



Guideline:

# Employment Services (Yarrabah Pilot) 2018-2020

This Guideline forms part of the *Employment Services Deed (Yarrabah Pilot) 2018-2020* between the Department of Jobs and Small Business (Department) and the Provider. It sets out specific requirements for the delivery of employment services in the Yarrabah community from 2 July 2018, including Employment Provider Services and New Enterprise Incentive Scheme (NEIS) Services. Services must be delivered in line with the *Employment Services Deed (Yarrabah Pilot) 2018 – 2020* and this guideline, and where not otherwise specified, in line with the relevant jobactive guidelines.

This Guideline is divided into the following sections:

- Section one: Employment Services Provider (Yarrabah Pilot) and NEIS Services
- Section two: Requirements for the provision of Work for the Dole services in Yarrabah

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## Changes from the previous version (Version 1.0)

### Policy changes:

Nil.

### Wording changes:

(Pgs. 8 and 9) Minor editorial changes regarding Employment Fund credits.

(Pgs. 12 and 17) To align with the national rollout the Career Transition Assistance (CTA) Program, effective 1 July 2019, CTA Providers will be automatically paid by the Department using the Provider's Employment Fund credits once the Provider places a CTA Eligible Participant into a CTA Course and the Activity Placement Status is set to 'Placement Confirmed'. CTA Providers must not claim reimbursement for the CTA Amount via a General Payment.

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## Related documents and references

[jobactive Activity Management Guidelines](#)

[jobactive Assessments Guideline – Job Seeker Classification Instrument \(JSCI\) and Employment Services Assessments \(ESAs\)](#)

[Targeted Compliance Framework Guideline](#)

[jobactive Direct Registration Guideline](#)

[Disability Support Pension Recipients Compulsory Requirements Guideline](#)

[Eligibility Referral and Commencement Guideline](#)

[Job Seeker Compliance Framework Guideline](#)

[jobactive Managing and Monitoring Job Search Guideline](#)

[Job Plan and Setting Mutual Obligation Requirements Guideline](#)

[Managing and Monitoring Mutual Obligation Requirements Guideline](#)

[Managing and Monitoring Mutual Obligation Requirements Guideline](#)

[How people access NEIS and participate in NEIS Training Guideline](#)

[Support NEIS Participants to start and run their small business Guideline](#)

[Performance Framework Guideline](#)

[Period of Service Suspensions and Exits Guideline](#)

[Privacy Guidelines](#)

[Records Management Instructions](#)

[Servicing Individuals with Challenging Behaviours Guideline](#)

[Transfers Guideline](#)

[Vacancies and Outcomes Guideline](#)

[Volunteers Guideline](#)

**Guideline**

**Employment Services (Yarrabah Pilot)**

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[Work for the Dole IT Supporting Document](#)  
[Activity Host Organisation Agreement Template](#)  
[Work for the Dole Assessment Checklist \(Place\)](#)  
[Community Support Projects \(CSPs\): Concept Approval Template](#)  
[Learning Centre website](#)  
[Australian JobSearch Conditions of Use](#)

[Using the Employment Fund General Account Guideline](#)  
[Managing Wage Subsidies from 1 January 2017 Guideline](#)  
[Managing Relocation Assistance to Take up a Job Guideline](#)  
[Job Plan and Setting Mutual Obligation Requirements Guideline](#)

Certain operational and servicing requirements differ from the delivery of jobactive due to the agreed service delivery model.

Accordingly:

1. where there is any inconsistency between this Guideline and any of the above listed jobactive Guidelines, this Guideline prevails; and
2. the Provider is not required to comply with any parts of the above listed jobactive Guidelines that relate to the following subject matter (as defined in the *jobactive Deed 2015-2020*)

jobactive Fees	Harvest Service Fee
Outcome Payments	Harvest Trail Website
Administration Fees	Harvest Vacancy
Administration Fee Period	Harvest Work
Work for the Dole Fees	Harvest Worker
Asset	National Harvest Guide
Claims Processing Training	National Harvest Telephone Information Service
Non-Payable Outcome	Relevant Harvest Bodies
Non-regional Location	
Payment Period	Other Provider
Pay Slip Verified Outcome Payment	Tasmanian Jobs Programme
Regional Location	Transition Date
	Transitioned Participant
Other Employment Services programs	
Disability Employment Services	Performance elements
DES Participant	Compliance Indicator
DES Provider	Star Rating
Disability Employment Services Deed	Deeming
Harvest Labour Services or HLS	Other
Harvest Area	Business Share (one provider)
Harvest Employers	Lead Provider (as above)
Harvest Information	Outreach (full time site only)
Harvest Period	Part-Time
Harvest Placement	Tendering Group
Harvest Placement Fee	

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## Section One: Employment Services (Yarrabah Pilot) and NEIS Services.

This section of the Guideline sets out requirements for the provision of Employment Services and New Enterprise Incentive Scheme (NEIS) Services in Yarrabah from 2 July 2018.

### Eligibility for Yarrabah Services

Employment Services provided by Wugu Nyambil under the Yarrabah Pilot are only available to job seekers that live in the Yarrabah Employment Region or are in the Cairns Employment Region and have a physical Yarrabah address. Eligibility for Yarrabah Services aligns with jobactive eligibility. Refer to the jobactive [Eligibility, Referral and Commencement Guideline](#) for details not covered below.

The Department may amend the eligibility for employment services in Yarrabah at any time.

### Referral by DHS

In jobactive job seekers are referred to appropriate Streams as per the JSCI section of this document. Please note that streaming under the Employment Services (Yarrabah Pilot) is not used to determine job seeker eligibility for employment services. However, the concept of a Volunteer still applies. All Volunteers get the same level of servicing as all other Participants serviced by Yarrabah, but only for a period of six months.

All job seekers will **not** be able to choose their provider when they first register with DHS for assistance.

### People not referred by DHS and Volunteers

Eligible individuals may elect to participate in employment services in Yarrabah without going to DHS and can Directly Register with employment services in Yarrabah. The Provider of employment services in Yarrabah is responsible for determining a person's eligibility for and registering that person for Services.

People who are not subject to Mutual Obligation Requirements or who do not receive Income Support Payments may be eligible for Yarrabah Services as Volunteers for one period of up to six months.



#### **Documentary evidence:**

The detail that a person provides in the [Yarrabah Direct Registration Form](#) will help the provider to determine if the person is eligible to Directly Register. By completing the form, the person is notified of how their personal information will be collected, used and held by the provider, and provides consent to use their personal information in these ways. The provider **must** retain a copy of the completed form.

The information collected on the [Yarrabah Direct Registration Form](#) **must** be entered into the Department's IT Systems after determining the person's eligibility for Direct Registration. This information determines the person's type of Registration (Fully Eligible, Volunteer or 'No Stream Services Referral Required' (NSSRR)) and level of assistance.

The provider may conduct a Job Seeker Classification Instrument Assessment (JSCI) (refer to [Assessment Guideline – Job Seeker Classification Instrument \(JSCI\) and Employment Services Assessments \(ESAt\)](#)) to assist in servicing Directly Registered participants.

## Preparing for all Appointments

Refer to this section of the jobactive [Eligibility, Referral and Commencement Guideline](#).

### All new participants must have an Initial Interview

The provider must conduct an Initial Interview for all job seekers who:

- were Referred by DHS
- were Referred by a TtW provider
- have Directly Registered for assistance (see [Direct Registration Guideline](#) but use the [Yarrabah Direct Registration Form](#))
- have transferred to the provider (see [Transfer Guideline](#)).

This includes:

- developing and approving a Job Plan, referred to by the Provider as the Life and Skills Job Plan (see the Job Plan and Setting Mutual Obligation Requirements Guideline) and
- providing and asking job seekers to sign the Privacy Notification and Consent Form. The Provider must ensure that job seekers are aware of the types of personal information they may be required to provide and how this information will be used and disclosed (see the [Privacy Guideline](#)).



**Documentary evidence:** The provider must record the job seeker's registration information in the Department's IT System.

Providers must retain a copy of the completed and signed—[Yarrabah Direct Registration Form](#). This form contains a range of personal information used to determine a job seeker's eligibility for Direct Registration.

### Job seekers Commence in Yarrabah Services

A job seeker is automatically Commenced in the Department's IT systems when the provider records attendance at the Initial Interview and the participant has an approved Job Plan.

The provider must deliver Services in accordance with the Deed, Guidelines, Service Delivery Plan, Job Plan and job seeker's circumstances once the job seeker is Commenced.



**Documentary evidence:** Where the job seeker has agreed to a Job Plan by signing a hard copy version, a copy must be retained by the provider.

### Job seekers may be Suspended for a range of reasons

Job seeker Suspensions are covered in the jobactive [Period of Service, Suspensions and Exits Guideline](#). The Provider must action suspensions as these can affect services received by job seekers in Employment Services after leaving employment services in Yarrabah.



**Documentary evidence:** Where a provider Suspends a job seeker, the provider must record the reason for the Suspension, and the start and end dates for the Suspension, in the Department's IT System.

### Services must be delivered to participants who return after Exiting

Where a job seeker Exits and returns to Services within 13 consecutive weeks of Exit, the provider must resume providing Services to a job seeker in accordance with the Deed. When

a job seeker returns to Services at 13 consecutive weeks or more from their date of Exit, they will need to be Commenced into Service as their contract Referral will have expired.

## JSCI

Under jobactive, the JSCI is primarily used to determine a job seeker's eligibility for Streams A or B and to identify job seekers who may require further assessment through an ESAt. Please note that streaming under the Employment Services (Yarrabah Pilot) is not used to determine job seeker eligibility for employment services. Streaming will still be used to determine Employment Fund credits, a job seeker's Mutual Obligation and Annual Activity Requirements.

The JSCI captures important job seeker information that can be used by providers to tailor their assistance and support to help a job seeker find work.

The JSCI works by considering the overall labour market disadvantage of a job seeker. The JSCI score is a product of various personal factors such as a job seeker's work experience and qualifications. All factors must be considered collectively rather than judging any one factor in isolation. Further information about the factors is in the [Job Seeker Classification Instrument Overview and Factors](#) report on the Provider Portal.

### When to conduct a JSCI

An initial JSCI is required for each job seeker under the Deed. The initial JSCI is:

- conducted by the Department of Human Services (DHS) when the job seeker first registers for employment assistance
- conducted by the Time to Work Employment Service (TWES) provider for job seekers that participated in the TWES program
- conducted by Yarrabah providers if the job seeker does not have an active JSCI.

For job seeker cohorts outlined below, providers:

- **must** conduct the initial JSCI for Pre-Release Prisoners who can directly register with the provider. Refer to [Servicing Pre-Release Prisoners Guideline](#).
- may conduct the JSCI for a Structural Adjustment Programmes (SAP) job seeker before being commenced in Stream B. Although not a requirement, the JSCI will provide more comprehensive understanding of their circumstances relevant to the labour market. If a provider determines that a SAP job seeker requires an ESAt, they should refer the job seeker to DHS for further assessment
- may conduct the JSCI for Volunteers who directly register. Although not a requirement, providers can choose to conduct the JSCI to best meet their circumstances and needs and improve their employment outcomes. Refer to the [Direct Registration Guideline](#) for more information.

A JSCI Change of Circumstances Reassessment (CoCR) is required if the circumstances of the job seeker change or they disclose information that may impact on their level of servicing. A JSCI CoCR can result in the job seeker being identified for more targeted servicing and allocation of an additional Employment Fund credit, if up-streamed.

During each Capability Interview if the job seeker's circumstances have changed or they disclose additional information, the provider must review the job seeker's JSCI and conduct a JSCI CoCR. Refer to the [Capability Interview Guideline](#) for more information.



## JSCI CoCR

Providers must have information from the job seeker that circumstances have changed before conducting a JSCI CoCR. Some changes may affect the job seeker's path to employment and therefore a reassessment is needed to determine if the job seeker's level of servicing needs to be adjusted.

Job seekers who have participated in TWES will have recently had a JSCI conducted by their TWES provider. The provider should only consider conducting a CoCR for these job seekers if their circumstances have changed since leaving prison from the information detailed in their Transition Plan. Leaving prison should not itself constitute a change that requires a CoCR.

When conducting a CoCR, the provider can either:

- ask all JSCI questions in sequence and update the job seeker's answers where relevant; or
- ask and record responses to only those questions that relate to the job seeker's changed circumstances or disclosed information.



**System step:** Review the recorded responses with the job seeker to ensure they are correct before submitting the CoCR in the Department's IT System.

