Systems. As such, for DES Participants, system steps do not apply, and Providers must retain all Documentary Evidence and provide it to the Department upon request.

#### 1.2. Eligibility

Participants aged 45 years and over are eligible for CTA regardless of whether they are in receipt of income support or not. Eligible CTA Participants must be participating in one of the following employment services:

- Workforce Australia Services
- Workforce Australia Services Online (including Online Base Service Participants and Online Full Service Participants)
- Disability Employment Services (DES).

### **1.3.** Overarching Requirements

#### 1.3.1. Course Duration and Scheduling

The Provider must deliver CTA Courses using a standard block style of training, which requires a defined start and finish date to each Course, with all referred Participants expected to start and finish the Course together. Participants are expected to complete 75 hours of participation over a maximum of 8 weeks (with a minimum 50 hours delivered in a small group setting).

(Deed Reference(s): Clause 87.1 and 89)

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#### 1.3.2. Delivery mode and Coverage

CTA Courses must include a minimum of 50 hours in a small group setting as well as one-on-one sessions with each Participant.

The Provider must provide coverage across the entire Employment Region.

CTA Courses must be conducted in-person face-to-face unless otherwise directed or approved by the Department.

Online delivery, as part of a hybrid or online Course, will be considered in limited circumstances, for example, where:

- there are state or territory public health orders or directions
- prospective CTA Participants have transportation barriers that make it difficult to travel to the location of the Course
- prospective CTA Participants have health conditions that make it difficult to participate in person.

Hybrid Courses are Courses that either:

- comprise both an in person and online component
- offer in person or online delivery to a Participant depending on the Participant's circumstances.

Online Courses are Courses that are delivered exclusively online to all Participants.

Alternative delivery modes, such as online or hybrid Courses, can be considered where they effectively in meet the objectives of the program.

The Department will assess whether the Provider has strategies to:

- allow the Facilitator to monitor participation regularly and actively
- keep all CTA Participants engaged
- foster a positive peer group dynamic
- provide IT support to CTA Participants remotely.

Prior to setting up any hybrid or online Course the Provider must complete and submit the Online Delivery Supporting Document and Request Form and receive written approval from the Department.

The Department will monitor hybrid and online Services and may direct a Provider to cease hybrid or online delivery.

If a Course is delivered in online or hybrid mode Providers must:

- issue information on ergonomic set-up and wellbeing to individual Participants before commencing online service delivery, and
- retain Documentary Evidence of Participant confirmation that they have received, read and understood the materials, and
- provide information on wellbeing and links to supports in needed, using resources available from Safe Work Australia.

For all Participants undertaking an online or hybrid course retain Documentary Evidence of Participant confirmation that they have received, read and understood the wellbeing information given to them by the Provider.

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- The Provider must retain the Department's written approval for online delivery, unless otherwise directed by the Department.
- The Provider must create and retain records of Participants who participate in a Course online.

  Records must include the:
  - Course ID and name
  - CTA Participant's job seeker ID and name
  - reason the EST Participant cannot participate in person
  - name of the person creating the record.

(Deed Reference(s): Clause 87.5)

#### 1.3.3. Promoting CTA

The Provider must work proactively and collaboratively with Workforce Australia Employment Services Providers and DES Providers to establish relationships, promote their CTA Courses and encourage Referrals of eligible Job Seekers to CTA. This is important to note as DES Providers do not have access to the Department's IT Systems and will not be able to view available CTA Courses.

The Provider must also develop good working relationships with Employers and industry groups in the relevant Employment Region(s).

The Provider should also promote CTA to Workforce Australia Services Online Participants, such as through informative activity descriptions in the Department's IT system.

#### 1.3.4. Initial Meeting

At the Initial Meeting, the Provider must ensure that an assessment is completed for each Participant as detailed in the <u>Career Pathway Assessment</u> section. The Provider must also seek the Participant's consent to collect and use their personal information via the Privacy Notification and Consent Form. Refer to the <u>Part A Guidelines</u>: <u>Privacy Chapter</u>.

If, during the Initial Meeting, the Provider believes the Job Seeker is not eligible for CTA, is not suitable for the CTA Course or will not benefit from CTA, the Provider must not commence the Job Seeker. For more information, please see <u>Rejecting a Referral</u>.

If a Job Seeker fails to attend the Initial Meeting, the Provider must notify the Referring Provider or DSCC (by email) of the Job Seeker's non-attendance on the same Business Day.

(Deed Reference(s): Clause 85)

Where the Provider deems the Job Seeker as not suitable for CTA, the Provider must update the placement status from 'Expected to Start' to 'Did Not Start'.

#### 1.3.5. Career Pathway Assessment

The Career Pathway Assessment is a personal, in-depth assessment that will help inform the development of the Participant's Career Pathway Plan.

The Career Pathway Assessment must identify and document the Participant's:

- employment status
- employment, education or training goals

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- training needs
- recent employment/training experience
- main barriers to securing employment
- confidence and capability in using digital technology and identify key areas in which the Participant requires assistance.

The Provider must seek confirmation from the Participant, via their signature on the assessment, that the Career Pathway Assessment has been developed with them. The Provider must upload a signed and dated copy of the Career Pathway Assessment against the Participant's activity placement in the Department's IT Systems (except for DES Participants, Online Base Service Participants and Job Seekers whose referral has been rejected) prior to confirming the commencement.



For DES Participants, the Provider must retain a copy of the signed and dated Career Pathway Assessment document and provide to the Department upon request.



For Online Base Service Participants, the Provider must retain a copy of the signed and dated Career Pathway Assessment document and provide to the Department when claiming the Commencement Payment.

(Deed Reference(s): 85.3 and 86.1(c))

#### 1.3.6. **Career Pathway Plan**

The Facilitator, in conjunction with the Participant, must develop a Career Pathway Plan during the CTA Course. The Career Pathway Plan must be a clear plan of action outlining the steps that the Participant will need to take to pursue employment and/or training opportunities based on the Participant's goals, transferable skills, and the local labour market. The Provider is required to work with the Participant to support them to develop their tailored Career Pathway Plan.

The Career Pathway Plan must document, at a minimum:

- details of the Participant's employment goals and motivation
- details of occupations and industries suitable for the Participant to apply for in their local labour market
- a summary of the Participant's transferable skills, identified strengths and experience relevant to these industries or jobs
- work experience and/or training options for the Participant
- details (including the date and time) of 2 future Contacts to occur within 3 months of course completion
- a self-marketing plan with practical steps that the Participant can take to market themselves to potential Employers, and
- a commitment from the Provider that the Career Pathway Plan has been developed specifically for, and in consultation with, the Participant.



A tailored Career Pathway Plan must be completed for each Participant that participated in a CTA course, including Participants who exit a course before completion. In those instances the Provider must upload the Career Pathway Plan showing the progression of the plan until time of exit.

