



Australian Government

Guideline:

# New Employment Services Trial (NEST) – Defined Periods, Suspensions and Exits

There are a range of defined Periods in NEST which determine when Participants must participate in activities, which services a Participant should receive and whether Trial Providers are eligible for payments. Most of these periods are affected by periods of Suspension and Exits.

Suspensions are periods when Participants are not required to participate in services and Providers are not required to deliver services to them during that period although they may agree to do so in some circumstances.

Participants may be Exited if they are meeting their obligations or are no longer eligible for Trial Services. This will usually happen automatically but there are some instances when Providers can manually Exit Participants.

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Changes from the previous version (Version 1.0)

**Policy changes:**

Nil

**Wording changes:**

Page 7 – noting that from 1 July 2020, the Stronger Transitions program is closed to new entrants.

Page 10 – changed department name to Department of Education, Skills and Employment.

References to NEST Provider changed to Trial Provider.

**Document Change History:**

A full document history is available on the [Provider Portal](#)

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Related documents and references

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

[Payments Guideline](#)

[Employment Fund Guideline](#)

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## Defined NEST periods are calculated by the Department's IT Systems.

Some defined NEST Periods determine eligibility for, or value of payments. Further information is in the NEST [Enhanced Services Provider Payments Guideline](#).

Periods in the Tiers of Enhanced Services determine whether or when a Trial Provider may be eligible for Progress Fees.

**'Period in Tier 1 Enhanced Services':**

- (a) commences when a Tier 1 Enhanced Services Participant Commences in Tier 1 Enhanced Services;
- (b) halts when the Participant is Suspended and recommences when the Suspension ends;
- (c) ends when the Participant moves into Tier 2 Enhanced Services, Digital Services or is Exited.

It is the period during which the Provider must provide Tier 1 Enhanced Services.

**'Period in Tier 2 Enhanced Services':**

- (a) commences when a Tier 2 Enhanced Services Participant Commences in Tier 2 Enhanced Services;
- (b) halts when the Participant is Suspended and recommences when the Suspension ends;
- (c) ends when the Participant moves into Tier 1 Enhanced Services, Digital Services or is Exited.

It is the period during which the Provider must provide Tier 2 Enhanced Services.

**'Period of Unemployment'** determines whether a Provider may be eligible for a Very Long Term Unemployment Bonus for a Participant, the value of Outcome Payments for a Participant, and the level of Employment Fund credits for a Transitioned Participant. It

- (a) begins when a Participant registers with Services Australia; and
- (b) ends when the Participant Exits.

Other defined NEST Periods determine the services that should be provided to a Participant, including whether the Participant must participate in activities:

**'Period of Registration'** is when a Provider must provide Trial Provider Services to a Participant. It begins

- (a) in the case of an Enhanced Services Participant, on their Commencement; or
- (b) in the case of a Digital Participant, when they are Allocated to the Provider,

It halts when the Participant is Suspended, recommences when the Suspension ends, and ends when:

- (c) in the case of an Enhanced Services Participant, when the Participant is transferred from the Provider;
- (d) in the case of a Digital Participant, when the Services for which the Digital Participant was Allocated to the Provider cease or are completed; or
- (e) the Participant is Exited.

**'Period of Service':**

- (a) begins as specified in the Department's IT Systems;
- (b) halts when the Participant is Suspended and recommences when the Suspension ends; and
- (c) ends when the Participant Exits.

(Deed references: Clauses 98.1, 100, 101, 102, 137, Annexure E1 – Payments and Employment Fund Credits, Attachment 1 – Definitions)

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## What are Suspensions?

Suspensions are periods during which Participants on the caseload of a provider are generally not required to participate in employment services. They may be the result of Services Australia temporarily Exempting a Participant from their obligations, or Services Australia or the Provider applying a Suspension for eligible Participants who are meeting their mutual obligation requirements.

While Providers generally do not need to deliver services to Suspended Participants, Suspended Participants aged 55 years or over can be required to attend appointments relating to employment opportunities.

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## When are Participants Suspended?

Participants are Suspended if they are:

- a Participant (Mutual Obligation):
  - with an Exemption applied by Services Australia
  - who is a Principal Carer Parent (PCP) and is fully meeting their part-time Mutual Obligation Requirements through participating in 30 hours a fortnight of paid work and/or study
  - who has a Partial Capacity to Work (PCW) of 15 to 29 hours a week and is fully meeting their part-time Mutual Obligation Requirements through participating in 30 hours a fortnight of paid work and/or study
  - aged 55 years and over and is meeting their Full-Time Mutual Obligation Requirements through participating in paid work and/or approved Voluntary Work depending on their age and circumstances.
    - If the Participant is aged 55 – 59 and in their first 12 months of receiving payment, they can fully meet their Mutual Obligation Requirements by completing 30 hours per fortnight of paid work. These Participants can also fully meet their Mutual Obligation Requirements by completing 30 hours per fortnight of a combination of approved Voluntary Work and paid work. However, this must include at least 15 hours per fortnight of paid work.
    - If the Participant is aged 55 – 59 and has been receiving payment for more than 12 months, they can fully meet their Mutual Obligation Requirements if they undertake at least 30 hours per fortnight of paid work, approved Voluntary Work or a combination of the two Activities.
    - If the Participant is aged between 60 and the age pension age, they can fully meet their Mutual Obligation Requirements if they undertake at least 30 hours per fortnight of paid work, approved Voluntary Work or a combination of the two activities.
- with a temporary reduced work capacity of less than 15 hours per week
- identified as a PCW Participant who has a current and future work capacity of less than 15 hours per week