- There is a limit of two JSCIs (including CoCRs) per job seeker per day in the Department's IT System.

The Department considers it best practice for providers to ensure that all job seekers who are Commenced or Pending in the caseload have an 'active' JSCI in the Department's IT system.

Documentary Evidence requirements for a JSCI CoCR do not apply for the Employment Services (Yarrabah Pilot)

To determine mutual obligation requirements, should a JSCI CoCR indicate the job seeker should be in a different Stream, providers must Commence the job seeker in the relevant Stream in the Department's IT system. The Department's IT system will automatically allocate additional Employment Fund credits where relevant.

## Referring job seekers for an ESAt

An ESAt is used to decide if another program is needed

An ESAt determines if a job seeker should receive services in other programs such as Disability Employment Services (DES); or have their requirements reviewed to suit their capacity for work. A DHS assessor conducts an ESAt which recommends the most appropriate employment service assistance based on an assessment of a job seeker's:

- barriers to finding and maintaining employment (this may relate to the impact of a job seeker's disability, injury, illness, or other disadvantage)
- work capacity (in hour bandwidths).

### Referring job seekers directly to DHS to organise an ESAt

Providers should refer job seekers who they consider may need an ESAt to DHS. The job seeker needs to report the details of their change of circumstances and to provide any medical evidence to support their assessment before an ESAt can occur. DHS will consider any previous ESAts and whether a new ESAt is likely to change the result of their employment service eligibility or work capacity.

### Referring job seekers who have attended a Capability Interview using the Department's IT System


Providers can directly book an ESAt for a job seeker using the Department's IT system if:

- as part of a Capability Interview the job seeker's JSCI indicates that they may benefit from a further assessment through an ESAt.



**System step:** The provider can refer them for an ESAt through the Department's IT System.



**System step:** When a provider refers a job seeker to an ESAt appointment using the Department's IT System, the provider must give the job seeker a printed copy  of the appointment notification letter and advise the job seeker of the following:

- the reason for the ESAt
- that the ESAt is an interview to decide their work capacity and the Employment Services assistance needed to help them gain work
- the date, time and venue for the appointment
- the importance of disclosing all of their barriers to employment at the ESAt appointment
- the importance of taking medical evidence to the appointment and the steps they will need to take to gather the medical evidence
- that they can have a support person present to assist them
- that attending the appointment is compulsory
- that, after the assessment, they may be referred to a different service that better meets their needs
- their requirement to contact the DHS assessor at least 24 hours before the appointment time if they cannot attend.

If a provider needs to reschedule an ESAt appointment, either the provider or the job seeker should contact DHS to reschedule. An ESAt referral should only be cancelled if it was made in error.

### Medical evidence needed for the ESAt referral

Referrals to an ESAt can be for medical and/or non-medical circumstances. Prior to making a referral for a medical ESAt, the provider must confirm that the job seeker has appropriate medical evidence supporting their condition(s). If there is no medical evidence available to support a job seeker's identified condition, the provider should assist the job seeker to obtain this.

The DHS form [SU684](#) - Verification of Medical Condition(s) should be given to the job seeker for their treating doctor to complete. The completed form provides appropriate information to assess medical conditions for an ESAt.

Appropriate medical evidence can include:

- a Department of Human Services medical certificate
- a standard general practitioner medical certificate
- a specialist medical report
- a hospital/outpatient's report
- a psychologist report (by a certified/registered psychologist)
- a special school report (IQ report for people with intellectual disability)
- x-rays and related reports
- psychometric test results
- prescription medication
- reports from community services and organisations (for example, drug and alcohol support services).



**Documentary evidence:** The Providers can fax medical evidence to the DHS National Business Gateway on 1300 786 102. The information must include the job seeker's name, address and Customer Reference Number (CRN) and the information must be clearly identified as medical evidence for an ESAt.

### ESAt report

After a DHS assessor finalises the ESAt interview they will submit an ESAt report. The report will show information about the job seeker's medical condition/s, barriers to employment, hours of work capacity, and recommended interventions. Providers will be notified when the ESAt report has been finalised via the Noticeboard in the Department's IT system. Providers must act on the recommendations made by the DHS assessor in the ESAt report. If the DHS assessor recommends:

- referral to DES, DHS will action the referral
- referral to Australian Disability Enterprises (ADEs), the provider must manually Exit the job seeker. DHS will action the referral.

Where a Fully Eligible Participant is identified as being unable to benefit from any program, the provider should advise them of their option to Volunteer. If they choose not to participate in the service the provider must Exit the job seeker.

The ESAt report will recommend the job seeker's level of work capacity per week. It is a determination of the job seeker's baseline capacity at the time of the assessment and of future capacity with intervention. See the Job Plan and Setting Mutual Obligation Requirements Guideline and Managing and Monitoring Mutual Obligation Requirements Guideline for further information.

### Requesting a review of the ESAt report

If new information is made available or if the provider believes an error has been made with the ESAt recommended referral, they may contact DHS to request a review of the ESAt recommended referral, provided it's within 28 days of the ESAt report being submitted.

- the provider will need to justify the review with supporting evidence to substantiate the job seeker's situation
- after 28 days reports will be finalised in the Department's IT System and no further changes to the referral recommendation will be possible

If the assessor does not agree to change their referral recommendation, the assessor's decision is final and the provider must accept the referral recommendation.

### Releasing the ESAt report to the job seeker

The ESAt report may be released to a job seeker except where the assessor has identified that the report contains information that may be prejudicial to the job seeker's health. The assessor will note this in the report with the following statement:

- This report does contain information, which if released to the client, might be prejudicial to his/her health.

If the job seeker requests the ESAt report and it contains the above statement, the job seeker must submit a request for access to the report to the Department of Jobs and Small Business's Freedom of Information team at [foi@jobs.gov.au](mailto:foi@jobs.gov.au).

### Assurance and Performance

The Provider's performance of its obligations under the Employment Services Deed (Yarrabah Pilot) 2018-2020 will be assessed against the Performance Framework for jobactive and NEIS as specified in the Performance Framework Guideline as well as the Performance Indicators outlined in clause 95.1 of the Employment Services Deed (Yarrabah Pilot) 2018-2020.

However, the following jobactive Performance Framework elements are not applicable to Employment Services (Yarrabah Pilot):

- Compliance Indicator
- Indigenous Outcomes Incentive, and
- Star Ratings.

As per clause 94.1 of the Employment Services Deed (Yarrabah Pilot) 2018-2020, the Provider is required to gain and maintain certification against the Quality Assurance Framework (QAF) for the duration of the Deed. There are no additional requirements imposed on the Provider's QAF certification under the Employment Services Deed (Yarrabah Pilot) 2018-2020.

The Provider's delivery of Employment Services in Yarrabah, including the recording of Outcomes, will be subject to contract monitoring and other Assurance Activities.

### General Payments

Payments for expenditure against the Employment Fund (excluding automated payments for CTA, Wages Subsidies, Relocation Assistance to Take up a Job, Work for the Dole Placement Fees, Fee per Place in Work for the Dole Activities and any other payment not covered below) will be paid as a General Payment against the amount claimed by the Provider in agreement by both parties.

To receive the General Payment for the abovementioned claims, the Provider must issue a Tax Invoice to the Account Manager for the amount agreed to by the Provider and the Department.

### Upfront Employment Outcome Payments

Employment Outcomes will be paid to the provider as an upfront payment each financial year quarter based on targets set by the Department.

Where the provider achieves greater Outcomes than the set targets, the Department may pay for these additional Outcomes.

Where the provider achieves fewer Outcomes than the set target, the Department will consider offsetting these Outcomes against future payments made to the provider.

Outcomes will be counted within the quarter in which they are achieved. For example, if an Outcome ends in August 2018 it will be counted against the 1 July 2018 to 30 September 2018 quarter.

## Employment Outcomes

### Full and Partial Outcomes

The provider can achieve an Employment Outcome when a job seeker achieves sustainable Employment, Unsubsidised Self-Employment, or an apprenticeship or traineeship.

There are two types of Employment Outcomes – Full and Partial.

- A Full Outcome is achieved when a job seeker is in Employment, Unsubsidised Self-Employment or an apprenticeship or traineeship and has a 100% income support rate reduction, or meets their hourly requirements for the duration of the Outcome Period. A Full Outcome for job seekers with a Partial Work Capacity or who are Principal Carer Parents will take into account their part-time requirements.

The Outcome Periods are 4, 8, 12, 18 and 26 weeks from the Employment Outcome Start Date.

For the 18 and 26 Week Period, only Full Outcomes are payable and only where:

- a 12 Week Full or Partial Outcome has been claimed, and
  - the job seeker has a 100% income support rate reduction or meets their hourly requirements for the Outcome Period.
- A Partial Outcome is achieved when a job seeker is in Employment, Unsubsidised Self-Employment or an apprenticeship or traineeship and has their income support reduced by 60 per cent on average or meets a percentage of their hourly requirements.
    - Partial Outcomes may only be paid at 4, 8 and 12 weeks only – no 18 Week or 26 Week Partial Outcomes are available.
  - Employment Outcomes can comprise multiple job placements with different Employers. A Participant can consolidate multiple jobs to accrue sufficient hours or earnings to achieve the Employment Outcome.

## Sourcing a Vacancy

The provider must engage and work with Employers to understand their needs and to identify job opportunities.



**System step:** The provider must record all employment Vacancies, including those found by job seekers, in the Department's IT Systems. They must ensure that each Vacancy is complete, up to date and compliant with the [JobSearch Conditions of Use](#).

## Lodging a Vacancy



**System step:** When entering a Vacancy into the Department's IT Systems, the provider needs to enter a range of information including a job description, employer details, hours,

salary and whether the job was sourced by the provider or job seeker. The provider will also need to select a Vacancy type from the following options:

- Apprenticeship
- Commission
- Pre-existing Employment
- Normal position
- Graduate
- Seasonal
- Traineeship
- Self-Employment

### Checking Minimum Wage

Where a provider has sourced a Vacancy they must, at the time they lodge the Vacancy in the Department's IT Systems, make sure that the relevant minimum wage is satisfied.

The minimum wage may be set out in the Modern Award that relates to the Vacancy. If a Modern Award is not in place, then the National Minimum Wage will apply.

Where a job seeker has sourced a Vacancy, the provider is not required to check the applicable minimum wage. However, the provider must ensure that all job seekers on their caseload have information relating to the National Minimum Wage and the Fair Work Ombudsman.

This information must include:

- details of the latest National Minimum Wage rates
- where to access information about the [Pay and Conditions Tool](#) and any changes to the National Minimum Wage rates, and
- the contact details of the Fair Work Ombudsman.

A [fact sheet](#) for job seekers is available on the Provider Portal.

The minimum wage fact sheet is available on the [Fair Work Ombudsman website](#).

### Referring suitable job seekers to Vacancies

The provider must:

- refer suitable eligible job seekers to appropriate Vacancies
- ensure that any job seekers they refer to Vacancies meet Employer needs
- encourage eligible job seekers to consider job opportunities outside their local area
- advise eligible job seekers that they are required to take any suitable job and explain the consequences of failing to do so.

### Placing a job seeker into a Vacancy



**System step:** Where a job seeker is successful in gaining Employment the provider must place the job seeker into the relevant Vacancy reflecting the date when the job seeker started working. This becomes the Job Seeker Placement Start Date in the Department's IT Systems.

The Job Seeker Placement Start Date must be recorded within 56 days of the job seeker commencing Employment or Unsubsidised Self-Employment.

Please refer to ESSWeb Help for further information on how to refer a job seeker in the Department's IT Systems.

## Verification of Employment Outcomes

Outcomes will be verified and assessed manually by Departmental staff based on Documentary Evidence supplied by the provider.

Due to the Upfront Outcome Payments, the provider will not need to lodge claims for Employment Outcome Payments within the Department's IT Systems. When the provider enters the Vacancy and Job Seeker Placement Start Date, the system will still track an Employment Outcome according to information received from the Department of Human Services in relation to the job seeker's income/hours worked. This may assist in determining whether an Employment Outcome has been achieved. However, the provider should not attempt to submit a claim for the Employment Outcome as this functionality has been disabled within the Department's IT System.

## Documentary Evidence for Employment Outcomes



**Documentary Evidence** should be from the job seeker or employer and it must be in the form of pay slips or employer payroll summaries. Please refer to the jobactive Vacancies and Outcomes Guideline for details on Documentary Evidence requirements for Employment Outcomes.