- The Provider must upload a signed and dated copy of the Career Pathway Plan against the Participant's activity placement in the Department's IT Systems (except for DES Participants and Online Base Service Participants).
- For DES Participants, the Provider must retain a copy of the signed final version of the tailored Career Pathway Plan and provide to the Department upon request.
- For Online Base Service Participants, the Provider must retain a copy of the signed final version of the tailored Career Pathway Plan and provide to the Department when claiming the Final Payment.

(Deed Reference(s): Clause 79.1 and 88.1(b)(d))

#### 1.3.7. Participant Résumé

The Provider, in conjunction with the Participant, must develop a Résumé that can be easily adapted to different jobs or industry.

- The Provider must upload the Participants Résumé against the Participant's activity placement in the Department's IT Systems (except for DES Participants and Online Base Service Participants).
- For DES Participants, the Provider must retain a copy of the Participants Résumé and provide to the Department upon request.
- For Online Base Service Participants, the Provider must retain a copy of the Participant's Résumé and provide to the Department when claiming the Final Payment.

(Deed Reference(s): Clause 88.1(b))

#### **1.3.8.** Experience Different Industries

The Provider is required to ensure that each Participant undertaking CTA has the opportunity to participate in at least one Outbound or Inbound Employer Visit.

In arranging either Outbound or Inbound Employer Visits, the Provider should consider the major industries and Employers in the local area and the interests and skills of Participants.

Providers should seek to engage with a range of Employers to host Outbound or Inbound Employer Visits.

#### **Managing Inbound Employer Visits**

If an Inbound Employer Visit is being arranged, the Provider must ensure the visit is as valuable and experiential as possible.

In arranging an Inbound Employer Visit, the Provider should consider innovative approaches to allow Participants to get a 'feel' for the industry relevant to the Employer or industry representative.

(Deed Reference(s): Clause 94.1(b) (c))

#### Managing Outbound Employer Visits

The Provider is required to meet additional obligations when arranging and conducting Outbound Employer Visits, to ensure the health and safety of Participants.

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#### Risk Assessment

Risk Assessments must be completed by a Competent Person and actioned for each Participant going on an Outbound Employer Visit. This includes both the Activity and Participant Risk Assessments. See the Work Health and Safety Chapter for more information.



The Provider must retain a copy of each Risk Assessment and provide it to the Department upon request.

#### Transporting Participants

The Provider must arrange, at the Provider's own expense, appropriate and safe transport for Participants when going on an Outbound Employer Visit.

#### Supervision Requirements

The Provider must ensure that the Outbound Employer Visit is well supervised to protect the health, welfare and safety of Participants and others.

There must be a higher level of Supervision if the Outbound Employer Visit involves contact with people who are elderly, disabled or otherwise vulnerable, or Children.

The Provider must ensure that all Personnel and Supervisors attending an Outbound Employer Visit provide Continuous Supervision for the duration of the visit.

See the Work Health and Safety Chapter for more information.

(Deed Reference(s): Clause 94.3 and 107.1)

#### 1.3.9. **Personal Handover Meeting**

The Provider must arrange a Personal Handover Meeting with the Participant and the Participant's Referring Provider. The Personal Handover Meeting must occur within 5 Business Days of the Participant Exiting the CTA Course, where they have attended a minimum of 80% of the required hours of the CTA Course. If possible, the Personal Handover Meeting should be conducted face-toface.

Note: for Workforce Australia Services Online Participants including Online Base Service Participants and Online Full Service Participants, the Personal Handover Meeting will be in-person with the Participant and will not include the DSCC.

As part of the Personal Handover Meeting, the Facilitator must:

- discuss the Participant's next steps for pursuing employment opportunities or work experience opportunities identified
- offer and provide the Participant a written record of 2 future support Contacts (to occur within 3 months from the date the Participant completed the CTA Course)
- discuss, where relevant and eligible, the possibility and suitability of a Placement
- give the Participant an opportunity to complete a feedback form, and
- provide an electronic copy to the Participant and (where relevant) their Referring Provider of the Participant's Career Pathway Plan and updated Résumé.

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- For DES Participants, the Provider must retain a copy of the signed Career Pathway Plan and Résumé and provide to the Department upon request.
- For each Participant who completes a CTA Course, the Provider must upload on the Department's IT Systems against the Participant's activity placement, a copy of:
  - the final Career Pathway Plan
  - an updated Résumé.

(Deed Reference(s): Clause 92)

#### 1.4. Program Core Components

Each CTA Course must include the following core components which must be delivered by the Facilitator to all Participants in the CTA Course:

- An individual Career Pathway Assessment to be completed by the Facilitator at the Initial
  Meeting for all Participants found eligible for CTA and suitable for the Course. This is a
  personal, in-depth assessment of the Participant's current circumstances to identify how the
  CTA course can be tailored to address the Participant's goals and needs. The Career Pathway
  Assessment is a key document that will help inform the development of the Participant's
  Career Pathway Plan. For further information see <u>Career Pathway Assessment</u>.
- Developing Goals and Motivations The Provider must provide opportunities for exploring Participants' goals and motivations, and managing Participants' expectations for a change in career or lifestyle. This component also introduces wellbeing and resilience strategies to help Participants cope with potential knock-backs and to build confidence in applying for jobs.
- Understanding the Local Job Market and Identify Suitable Opportunities This component explores job opportunities and identifies requirements and industry needs in the local region. This component must include details of how the local market has changed over time and will continue to change in the future. Participants must be supported to identify suitable occupations in local and regional growth industries where employment opportunities are likely to be available.
- Explore and Translate Transferable Skills This component supports Participants to identify and articulate their skills and experience and how these relate to the current job market. This component must include a discussion of pathways for re-skilling and further training, and potentially formal recognition of prior learning or new relevant qualifications, as appropriate for each Participant.
- Improve and Tailor Résumés This component involves reviewing, improving and tailoring Résumés for a range of different jobs for each Participant. Advice is to be provided to each Participant on what to include, how to display content and what the Participant needs to consider when uploading a Résumé online. A key part of this component is ensuring that the Participant has the skills to create, edit and send their Résumé using IT platforms. The Participant must also learn how and when to tailor their Résumé for a specific job. For further information, see <a href="Participant Résumé">Participant Résumé</a>.
- Navigate the Job Application Process This component provides assistance for Participants
  to gain an understanding of different job application processes and how to manage their
  expectations in relation to receiving responses and feedback. This component looks at how
  the application process has changed over time and the relative competitiveness of applying
  for a position, particularly online. The Provider must enable Participants to practice applying
  for jobs through different websites and help them understand the implications of having an
  online presence.

