



Guideline:

Time to Work Employment Service

The Time to Work Employment Service (the Service) is a national, voluntary in-Prison employment service that assists sentenced Aboriginal and Torres Strait Islander peoples to access the support they need to better prepare them to find employment and reintegrate into the community upon their release from Prison.

This Guideline specifies Providers' responsibilities and required actions for delivering services to all Participants in the Service.

This Guideline informs the Provider about:

- accessing the Prisons
- determining eligibility and Commencing Participants
- promoting the Service to Participants
- undertaking Contacts with Participants
- preparing the Transition Plan
- facilitating a transfer to the post-release Employment Services Provider
- Exiting Participants
- Payments for delivering the Service
- performance management
- Documentary Evidence.

The service is a Commonwealth Government program. However, as state and territory governments run Prisons, there may be some difference in how this Guideline applies in each jurisdiction. If in any doubt, Providers should seek advice from the relevant Provider Lead.

Any reference to the Department of Employment and Workplace Relations (the Department) Provider Lead should be read as your nominated Provider Lead as per the Time to Work Employment Service Deed 2018–2024 (the Deed) or any other departmental contact as directed.

Any reference to 'Employment Services Provider' or 'Employment Services Program' also includes Workforce Australia Services and Self-Employment Assistance for the purposes of the Deed and any Guidelines.

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Changes from the previous version (Version 2.5)

Policy changes:

Update to the Pre-Release Prisoner (PRP) Initiative eligibility

Wording changes:

General editing intended to improve readability.

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

Related documents and references

[Time to Work Employment Service Deed 2018–2024](#)

[Assessments Guideline](#)

[Records Management, Privacy and External Systems Assurance Framework Guideline](#)

[Transfers Guideline](#)

[Performance Framework Guideline](#)

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1. Accessing the Prison(s)

The Provider must work closely and cooperatively with the Prisons it services to promote and deliver the Services to Participants and ensure it understands and complies with the Prison's policies and procedures and any other reasonable direction given by Prison staff.

(Deed references: Clause 3)

Complying with the Prison's access requirements

Before entering the Prison, the Provider should be familiar with the access requirements relevant to the Prison, including:

- completing background checks or clearances required for Prison access
- participating in induction and/or cultural awareness training required by the Prison
- confirming what is and is not allowed to be taken into the Prison such as laptops, internet connection, portable storage devices and/or promotional materials
- determining access requirements for guests, such as an interpreter or health worker.

Paying for background checks, clearances or any training required

The Provider must pay for all background checks and clearances required to access the relevant Prison.

Where the Prison requires the Provider to undertake a specific training session to access the Prison, and the Provider is required to pay to attend this training session, the Department will reimburse the cost of this training. When seeking reimbursement, the Provider should email its Provider Lead with evidence of the requirement to undertake this training and an invoice of the costs paid.

Working with the Prison to arrange Contacts

The Provider must work with the Prison to determine a visitation schedule for meeting with Eligible Prisoners and Participants. Due to limited availability of meeting rooms and Prison management timetables, Prison staff may nominate a day/time the Provider can conduct visits. These dates and times may be outside business hours and the Provider should accommodate this where possible.

The visitation schedule should also include agreement on a process for communicating any subsequent changes to the visitation schedule, such as cancelling or rescheduling Contacts.

When scheduling a Contact at the Prison, the Provider should:

- confirm the date and time for each Contact with Prison staff
- confirm the availability of any telephone and/or videoconference facilities, where required
- inform Prison staff, in advance, if a guest is attending such as an interpreter or a health worker.

Prison staff will ensure that the Eligible Prisoner or Participant has access and opportunity to attend the meeting and that the Provider has access to suitable facilities, such as a meeting room with telephone and/or videoconference facilities where needed.

Note: each jurisdiction and/or Prison may have different policies and procedures for accessing the Prison and delivering the Services within that Prison. This Guideline covers the requirements in a general sense. The Provider must work closely with each Prison to determine the Prison's specific policies and procedures.