An alternative approach may be used where the job seeker is declaring their income earned/hours worked to the Department of Human Services, and the Outcome Tracker in the Department's IT Systems is showing that an Outcome has been achieved. In this instance the provider may supply screenshots of this result to the Department for consideration and assessment of the Outcome achieved.

## Submitting Documentary Evidence – Employment Outcomes

The provider must submit Documentary Evidence to the Department via the Quarterly Outcomes Report within 10 business days after the end of each Financial Quarter. The Quarterly Outcomes Report should specify the number of Outcomes the provider claims to have achieved along with the relevant Documentary Evidence. If the provider has achieved less Outcomes than the set target, the provider may wish to include relevant information as to why that was the case.

The Department will then assess the Documentary Evidence to determine how many Outcomes have achieved against the provider's Quarterly Outcome Target. Once this assessment is complete, the Department will advise the provider of the result and request that the provider submit a Tax Invoice for the approved payment amount.

## Education Outcomes

Education Outcomes reward the provider for improving the job prospects and employability of 15 to 17 year old job seekers, or Early School Leavers (15 to 21 years), by helping them to participate in education or training.

Education Outcomes can be achieved by either:

- Participation in six months of a Qualifying Education Course,
- Participation in 12 weeks of a Qualifying Training Course, or
- Participation in less than 12 weeks of a Qualifying Training Course where the course leads to Employment.

While job seekers must commence their course when they are between the ages of 15 to 17 years (15 to 21 for Early School Leavers), they can complete the course outside those age ranges.

Courses must be relevant to the job seeker and recorded in the job seeker's Job Plan.

### Qualifying Education Course

An Education Outcome may be achieved where the job seeker participates in a Qualifying Education Course and is still undertaking the course six months from the course commencement date. This timeframe includes scheduled breaks in study as calculated by the training institution (that is, Term, Semester breaks). The job seeker must have started the course after Commencement with the provider.

### Qualifying Training Course

An Education Outcome may be achieved where the job seeker participates in 12 weeks or more of a Qualifying Training Course.

### Qualifying Training Course (less than 12 weeks)

If the job seeker participates in less than 12 weeks of a Qualifying Training Course, an Education Outcome may be achieved where the course leads directly to Employment that is related to the course undertaken. The Employment must start within eight weeks of completing the course and result in a 4 Week Employment Outcome.

## Referring to a Qualifying Education Course/Qualifying Training Course



**System step:** The provider must enter the course details into the Department's IT Systems within 28 calendar days of the job seeker commencing the course and include the following:

- full name of the course and course code or unit code
- Certificate/degree level
- whether the course is Austudy, Abstudy, or Youth Allowance approved
- weekly hours of class contact or full-time study as defined by the training institution
- if the job seeker is attending full-time or part-time
- the details of the training institution and the name of the contact persons, and
- if the training placement was arranged by the provider or the job seeker.

## Verification of Education Outcomes



**System step:** Education Outcomes will be verified and assessed manually by Departmental staff based on Documentary Evidence supplied by the provider.

The provider should not lodge claims for any Education Outcome Payments within the Department's IT Systems. Any claims lodged will be rejected as claiming functionality has been disabled within the Department's IT System.

## Submitting Documentary Evidence – Education Outcomes

The provider must submit Documentary Evidence to the Department via the Quarterly Outcomes Report within 10 business days after the end of each Financial Quarter. The Quarterly Outcomes Report should specify the number of Outcomes the provider claims to have achieved along with the relevant Documentary Evidence. The Department will advise the provider of the relevant contacts to liaise with for this purpose.



The Department will then assess the Documentary Evidence to determine whether any Outcomes have been achieved and will advise the provider of the result. The Department will then request that the provider submit a Tax Invoice for the approved payment amount.

### Seasonal Work Incentives Trial payments

If the provider places a job seeker in the Seasonal Work Incentives Trial, they may be entitled to claim the Seasonal Work Incentive Payment or the Seasonal Work Living Away and Travel Allowance (for the job seeker).

The provider will not be able to claim Seasonal Work Incentives Trial payments via the Department's IT System. If they do submit a claim, it will be rejected as this functionality has been disabled. Instead, the provider will need to submit a request to the Contract Manager with the relevant documentary evidence and a Tax Invoice requesting payment. If approved, the Contract Manager will pay using a General Payment. Please refer to the [Seasonal Work Incentives Trial Guideline](#) for more information on the Trial and the relevant payments.

### Upfront Administration Fee Payments

In relation to Employment Services (Yarrabah Pilot), the Provider will be paid an Administration Fee of \$236 per Commenced participant paid each quarterly service period for the duration the participant is commenced in the Yarrabah Employment Service.

The initial Quarterly Administration Fee will be based on the number of Commenced participants on the existing jobactive caseload on a date set by the Department. Subsequent Quarterly Administration Fees will be based on the number of Commenced participants on the Provider's caseload on the first business day of the Administration Fee Period.

To receive the Quarterly Fees, the Provider must issue an invoice to the Account Manager:

- on the Yarrabah Employment Service Commencement Date and, subsequently
- within five business day following the end of each Financial Quarter

(Deed references: Clauses 121.2)

### Using the Employment Fund General Account

The Provider may access the Employment Fund as per the [Using the Employment Fund General Account](#) guideline, except the Provider must not enter commitments in the IT system until the Provider is ready to claim reimbursement from the Department. The Provider cannot claim Employment Fund reimbursements through the Employment Fund IT system. Instead, the Department will reimburse the Provider via a General Payment, with the exception of CTA Providers, who will be automatically paid the CTA Amount for CTA Eligible Participants as per the [Using the Employment Fund General Account](#) guideline.

The Provider must not enter commitments or seek reimbursement for Bulk Purchase.

The Provider may request approval from its Account Manager to seek reimbursement for additional purchases that meet the Employment Fund Principles.

### Transfers

A job seeker may be transferred from the Provider to another Provider by DHS or the Department where the job seeker moves to a new location that is outside of Yarrabah.

See the jobactive [Transfer Guideline](#) for other transfer types and processes (i.e. 'Transfer due to relationship failure', 'Transfer for better servicing').

(Deed references: Clauses 75.1)

## Assessing Non-Compliance

### Valid Reason

If a job seeker does not meet their Mutual Obligation Requirements and has not contacted the Provider to give an Acceptable Reason, Providers must assess if the job seeker has a Valid Reason for the non-compliance.

There are two considerations a Provider must take into account when assessing if the job seeker has a Valid Reason for failing to comply with a requirement. These are:

- if the reason the job seeker gave for not complying with their requirement is reasonable; and if so,
- was it reasonable to expect the job seeker to give prior notice of their inability to attend or comply.

If the job seeker did not give prior notice of their inability to attend and it would have been reasonable to do so, a Valid Reason cannot be established as the job seeker could have told the Provider prior to the event.

The Provider delivering employment services in Yarrabah will consult with a community advisory group to assist them in defining culturally specific Valid Reasons. For a full list of Valid Reasons from which the provider can select to record their decision, please refer to the [Targeted Compliance Framework Reference Guide](#). The list of Valid Reasons is exhaustive: if the reason the job seeker gives does not appear on the list of Valid Reasons, then the job seeker does not have a Valid Reason for non-compliance.

When discussing non-compliance Providers must not use the list of Valid Reasons to prompt and elicit a response from job seekers. Providers should use their judgement in selecting a reason that correctly reflects job seekers' circumstances at the time, and what a member of the public, an employer or the Yarrabah community advisory group would consider reasonable for missing a requirement.

(Deed references: Clauses 114.4)

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## Section Two: Requirements for the provision of Work for the Dole services from Yarrabah

This section of the Guideline details the core elements and requirements for the Provider in delivering Work for the Dole as part of employment services.

Work for the Dole is designed to help job seekers gain the skills, experience and confidence needed to move from welfare to work as soon as possible. It provides a valuable opportunity for job seekers to demonstrate their capabilities and positive work behaviours which will stand them in good stead with potential employers while, at the same time, making a positive contribution to the local community.

Job seekers under 60 years of age generally have Mutual Obligation Requirements such as looking for work and participating in Activities that will improve their employment prospects. These include the requirement for job seekers to participate for six months each year in Work for the Dole or other approved Activities in order to meet their Annual Activity Requirements in Work for the Dole Phase. Information on other approved Activities is

included in the Job Plan and Setting Mutual Obligation Requirements Guideline and the Managing and Monitoring Mutual Obligation Requirements Guideline. Work for the Dole may also be undertaken outside the Work for the Dole Phase.

Work for the Dole is one of a number of approved Activities job seekers aged 18 Pension Age can participate in to meet their Annual Activity Requirement.

Job seekers under 18 years of age cannot be placed Work for the Dole Activities even if they wish to.

Further information about Mutual Obligation Requirements is included in the [Mutual Obligation Requirements Guideline](#).

The Provider will have a key role in securing Work for the Dole Places to ensure there is a sufficient number of Work for the Dole Places to meet demand.

Further requirements for delivering Work for the Dole services include the following:

- except as otherwise specified in this Guideline and the *Employment Services (Yarrabah Pilot) Deed 2018 - 2020*, the Provider is required to provide the same Work for the Dole services as specified under the *jobactive Deed 2015-2020*
- the *Employment Services (Yarrabah Pilot) Deed 2018 – 2020* does not include equivalent provisions to those in the *jobactive Deed 2015-2020* relating to 'Lead Providers' as there will only be one Provider;
- in delivering Work for the Dole services, the Provider must, among other things:
  - ensure the Host Organisation is satisfied it has necessary insurance before placing a job seeker into a Work for the Dole Activity
  - ensure sufficient time is built into the planning of Work for the Dole Activities to undertake all necessary checks in accordance with the Employment Services Deed (Yarrabah Pilot) 2018-2020 as these checks may take some time to complete
  - seek written approval from the Department in relation to any request to undertake Work for the Dole Activities which are otherwise prohibited under this Guideline.

In this section of the Guideline, the term 'job seeker' means an [eligible job seeker](#).

The terms 'Activity Host Organisation' and 'Work for the Dole Host Organisation' are abbreviated to 'Host Organisation'. The term 'Place' means 'Work for the Dole Place'.

## Participant requirements

### Work for the Dole Phase

Job seekers enter the Work for the Dole Phase after 12 months of being in employment services and every subsequent year that they remain unemployed.

During the Work for the Dole Phase, which is usually for six months each year, most Participants are required to undertake job search in addition to Work for the Dole or other approved Activities used to satisfy their Annual Activity Requirement.

Further information on the different phases and Services that the Provider must provide to Participants is available in Schedule three of the Deed (Yarrabah Phasing and Activities), the Job Plan and Setting Mutual Obligation Requirements Guideline and the Managing and Monitoring Mutual Obligation Requirements Guideline.

### Eligible job seeker

An eligible job seeker means any Fully Eligible Participant who is eligible to undertake Work for the Dole Activities as detailed in the Employment Services Deed (Yarrabah Pilot) 2018-2020 and any other person as determined by the Department.

### Participation Requirements

The Annual Activity Requirement is the required number of hours that a job seeker must complete in Work for the Dole or other approved Activities when in the Work for the Dole Phase.

Information on Annual Activity Requirement can be found in the Job Plan and Setting Mutual Obligation Requirements Guideline and the Managing and Monitoring Mutual Obligation Requirements Guideline.

Volunteers in Employment Provider Services, who are eligible for six months only, cannot be placed in Work for the Dole Activities. This is different to Fully Eligible Participants choosing to volunteer to undertake Work for the Dole during their Case Management Phase as they have been in employment services for at least six months.

Eligible job seekers receive an Approved Program of Work Supplement of \$20.80 per fortnight while they are undertaking Work for the Dole Activities to assist with the cost of participating in this Activity such as travel.

(Deed references: Clause 100)

### Participation in Work as a Reconnection Requirement

Where a job seeker is participating in a Work for the Dole Activity and has an engagement requirement scheduled following non-compliance, the hours will count towards the job seeker's Annual Activity Requirement. For further information refer to the [Job Plan and Setting Mutual Obligation Requirements Guideline](#) and the [Targeted Compliance Framework Guideline](#).

(Deed references: Clause 100.1 (a) (iii))

## Role of stakeholders

### Employment Services

The Provider must identify suitable Host Organisations to secure Work for the Dole Places for a wide variety of job seekers with different characteristics, needs and limitations.

As part of securing a Work for the Dole Place, the Provider must identify the requirements of the Work for the Dole Place including the duration and location of the Work for the Dole Place and conduct risk assessments (Place) in accordance with the process set out in this Guideline. See Attachment A.