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- Practise and Enhance Interview Skills This component provides guidance to Participants
  on how to prepare for job interviews across a range of different Employers and industries.
  This component addresses what Employers expect from a potential employee, with a focus
  on what can be expected at a job interview and how a mature age person can best sell
  themselves during a face-to-face, phone or video conference interview.
- Experience Different Industries For this component, the Provider ensures that each Participant undertaking CTA has the opportunity to participate in at least one Outbound or Inbound Employer Visit as part of the Experiencing Different Industries component. For further information see Experience Different Industries.
- Functional Digital Literacy This component must:
  - focus on increasing each Participant's knowledge and confidence in using everyday digital equipment to support job application processes and technology in the workplace, including in the office environment
  - build Participants' skills to confidently navigate different types of media devices such as smartphones, tablets, apps and desktop computers; and be able to use these to support job application processes
  - adopt an action-learning style guiding Participants to share expertise and support each other
  - o include one-on-one sessions between the Participant and the Provider to meet the individual needs of the Participants, and include the following content:
    - getting online and using general search tools, including via social media websites
    - applying for jobs online, including how to use Workforce Australia Online for Individuals and add attachments and complete forms on that website
    - responding to online employment advertisements through employmentoriented and social networking platforms
    - navigating smartphones and tablets
    - basic desktop computer publishing
    - setting up (if required) and using an email account to apply for jobs
    - setting up (if required) and using a MyGov account and Workforce Australia apps, and
    - editing and uploading a Résumé and a response to selection criteria through online platforms.
- The Provider is to provide each Participant access to information technology and media devices and equipment, including internet connectivity, desktop computers and wireless portable computer devices such as smartphones and tablets, for the purposes of delivering the training described above.
- Prepare a Career Pathway Plan The Provider, in conjunction with each Participant, develops a clear plan of action outlining the steps the Participant will need to take to pursue employment and/or training opportunities based on the Participant's transferable skills and the local labour market. For further information see <u>Career Pathway Plan</u>.
- Access to ongoing support For this component, the Provider is to provide Participants with information regarding local resources to support their health and wellbeing. In addition, the Facilitator is required to meet with each Participant at least twice within 3 months following the end of CTA. This ongoing support could be one-on-one or in a group setting. The details of these Contacts are to be included in the Career Pathway Plan.

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The Provider should use innovation and local knowledge to tailor the core components to suit the particular needs of each Participant. For example, Workforce Australia Services Online Participants may not require the same level of Digital Literacy training as Participants from Workforce Australia Services.

Providers may re-name or combine core components but must be able to demonstrate that each CTA Course component is being delivered.

Each CTA course must be delivered in an interactive and collaborative manner by a Facilitator and encourage Participants to share their own expertise and support each other throughout the different components of the CTA Course.

#### 1.5. Activity Management

#### **1.5.1.** Creating Activities

When creating activities in the Department's IT System Providers should develop informative and engaging activity descriptions as details are displayed to Referring Providers and individuals searching for courses relevant to individual's circumstances.

For each CTA Course, the Provider must create a unique activity and schedule in the Department's IT Systems to allow Workforce Australia Employment Services Providers and Workforce Australia Services Online Participants to search for and view that CTA Course.

For information on how to create activities in the Department's IT Systems, refer to the Department's training resources including the Course Management Instructions.

#### 1.5.2. Referrals

#### **Receiving Referrals**

On the same or the next Business Day a Referral is received, the Provider must arrange an Initial Meeting between the Job Seeker and the Provider.

Workforce Australia Employment Services Providers will make Referrals using the Department's IT Systems. Workforce Australia Services Online Participants will refer themselves using the digitally enabled activities and training platform.

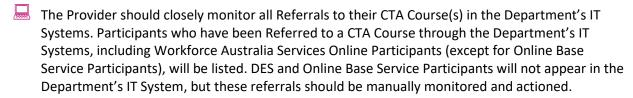
Online Base Service Participants do not have access the Department's IT Systems. They will be manually referred with Providers receiving an email from the DSCC. For more information see the Workforce Australia for Individuals Online Base Service Process.

DES Providers do not have access to the Department's IT System. As a result, the Referral of DES Participants will occur directly from the DES Provider. The Provider will need to promote their services to DES Providers in order to receive referrals. See <u>Promoting CTA</u> section.

Note – A Workforce Australia Employment Services Provider who is also a Provider (as their Own Organisation, Related Entity or Subcontractor) in the same Employment Region is subject to a Referral Cap.

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#### **Monitoring Referrals**



Except for DES and the Online Base Service, Participant contact details, such as mobile phone numbers and email addresses, are available to the Provider via the Department's IT Systems. This information is to support engagement with Participants (for example to arrange the Initial Meeting). For DES Participants, this information will be provided directly by the Referring DES Provider and must be retained by the Provider. For Online Base Service Participants, this information will be provided by the DSCC. This information is to support engagement with Participants (for example to arrange the Initial Meeting).

For information on how to view Referrals in the Department's IT Systems, refer to the Department's training resources.

#### Rejecting a Referral

Referring Providers are required to confirm a Job Seeker's suitability for CTA prior to referring them to a Provider.

If, during their Initial Meeting, the Provider believes the Job Seeker is not eligible/suitable, will not benefit from participating in CTA or is likely to cause significant disruption in a CTA Course, the Provider must not progress the Job Seeker any further and must, with the exception of DES Participants and Online Base Service Participants, update the Job Seeker's activity placement status in the Department's IT Systems. On the same Business Day, the Provider must advise the Referring Provider that they have not accepted the Job Seeker into CTA and the reasons for the decision. They must also advise the Job Seeker.

Where a Workforce Australia Services Online Participant is deemed not suitable for a CTA activity through the Initial Meeting, the Provider must email the DSCC outlining the reasons for rejecting the referral. They must also advise the Job Seeker.

Where a Provider rejects a Referral, the Provider should not complete a Career Pathway Assessment for the Job Seeker. The Provider will not be paid the CTA Commencement Payment for that Job Seeker.

- When rejecting a Referral, the Provider must update the Job Seeker's activity placement status to 'Did Not Start' in the Department's IT Systems.
- For information on how to update a placement status in the Department's IT Systems, refer to the Department's training resources.

#### 1.5.3. Changes to a CTA Course

Providers can change scheduled dates, times, title, description and the location of their approved CTA Courses in the Department's IT Systems. Providers can also cancel CTA Courses, where there

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are no commencements. Any changes must be made in the Activity Management component of the Department's IT Systems and be in line with the Course Management Instructions.

If changes are made to the CTA Course after Referrals have been made, the Provider must notify the relevant Referring Providers and any Participants (including self-referring Workforce Australia Services Online Participants), of these changes or Course cancellations.

Providers must ensure any changes are suitable for current Participants.

For information on how to update CTA Course details, including how to cancel courses, in the Activity Management component of the Department's IT Systems, refer to the Department's training resources.

#### 1.5.4. Managing Participation

#### Commencing a Participant

On the first day of the CTA course, the Provider must confirm acceptance of the Participant into CTA, with the exception of DES and Online Base Service Participants, by commencing the Participant in the activity using the Department's IT Systems. DES and Online Base Service Participants are managed outside the Department's IT System.