If the Provider experiences any issues working with a Prison, such as difficulty with accessing the Prison or meeting with Participants, the Provider should discuss its concerns with its Provider Lead.

(Deed references: Clause 3)

2. Determining eligibility for the Service

All sentenced Aboriginal and Torres Strait Islander adults in Prison with between one and four months from their earliest known or potential release are eligible to participate in the Service. This includes people who will be released to parole as well as those who will serve their full sentence in custody. This also includes people who have commenced in the Service in one Prison and are transferred to another Prison during the one-to-four month-period prior to their release.

(Deed references: Annexure 1-DEFINITIONS)

Self-identification as Aboriginal and/or Torres Strait Islander

Any person in Prison who self-identifies as Aboriginal and/or Torres Strait Islander is eligible for the Service if they meet the other core eligibility requirements as outlined above. No proof of Indigeneity is required.

Participation in the Pre-Release Prisoner (PRP) initiative

Under the Australian Government's PRP initiative, Workforce Australia Services are available to Eligible Prisoners while they are incarcerated and 12 months from their earliest possible release date. The PRP initiative aims to maximise employment support for people while they are incarcerated and following their release. Participation is intended to reduce former prisoners' reliance on welfare when leaving prison by improving their job search skills and helping them build connections with employers at the earliest opportunity.

Eligible Prisoners who are participating in the PRP initiative are also eligible to participate in the Service, which operates alongside the PRP initiative. Note, the PRP initiative does not operate in all states and territories.

Information on servicing a Participant who is also participating in the PRP initiative is in section 17 of this Guideline.

For more information on the PRP initiative, refer to the [Pre-release Prisoner Initiative](#) fact sheet on the Provider Portal.

3. Promoting the Service to Eligible Prisoners

The Provider must work with the Prison to promote the Service and attract Eligible Prisoners. Promoting the Service may differ depending on the jurisdiction and/or Prison, but may include:

- providing promotional material on the Service to the Prison, for Prison staff to give to Eligible Prisoners as part of their pre-release or sentence planning sessions or to distribute to Eligible Prisoners as otherwise agreed
- facilitating group promotional sessions within the Prison (for example, expos or information sessions), with the frequency of promotional sessions agreed between the Provider and the relevant Prison
- sending a letter to each Eligible Prisoner and encouraging them to attend a Contact to discuss the Service. Further information on the notification of Eligible Prisoners is available in [section 4 \(Notification of Eligible Prisoners\)](#) of this Guideline.
- arranging promotion on in-house radio or television
- scheduling an appointment with interested Eligible Prisoners to provide them with information about the Service.

The Provider should confirm with the Prison whether promotional material can be taken into the Prison and distributed to Eligible Prisoners.

When promoting the service to Eligible Prisoners, the Provider must:

- provide clear and concise information about the Service and what Employment Services Programs are available to them on release from Prison
- explain how Personal Information will be handled while they are participating in the Service
- encourage the Eligible Prisoner to volunteer to participate in the Service.

(Deed references: Clause 5)

Developing promotional materials

The Provider can use promotional materials the Department has developed and made available on the Provider Portal. Alternatively, the Provider can develop its own promotional materials for Eligible Prisoners. The Provider must provide the wording and design to its Provider Lead for approval before distributing the material.

(Deed references: Clause 68.1)

Working with in-prison service providers

The Provider must establish working relationships with other in-Prison service providers to promote the Service and encourage Eligible Prisoners to volunteer to participate into the Service. The Provider should ensure other in-Prison service providers are aware of the Service being offered in the Prison, understand the eligibility criteria and, where possible, have promotional materials to pass onto interested Eligible Prisoners.

(Deed references: Clause 4)

4. Notification of Eligible Prisoners

The Provider must build and maintain strong working relationships and clear communication channels with the Prison to ensure the effective and efficient notification of Eligible Prisoners.