The Provider must deliver Work for the Dole in accordance with the Employment Services (Yarrabah Pilot) Deed 2018-2020 and this Guideline.

The Provider must, in delivering Work for the Dole services:

- develop and maintain good working relationships with potential and participating Host Organisations and other stakeholders

- perform due diligence on Host Organisations bona fides and ensure they have a good reputation
- ensure risk assessments (Place) of the Work for the Dole Activity location are undertaken by Competent Persons and meet relevant laws and Departmental policies and procedures on work health and safety
- address the needs of Host Organisations and other stakeholders in a timely manner
- work proactively and collaborate with Host Organisations and other stakeholders to deliver Work for the Dole
- secure sufficient Work for the Dole Places that are suitable for a wide variety of job seekers
- monitor the Work for the Dole Activity to ensure it continues to be suitable and safe for participants
- comply with all relevant legislation and regulations including work health and safety
- ensure that Work for the Dole Activities do not proceed where work health and safety issues cannot be addressed
- ensure the integrity of Work for the Dole (and consequently the good reputation of the Australian Government) is maintained
- monitor Work for the Dole Places to determine if supply meets demand and the nature of places are appropriate
- report significant issues they identify, or that are brought to their attention, to the Department
- negotiate, execute and update as necessary, the Activity Host Organisation Agreement in accordance with the Deed.

### Sourcing Places

As part of securing Work for the Dole Places, the Provider must:

- plan their Activities with Host Organisations
- ensure Host Organisations understand Work for the Dole requirements
- ensure Host Organisations meet all work health and safety requirements
- identify the requirements of each Work for the Dole Place
- conduct risk assessments and comply with relevant laws and Department policies and procedures on work health and safety
- retain documentation relating to each Work for the Dole Place they secure, and
- record Work for the Dole Places in ESS Web.

Further information can be found at [Attachment A](#) and in the [Setting up Work for the Dole Activities](#) section of this Guideline.

### Collaboration

The Provider should meet regularly with its stakeholders and Host Organisations, keeping them informed of potential Activities and Places so that the Provider can plan and collaborate to meet the needs of both Host Organisations and the region.

The Provider must identify and share information on best practice in the collaborative management and delivery of Work for the Dole to Host Organisations where applicable. Information can include, but is not limited to:

- opportunities to minimise red tape
- processes to ensure Work for the Dole Places are suitable and consistent with work health and safety requirements
- helping build the capacity of and quality of the delivery of Work for the Dole in the region, and
- promoting the use of technology such as mobile device applications for Supervisors as appropriate.

Where the Department identifies best practice by a Provider, it may circulate advice about this best practice to other Providers.

(Deed references: Clauses 104.18)

## Work for the Dole Activities

### Identifying suitable Work for the Dole Activities

Work for the Dole Activities must focus on providing job seekers with Work-like Experiences that include skills that are in demand within the local labour market and training relevant to, or a pre-requisite for, the Activity being undertaken. Work-like Experiences involve job seekers in Activities that provide them with experiences similar to employees in a workplace. Placement in Work for the Dole Activities is intended to assist in preparing job seekers to take up employment.

Unless agreed to in writing by the Department, Work for the Dole Activities cannot:

- involve working on private property (except if they are a Community Support Project or otherwise specified in this Guideline)
- compete with established businesses
- be in child care or pre-schools
- involve personal care of an intimate nature including dressing, showering, feeding, toileting or professional services
- fulfil a function that is part of a commercial contract or enterprise
- fulfil a function that would normally be undertaken by the Provider under the jobactive Deed or other contract with the Department
- be undertaken for a for-profit organisation or on a for-profit basis (except as specified in Guidelines)
- result in a benefit or gain for the Provider
- involve work that would otherwise be undertaken by a paid worker if the Activity had not taken place.

Priority should be given to securing Individual Hosted Activities that are of six continuous months in duration over any other type or length of Place. (for example, priority must be given to securing Individual Hosted Activities, in most cases, should be given priority over Group Based Activities) (see Activity Types for further information on Individual Hosted Activities and Group Based Activities).

### Suitable Host Organisations

Work for the Dole Places must only be hosted by:

- not-for-profit organisations/charities
- local, state, territory or Australian Government organisations or agencies, or

- a not-for-profit arm of a for-profit organisation,

If a for-profit organisation is considered suitable by the provider, written approval from the Departmental is required before proceeding with the activity. In approving this request, the Department will consider whether placing a participant in the activity would result in the displacement of paid workers. Specifically, Work for the Dole Places must not:

- involve the same tasks that would normally be done by a paid worker, including a worker in casual or part-time work, and/or
- reduce the hours usually worked by a paid worker or reduce the customary overtime of an existing employee.

See also Community Support Projects (see Attachment B in this Guideline for additional information about Community Support Projects).

The Provider needs to satisfy itself that the potential Host Organisation is:

- eligible to host a Work for the Dole) Activity,
- of good reputation, can demonstrate they are who they claim to be and have the capacity to undertake a Work for the Dole Activity satisfactorily
- able to meet all program requirements, and
- able to deliver the proposed Activity as agreed.

Work for the Dole Host Organisations must not:

- Have engaged in illegal operations or promote or condone any form of unlawful conduct
- Be associated with the sex industry
- Promote or condone gambling
- Promote or condone any form of violence, self-harm or suicide
- Promote or condone any form of discrimination, including on the grounds of race, ethnic group, language, sex, religion or disability
- Provide any other service or action that is likely to bring the job seeker, the Provider or the Department into disrepute.

When setting up a Work for the Dole Activity, the Provider needs to advise the Host Organisations of all Work for the Dole requirements including work health and safety requirements and, if it is a Group Based Activity, the types of Documentary Evidence required to support any funding received.

The Provider should also take into consideration the types of Activities undertaken by a Host Organisation to ensure that Work for the Dole Activities meet program requirements and does not bring the Commonwealth into disrepute.

### Third Party Intermediaries

Host Organisations may appoint third party intermediaries to undertake Work for the Dole Activity functions on their behalf. However, third party intermediaries cannot take on the obligations of Host Organisations. A third part intermediary cannot sign the Activity Host Organisation Agreement on behalf of the Host Organisation.

The Provider is required to take reasonable steps when sourcing places with Host Organisations that engage third party intermediaries to ensure compliance with the Deed and these Guidelines.

### Suitable skills

To improve the work-readiness of job seekers Work for the Dole Activities should provide job seekers a combination of the following:

- opportunity to improve or enhance their communication skills, motivation and dependability
- opportunity to build confidence
- opportunity to be part of a team
- opportunity to work independently
- benefit the job seeker, by addressing non-vocational barriers, and
- opportunity to develop the relevant job seeker's skills that helps them secure employment.

### Work for the Dole Activities outside normal business hours

Job seekers may participate in Work for the Dole Activities outside of core business hours. However, the job seeker needs to agree to this before commencing in the Place and inform the provider of any barriers to their participation such as transport or caring responsibilities.

If the job seeker does not agree to the Activity with participation outside normal business hours, the Provider needs to source a different Activity so the job seeker can meet their Annual Activity Requirements.

### Negotiating cost of Work for the Dole Places

When negotiating the cost of the Work for the Dole Place with the Host Organisation, the Provider must ensure:

- the Work for the Dole Fee is paid per Place and is used to help offset the costs to the Host Organisation
- Work for the Dole Fees are not a grant: there is no guarantee of repeat funding. Therefore, Host Organisations should not rely on Work for the Dole funding to support their operations
- the Work for the Dole Fee will need to cover the duration of the Place, regardless of the number of job seekers who participate in the Place

(Deed references: Clauses 104.13)

### Protecting vulnerable people



**Work Health & Safety content:** In order to minimise risk to people from vulnerable people or to the job seeker by involvement in a Work for the Dole Activity involving vulnerable people, the Provider:

- must ensure Activities are fit for purpose (that is, appropriate to achieving the Work for the Dole objectives);
- must exercise care and judgement when placing job seekers in Activities that involve vulnerable people to ensure a suitable match. Consideration should be given to the type of interaction that is likely to take place in the Activity. For example, some Activities may involve working directly with vulnerable people (e.g. in an aged care facility) while others may involve indirect contact (e.g. a maintenance Activity at a youth community centre);



- should consult with Host Organisations regarding the characteristics they are seeking in participants for their Activities when assessing the suitability of a job seeker for a Place;
- must always ensure there is Continuous Supervision\*, adequate and appropriate Supervision of the job seeker in an Activity which involves vulnerable people, and
- must ensure all relevant checks have been undertaken based on the type of checks required for employees of the Host Organisation and any other checks the Provider deems appropriate.

Vulnerable people include:

- children (under 18 years of age)
- vulnerable youth
- the elderly
- the homeless
- people with disability
- people with mental illness
- people who do not speak English
- refuge residents (including men and women), and
- any other people the Provider or the Department identifies as vulnerable.

\*Note: 'Continuous Supervision' means a job seeker **must** be with or alongside the Supervisor or within the Supervisor's line of sight at all times while undertaking the Activity.

(Deed references: Clauses 111.2)

## Different Activity types

### Individual Hosted Activities

Individual Hosted Activities are to be undertaken by individual job seekers and must involve the job seeker being provided with a Work-like Experience with a Host Organisation. A sequence of job seekers may undertake the Place in an Individual Hosted Activity if the original job seeker leaves.

A Host Organisation may offer a single Place for one job seeker or multiple Places in Individual Hosted Activities for a number of individual job seekers. Generally, an Individual Hosted place sits within the existing structure of the Host Organisation.

Individual Hosted Activities with multiple Places can be entered into the system using either the standard or '[overarching Activity](#)' model. The 'overarching model' allows an Activity with multiple individual Places involving different sets of 'like tasks' to operate under one Third party intermediaries must also meet guideline requirements for a suitable host organisation. Work for the Dole Activity Host Organisation Agreement.

For example, one Host Organisation may have:

- multiple individual retail-type Places in their opportunity shops in either the same or different locations. This would be entered into the system using the standard model;
- multiple individual Places, involving different tasks (for example, five Places for planting trees, two Places for weeding and another two Places for collecting rubbish). As each of these different tasks can be grouped into 'sub-Activities' of individual 'like Places', this Activity would be entered into the system using the 'overarching Activity' model.

Other examples of Individual Hosted Activities include:

- retail tasks in a charity shopfront
- warehousing
- sorting of goods such as clothing or electrical items
- cleaning
- mowing lawns
- weeding
- rubbish collection
- maintaining and tending a community garden
- administration tasks such as filing
- on-going work in a social enterprise such as filing, building furniture or making jewellery, and
- assisting at an animal shelter in tasks such as dog walking and grooming.

An Individual Hosted Activity with multiple Places is **different** from a Group Based Activity.

#### Group Based Activities

Group Based Activities require job seekers to carry out tasks as part of a specific group project to meet their six-month requirement. These are generally one-off projects but may last longer than six months and up to 12 months. At 12 months, a new Work for the Dole Activity Host Organisation Agreement and Risk Assessment (Place) must be completed. Projects lasting longer than six months can have six-month rotating groups of job seekers working and supervised as a team.

A Group Based Activity must:

- have a specific goal and/or deliverable with an identified end date, and
- involve a group of job seekers working as a team to meet the common goal, deliverable or end date.


Group Based Activities often involve the engagement of an external Supervisor for the project, however a Host Organisation or the Provider may also choose to use their own staff to supervise an Activity where agreed.

Examples of Group Based Activities include:


- building garden beds for a community garden
- helping to establish a social enterprise
- archiving hard copy files to an electronic system
- establishing a community newsletter
- designing and preparing a Cultural Festival
- construction of a bus shelter
- renovating a Community Hall
- setting up a database
- painting a structure, and
- landscaping new developments.


Breaking up ongoing tasks into six-month instalments does not convert an Individual Hosted Activity into a Group Based Activity.

While it is Government policy that Group Based Activities should be reserved for Stream C Participants unless there are exceptional circumstances, Work for the Dole Activities hosted in Yarrabah from 2 July 2018 are considered to meet the exceptional circumstances requirements. Participants in Work for the Dole Activities can, as a result, be placed in Group Based Activities.


 **Work Health & Safety content:** All Activities, whether Group Based Activities or Individual Hosted Activities must have adequate and appropriate Supervision.

See [Attachment C](#) to this Guideline for an overview of the different Activity types.

 **System step:** The provider will need to select an exceptional circumstance reason when placing a participant into a Work for the Dole Activity.

 **System step:** For further information on entering Activity types into the Department's IT System, see the [Work for the Dole IT Supporting Document](#).