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## Who applies a Suspension?

Suspensions can be applied by Services Australia if:

- Participants qualify for an exemption from their Mutual Obligation Requirements when their personal circumstances make it difficult for them to meet those requirements, or
- a Participant is participating in an appropriate activity to meet their Mutual Obligation Requirements.

Suspensions can be applied by Providers or the Contact Centre if:

- a Participant (Voluntary) is experiencing a situation that affects their ability to participate for a specified period

Suspensions can be applied by the Department on behalf of Providers if:

- a Volunteer has a New Enterprise Incentive Scheme (NEIS) referral
- the Provider requests a suspension for a Participant who meets the Suspension criteria.



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

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## Participants who are Suspended can voluntarily participate in Trial Provider Services

Participants who are Suspended can choose to participate voluntarily in services while they are Suspended after:

- being contacted by their Provider to discuss and agree to voluntarily participate while Suspended, or
- notifying Services Australia who will either call their Provider or book an Appointment for them, or
- directly contacting their Provider to request services.

The Provider must provide Trial Provider Services to a suspended Participant if they advise they want to voluntarily participate in services.

Participants on a preclusion period (a period during which they do not receive an income support payment from Centrelink) may also participate voluntarily in Services.



**Documentary evidence:** Where a Participant elects to volunteer while Suspended, the Provider must record, in the Department's IT system:

- the agreed start and end dates for the volunteering period
- the agreed voluntary Activities in the Job Plan
- that the Participant is participating as a Volunteer.



**Documentary evidence:** The Provider must immediately record the end of the Suspension or volunteering period in the Department's IT System. No additional Documentary Evidence is required.

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## Services resume when a Suspension ends

When a Suspension ends, Providers must resume delivery of Trial Provider services.



**System Step:** Providers receive a noticeboard message when a Suspension is applied and when it ends.

(Deed references: Clauses 101.3)

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## The Effect of Suspensions on Defined Periods in NEST

Suspensions do not affect Period of Unemployment.

Period of Registration, Period of Service, Period in Tier 1 Enhanced Services, and Period in Tier 2 Enhanced Services all pause when a Participant is Suspended and restart when the Suspension ends.

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## What is an Exit?

An Exit occurs when a Participant leaves the caseload of a Provider for a reason other than a transfer.

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## When are Participants Exited?

### Automatic Exits (Effective Exit)

In most cases, Participants will be Exited automatically from services. This is called an Effective Exit and can occur when:

- a Volunteer has reached a maximum of six months Period of Service in jobactive Stream A
- a Participant (Mutual Obligation):
  - is in a job and has stopped receiving an eligible Income Support Payment (for example when a Participant has six consecutive fortnights with nil rate of Income Support)
  - has not lodged a report of income with Services Australia (even if this is zero) 14 days after their Report Due Date and their payment is cancelled by Services Australia
  - is fully meeting their Mutual Obligation Requirements and no longer needs to remain fully connected to the Provider
  - is commenced in Disability Employment Services or the Community Development Programme, or
- they commence in NEIS

### Exits actioned by Providers (Provider Exit)

Some Participants may be eligible for a Provider Exit which is processed manually by the Provider.

#### Participants with a Partial Capacity to Work (PCW)

Providers can Exit Suspended Participants with a PCW of:

- less than 15 hours per week, or
- 15 hours or more per week if they are meeting their Mutual Obligation Requirements through 30 hours or more a fortnight of paid work and/or study that will likely be ongoing or last more than 13 weeks.

#### Participants who are Principal Carer Parents

Providers can Exit Principal Carer Parents (PCP)s who are Suspended and:

- who have a long-term Exemption (end date longer than 16 weeks), or
- who are meeting their Mutual Obligation Requirements through 30 hours or more a fortnight of paid work and/or study that will likely be ongoing or last more than 13 weeks.

#### Participants who are Volunteers

Providers can Exit a Volunteer once they have been informed of the six-month limit to their eligibility, and both parties agree to the Exit.