Notification of Eligible Prisoners is not done through the Department's IT Systems. Rather it is done manually between the Prison and the Provider. Jurisdictions are likely to notify in different ways. Ideally, the Provider will regularly receive a list of all Eligible Prisoners due for release in one-to-four months who may wish to participate in the Service.

The Provider should discuss a process with the Prison as to how the Provider will be notified when an Eligible Prisoner has volunteered to participate in the Service. Ideally, this should be via email. The email should include details of a contact officer within the Prison to assist with arranging a Contact with the Eligible Prisoner, and whether a privacy consent form has been completed and is available for collection from the Prison contact officer.

The regularity, content and approach of notifications depends on the jurisdiction and/or the Prison, and should be discussed with the relevant Prison. For example, in some instances, notifications may contain de-identified information.

5. Participation is voluntary

Eligible Prisoners must volunteer to participate in the Service and may choose to Exit the Service at any time.

Once an Eligible Prisoner has volunteered to participate in the Service and has signed the registration and privacy consent forms, they are considered a Participant.

(Deed references: Annexure 1-DEFINITIONS)

6. Undertaking Contacts with Participants

The Provider must provide each Participant with a minimum of three culturally appropriate and tailored Contacts, which must include an Initial Appointment and, where relevant, a Facilitated Transfer Meeting. These contacts must be face-to-face, unless this is not possible due to reasons beyond the Provider's control (for example, due to prison closures). In these cases, Contacts can be conducted by phone or virtually.

The Provider must engage the Participant to:

- assess the Participant's level of disadvantage using the Job Seeker Classification Instrument (JSCI)
- facilitate the completion of an Employment Services Assessment (ESAt)
- develop the Transition Plan and
- take part in a Facilitated Transfer Meeting.

To deliver the required services during the Participant's time in the Service, the Provider should make the most of all face-to-face time with the Participant and use the time they have with each Participant effectively. Providers are required to record Contacts in the Department's IT Systems including, if relevant, reasons why

face-to-face Contacts could not occur. For example, a JSCI occurred over the phone due to a prison closure.

Where the Provider only undertakes the minimum three Contacts with a Participant, the proposed approach for delivery is:

- Contact 1: Initial Appointment, including administering the JSCI and commencement of the Transition Plan
- Contact 2: completion of the ESAt and finalisation of the Transition Plan
- Contact 3: conduct a Facilitated Transfer Meeting.

Undertaking two face-to-face Contacts in exceptional circumstances

The Provider may undertake a minimum of two face-to-face Contacts with a Participant, instead of three, in exceptional circumstances. These circumstances include when a Provider cannot undertake a face-to-face Facilitated Transfer Meeting due to reasons outside of the Provider's control, such as:

- a Participant being released from Prison prior to their earliest release date known by the Provider, or
- a Prison going into lockdown or Prison security concerns resulting in the Provider not being able to attend a scheduled Contact, and the Participant subsequently being released before the next available Contact, or
- a lack of available Prison rooms and phones resulting in the Provider not being able to schedule a Contact, and the Participant subsequently being released before a room is available, or
- other circumstances as determined appropriate by the department. Prior to using this reason, the Provider must discuss it with its Provider Lead.

The Provider must still engage the Participant to:

- assess the Participant's level of disadvantage using the JSCI
- facilitate the completion of an ESAt
- develop the Transition Plan
- conduct a Facilitated Transfer Meeting with the post-release Employment Services Provider over the phone, where possible.



System step: The Provider must record each Contact in the Department's IT Systems, except for the Initial Appointment. If the Participant does not attend a Contact, the reasons for the non-attendance should be recorded.



System step: The Provider must record the reason a face-to-face Facilitated Transfer Meeting could not be undertaken, entering a comment by selecting 'comments' under the job seeker search tab in the Department's IT Systems.