A Participant is deemed to have commenced CTA once the Provider has:

- conducted the <u>Initial Meeting</u> with the Participant and assessed the Participant as suitable for participation in CTA
- completed the Career Pathway Assessment
- updated the placement status in the Department's IT Systems (excluding DES Participants and Online Base Service Participants).
- To commence a Participant in a CTA Course, the Provider must upload the signed Career Pathway Assessment against the Participant's activity placement and then update the placement referral status to 'Placement Confirmed' in the Department's IT Systems (excluding DES Participants and Online Base Service Participants). The above steps will release the CTA Commencement Payment to the Provider.

#### **Recording Attendance**

For Workforce Australia Services Online Participants and Workforce Australia Services Participants, Providers can record the daily attendance or non-attendance using the Department's Supervisor App in accordance with the Supervisor App Instructions.

Providers must provide the daily QR code(s) generated by the Department's IT Systems to CTA Participants in attendance to self-report attendance. Where the Participant is capable, they will have personal responsibility for recording and/or reporting their own attendance at activities. Attendance must include the day/s and times that the Participant attended the CTA Course. Any breaks such as lunch breaks and morning tea breaks will not be counted towards the total hours completed by the Participant. To ensure that appropriate attendance results are recorded for each Participant (with the exception of DES Participants and Online Base Service Participants) the Provider must:

- Record daily attendance or non-attendance using the Department's Supervisor App, or
- Provide a daily QR or Passcode to each Participant in attendance so they can report their own attendance. Where the day's session will run for more than 4 hours a second QR or

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- passcode must also be provided to attendees one for the morning and one for the afternoon session, or
- Record the attendance result in the Department's IT Systems. This must be completed on the same day as the attendance. No backdating of attendance is possible.

If attendance is not recorded on the same day as the attendance, the Department's IT Systems will automatically record this as Did Not Attend. If there is a valid reason for not attending, the Provider will need to notify the Referring Provider within 5 Business Days after the failure to record the attendance. Attendance records cannot be changed more than 5 Business Days after the date of attendance.

Participants will scan a QR code via the Job Seeker App or record a passcode through Workforce Australia Online for Individuals to record their attendance at an activity. If a CTA Course runs for more than 4 hours on a given day, the Participant will need to record both codes for attendance for the whole requirement.

Where Participants are not capable of recording their own attendance, the Provider should ensure attendance is recorded on their behalf.

Participant's attendance must be recorded for Points Based Activation System (PBAS) to be credited, where applicable. Attendance recording is also required for the calculation of Final Payments.

- For DES Participants, the Provider must record the DES Participants' attendance outside of the Department's IT Systems and provide to the Department upon request.
- For Online Base Service Participants, the Provider must record attendance outside of the Department's IT Systems and provide to the Department when claiming the Final Payment.
- The Provider must record the Participant's attendance in the Department's IT Systems (expect DES Participants and Online Base Service Participants), using the Department's Supervisor App, by the end of the day. This must be done for every day that the Participant is required to participate.

For information on how to access the daily QR and passcodes or recording Participant attendance using the Department's IT Systems, refer to the Department's training resources.

#### Managing Non-attendance

Participation in CTA is voluntary for all Participants; however, some Participants will use CTA to accrue points for PBAS. If any Participant fails to attend the CTA Course on a day that the Participant was scheduled to attend and does not contact the Provider, the Provider must attempt to contact the Participant to re-engage them in the program. If, by the end of the fifth Business Day after the Participant has failed to attend, the Provider has not been able to contact the Participant, the Provider must, on that day, notify the Participant's Referring Provider of the Participant's failure to attend.

If a Participant informs the Provider that they cannot or no longer wish to participate in CTA, the Provider must, on the same Business Day it is informed, notify the Participant's Referring Provider or the DSCC of this, including any reasons provided by the Participant. This notification must be in writing, for example via email.

The Provider must retain evidence of the notification to the Referring Provider and provide to the Department upon request.

For Participants who withdraw from the CTA Course, the Provider must enter comments against the placement record in the Department's IT Systems when Exiting the Participant.

#### Exit of a Participant

There are a range of reasons a Participant may Exit from a CTA Course, including:

- the Participant has completed the components of CTA (attended minimum of 75 hours)
- the Participant starts Employment
- the Participant voluntarily withdraws from CTA
- the Participant's Referring Provider withdraws the Participant from CTA
- the Provider is proposing that the Participant be Exited from CTA.

If the Provider proposes that the Participant be Exited from the CTA Course, they must discuss this with the Participant's Referring Provider or notify the DSCC by email for Workforce Australia Services Online Participants. The circumstances where this may occur include:

- the Participant has failed to attend for 5 Business Days in a row, and contact with the Participant has not been successful
- the Provider considers that the Participant is facing non-vocational issues that need to be addressed prior to participating or continuing in CTA
- the Participant is displaying violent, threatening, aggressive or otherwise inappropriate behaviour.
- The Provider is required to Exit the Participant by updating the placement status and recording an exit reason against the placement record in the Department's IT Systems.
- For DES Participants, Providers must notify the DES Provider in writing.

(Deed Reference(s): 88.1(a)(d) and 91.1)

#### Complete Activity with placement end date, exit reason and rating

On completion of a Participant's attendance in CTA, the Provider must record the end date, rating and Exit reason against the placement record in the Department's IT Systems.

#### **1.6.** Payments to Providers

Payments for Workforce Australia Services and Online Full Service Participants will be automated using the Department's IT Systems. For DES Participants, the Provider must request payment directly from the DES Provider for the full CTA Charge. For Online Base Service Participants, the Provider must request payment through the Payments hub on the Department's IT Systems.

The Commencement Payment will be paid to the Provider once the Provider has:

- conducted the <u>Initial Meeting</u> with the Participant and assessed the Participant as suitable for participation in CTA
- completed the <u>Career Pathway Assessment</u> and, for Workforce Australia Services and Online Full Service Participants, has uploaded it to the Department's IT System
- For Workforce Australia Services and Online Full Service Participants, updated the placement status in the Department's IT Systems to 'Placement Confirmed'.

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The CTA Final Payment is payable to the Provider when the Provider has uploaded a final version of the Career Pathway Plan and updated Résumé to the Department's IT Systems, and either:

- the Participant attends at least 80 per cent of total course hours and an Exit reason has been recorded in the Department's IT System, or
- unless otherwise Notified by the Department, the Participant has met the alternative measure for Course completion by Exiting the Course due to finding employment (regardless of hours of participation) and an Exit reason of 'found employment' has been recorded in the Department's IT System.