#### Documentary Evidence for Group Based Activities


 **System step:** The provider must record the amount of funding paid to the Activity Host Organisation in ESS Web.

Additionally, to obtain funding for Group Based Activities, the Provider must either:

- claim funds in advance or
- seek reimbursement at the end of the Activity

Receipts and tax invoices or some other acceptable form of evidence of payment **must** be kept of all eligible expenditure relating to Group Based Activities, and the Provider must be able to explain how the costs relate to the agreed Activities.

- In exceptional circumstances where a Host Organisation is not able to provide receipts or invoices to support expenditure a Statutory Declaration may be accepted.
- The Provider must retain written evidence of any changes agreed with the Activity Host Organisation to the cost of a Work for the Dole Place.

 **System step:** The Provider may choose to upload receipts and budgets for Group Based Activities to assist record keeping for acquittals.

#### Exclusions and exceptions

The Deed specifies the Provider must *not* provide, Purchase, Broker or arrange certain types of Work for the Dole Activities unless otherwise agreed by the Department in writing. These include any Work for the Dole Activity prohibited under any Guidelines or by any advice provided by the Department.

In addition to the types of Work for the Dole Activities not permitted under the Employment Services Deed (Yarrabah Pilot) 2018-2020, Work for the Dole Activities, whether they are Group Based Activities or Individual Hosted Activities, must *not* include:

- any water based Activity or task including any use of watercraft (unless the Provider obtains prior written approval from the Department)
- working for a family member (including parent, step-parent, legal guardian [when the person is/was 18 years or under], grandparent, and sibling) spouse, or the job seeker's own organisation unless prior written approval is given by the Department

- tasks that primarily promote a particular religious or political view
- tasks associated with the sex industry or involving nudity (including retail or hospitality positions)
- tasks involving gambling
- unlawful Activities, and
- anything that might bring the job seeker, Work for the Dole, the Provider or the Department into disrepute.

Work for the Dole Activities, whether they are Group Based Activities or Individual Hosted Activities, must not include a residential or overnight accommodation component without the Department's prior written approval.

The Provider must only place job seekers in Work for the Dole Activities as allowed by law. If the law does not allow a job seeker to be placed in a particular Work for the Dole Activity, the Provider must ensure that alternative Work for the Dole Activities are made available to that job seeker.

For example, if a Work for the Dole Activity involves tasks that can only be undertaken by a licensed person and the job seeker does not hold the relevant licence (for example, an electrician's licence or a bus driver's licence) then the job seeker cannot be placed into that Activity. Similarly, job seekers cannot participate in Activities if it will cause a breach of visa conditions.

Work for the Dole Activities must not be undertaken in for-profit businesses except in specified circumstances, including CSPs or prior written approval has been provided by the Department.

(Deed references: Clause 104.1)

### Displacement

Work for the Dole Activities, whether they are Individual Hosted Activities or Group Based Activities, must not displace paid workers as specified in the Deed. Work for the Dole Places must not:

- involve the same tasks that would normally be done by a paid worker, including a worker in casual or part-time work, and/or
- reduce the hours usually worked by a paid worker or reduce the customary overtime of an existing employee.

In addition, a Work for the Dole Place must not proceed if:

- an organisation has downsized its workforce in the previous 12 months—for example, through redundancies or termination—and the proposed placements are doing the same tasks as those roles made redundant, and/or
- it is being 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.

If the Provider becomes aware of displacement, the Provider must advise the Department through its Account Manager and act in accordance with the Deed.

(Deed references: Clauses 103.10)

### Private property

The term 'private property' means privately owned land or privately owned or occupied estate or house acreage. It may also encompass private homes or grounds.

The term 'private homes' means places of residence where individuals currently reside and the 'grounds' to which a private home is attached. This may include entry into an apartment, unit, house or boarding facility or grounds such as courtyards, gardens or balconies attached to the main dwelling and privately occupied.

Unless it is a Community Support Project, the Provider is not allowed to secure, without the Department's prior written agreement, a Work for the Dole Activity that:

- requires job seekers to enter private property (for example, where an Activity involves job seekers collecting items from private homes or grounds), or
- involves working exclusively on private property.

(Deed references: Clauses 104.1)

### Requesting permission for Activities on Private Property

If a 'Work for the Dole Activity involves entering private homes or grounds or working exclusively on private property, the Provider will need to seek the Department's agreement to undertaking the Activity by sending a written request to the Account Manager.

A request to the Department for Activities requiring entry to, or work on, private property must include:

- a clear description of the 'Work for the Dole Place, including:
  - the reason for job seekers needing to enter private homes or grounds
  - the part(s) of the Activity that will involve entering private homes or grounds, or working on private property
  - the approximate amount of time job seekers will spend on the property
  - where known, the location of the property (note this can be at a regional level), and
  - whether the Activity is for private benefit.
- details of the Supervision provided to job seekers including details of how the Host Organisation manages its employees who will supervise job seekers
- a copy of the risk assessment (Place) that addresses specific risks regarding private property including mitigation strategies and work health and safety policies, and
- confirmation whether, for the duration of the Activities, there is public liability insurance, written on an occurrence basis, with a limit of indemnity of at least \$10 million in respect of any one occurrence which covers the liability of the lessor or owner of the land on which the Activities take place including to the job seeker.

When seeking permission, the Provider must ensure there is sufficient and detailed information to inform the Department's decision. The Department may ask for additional documentation or information to support the request at any time.

The Department will acknowledge receipt of the request within two Business Days and endeavour to respond within five Business Days. It will provide its agreement or refusal in writing.

In addition to any other relevant conditions imposed, the Provider must:

- undertake regular reviews of the Work for the Dole Activity (the frequency of these reviews will be at the discretion of the Provider and should take into account the nature of the Activity and the requirements of the job seeker), and
- advise the Department of any changes to the nature or circumstances of the Activity. In these circumstances, the Department may review its permission for the Activity including possible cessation.

(Deed references: Clause 104.1)

### Provision of training

Training within a 'Work for the Dole Activity can be offered to a job seeker if it forms part of, or is required by, the 'Work for the Dole Activity. Training cannot be the primary element of a 'Work for the Dole Activity. Under no circumstances can training represent the majority of the Activity and there should be minimal classroom type training. Examples of acceptable training that may form part of a 'Work for the Dole Activity include:

- work health and safety training
- 'on the job' training related to the placement, and
- use of tools and equipment to be used in the placement.

Job seekers who are participating in training or another accredited language, literacy and numeracy training course, or study in a Certificate III in a skills-in-demand area when they reach their Work for the Dole Phase will be able to continue to undertake that training to its conclusion. However, they will need to make up the balance of hours they are required to undertake to meet their AAR by participating in 'Work for the Dole (or another approved Activity).

(Deed references: Clauses 104.17)


### Supervision

The Provider must ensure job seekers will be adequately and appropriately supervised at all times. In addition, for Activities involving vulnerable people, Supervision must be continuous. 'Continuous Supervision' means a job seeker must be alongside the Supervisor or within the Supervisor's line of sight at all times while undertaking the Activity.

The Provider needs to carefully consider these requirements when securing Places with the Host Organisation.

The Provider should also carefully consider the appropriate ratio of Supervisor(s) to job seekers depending on how many job seekers there are and the nature of the Activities to ensure the health, welfare and safety of job seekers and members of the public.

Where a Host Organisation has multiple Activities, the provider must take into account whether the nominated supervisor is also supervising other 'Work for the Dole Activities as this could significantly affect the supervision ratio for the Activities involved.

 **Work Health & Safety content:** As part of sourcing Work for the Dole Activities, the Provider must discuss with Host Organisations to ensure that they are aware that all Supervisors must:

- be fit and proper persons to be involved in the Activities
- have a high level of skill/knowledge, training and/or experience in:
  - the part of the Activity in which they are engaged, and

- working with, training and supervising persons in such Activities
- have relevant work health and safety training, and
- have checks as specified in the Deed and have met any additional statutory requirements before being given responsibility for supervising job seekers.

The Provider must ensure throughout the Activity that Supervisors on all Work for the Dole Activities meet the above requirements.

The Provider must ensure that Supervisors notify them of any job seeker non-attendance or non-compliance as soon as practicable, but no later than at the end of the relevant working week.

If there are to be changes in the Supervisor arrangements (for example a new Supervisor is introduced or a supervisor is away) during an Activity, the Provider needs to ensure that Host Organisations are aware that they need to notify them of the change in supervisor arrangements and confirm they meet the above requirements. The Provider should also ensure that Host Organisations have a procedure in place for non-attendance by Supervisors, especially at short notice. The supervision details should be updated in the risk assessments.

The provider must ensure that Supervisors notify them of any job seeker non-attendance or non-compliance as soon as practicable, and no later than at the end of the relevant working week. Where the 'Supervisor' mobile device application is available and is used by a Work for the Dole Supervisor, they will have access (through the application) to details of those job seekers that participate in the Activity on any given day. These details are only accessible where ESS Web (specifically the Calendar is being used by the Provider to record required participation. Through the application, Supervisors can record preliminary compliance results, which will be automatically sent to ESS Web to update the Provider's records.

For further information on compliance, refer to the [Targeted Compliance Framework Guideline](#).

(Deed references: Clauses 111)

## Setting up 'Work for the Dole Activities

### Individual Hosted Activities and Group Based Activities

When sourcing a Work for the Dole Place, the Provider must:

- plan their Activities according to caseload needs informed through reports made available by the Department and advice from Host Organisations;
- ensure Host Organisations meet all eligibility requirements;
- ensure Host Organisations are aware of program requirements;
- ensure the Activity is fit for purpose (that it meets program objectives and does not bring the Commonwealth into disrepute);
- develop the Work for the Dole Activity with the Host Organisation, including the requirements of each Work for the Dole Place; the number of Work for the Dole Places; supervision arrangements; the indicative cost, start and end dates of the Activities/Places; and the locations of Work for the Dole Places;
- ensure:
  - the location and available amenities are suitable;

- any equipment required for the delivery of the Activity will be available and suitable for the number of participants;
- Where a Host Organisation has multiple Activities, the provider must take this into account. For example, whether the nominated supervisor is also supervising other Work for the Dole Activities as this could significantly affect the supervision ratio for the Activities involved. The Provider should ensure a consistent approach is undertaken to risk assessments, acquittal/reimbursements and other program requirements.



**Work Health & Safety content:** ensure the risk assessment (Place) is undertaken by a Competent Person and other checks outlined in the [Keeping People Safe](#) section below are completed, and record the Activity and Place details on the Department's IT System

As part of sourcing Work for the Dole Place(s), the Provider must perform the necessary risk assessments and other checks as outlined in the [Keeping People Safe](#) section below, as well as identify with the Host Organisation the requirements of each Work for the Dole Place, including the number; the start and end dates; and the locations of Places. Once the Provider decides that a Work for the Dole Place is appropriate, they will record these details in the Department's IT System. For further information on sourcing and setting up Work for the Dole Activities, refer to [Attachment A](#) to this Guideline.

For further information on recording Activities in the Department's IT System, see the [Work for the Dole IT Supporting Document](#).

(Deed references: Clauses 104)

### Recording the Activity in ESS Web



**System step:** Where the Provider has determined that the Work for the Dole Place is appropriate, details of the Place must be recorded in ESS Web. The record must include:

- details of the Host Organisation, including contact details,
- an accurate description of the Individual Hosted Activity or Group Based Activity, including information on the specific materials or equipment, such as special clothing or any required checks (National Police Checks), or special requirements as relevant
- the cost, duration and location of the Work for the Dole Place/s
- the number of available Work for the Dole Places
- the activity schedule/s that job seekers will be participating in, and
- any other system fields as required.

A Work for the Dole Place should ideally be of six months duration; however, Work for the Dole Activities can be set up for up to 12 months and can be made up of consecutive Places of up to six months in duration. If a Host Organisation wishes to establish an Activity of more than 12 months, the Activity will need to be entered into ESS Web as separate Activities of no more than 12 months duration each.



**Work Health & Safety content:** The risk assessment (Place), including [Assessment Checklist \(Place\)](#), must be uploaded to ESS Web prior to the Activity being advertised (see [Keeping People Safe](#) below).



### Activity Schedules

Providers must enter in the schedule/s that will apply to the activity prior to advertising the activity. The schedule/s relate to the days/hours that job seekers may participate in the activity. Schedules are set for a period of time – for example, Monday to Thursday, 9am to 4pm or Monday, Wednesday, Thursday from 11am – 5pm. The schedules will depend on when the activity is being run and how job seekers will participate.