(Deed references: Clause 8, 10)

Phone-based contacts for the delivery of ESAts

ESAts are generally conducted over the phone, however due to reasons outside a Provider's control, for example, a Prison lockdown, it is not always possible for a Participant to attend their scheduled ESAt phone appointment.

Where a phone-based ESAt cannot be conducted due to reasons outside a Provider's control, a file-based ESAt may be conducted by Services Australia in its place.

For more information on file-based ESAts, refer to the [Assessments Guideline](#) on the Provider Portal.

Developing a Transition Plan

It is expected that the Transition Plan will be developed progressively throughout the Participant's time in the Service. The Provider should use every Contact with the Participant to gather information to include in the Transition Plan, including the need to:

- address Non-vocational and Vocational Barriers to improve their personal situation
- address literacy and numeracy deficits
- obtain a Year 12 or Certificate III or higher qualification
- obtain a driver's licence
- improve their work readiness
- manage personal finances, including debts
- discuss any relevant and legitimate barriers relating to the Participant's criminal history, including options for employment in areas in which a criminal record may not be a barrier
- include relevant information from the JSCI and ESAt in the Transition Plan.

The Provider should discuss, and gain approval of, the inclusion of this information in the Transition Plan with the Participant.

The Provider must conduct all Contacts in a culturally appropriate manner and tailor them to meet the Participant's specific circumstances. The Provider should consider whether the Participant requires an interpreter during each Contact. Further information on cultural competency and how this should be applied to service delivery is at [Attachment A](#) of this Guideline.

During each Contact, the Provider should work on developing a rapport with the Participant and focus on building the Participant's trust.

For support, and where possible within each Prison, the Participant may also be accompanied by a nominee who may be a family member, an Indigenous Liaison Officer or respected elder.

Servicing Participants with challenging behaviours

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

Challenging behaviours may include but are not limited to:

- physical violence against any person—for example, hitting, kicking, punching, spitting on or throwing objects at a person
- acting in a way that would cause a person to have a reasonable belief that assault was intended
- adopting a physical position or state that a reasonable person would consider constitutes a serious and imminent threat of physical violence
- oral or written threats, abuse or harassment, inappropriate touching of staff members

- damaging, defacing or destroying property intentionally or through inappropriate and aggressive behaviour such as throwing objects or punching and kicking property
- swearing, making offensive noises or gestures, inappropriate or suggestive comments, vilification
- indications of self-harm
- any other behaviour that is deemed inappropriate.

If the Participant is displaying challenging behaviours during any Contact, the Provider should immediately contact the Prison staff and report the behaviour.

The Provider has three options:

- The Provider may choose to issue a warning to the Participant and advise that continuing this behaviour will result in their Exit from the Service. This may in some circumstances address the behaviour and allow the Participant to continue participating in the Service. The Provider should seek and follow the advice from the Prison staff in relation to the Participant which could include additional security or conducting interviews in non-contact rooms.
- The Provider may choose to seek further advice from Prison staff and seek to access specialist support services for the Participant.
- The Provider may cease providing services to the Participant and Exit the Participant from the Service.



System step: The Provider should make a note on the Participant's file when the Participant has displayed challenging behaviour.

7. Conducting an Initial Appointment

The Provider must conduct an Initial Appointment with each Participant during which the Provider must:

- explain to the Participant the services that they will receive
- explain how the Provider will handle the Participant's personal information
- ensure the Participant completes a privacy consent form and a registration form.

The Provider should ask the Participant if they have previously participated in the Service. The Participant may have been transferred from another Prison and already received some services, these services will not need to be provided again. Further information on transfers is in the [Transfers Guideline](#).

The Provider should also ask the Participant if they are participating in the PRP initiative. Participants can participate in both (see [section 2](#) of this Guideline). If this is the case, the Provider will be required to service the Participant outside the Department's IT Systems. Further information on servicing a Participant who is also participating in the PRP initiative is in [section 17](#) of this Guideline.