The Department monitors the claiming of CTA Final Payments for CTA Participants who Exit a CTA Course due to finding employment against income declaration data. If the Department determines that a CTA Provider has claimed CTA Final Payments in circumstances where the relevant CTA Participant has Exited a CTA Course but it was not due to finding employment, the Department may at its discretion Notify the CTA Provider that Exiting a CTA Course due to finding employment will no longer be available to the CTA Provider as an alternative measure for CTA Course completion. Where this occurs, the CTA Provider will be prevented from claiming any further CTA Final Payments in relation to CTA Participants Exiting a CTA Course due to finding employment.

Providers can monitor CTA Payments using reporting available through the Department's IT System. Where a Provider receives a CTA Payment for a Participant they have not serviced, the Provider must notify the Department to initiate a recovery.

#### The Provider must:

- to receive the CTA Commencement Payment, confirm each Participant's Commencement into CTA by first uploading the Career Pathway Assessment and then updating the placement status to 'Placement Confirmed' in the Department's IT Systems.
- to receive the CTA Final Payment, ensure: at least 80 per cent of the required hours have been attended and an Exit reason has been recorded in the Department's IT System, or the Participant is Exited with a reason of 'found employment'; and the Career Pathway Plan and Résumé have been uploaded to the Department's IT Systems.
- For Online Base Service Participants, the Provider must:
  - to receive the CTA Commencement Payment, request a CTA6 Top Up Payment through the Payments hub on the Department's IT Systems, attaching documentary evidence of the Career Pathway Assessment.
  - to receive the CTA Final Payment, request a CTA6 Top Up Payment through the Payments hub on the Department's IT Systems, attaching the Career Pathway Plan and Résumé, and documentary evidence that the Participant attended at least 80 per cent of the required hours, or evidence that they found employment.

For more information on claiming both payments for Online Base Service Participants see the Workforce Australia Online for Individuals Base Service Process.

(Deed Reference(s): 97 and 98)

# **Chapter 2. Reserved**

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# **Chapter 3. Work Health and Safety**

Supporting Documents for this Chapter:

- WHS Incidents and Insurance Readers Guide Providers
- WHS Incidents and Insurance Reader's Guide Participants
- Competent Person Register Example Template (optional)

#### 3.1. Chapter Overview

This chapter includes specific requirements for the Provider to ensure there is a safe system of work in place at all times during the conduct of CTA Services.

Work, health and safety is a fundamental requirement of all approved activities. Participants must be safe at all times when participating in all elements of CTA Services .

The Provider is reminded of the importance of complying with its obligations relating to work health and safety set out in Chapter B4 of the Deed, and must ensure that Courses and Outbound Employer Visits do not proceed where work health and safety issues cannot be addressed.

#### 3.2. Managing Work Health and Safety

The Provider must ensure the Services are carried out in a safe manner and carried out under obligations in the Deed and guidelines; and ensure that its Personnel, Subcontractors, and agents also comply with the Deed and guideline requirements, and comply with all relevant laws and requirements of any Commonwealth, state, territory or local authority, including the WHS Laws.

Prior to the commencement of, and throughout any Outbound Employer Visit, the Provider must satisfy itself that the Employer's premises and any work that will be undertaken or observed by Participants is safe.

Providers are required to ensure that each Participant is aware of the process to lodge a complaint or voice safety concerns about a CTA Course or Outbound Employer Visit. Where safety concerns are raised by a Participant and cannot be addressed, the Provider must ensure that the Participant immediately ceases participation.

(Deed Reference(s): 71.6, 105)

#### 3.2.1. Ensuring Work Health and Safety measures are in place

Before arranging an Outbound Employer Visit, the Provider must confirm:

- that the Outbound Employer Visit is not prohibited under relevant state and territory laws
- its delivery is permitted under the Deed and any Guidelines
- the Employer is complying with all work health and safety requirements in the relevant state and territory; and
- its delivery is in line with any advice provided by local authorities.

For example, Employers must have COVID-Safe plans (or similar) in place in accordance with the requirements specified by the relevant state or territory.

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The Provider must take all reasonable steps to minimise the likelihood of injury to Participants undertaking the Service and any other people at the location. Participants are to be provided with all things necessary to participate in the Service, including but not limited to, appropriate and adequate:

- information, training and instruction
- Supervision
- personal protection equipment and clothing
- first aid facilities
- on-site facilities (for example, toilets and access to drinking water)
- processes for reporting any work health and safety issues and any other concerns.

The Provider must consult, coordinate and cooperate as appropriate with relevant parties including but not limited to the Department, Referring Provider or Employers and industry groups to ensure that any work health and safety issues in relation to an Outbound Employer Visit are appropriately managed.

(Deed Reference(s): 71.6, 105)

#### **3.2.2.** Outbound Employer Visit Prohibitions

Providers must ensure that the Employer for an Outbound Employer Visit must not:

- have engaged in illegal operations or promote or condone any form of unlawful conduct
- have been or be associated with the sex industry
- promote or condone gambling that the Department deems inappropriate
- promote or condone any form of violence, self-harm or suicide
- promote or condone any form of discrimination, including on the grounds of race, ethnic group, language, sex, religion or disability
- provide any other service or conduct themselves in a manner that is likely to bring the Participant, the Provider or the Department into disrepute
- use the Employer Visit as a stop-gap measure while the Employer is undertaking recruitment exercises or as a way of meeting ad hoc needs in lieu of creating paid employment opportunities
- provide the Participant with extra hours of paid or unpaid work outside the agreed hours
- pay the Participant during the Employer Visit.

If a Provider suspects or becomes aware that an Employer has engaged in any conduct described in the list above, the Provider must:

- ensure that no Participant commences participating in, or continues to participate in, any Service that the Employer hosts;
- Notify the Department immediately and provide information as requested by the Department, and
- if requested by the Department, cease or vary the Services

#### 3.3. Risk Assessments for Outbound Employer Visits

Before the start of any Outbound Employer Visit, Providers must ensure that Risk Assessments are undertaken by Competent Persons, updated as necessary and meet relevant laws and

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Departmental policies and procedures on work health and safety. If the Provider does not have a Competent Person, it must engage a Competent Person for this purpose.

Providers must work with the Referring Providers to ensure they have all information required to undertake the Risk Assessment.

The purpose of the Risk Assessment process is to:

- determine whether an Outbound Employer Visit is suitable to proceed;
- identify potential risks associated with the tasks that will be undertaken by Participants while they are participating in the Outbound Employer Visit (an Activity Risk Assessment); and
- identify if the Outbound Employer Visit is suitable for the relevant Participant(s) who is referred to the Outbound Employer Visit, including identifying any risks that may arise from a Participant's personal circumstances (a Participant Risk Assessment).

The Provider must ensure a Competent Person conducts and documents the Risk Assessment **before** an Outbound Employer Visit commences.