**System step:** All schedule/s are developed during the activity creation to approval stage. It is located on the Location Details screen within the Department's IT System.

### Claiming a Work for the Dole Place



**System step:** The Provider can refer an eligible job seeker to a Work for the Dole Place up to five business days prior to a job seeker entering the Work for the Dole Phase. This gives the provider flexibility in managing their job seekers.

The Provider will be able to claim a *future* Work for the Dole Place in ESS Web up to 10 Business Days prior to the start date of the relevant Work for the Dole Activity. When claiming the Place, the Provider must:

- identify and assign a Job Seeker ID to each Work for the Dole Place they claim, and
- Commence the job seeker in the Place within 10 Business Days of the *Activity start date*.

Where the Provider claims a Work for the Dole Place that is *currently available* to start, the Provider must:

- identify and assign a Job Seeker ID to the Place, and
- Commence the job seeker in that Place within 10 Business Days of *claiming the Place*.

To ensure the Host Organisation's needs are met, where the Provider claims a Work for the Dole Place they must utilise as much of the Work for the Dole Place as possible. This will be monitored by the Department. A sequence of job seekers may undertake the Place if the original job seeker leaves. The Provider should refer new job seekers to incomplete Work for the Dole Places before claiming a new Work for the Dole Place.

### Commencing a job seeker in a Work for the Dole Place



**Work Health & Safety content:** The Provider must consider a job seeker's background, skills and work experience and only commence job seekers in Work for the Dole Activities that are suitable to the participation requirements and capabilities of the job seeker.

Before commencing a job seeker in a Work for the Dole Place the Provider must:

- as part of conducting the risk assessment (job seeker), examine the risk assessment (Place) to ensure that the Work for the Dole Place is appropriate for the job seeker, taking into consideration any relevant circumstances and work restrictions (see [Keeping People Safe](#) below), and
- ensure that relevant checks (for example, National Police Checks) have been finalised (see [Checks](#) in this Guideline).

Providers must consider a job seeker's individual circumstances, capabilities, skills and work experience and only commence job seekers in Work for the Dole Activities that are safe and suitable to the participation requirements and capabilities of the job seeker and the Activity.

Work for the Dole Places should allow job seekers to participate sufficiently to meet their Annual Activity Requirement (for example, 25 hours per week over a six-month period—

please refer to the Schedule three of the Deed (Yarrabah Phasing and Activities), the Job Plan and Setting Mutual Obligation Requirements Guideline and the Managing and Monitoring Mutual Obligation Requirements Guideline. Providers should place one job seeker into each Work for the Dole Place. However, there may be situations where two job seekers fill one place—for example, two job seekers with partial capacity may be able to each complete their relevant Annual Activity Requirement in the one place to meet the needs of the Host Organisation. This would be subject to the agreement of the Host Organisation.

Where a Provider has a job seeker commenced in an Individual Hosted Activity and the job seeker subsequently leaves, the Provider must identify and place another suitable job seeker in that Place and do so in a timely manner.

Where a job seeker commences in and subsequently leaves a Group Based Activity before its conclusion, their Provider should identify and place another suitable job seeker in that Place within five Business Days. This is to minimise the delay in progressing group-based projects.

The Department will monitor timeliness in placing subsequent job seekers and utilisation of Places.

#### Work for the Dole Activities involving multiple 'like Places' in an Individual Hosted Activity



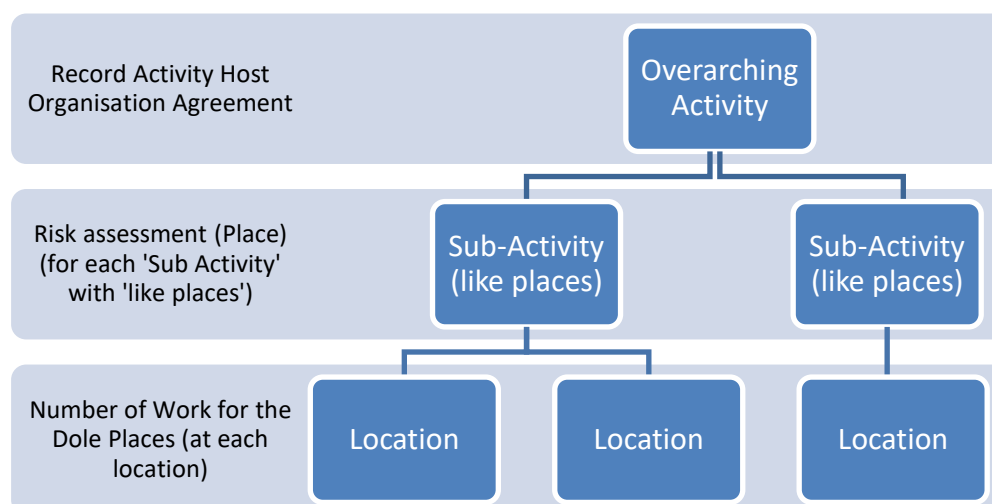
**System step:** Where a Host Organisation is offering an Individual Hosted Activity with more than one set of 'like Places', this Activity can be entered into ESS Web as:

- separate Activities of multiple 'like Places' of only one type (the standard model), or
- an 'overarching Activity'. An 'overarching Activity' will be made up of 'sub-Activities' of 'like Places' and risk assessments (Place) are to be completed for each 'sub-Activity'.

Under an 'overarching Activity' model, Work for the Dole Places will be grouped into 'sub-Activities' for each set of 'like Places'. A 'sub-Activity' can have a different start and end date within the time period of the 'overarching Activity'. This will allow for Work for the Dole Places that are only available for a certain time period within the duration of the 'overarching Activity' (see the diagram below for an overview of this model).

For example, the council has offered a total of 15 Work for the Dole Places, with five individual Work for the Dole Places in gardening and 10 individual Work for the Dole Places in cleaning. The provider must:

- create one 'overarching Activity' for the local council and complete all the necessary system fields,
- create two 'sub-Activities' for each set of 'like Places', which in this case will be one 'sub-Activity' for gardening and one 'sub-Activity' for cleaning, and
- complete all the necessary system fields, recording the start and end dates and number of Work for the Dole Places available at each location for each 'sub-Activity'.



See [Attachment C](#) to this Guideline for an overview of the different Activity types. Further information on risk assessments can be found in the [Keeping people safe](#) section.

### Keeping people safe

- △ **Work Health & Safety content:** The Provider must ensure that at the commencement and throughout the Activities there is a safe system of work in place. The providers must consult, coordinate and cooperate with all relevant stakeholders, including Host Organisations and the Department, as appropriate, in order to ensure that any work health and safety issues that arise in relation to a Work for the Dole Place are appropriately managed.

(Deed references: Clauses 110.2)

#### Insurance

As part of conducting the risk assessment (Place), the Provider must confirm that the Host Organisation is satisfied it has current and appropriate insurance to cover any risks associated with the Work for the Dole Place— for example, public and product liability insurance and motor vehicle insurance—noting that the type of insurance that is required may differ depending on the type of task(s) being undertaken.

The Department purchases personal accident insurance and public and product liability insurance to cover job seekers who undertake Work for the Dole Activities. However, these policies have exclusions.

For further information on the insurance policies, please refer to the [Insurance Readers Guide](#) and insurance policies which are available on the Provider Portal.

The risk assessment (Place) must identify whether the Work for the Dole Place meets the requirements of the Department's insurance policies purchased for job seekers or if the Activity task(s) fall within any of the insurance policies exclusions, noting that the Provider may need to seek approval and purchase or fund additional insurance, as outlined in the [Activity Management Guideline](#).

### Competent Person

- △ **Work Health & Safety content:** All risk assessments must be conducted by a Competent Person. If the provider does not itself have a Competent Person, it must engage a Competent Person for this purpose.
- △ **Work Health & Safety content:** A 'Competent Person' is a person who has acquired through training, qualification or experience the knowledge and skills to carry out risk assessments and other specific work health and safety tasks (refer [Model Work Health and Safety \(WHS\) Act 2011](#)).
- △ **Work Health & Safety content:** The provider should keep documentation, for example a register, of their Competent Person(s) including their name and a description of the training, qualification or experience of the Competent Person. The providers must provide these details to the Department upon request.

(Deed references: Clause 110.4)

### Risk assessment (Place)

- △ **Work Health & Safety content:** The Provider must ensure a risk assessment is undertaken by a Competent Person for each potential Work for the Dole Activity and must ensure there is a safe system of work in place prior to the Activity being approved. The Provider must ensure that all controls in the risk assessment (Place) are implemented by the Host Organisation, in full, including implementation of identified work health and safety controls.
- △ **Work Health & Safety content:** The risk assessment (Place) must include the name and ID of the Activity when it is uploaded to ESS Web prior to the Activity being advertised.

The risk assessment (Place) must identify, assess and record all work health and safety issues and any other concerns at the site or premises where a job seeker will undertake the Activity (in accordance with the Deed)—for example, all hazards and risks that may cause harm, such as:

- physical (noise, heat, cold, dust, step/stairs, slippery surfaces, lifting, manual handling)
- chemical (acids, poisons, asbestos, flammable and hazardous substances)
- biological (radiation, lead)
- psychological, arising from fatigue, shift-work (mental tiredness) and bullying
- work that is inherently dangerous (working with electricity, heavy machinery, at heights or requiring formal competency/operator tickets)
- electrical equipment (all electrical equipment is tested and tagged e.g. machinery, power tools, kitchen appliances)
- warehousing, traffic management and driving (traffic and pedestrian interactions marked appropriately with safe clearances and walkways, vehicles and mobile plant registered and well maintained)
- emergency preparedness (emergency drills/ procedures, floor maps, exit signs, fire extinguishers and first aid kits are in place).

The risk assessment (Place) **must** also identify/include:

- that the Host Organisation and Competent Person are satisfied that the Host Organisation has adequate work health and safety processes in place to deliver the Activity safely and, if the Competent Person is not satisfied that such processes are in place, the Activity must not proceed

- all steps and measures that will be put in place to mitigate any identified issues and concerns
- the nature, scope and duration of any training, including work health and safety training, required to be undertaken by the job seeker to conduct the Activity task(s) safely at commencement and for the duration of the Activity
- any specific personal protection equipment and clothing that is required for the job seeker to participate safely in the Activity and whether this material will be provided by the Host Organisation
- if the Activity will involve direct or indirect interaction with Children, the elderly or other [vulnerable people](#) and whether relevant checks should be undertaken
- the Supervision arrangements, including the level (that is, ratio and frequency) of Supervision that will be provided to the job seeker and the experience, skills and knowledge of the Supervisor (s) and that Supervisors meet any additional statutory requirements prior to being given responsibility for the Supervision of job seekers
- confirmation that where the Activity involves people from vulnerable people, the Host Organisation will provide Continuous Supervision for the duration of the Activity,
- if the Host Organisation and Competent Person are satisfied that the Host Organisation is compliant with the relevant legislative and regulatory work health and safety obligations
- confirmation that the Host Organisation is satisfied it has current and appropriate insurance to cover any risks associated with the Work for the Dole Place
- availability of appropriate facilities (access to drinking water and toilets) to the job seeker for the duration of the Activity, and
- any other reason(s) it would be inappropriate for the potential Work for the Dole Place to proceed, including:
  - if the Activity falls within the scope of clause 101.1 and/or any exclusions listed in this Guideline, and
  - any work health and safety issues that could not be reasonably and appropriately managed.

Where a risk assessment (Place) identifies significant work health and safety concerns that cannot be mitigated to create a safe working environment and/or cannot be adequately managed by the Provider and/or the Host Organisation, the Place must not be considered a suitable and the Activity must not proceed.

#### [Multiple Work for the Dole Places in Individual Hosted Activities and/or in Multiple locations](#)

One comprehensive risk assessment (Place) may be conducted in cases where there are multiple Work for the Dole Places in Individual Hosted Activities if those Activities are:

- with one Host Organisation, and
- are of the same or similar nature ('like Places').

Where the Work for the Dole Activity involves job seekers undertaking tasks across [multiple locations](#), one comprehensive risk assessment (Place) may be conducted. However, the risk assessment (Place) must clearly identify the multiple locations and corresponding hazards and risks at each of the different locations.

### Updating the risk assessment (Place)



**Work Health & Safety content:** It is the responsibility of the Provider to monitor, review and update the risk assessment (Place) for the duration of the Activity. For example, where the Host Organisation advises the Provider of any proposed or actual changes to the circumstances or tasks being undertaken as part of the Work for the Dole Activity or this comes to the attention of the Provider, the Provider must update the risk assessment (Place), including the [Assessment Checklist \(Place\)](#), and upload the updated risk assessment (Place) to ESS Web.