(Deed references: Clause 10, 11)

The privacy consent form must be read and agreed to by the Participant

The Provider must use the relevant privacy consent form on the Provider Portal.

The Provider must either:

- provide the form to the Participant to read and agree to the terms and conditions in the form
- read it aloud and ask the Participant whether they agree and give verbal consent, or
- use an interpreter to read the form to the Participant and seek the Participant's agreement to the conditions in the form, if necessary.

The Provider should consider which option is most appropriate for the individual circumstances of each Participant.

The Participant and the Provider must sign and date the privacy consent form. The Provider must make a file note, with a brief explanation of the circumstances, if the Participant gives them verbal consent.

Where the Participant does not agree to share their information with the Provider, the Provider should explain that it will not be able to provide them with services.

(Deed references: Clause 5)

Inability to receive a signed privacy consent form

Where the Participant agrees to share their information with the Provider, but cannot sign and date the privacy consent form due to security arrangements or other issues as identified in the file note, the Provider must record on the form that the Participant has verbally agreed to the content of the form and retain the form on the Participant's file.

Confirmation that the Participant understands the privacy consent form

In some jurisdictions and/or Prisons, the Prison will sign up Eligible Prisoners who have volunteered to participate in the Service and this may include the completion of the privacy consent form. In these instances, the Prison will provide the completed form to the Provider prior to the Initial Appointment.

The Provider must ensure in its Initial Appointment with the Participant that the Participant has read the privacy consent form or had it read to them and that they understood and agreed to the content of the form.



Documentary Evidence: The Provider must retain a copy of the completed privacy consent form and where applicable make a note on the Participant's file.

Each Participant must complete a registration form

The registration form is on the Provider Portal. The Participant and the Provider must sign and date the registration form.

Note: If the Prisoner answers 'no' to the question whether they identify as an Indigenous Australian of Aboriginal and/or Torres Strait Islander descent, the Prisoner is ineligible for the Service.

Where the Participant is unable to complete the form due to security arrangements or low literacy levels, the Provider can complete the form for the Participant. The Provider must record on the form that the Participant has verbally agreed to the content of the form. The Provider must sign the registration form and make a file

note, with a brief explanation of the circumstances, if the Participant gives them verbal consent.

(Deed references: Clause 6)

Verifying a prisoner's identity

The Provider is not required to confirm the identity of the Participant as part of the registration process. The Provider can rely on confirmation by the Prison of the Participant's identity.



Documentary Evidence: The Provider must retain a copy of the completed registration form and, where the participant has given verbal consent, make a note on the Participant's file.

8. Registering the Participant in the Department's IT Systems

Following the Initial Appointment, the Provider must enter the information collected on the registration form into the Department's IT Systems.



System step: The Provider must Register the Participant in the Department's IT Systems within two business days of completing the form.

Searching for an existing registration

The Provider must first conduct a job seeker search in the Department's IT Systems as part of the registration process. This will determine whether the Participant has an existing registration containing relevant information, such as a job seeker identification number (referred to as a JSID).

Where the Provider has the Participant's details prior to the Initial Appointment, the Provider should conduct the job seeker search before this appointment. This will allow the Provider to know if the Participant, for example, has participated in the Service before, has already had a JSCI completed, or has been transferred from another Prison and may already have received some servicing from another Provider.

If the Participant has an active registration in the Service due to a transfer from another Prison, the Provider must refer the Participant to its caseload in the Department's IT Systems.



System step: To refer the Participant to the caseload, the Provider must select 'refer' under the job seeker search tab on the Department's IT Systems.

Where the Participant has an existing registration that is inactive, the Provider must re-register the Participant and refer them to its caseload.



System step: To re-register the Participant the Provider must select 're-register' under the job seeker search tab on the Department's IT Systems. The Provider will be prompted to create a new registration and provide the Participant's personal details, address and contact details and circumstance details to complete the registration.

Where the Participant does not have an existing registration, the Provider must create a new registration prior to referring them to its caseload.