#### 3.3.1. Conducting a Risk Assessment for Outbound Employer Visits

The Provider must ensure that each Risk Assessment takes into account:

- the role of the Employer
- relevant Participant(s); and
- the relevant working environment,

with regard to the following factors:

- the nature and location of the tasks to be undertaken by a Participant, such as whether the activity is:
  - o in a non-public area (e.g. a private residence worksite with a tradesperson)
  - with a sole trader (e.g. a butcher or hairdresser who operates from a small shop or private residence)
  - working alone with another person
  - o with alternative hours of work (for example, early starts, night work)
  - working in a labour hire environment in one or more different workplaces
- the Participant's personal circumstances (that is, working capabilities, any health or other personal issues and level of experience)
- the level of Supervision required
- the nature, cause and likelihood of any risk(s)
- the consequences of an incident
- effective controls, including training and personal protective equipment.

For example, the Provider would need to consider the risks of placing a Participant with medical needs in a Employer Visit in an isolated location to ensure this is a suitable location for the Participant.

The Provider must review risks regularly and take appropriate action on those risks where required.

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As part of the obligation to ensure that there is a safe system of work in place for each Outbound Employer Visit, the Provider must determine, and ensure there are implemented, appropriate actions to mitigate the identified risks after conducting or updating any Risk Assessment.

Where the Provider becomes aware that it cannot ensure that there is a safe system of work in place for an Employer Visit, the Provider must:

- if the Provider was intending to arrange the Outbound Employer Visit, not arrange these;
- not facilitate any Participants to the Outbound Employer Visit; and
- if the Provider has already referred any Participant to the Outbound Employer Visit, immediately ensure that the Participant ceases participation.

The Department may, at any time and at its absolute discretion, give a direction to the Provider in relation to an actual, proposed or type of Outbound Employer Visit, that Outbound Employer Visit must be ceased or varied.

- The Provider has the discretion to determine how they document their Risk Assessments. A verbal Risk Assessment does not meet the Department's requirements.
- The Provider must retain Records of each Risk Assessment and any action taken in accordance with each Risk Assessment. The Provider must provide these Records to the Department if requested.
- The Provider must retain Records identifying any Competent Person(s) that it engages to conduct any Risk Assessment. These Records must include the name and a description of the training, qualification or experience of the Competent Person. The Provider must provide these Records to the Department upon request. A Competent Person(s) Register template is available on the Provider Portal, however, use of this template is not mandatory.

(Deed Reference(s): 105)

#### 3.3.2. Multiple Outbound Employer Visits locations

One comprehensive Activity Risk Assessment may be conducted in cases where there are multiple Outbound Employer Visits locations, or where Outbound Employer Visits are re-occurring:

- with one Employer, and
- are of the same or similar nature.

If one comprehensive Activity Risk Assessment is used, it must clearly identify the multiple locations and corresponding hazards and risks at each of the different locations.

#### **3.4.** Supervision Requirements

Providers must, in accordance with the Deed and these Guidelines, meet their obligations with regard to Supervision for the delivery of the Services.

Supervision means the action or process of directly monitoring and managing Participants.

Supervisors may be engaged/employed by the Provider to supervise the Services, or may be engaged/employed by Employers to supervise Outbound Employer Visits where relevant.

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The Provider must ensure it or, where relevant, each Employer provides adequate and appropriate Supervision so that the relevant Participants are undertaking appropriate tasks and operating in a healthy and safe environment.

The Provider must ensure that Continuous Supervision is provided for the entire duration of the delivery of the Services, unless those people are not participating in person, where it involves:

- people who are elderly, disabled or otherwise vulnerable, or
- Children.

The Provider must also ensure that Continuous Supervision is provided where the Provider otherwise considers that Supervision should be continuous having regard to the nature of the tasks to be undertaken, the potential Participant(s) and any other work health and safety concerns identified as part of the relevant Risk Assessment that can be mitigated by Continuous Supervision.

The Provider must ensure that all Supervisors and relevant Personnel have had checks as specified in the Checks and Reasonable Care Clauses of the Deed and the <u>Conducting Background Checks</u> section, and Supervisors have met any additional statutory requirements before being given responsibility for the Supervision of Participants.

The Provider must ensure that all Supervisors and relevant Personnel of the Provider, Employer or any Subcontractor who has direct involvement in (including where they have close contact with Participants) the Services:

- is a fit and proper person to be involved in the relevant Service
- has a high level of skill /knowledge, training and /or experience in:
  - o each part of the Service they are involved in; and
  - o working with, training and supervising individuals; and
  - o has relevant work health and safety training.

In addition to meeting the overarching Supervision Requirements, Supervisors must support the Participant by:

- ensuring the Participant understands what is required of them
- teaching the Participant the skills required to undertake the tasks as needed
- adapting the teaching methods to the Participant's needs.

(Deed Reference(s): Clauses 72, 100)

## 3.5. Conducting background checks

The Provider must, in accordance with the Deed, Guidelines, and their local jurisdictional requirements, establish whether the nature of the Service requires Participants and/or Supervisors and/or relevant Personnel to have checks, and conduct those checks if required to do so.

For the purpose of this Guidelines, 'checks' refers to criminal records checks, Working with Children checks and/or Working with Vulnerable People checks.

Services delivered or arranged by the Provider that require checks include those where:

- legislation requires checks to be conducted
- the Services are subject to industry standards or legal requirements that mean Participants cannot have been convicted of particular crimes

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- the Participant and/or Supervisor will have regular or unsupervised contact with Children, the elderly or other classes of vulnerable people
- the Services are otherwise specified by the Department as requiring checks.

Unless notified otherwise by the Department, the Provider must arrange and pay for any checks to be completed before arranging for, or allowing the Participant, Supervisors or relevant personnel to participate in any Services.

Where the Provider has an obligation to undertake a check, the Providers must contact the relevant organisation/s in their state or territory to arrange for the check to be completed. Checks must be arranged in line with the relevant state and territory rules and regulations.

Where checks show that Participants or Supervisors must not do particular Services, they are no longer eligible and are excluded from participation in or Supervision of that particular Service.

The results of checks contain Personal Information. The Provider must comply with its Deed obligations in relation to such Personal Information, including obligations relating to the use and disclosure of the Personal Information. Additional information regarding disclosure of information and privacy considerations can be found in Part A Guidelines: Privacy Chapter.

(Deed Reference(s): Clauses 72, 83, and 100)

#### 3.6. Reporting and Managing Challenging Behaviour Incidents

Refer to <u>Part A Guidelines: Servicing Participants with Challenging Behaviours Chapter</u> for information regarding recognising and reporting challenging behaviours.

#### 3.7. Reporting and Managing WHS Incidents

For the purposes of incident management and insurance coverage for Participants participating in CTA Services, the Provider must refer to, and comply with the requirements specified in the Deed, these Guidelines, the <a href="https://www.who.ncidents.org/who.ncidents">WHS Incidents and Insurance Readers Guide – Providers</a>, and in accordance with guidance provided by the Department on reporting WHS Incidents.

The Provider is required to Notify the Department of all CTA Service related accidents or near misses that happen to Participants or other people in accordance with these Guidelines and the detailed information available in the <a href="https://www.west.org/winders.com/winders/">WHS Incidents and Insurance Readers Guide — Providers</a>.