#### Structural Adjustment Programme Participants or Stronger Transition Participants and all other retrenched workers and their partners

- Providers should manually Exit a Structural Adjustment Programme Participant or Stronger Transition Participant and any other retrenched worker and their partner who has no Mutual Obligation Requirements and no longer wishes to participate.
- Providers should manually Exit a Structural Adjustment Programme Participant or Stronger Transition Participant and any other retrenched worker and their partner who has no Mutual Obligation Requirements if the Participant is in Employment and the Provider has claimed a 26-week Employment Outcome for that Employment.

This applies to existing Stronger Transitions Participants. From 1 July 2020 the Stronger Transitions program is closed to new entrants.

#### Other cohorts

Providers can Exit Vulnerable Youth, Vulnerable Youth (Student), Structural Adjustment Programme Participants, or Pre-release Prisoners who have no Mutual Obligation Requirements and no longer wish to participate.

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### Some Participants cannot be Exited

Participants aged 55 years and over who are fully meeting their full-time Mutual Obligation Requirements through paid work (including self-employment), approved Voluntary Work, or a combination of these Activities cannot be Exited.

These Participants will remain connected with a Provider but will be Suspended. They cannot be required to undertake Job Search, other additional requirements, or to attend Provider appointments, unless they relate to employment opportunities or job referrals. Appointments must be made around the times of their paid and Voluntary Work hours.

These Participants still have full-time Mutual Obligation Requirements and are required to attend job interviews with employers and accept increased hours of paid work until they obtain a full-time job or no longer receive income support.

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## Assessing the appropriateness of Participant requests to Exits

If a Participant advises their Provider that they wish to Exit, the Provider should determine whether a Provider Exit is appropriate. This decision should consider whether the Participant:

- Is eligible for a Provider Exit
- is currently tracking towards an Outcome Payment, or has a pending Outcome Payment claim
- is receiving post-placement support
- is in an activity that is likely to last more than 13 weeks (and has a Partial Capacity to Work of less than 15 hours per week or is meeting Mutual Obligation Requirements through 30 hours or more a fortnight of paid work and/or study).
- is aware of the Services that the Provider can offer.

If a Participant (Voluntary) ceases to participate in voluntary activities or no longer wishes to participate in voluntary activities and is eligible for a Provider Exit, then the Provider may perform a Provider Exit.

If a Volunteer tells their Provider they no longer want to participate in jobactive Stream A services, the Provider must inform them of the six month limit to their eligibility.

Depending on their individual circumstances, the Volunteer may choose to:

- continue receiving jobactive services
- be Suspended, or
- be Exited.

A Provider must resume the delivery of jobactive Stream A services to a Volunteer if they return to services within 13 Weeks from the date of Exit and have not received a total of six months of Services as a Volunteer.

### Participant (Voluntary) receiving Services for Digital Participants from the provider

If a Trial Provider is delivering services to a Participant (Voluntary) who is a Digital Participant, and who ceases to participate in voluntary activities or no longer wishes to participate in voluntary activities and is eligible for an Exit, then the Provider must refer them to the Contact Centre.

(Deed references: Clauses 101.6)

### Providers must continue delivering services if a Participant's request to Exit is not approved

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



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## Participants returning to services after an Exit

Where an Exit occurs but the Participant returns to services less than 13 consecutive weeks after the Exit, the Participant's

- Period of Service;
- Period of Registration (if relevant); and
- Period of Unemployment,

continue from the date of the Participant's return, and the Provider must, as soon as it becomes aware of the Participant's return resume providing the appropriate services and record the resumption of services on the Department's IT Systems.

Where an Exit occurs for a Participant and the Participant subsequently returns to the services at 13 Consecutive Weeks or more after the date of the Exit, the Participant begins a new:

- Period of Service;
- Period of Registration (if relevant); and
- Period of Unemployment

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## Summary of required Documentary Evidence

### Suspensions



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



**Documentary evidence:** Where a Participant elects to volunteer while Suspended, the Provider must record, in the Department's IT system:

- the agreed start and end dates for the volunteering period
- the agreed voluntary Activities in the Job Plan
- that the Participant is participating as a Volunteer.



**Documentary evidence:** The Provider must immediately record the end of the Suspension or volunteering period in the Department's IT System.

### Exits



**Documentary evidence:** Where the Provider determines it is appropriate to Exit a Participant, the Provider must record this in the Department's IT Systems, including the reason for the decision. No additional Documentary Evidence is required.



**Documentary evidence:** Where an Exit occurs but the Participant returns to services less than 13 consecutive weeks after the Exit, the Provider must record the resumption of Services on the Department's IT Systems.

All capitalised terms in this guideline have the same meaning as in the New Employment Services Trial Deed 2019-2022 (the Deed).

In this guideline, references to Trial Provider mean a New Employment Services Trial Provider.

References to a Participant mean a person, who is identified in the Department's IT Systems as eligible for receiving Trial Services and references to services mean Trial Provider Services as defined in the Deed.

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