System step: To create a new registration the Provider must select 'create a new record' under the job seeker search tab on the Department's IT Systems. The Provider is required to provide the Participant's personal details, address and contact details and circumstance details to complete the registration.

(Deed references: Annexure 1-DEFINITIONS)

9. Requesting the Participant's personal records

As soon as the Participant completes the privacy consent form, the Provider must make a request to the:

- Prison to access the Participant's education, training and work records, and
- relevant state/territory health department to access the Participant's medical records.

The Provider may be required to provide a copy of the signed privacy consent form to the Prison/relevant state/territory health department to access these records.

Note: the process for requesting medical records differs by state/territory and the Provider should follow advice provided by the Department that is available on the Provider Portal.

Where the Participant does not have medical records held by the relevant state/territory health department, the Provider should seek medical information from the Participant's medical practitioner or relevant institution.

The Provider may also need to seek the Participant's education records from relevant education authorities.

Further information on requesting and obtaining the Participant's medical records is available in the [Assessments Guideline](#).

(Deed references: Clause 6)

Obtaining the Participant's education records from the Prison or education authority

Following the Provider's request for the Participant's education records, the Provider must continue to engage with the Prison or education authority to obtain the required education records. This includes staying in contact with the Prison staff or relevant authority to progress the request in a timely manner and responding to any enquiries regarding the request promptly.

This information should be included in the Participant's Transition Plan.

(Deed references: Clause 14)

10. Conducting a Job Seeker Classification Instrument (JSCI)

The JSCI is an interview-based questionnaire that measures the Participant's level of disadvantage in the labour market. Services Australia and Employment Services Providers use the JSCI to determine the level of assistance needed for each Participant on their release from Prison.

Ideally, the JSCI should be conducted as part of the Initial Appointment, and must occur before release from prison and the Facilitated Transfer Meeting. If the Participant already has a JSCI in the Department's IT Systems that was completed as

part of the Participant's time in the Service, for example where the Participant has transferred from another prison, the Provider should review the results of the JSCI. If the Provider considers the JSCI still accurately reflects the Participant's current circumstances, and that a new JSCI is not required, the Provider can rely on the results of this JSCI. In these circumstances, the Provider can use the responses to engage in discussions with the Participant and inform the development of the Transition Plan. However, generally a new JSCI should be undertaken to allow the determination of the level of assistance required to be based on the most up to date information.

Further information on conducting a JSCI, including when and how to conduct a JSCI is in the [Assessments Guideline](#).

(Deed references: Clause 8, 10, 12)

11. Arranging an Employment Services Assessment (ESAt) with Services Australia

Services Australia assessors conduct an ESAt to identify the Participant's:

- barriers to finding and maintaining employment
- work capacity per week (in hour bandwidths based on available medical advice)
- interventions and assistance that may be of benefit to improve their current work capacity.

The ESAt result determines if the Participant should receive services in Workforce Australia Services as a job seeker, be referred to other programs such as Disability Employment Services (DES), and/or receive a partial work capacity.

The Provider must arrange for Services Australia to conduct an ESAt for each Participant before the Participant's release from Prison and the Facilitated Transfer Meeting.

Note: the offer to arrange an ESAt for the Participant is subject to the Participant's agreement to the offer.

Further information on arranging the ESAt between Services Australia and the Participant is in the [Assessments Guideline](#).

(Deed references: Clause 8, 10, 13)

12. Preparing a Transition Plan

The Provider must prepare a Transition Plan for each Participant prior to the Participant's release from Prison and the Facilitated Transfer Meeting.

What to include in the Transition Plan

A Transition Plan should capture all the relevant information about the Participant that would assist a post-release Employment Services Provider to better support the Participant on their release and help place the Participant in employment.

The Transition Plan has several purposes. It lessens the need for the Participant to re-tell their story and captures the Participant's:

- education and medical information so that it is not lost

- barriers to employment as well as their skills, experience and aspirations
- other commitments that may affect job search post-release
- any vulnerabilities experienced by the Participant.