#### 3.7.1. When to Report an Incident

If an incident results in the death or serious injury of a Participant, the Provider must immediately notify the incident to the Department and the work health and safety regulator in accordance with laws of the relevant state or territory.

Where an incident includes any accident, injury or death occurring during, or as a result of, the Services, including in relation to a Participant or a member of the public, the Provider must Notify the Department in accordance with these Guidelines and advice provided by the Department on reporting WHS Incidents included in the WHS Incidents and Insurance Readers Guide — Providers.

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The Provider must Notify the Department as soon as possible of any incident involving CTA Services where a Participant is in attendance (including travel to, from or during an activity), including:

any Critical WHS Incidents (including in relation to a Participant or member of the public),
 which must be reported within one hour

A 'Critical WHS Incident' has the same definition as a Notifiable Incident under the WHS Act and means an incident that results in the death of a person, a serious injury or illness of a person, or a dangerous incident.

A dangerous incident is an incident that exposes a person to a serious risk to health or safety due to an immediate or imminent exposure to electric shock, spillage/leakage of a substance, uncontrolled implosion, explosion or fire.

Examples of Critical WHS Incidents include:

- injuries requiring immediate treatment as an in-patient in a hospital,
- a serious head or eye injury,
- a serious burn,
- spinal injury, or
- amputation of any part of the body.

Please refer to the relevant clauses in the WHS Act.

 any Non-critical WHS Incidents, which must be reported as soon as possible, and on the same day

A 'Non-critical WHS Incident' is any incident that relates to a work, health and safety issue or near miss, but is not a Critical WHS Incident. Non-Critical WHS Incidents include incidents such as those involving:

- non-serious injury requiring first aid and/or assistance from a medical practitioner,
- minor property damage, or near misses that could have resulted in serious or nonserious injury, and
- any other WHS incidents that are non-Critical that may impact upon a Participant or the Department or bring the Provider or the Services into disrepute.
- any other incidents that are non-serious that may impact upon a Participant or the Department or bring the Provider or the Services into disrepute must be reported to the Department within 24 hours.

(Deed Reference(s): Clause 106)

#### **3.7.2.** Managing Incidents

When an incident occurs:

- appropriate medical attention, including contacting emergency services depending on the nature of the incident, should immediately be provided by the Supervisor
- the Supervisor must try and protect any other Participants and other people from unnecessary trauma, where possible

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- the relevant WHS Regulator must be notified of the incident if it results in the death or serious injury, in accordance with laws of the relevant state or territory
- the relevant WHS Regulator must be notified of any dangerous incident that exposes someone to a serious risk, even if no one is injured, in accordance with laws of the relevant state or territory
- any directions by a WHS Regulator must be followed
- a WHS Employment Assistance Program Incident Report available on the Incidents and Insurance page (on the <u>Provider Portal</u>), must be completed by the Employer when the incident involves a Participant's accident, injury, death or near miss
- the Provider must complete a Public and Products Liability Incident Report, available on the Incidents and Insurance page of the <u>Provider Portal</u>, when a third party alleges a Participant has been negligent and caused accident, injury or death, or property damage. The Public and Products Liability Claim Form must be completed by the Provider when a third party is making an insurance claim as a result of a reported incident.

A WHS incident may also be considered a <u>challenging behaviour incident</u>. In these cases, the Provider may need to submit a WHS incident form and also ensure a Job Seeker Incident Report is submitted in accordance with the <u>Part A: Chapter 5. Servicing Participants with Challenging Behaviours</u>.



The Provider must notify their Provider Lead (as outlined in the <u>WHS Incidents and Insurance</u> <u>Readers Guide - Providers</u> on the same day of any incident and/or near miss that occurs during CTA, including those that result in accident, injury or death, of:

- any Participant (including where the incident occurred while the Participant was travelling to or from CTA Services)
- any Personnel involved in the delivery or Supervision of the CTA Services
- members of the public.



The Provider must maintain records of WHS incidents.

# 3.7.3. Completing Incident Reports – both Personal Accident, and Public and Products Liability

Providers must Notify the Department of any incident that may result in a liability claim (irrespective of whether a claim is being made at the time).

The Provider must also comply with any instructions issued by the Department or the Department's insurance broker. Detailed information in relation to the process for reporting incidents that may result in liability is available in the <a href="https://www.wesult.com/whs-ncidents-n

The Department's personal accident liability insurance provides coverage when a Participant is injured while participating in an approved activity, including direct travel to, from or during such activities. CTA Services are an approved activity.

The Department's public and products liability insurance provides coverage results when a third party alleges a Participant has been negligent and caused an accident, injury or death, or property damage, while participating in CTA Services.

The Provider must, when requested by the Department's insurance broker, provide full details to the insurance broker of any incident that may or does result in a liability claim. The insurer is responsible

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for determining liability. The Providers must not admit fault or accept responsibility for any alleged negligence that may or does result in a third-party claim.

Forms for the Provider to complete to Notify the Department of any personal accident or public and products liability incidents are available on the <u>Incidents and Insurance page of the Provider</u> Portal.

The Provider must maintain a copy of all incident notifications and records for supporting evidence in any insurance claims

#### 3.8. Insurance

The Provider must, in accordance with the CTA Deed, comply with any instructions issued by the Department or the Department's insurance broker, and these Guidelines, in relation to insurance purchased by the Department for Participants involved in Activities.

The Department purchases the following insurance policies to cover Activities:

- Personal Accident insurance covers the Participant in respect of personal injury or death that occurs while undertaking Activities, including direct travel to, from or during such Activities
- Public and Products Liability insurance for Participants covers the legal liability of the
  Participant arising out of their negligence that causes personal injury to a third party, or
  damage to a third party's property, while participating in approved activities.

Further information on the insurance purchased by the Department to cover Participants undertaking Activities is available in the WHS Incidents and Insurance Readers Guide – Providers, with copies of the insurance policies also on the Incidents and Insurance page of the Provider Portal.

Information for Participants about insurance is included in the <u>WHS Incidents and Insurance Readers</u> <u>Guide – Participants</u> which is available on the Provider Portal for Providers to give to the Participants and is published on the Department's website under 'Insurance arrangements for Employment Services activities'.

The Provider should note the Department's policies have standard exclusions. The Department's purchased insurance policies:

- do not cover illness or sickness contracted by a Participant during CTA Services, including COVID-19
- do not cover any activities that would have been prohibited under these Guidelines
- may have time limits that apply for claims
- do not cover any other exclusions listed within the terms and conditions of each insurance policy.

Providers are also required to confirm that Employers have appropriate insurance coverage, and where coverage is insufficient the Provider can decide to purchase or fund additional insurance.

(Deed Reference(s): Clause 44, 105.5(e) and 106.3)

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#### **Sourcing Additional Insurance Coverage** 3.8.1.