If the proposed or actual changes to the Work for the Dole Activity include risks that cannot be mitigated or adequately managed by the Provider and/or the Host Organisation, the Provider must cease the Activity and notify the Host Organisation, and their Departmental Account Manager.

(Deed references: Clauses 110.3 (e))

### Assessment Checklist (Place)



**Work Health & Safety content:** The Provider must complete the [Assessment Checklist \(Place\)](#). The Assessment Checklist (Place) must be completed accurately, in full and in the format provided and the content must not be altered. Should a change to the Activity require an update to the risk assessment (Place), the Checklist (Place) will also need to be updated to align with the risk assessment (Place).

A copy of the [Assessment Checklist \(Place\)](#) is available on the Provider Portal.



**System step:** Each risk assessment (Place) must include the completed [Assessment Checklist \(Place\)](#) and be uploaded on to ESS Web. The [Assessment Checklist \(Place\)](#) should be used as a cover page to the risk assessment (Place).



**Documentary evidence:** The Provider must:

- maintain Records of all risk assessments (Place) they have undertaken, and
- provide these Records to the Department upon request.

### Risk assessment (job seeker)




**Work Health & Safety content:** The Provider must, in accordance with the Deed, ensure a risk assessment (job seeker) is undertaken by a Competent Person for each individual job seeker before the job seeker is referred to, or participates in a Work for the Dole Place. The risk assessment (job seeker) must ensure that the Work for the Dole Place is suitable taking into account any relevant circumstances and work restrictions of the job seeker. Where the Work for the Dole Place is not assessed as suitable, the job seeker must not be referred to that Place.


In conducting the risk assessment (job seeker), the provider must review the Activity details and risk assessment (Place) to ensure that the Work for the Dole Place is appropriate for the job seeker. Where a Place is not suitable for a job seeker the job seeker must not be referred to the Place. The risk assessment (job seeker) must specify:


- that the risk assessment (Place) has been reviewed
- the job seeker's personal circumstances and work restrictions. This could include, but is not limited to:

- working capabilities and capacity
  - transport restrictions
  - carer responsibilities
  - specific injuries
  - pregnancy
  - allergies or other health issues (e.g. diabetes), and
  - history of aggressive behaviour.
- any training, including work health and safety training, required for the job seeker to participate safely, and ensure that training is of sufficient length and quality
  - any specific personal protection equipment, clothing or materials required for the job seeker to participate safely, and ensure that such materials will be provided to the job seeker
  - that the level of supervision being provided is adequate and appropriate for the job seeker
  - any appropriate facilities (such as toilets and access to drinking water) that are required to be available to the job seeker for the duration of the Activity
  - the job seeker has been advised of the work health and safety and incident reporting and escalation processes
  - the job seeker has been provided with the location or access to the Job Seeker Insurance Guide
  - that the Activity is covered by the Department's insurance policy or if not, that additional insurance has been purchased
  - whether any checks (for example, National Criminal Records and/or Working with Vulnerable People/Children Checks) are required and ensure that such checks will be completed prior to the job seeker commencing in the Activity.

 **Work Health & Safety content:** The risk assessment (job seeker) must also be signed and dated by the job seeker before the job seeker is referred to and participates in a Work for the Dole Place.

The risk assessment (job seeker) will need to be reviewed and revised, as appropriate, if the risk assessment (Place) for the Activity they are commenced in changes, or if there are changes to the Activity tasks or circumstances. Providers will also need to review the risk assessment (job seeker) if the job seeker's personal circumstances change, to assess whether the Place is still suitable.

 **Work Health & Safety content:** The format of the risk assessment (job seeker) is not prescribed. The Department has provided a [Work for the Dole – Assessment Checklist \(Job Seeker\)](#) to assist providers in checking that they cover Deed and Guideline requirements for the risk assessment (job seeker). Use of the Department's checklist is not mandatory and does not replace the risk assessment (job seeker).


 **Work Health & Safety content:** The provider must keep a record of each risk assessment (job seeker) conducted and provide these to the Department upon request.

(Deed references: Clause 110.2)

### Reporting and managing incidents

The Provider must report and manage any incidents involving job seekers.

## Incidents

 **Work Health & Safety content:** If a job seeker or member of the public sustains an injury during an Activity, the Provider should ensure, first and foremost, that they and/or their personnel encourage the injured person to seek appropriate medical attention or call emergency services depending on the nature of the incident. Where an incident results in the death of a job seeker the Supervisor must call emergency services and immediately notify the work health and safety regulator of the incident in accordance with laws. The Supervisor must try and protect other job seekers from unnecessary trauma where possible.

 **Work Health & Safety content:** When must an Incident be reported?

The provider must notify, as outlined in the [Insurance Readers Guide](#), within 24 hours of any incident and/or near miss during the Activity, including those that result in accident, injury or death of:

- any job seeker (including where the incident occurred while the job seeker was travelling to or from an Activity)
- any personnel involved in the delivery or supervision of the Activity
- members of the general public.

## All Incidents – both Personal Accident and Public and Products Liability



**Documentary evidence:** Providers must complete the incident report form provided on the Provider Portal, giving full details of the incident (irrespective of whether a claim is being made at the time).

- A personal accident/non Medicare expenses claim form/incident report must be completed when an incident involves a job seeker's accident, injury or death and submitted as outlined in the [Insurance Readers Guide](#).
- A public and products liability claim form/incident report is used when a third party alleges a job seeker has been negligent and caused accident, injury or death, or property damage. Once completed, the public and products liability claim form/incident report must be sent to:
  - Arthur J. Gallagher Pty Ltd (GOV.claims@ajg.com.au)
  - the provider's Account Manager.

The incident report must identify if the incident was caused by an instance of misconduct by a job seeker. Misconduct is defined as being something that would, if the job seeker was a paid employee, normally result in the paid employee being terminated from paid employment. Any misconduct by job seekers may require the Provider to lodge a Participation Report.

It is important that job seekers have access to reporting mechanisms in the event they wish to report an incident, lodge a complaint or provide positive/constructive feedback confidentially. The Provider needs to ensure that there is an internal, impartial and easily accessible complaints mechanism that can be used by job seekers regardless of the nature of the complaint.

For further information in relation to the process for reporting incidents and completing incident forms refer to the [Insurance Readers Guide](#).



## Recording Requirements in ESS



**System step:** The Provider should record details of incidents or accidents in the 'Job Seeker Participant Event' screen in ESS Web. The Provider is also able to report any instances of misconduct or threatening behaviour on the 'Job Seeker Incident Report' screen of ESS Web, whether or not the incident is associated with a police report.

For further information on the incident reporting process, see the [Insurance Readers Guide](#), [Activity Management Guideline](#) and [Servicing Individuals with Challenging Behaviour Guideline](#).

(Deed references: Clauses 65.6)

## Checks

When sourcing a Work for the Dole Place, the Provider must identify, in consultation with the Host Organisation, whether any checks will be required and any associated costs. If a Work for the Dole Place requires a check, the Provider must record this in ESS Web. Depending on the nature of the Activity, the checks required may include a National Criminal Records and/or Working with Vulnerable People Check.

Where checks are required, the Provider must arrange and pay for the checks to be completed before allowing the job seeker to participate in that Activity (as per the Deed).

Providers should keep in mind the timeframes required for checks to be processed by external parties and how this may impact on the timeliness of placing and commencing a job seeker in a Place.

Where a check has not been finalised and a job seeker has an Annual Activity Requirement, the Provider must commence the job seeker in an alternative Place or Approved Activity until appropriate check/s have been finalised.

If the check uncovers an issue that might reasonably impact on the job seeker's suitability for an Activity, the Provider must assess whether the job seeker should be referred to the Activity in line with the Deed.

If the job seeker is considered unsuitable for the Activity, the provider must commence the job seeker in a suitable alternative Place or Other Approved Activity.

(Deed references: Clauses 8.1)

## Activity Host Organisation Agreements (Provider)

A Work for the Dole Activity Host Organisation Agreement must be signed for each Work for the Dole Activity. Two template agreements are available on the Provider Portal for either an Individual Hosted Activity or a Group Based Activity for Providers to use.

The Work for the Dole Activity Host Organisation Agreement must always be between the Provider and the Host Organisation

Where the Provider uses their own agreement for these purposes, they must ensure that all the topics in the Department's template agreement (available on the Provider Portal) are covered in their agreement and must include, word for word, clauses 2.4, 6.2(b) and 6.5 in the Department's agreement template.

The agreed timeframe for passing on funds to the Host Organisation by the provider, and the acquittal requirements for Host Organisations must be detailed in the Activity Host Organisation Agreement.

The Provider must negotiate and execute the Activity Host Organisation Agreement before any job seekers can be commenced in the Activity.



**Documentary evidence:** The completed risk assessment (Place), including the [Assessment Checklist \(Place\)](#), must be attached to the final Work for the Dole Activity Host Organisation Agreement to ensure that all parties are aware of any identified issues so they can be appropriately managed.

Work for the Dole Activity Host Organisation Agreements must be reviewed and updated or re-negotiated every 12 months. As part of this process a new risk assessment (Place), including the [Assessment Checklist \(Place\)](#) must be completed.

A copy of the revised Work for the Dole Activity Host Organisation Agreement and any subsequent versions must be retained.

### Managing job seekers undertaking Work for the Dole Activities



**System step:** The Provider must schedule the daily participation requirements into the job seeker's Calendar—a tool in ESS Web that assists Providers to manage and monitor job seekers with requirements on their caseload. For job seekers who are not capable of self-reporting their attendance at Activities, the provider must enter the attendance result on behalf of the job seeker by close of business of the day of the requirement.



**Documentary evidence:** For job seekers in Work for the Dole Activities, the Provider must ensure that they maintain Records of attendance (for example, time records or attendance results submitted through the 'Supervisor' mobile device application or job seekers evidenced based self-reporting of attendance) so that it can be confirmed whether a job seeker has met their AAR. This must be done by Close of Business on the day of the job seeker's participation, unless the job seeker does not record their own attendance when required to do so, in which case their payment will be suspended and Providers will have up to 28 days to record the appropriate result once contact is made with the job seeker For more information refer to the [Activity Management Guideline](#) and the [Work for the Dole IT Supporting Document](#).

The Provider must:

- ensure that arrangements are in place for Host Organisations or Supervisors to advise the Provider when a job seeker does not attend their Activity
- follow up on preliminary non-attendance results from the Supervisor App and follow up on any non-compliant behaviour reported, and
- replace any participant who leaves a Work for the Dole Activity early.

Refer to the [Targeted Compliance Framework Guideline](#) for required action when non-compliance is identified, recording decisions and re-engaging job seekers.

While job seekers are undertaking Work for the Dole Activities, the Provider must:

- review the risk assessment (job seeker) if the risk assessment (Place) is updated, if there are changes to the Activity tasks or circumstances, or if the job seeker's circumstances change

- maintain contact with the job seekers to ensure that they continue to focus on looking for work as well as participating in Work for the Dole Activities
- work with job seekers who are not yet capable of self-reporting their own attendance at Work for the Dole Activities
- continue to identify jobs that job seekers can apply for and refer them to those jobs, and
- record non-compliance when job seekers do not follow up a referral or attend a job interview that is offered by a prospective Employer.