The Transition Plan should include:

- any employment, education and training history, including any work, education and training while in Prison, and any vocational and career aspirations
- the services received and skills developed by the Participant while in Prison
- any employment barriers the Provider has identified through its Contacts with the Participant, such as accommodation or living concerns, including any barriers identified while conducting the JSCI
- any initiatives, services and education courses that would help address the Participant's employment barriers and that are available to the Participant on their release from Prison
- any financial concerns the Participant has raised
- any cultural or family obligations the Participant has identified they may have to undertake when they are released
- any parole conditions that could affect the Participant's ability to find employment
- any relevant information outlined in the ESAt report and the recommendations made by the Services Australia assessor.

(Deed references: Clause 14)

Reflecting the different requirements of Employment Services Programs

The Provider should be familiar with the requirements of post-release Employment Services Programs to tailor the Transition Plan content in accordance with the relevant Employment Services Program the Participant will be referred to on their release from Prison, where this is known.

If the Participant is eligible for Workforce Australia Services or DES and has an interest in self-employment, the Provider should include this in the Transition Plan. Further information on referrals to Self-Employment Assistance (SEA) is in [section 14 – Facilitating transfers to Self-Employment Assistance](#) of this Guideline.

Fact sheets outlining services and assistance provided by each Employment Services Program are on the Provider Portal. The Provider can use these fact sheets to guide what can be considered for inclusion in the Transition Plan.

Developing the Transition Plan with the Participant

The Provider must work with the Participant to prepare the Participant's Transition Plan. The Transition Plan should be developed progressively through the Participant's time in the Service. The Provider should use every Contact with the Participant to gather information to include in the Transition Plan. The Provider should discuss the inclusion of this information with the Participant and gain the Participant's approval to include this information into the Transition Plan.

The Transition Plan template is on the Provider Portal. The Provider should print out the template, take it with them into the Prison, and use it to guide the conversation/s with the Participant and record the Participant's responses.

Additional advice on how to use the Transition Plan template and guide the conversation/s with the Participant is at [Attachment B](#) of this Guideline.

(Deed references: Clause 14)

Working with the Prison and other service providers to prepare the Transition Plan

The Provider must work with the Prison and any in-Prison service providers to gather information that will assist in preparing the Participant's Transition Plan. This could include any work or education the Participant has undertaken while in Prison.

The Provider should also work with any through-care services that have been assisting the Participant during their time in Prison.

(Deed references: Clause 14)

Gaining the Participant's agreement to the information in the Transition Plan

The Participant must agree to all the information that is included in the Transition Plan. At the end of each Contact, the Participant should review the information that has been gathered by the Provider during that Contact and agree to include this information in the Transition Plan.

The information gathered during each Contact cannot be entered into the Transition Plan on the Department's IT Systems until it has been agreed to by the Participant. Where the Transition Plan appears in 'draft' form in the Department's IT Systems, it is expected that any information that appears within it has been agreed to by the Participant prior to entering it on the Department's IT Systems.

The Transition Plan cannot be discussed at the Facilitated Transfer Meeting with the post-release Employment Services Provider if the content of the plan has not been agreed to by the Participant.

If any amendments are made to the Transition Plan following a discussion with the post-release Employment Services Provider at the Facilitated Transfer Meeting, these amendments must be discussed with the Participant and agreed to prior to the Transition Plan being amended.

If the Participant chooses not to agree to the content in the Transition Plan, the Provider should discuss with the Participant their concerns and review the contents of the Transition Plan. If the Participant would agree to the Transition Plan if certain information is not included, the Provider should remove this information and make a note on the Participant's file.

The Provider should offer the Participant a copy of the Transition Plan and advise them that a copy will also be available from the post-release Employment Services Provider.

The Transition Plan should remain in 'draft' form in the Department's IT Systems until it has been finalised. Changing the Transition Plan status from 'draft' to 'approved' will trigger the payment of the Transition Plan Fee.