If the specific tasks or activities involved in an Outbound Employer Visit are excluded under the Department's policies, the Provider may only conduct the Outbound Employer Visit if the Provider obtains, or otherwise ensures, that appropriate insurance coverage is in place for those tasks or activities, and so long as the delivery of the Outbound Employer Visit is permitted and in accordance with the Deed and Guidelines.

In addition, the Provider is contractually obligated to maintain various insurances as outlined in the CTA Deed and understand the coverage available to them under their own insurance policies as outlined in the Deed.

Providers are also required to confirm that Employers have appropriate insurance coverage, and where coverage is insufficient the Provider can decide to purchase or fund additional insurance.



The Provider must keep a full copy of any insurance policies relied upon by the Provider to be complaint with the requirements for additional insurance.

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# **Chapter 4. Performance Framework**

Supporting Documents for this Chapter:

- Performance Framework
- Self-Assessment Report Template

#### 4.1. Chapter Overview

This chapter outlines the Performance Framework for Providers.

Performance assessments will be conducted for each Performance Period or any other times as the Department determines.

Further detail regarding Performance Measurement is available in the Performance Framework.

#### 4.2. Performance Modules

The Department will measure provider performance against 4 performance modules. These modules reflect the program's core objectives to:

- improve employability skills for mature age Participants
- achieve positive outcomes for mature age Participants
- deliver quality services that meet the needs of participants and are compliant with Deed requirements.

#### 4.2.1. Progress to Employment

Performance against this module is assessed using administrative data from the Department's IT Systems. As more administrative data becomes available, additional measures may be defined. This module measures how effective the Provider is in meeting the objectives of the CTA program, including improving the employability skills of Participants and their movement into Employment or other opportunities.

**Table 4-A: Progress to Employment Performance Module** 

Measure	Metric
	Proportion of CTA Participants who moved off income support, or reduced reliance on income support, after participation in a CTA Course.
Placement rate	Proportion of CTA Participants who undertook a select activity or were placed in a job after participation in a CTA Course.

#### 4.2.2. Efficiency

Performance against this module is assessed using administrative data from the Department's IT Systems. As more administrative data becomes available, additional measures may be defined. This module measures whether the Services are being delivered efficiently by the Provider, and whether the Provider is maximising Participant engagement and retention.

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**Table 4-B: Efficiency Performance Module** 

Measure	Metric	
Attendance	Proportion of CTA Participants who attended at least 80 per cent of the total	
Attenuance	hours of the Course as recorded in the Department's IT Systems.	

#### 4.2.3. Quality of Service

Performance against this module is assessed using administrative data from the Department's IT Systems, evidence provided by the Provider in the self-assessment report, and through ongoing contract management activities.

**Table 4-C: Quality of Service Performance Module** 

Measure	Metric
Quality of Service	<ul> <li>the quality of the Provider's Course titles and descriptions as recorded in the Department's IT Systems, including whether they are appropriately targeted to Workforce Australia Services Online Participants</li> <li>the satisfaction of CTA Participants and Referring Providers with the quality of Service provided by the Provider</li> <li>Career Pathway Assessments and Career Pathway Plans are developed specifically for individual Participants and Résumés are individually tailored.</li> </ul>

#### 4.2.4. Deed Compliance and Contract Management

Performance against this module is assessed using administrative data from the Department's IT Systems and through ongoing contract management and program assurance activities.

**Table 4-D: Deed Compliance and Contract Management Performance Module** 

Measure	Metric	
	For example:  • compliance with Deed and Guideline requirements	
Deed Compliance	results of program assurance activities	
	compliance with Service Offer Commitments.	

The Department will assess the Provider's performance against each module based on the range of evidence available including administrative data from the Department's IT Systems, Participant and other stakeholder feedback, evidence from the Provider in the self-assessment report, and ongoing contract management and assurance activities.

Provider performance is assessed at the Employment Region level. This approach aims to provide the Department with a detailed understanding of how the Provider is servicing mature age Participants at the local area level, especially where the Provider's performance and processes may differ between Employment Regions.

#### 4.3. Self-assessment Report

The Provider is to complete and submit a self-assessment of their performance against the performance modules within 10 Business Days of the end of each Performance Period.

This Report will be considered by the Department as part of the performance review and gives the provider an opportunity to outline any issues or concerns they may have. Provider feedback will also be used to refine Departmental processes and identify how to improve performance data reporting.

While self-assessment reports focus on the provider's performance for each contracted Employment Region, some questions can be responded to at a national or organisational level.

The Self-Assessment Report template is available to CTA on the <u>Provider Portal</u>.



Providers must complete and submit a Self-assessment Report to the Department at the end of each Performance Period in accordance with the Deed.

(Deed Reference(s): Clause 12.2)

#### 4.4. Compliance with the Deed and Guideline

The Provider must adhere to the Deed and Guideline requirements. The Department will monitor compliance with these requirements through contract management and targeted assurance activities.

#### 4.4.1. Service Offer Commitments

The Department will review the representations in the Provider's response to the request for proposal for this Deed. The Department will record key commitments that have a material impact on the Services in the Department's IT Systems as Service Offer Commitments. The Provider's compliance with the Service Offer Commitments must be measurable or supported by evidence.

Service Offer Commitments include services that are above the minimum standards of the Service Guarantee, Deed and Guidelines.

The Department will provide the Provider with the list of Service Offer Commitments as recorded in the Department's IT Systems.

The Department may recommend changes to the Providers Service Offer Commitments. This will be done in consultation with the Provider.

The Provider is encouraged to continuously review their servicing strategies to ensure they meet the changing labour market and needs of stakeholders.

The Provider may submit requests for changes to Service Offer Commitments to the Department. This may be for example to update servicing strategies in response to stakeholder feedback.

The Department will assess whether:

- there is evidence to support the changes
- the changes materially alter the commitments the Provider made in its response to the request for proposal for this Deed.

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If a Provider requests to remove a servicing strategy, an alternative should be proposed to ensure that key stakeholders continue to have access to a similar range and level of Services. Alternatively, details must be provided to substantiate why an alternative is not required.

If the Department approves the changes, the Department will update the Provider's Service Offer Commitments in the Department's IT Systems and provide the Provider with an updated list.

The Provider must have written approval from the Department prior to making changes to Service Offer Commitments.

(Deed Reference(s): Clause 5.1, 28.1 and 81.1)

#### 4.4.2. Ongoing Contract Management

The CTA Service Guarantee, which forms part of the Deed, details the minimum standards for CTA Services.

Ongoing monitoring of compliance with the Deed, Guideline and the CTA Service Guarantee occurs as part of general contract management activities by the Department.

#### 4.5. Performance Review

The Department will provide feedback to the Provider after each Performance Period. The performance feedback will show progress against the Performance Modules at both the individual Provider level and their Employment Region level.

(Deed Reference(s): Clause 28)

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