### Media and promotion

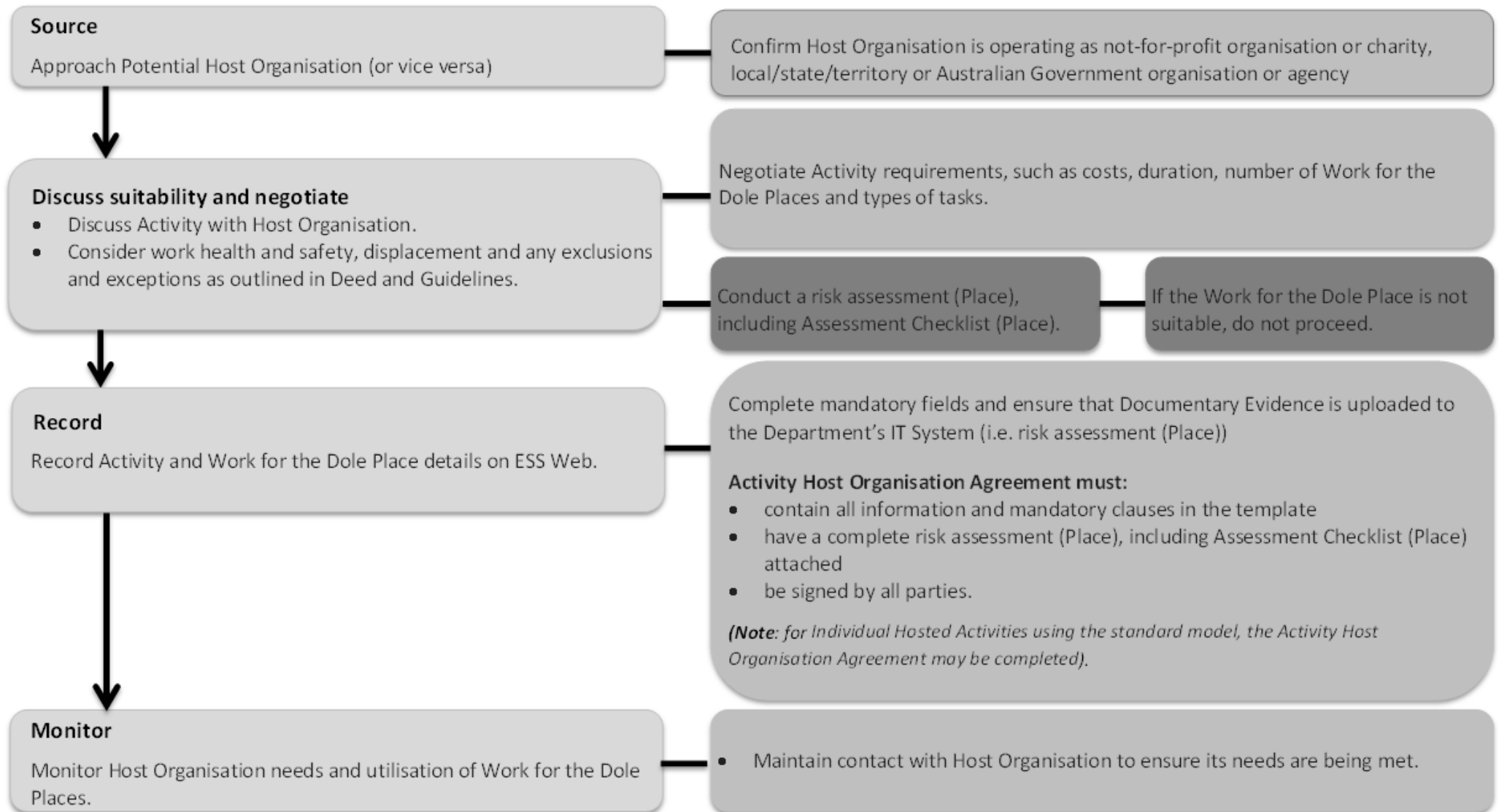
The Provider must advise the Department before any promotional event. If the responsible Minister, the Minister's representative or any Department Employee intends to attend, the Provider must liaise with their Account Manager on the details of the event.

In all publications and promotional, publicity and advertising materials or Activities of any type undertaken by, or on behalf of, the Provider relating to the Services outlined in the Deed, the Provider must:

- comply with any promotion and style Guidelines issued by the Department from time to time
- use badging and signage issued by the Department
- acknowledge the financial and other support received from the Commonwealth, and
- provide to the Department, as requested, copies of all promotional, publicity and advertising materials that the Provider has developed.

The Provider must market and promote Work for the Dole as required by the Department and manage any enquiries relating to Work for the Dole. The Provider should discuss any issues or concerns with their Account Manager in the first instance.

Attachment A: Sourcing and setting up Work for the Dole Activities



## Attachment B: Additional Guidelines relating to Community Support Projects (CSPs)

### Objectives

If a natural disaster has occurred, the Department can direct a Work for the Dole Activity to be undertaken to assist with recovery as part of Community Support Projects (CSPs).

CSPs are projects that will contribute to recovery efforts following a disaster event, or to assist with nationally significant projects at a local level that have been identified as providing a social, economic, environmental, cultural and/or heritage benefit to the Australian community. Where a CSP is assisting with a natural disaster, the project is not designed to compete with the work of, or replace the roles of, specialised emergency services (such as the State Emergency Service) which have expertise in responding during and immediately after a natural disaster event.

### CSPs:

- respond to, and assist with, the recovery from declared national, state, territory and local community natural disasters
- assist not-for-profit and volunteer organisations that are supporting affected communities
- support local residents and assist rebuilding of the local economy
- provide logistical support to emergency services personnel in areas such as food preparation, delivery of clothing and maintenance of emergency services accommodation and infrastructure
- respond to other events and/or identified tasks that positively impact on local communities or at a national level, and
- assist the community where there is an identified need for a coordinated national Activity and human resources and finances are limited.

CSPs can include, but are not limited to, the following Activities:

- clearing debris—for example, leaves and garden material
- repairing fencing and building
- clearing properties of leaves and low-hanging branches that could be a fire hazard in locations potentially threatened
- assisting community organisations with tasks such as packaging and delivering meals
- sorting, packaging or displaying goods in local opportunity shops
- minor gardening and home maintenance Activities through community care organisations
- park and riverbank restoration following the subsidence of floodwaters
- restoration of local council areas
- large-scale park/garden restoration projects or revegetation management projects
- restoring historical public buildings or culturally significant sites
- assisting with replanting of food plantations destroyed by a disaster, and
- working in state/territory or Australian Government Botanic Gardens or National Parks.

### Flexibilities available in Natural Disaster Zones/Areas for CSPs

The Department will ease restrictions on Work for the Dole Activities in relation to the Deed when CSPs are established following a natural disaster in areas where the Australian or state/territory governments have declared a State of Emergency or a Natural Disaster Zone/Area or as determined by the Department. The Provider must continue to meet all other Deed and Guideline requirements.

This means that the Providers can develop Activities that:

- operate on private residential properties, in private commercial businesses and with farming enterprises. This could include primary producers, a group of local small businesses or disadvantaged community members such as the elderly or disabled
- carry out tasks that are normally prohibited—for example, Activities that may compete with or support an established business or a commercial contract or enterprise, and/or
- would normally be prohibited allowed because the Activity or Host Organisation has received government funding.

### Implementation

CSPs can be initiated by the Provider. The Provider should consult with authorities and community organisations in the local area to offer assistance with the recovery and/or restoration Activities. In this way, the Provider can target Activities most appropriately. There is no limit on the number of CSPs that a Provider can set up.



The Provider must submit a proposal for any CSPs to the Department for its approval. The Provider must demonstrate in their proposal:

- broad benefit to the wider community from working on private residential property, private commercial businesses and with farming enterprises (that is, the economic benefit of having families, communities and local businesses return to normal life as soon as possible)
- that they are not working with just one person or entity, except in the case of farmers, where large infrastructure restoration is required to protect the community (for example, repairing common boundary fences along public roads and highways). Activities can assist homeowners or business operators, provided they offer support to multiple establishments in the surrounding area
- a focus on repair and restoration work (Activities should not be seen to add value over and above what was previously in place)
- that job seekers will not be undertaking tasks that could be perceived as ‘business as normal’ tasks
- that job seekers are not kept working on Activities for indefinite periods of time and are provided with appropriate skills, Work-like Experiences, and pathways to Employment.

On the condition that a Provider develops a proposal for CSPs that meets all the conditions in this Guideline for CSPs and the Provider complies with any additional conditions set out by the Department, it will give its written permission to allow Provider to secure Work for the Dole CSPs not otherwise permitted under the Deed.

Account/Contract Managers will assess proposals for CSPs as quickly as possible. It may be useful to include your Account/Contract Manager in early conversations about the proposed Activity to assist this process.

### Who can be the Host Organisation for CSPs?

CSPs must only be hosted by a Provider; not-for-profit organisations/charities; local, state, territory or Australian Government organisations or agencies; or a not-for-profit arm of a for-profit organisation.

### Entering CSPs into the Department’s IT System

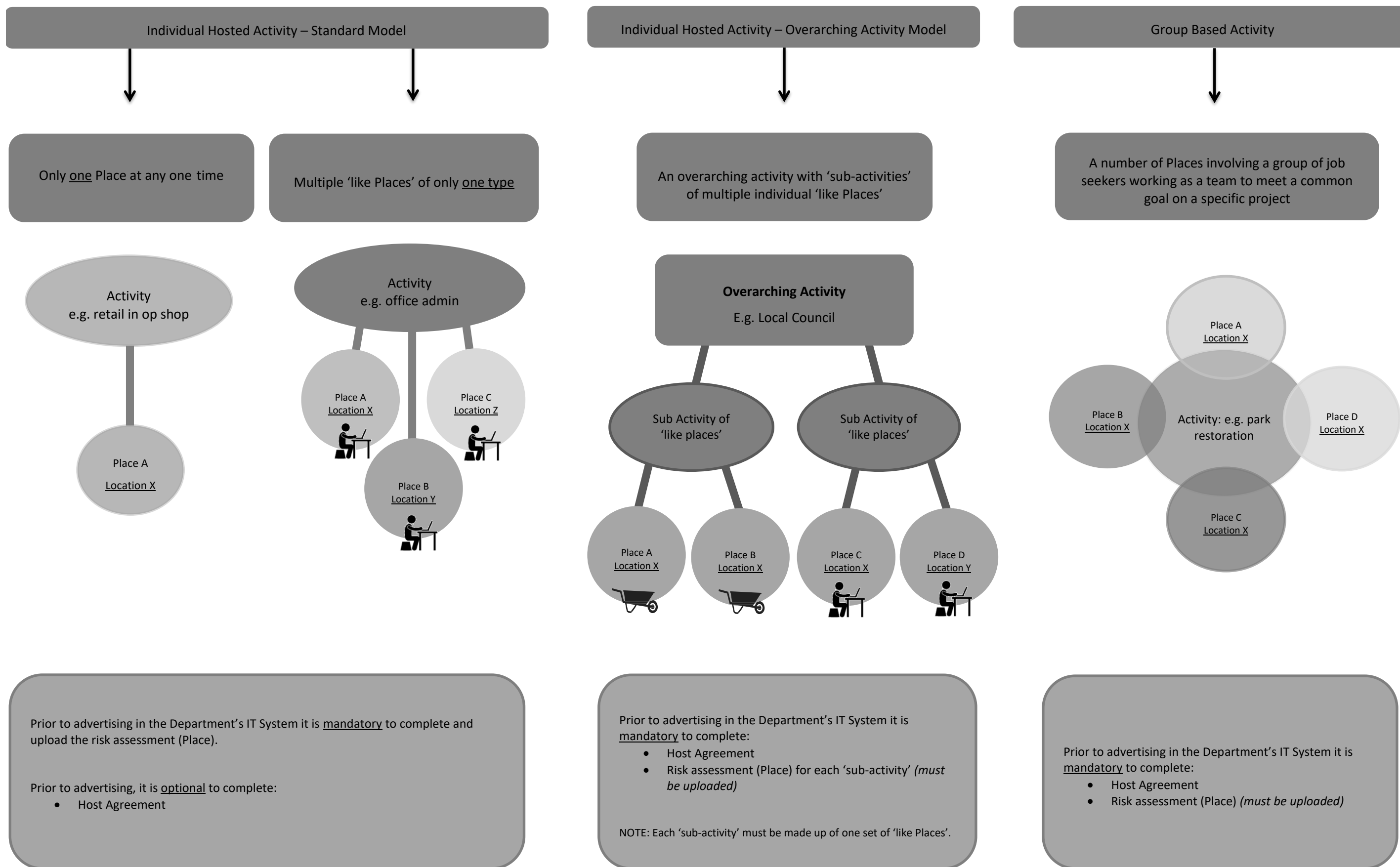


**System Step:** When entering Work for the Dole CSPs into the Department’s IT System, the Provider needs to select ‘Work for the Dole’ in the Activity Type field of the Activity Search screen and then select ‘Community Support Project’ as the subtype.

A form is available on the Provider Portal for Providers to complete when proposing CSPs.



Attachment C: Activity types—Individual Hosted Activity versus Group Based Activity





All capitalised terms in this guideline have the same meaning as in the Employment Services Deed (Yarrabah Pilot) 2018–2020 (the Deed).

This Guideline is not a stand-alone document and does not contain the entirety of Employment Services Providers' obligations. It must be read in conjunction with the Deed and any relevant Guidelines or reference material issued by Department of Jobs and Small Business under or in connection with the Deed.