Documentary Evidence: The Provider must ask the Participant to sign and date the signature page of the Transition Plan to confirm the responses recorded are correct. This should be completed following every Contact with the Participant. If the Participant is unable to sign the Transition Plan, the Provider must obtain and record

verbal consent on the plan. This is to verify the Participant has read the information in the plan, or has had the information in the plan read to them, and agrees the information is correct.



Documentary Evidence: The Provider must keep the original signed and dated draft Transition Plan or the final approved Transition Plan on the Participant's file and record if any information has been removed from the Transition Plan at the request of the Participant.



System Step: The Provider can print a copy of the Transition Plan via the Transition Plan tab.

(Deed references: Clause 14)

Entering and Approving the Transition Plan in the Department's IT Systems

Entering the Transition Plan in the Department's IT Systems



System Step: The Provider must enter the Transition Plan in the Department's IT Systems for each Participant. To enter the Transition Plan, the Provider:

- should update the Participant's career profile and résumé, inputting as much education, training and work history information as possible
- must complete the Transition Plan tab, inputting all relevant information from the hardcopy Transition Plan.

Note: Text fields in the Transition Plan tab will only accept 3000 characters per field, including spaces, or approximately 500 words.

Approving the Transition Plan in the Department's IT Systems

The Provider must approve the Transition Plan in the Department's IT Systems to receive the Transition Plan Fee payment and for the Transition Plan to be made available to the Participant's post-release Employment Services Provider.

Approved Transition Plans can be viewed under the Transition Plan tab in the Department's IT Systems by some post-release Employment Services Providers. However, changes to the Department's IT Systems mean that Workforce Australia Employment Services Providers and Transition to Work Providers may not be able to see the Transition Plan in the Department's IT Systems. Where this is the case, the Department will endeavour to provide the Transition Plan to the post-release Employment Services Provider manually.

To approve the Transition Plan in the Department's IT Systems, the Provider must:

- have the Participant's agreement to the Transition Plan
- have entered the Transition Plan in the Department's IT Systems, including, where possible, education and work history information into the Participant's career profile under the Career Profile tab
- have held a Facilitated Transfer Meeting, where possible.

If all other Service requirements have been completed, the Provider can still approve the Transition Plan if the Facilitated Transfer Meeting has not been held, when:

- the Participant has not been referred to an Employment Services Program 13 weeks after their release from Prison

- the Facilitated Transfer Meeting could not be conducted due to reasons outside the Provider's control, such as difficulty contacting the Employment Services Provider. Provider Lead approval must be sought before approving a Transition Plan in this instance
- the Participant is not released from Prison as they have not been granted parole or are re-sentenced.

Approving the Transition Plan where a Participant is not released from Prison

The Provider may approve the Transition Plan in the Department's IT Systems for a Participant who is not released from Prison either because their parole was not granted or they were re-sentenced, and all core program components have been delivered.

(Deed reference: Clause 19.4)



System Step: The Provider must record this approval in the Department's IT Systems by changing the Transition Plan status from 'draft' to 'approved'. Changing the status to 'approved' will trigger the payment of the Transition Plan Fee.

(Deed references: Clause 14)

Providing a copy of the Transition Plan to the Prison

The Prison parole board may request a copy of the Transition Plan. Where the Participant has provided their consent to release a copy to the Prison parole board, the Provider can provide a copy including in draft, where necessary.



System Step: The Provider can print a copy of the Transition Plan via the Transition Plan tab.

Approval of a Transition Plan in error

If a Provider approves a Transition Plan in error, the Provider has three calendar days to reverse the approval in the Department's IT Systems. After three calendar days, the Provider should contact its Provider Lead.



System Step: The Provider can reverse the approval of the Transition Plan by selecting 'un-approve' in the Transition Plan screen on the Job Seeker tab.

13. Facilitating transfers to Employment Services Programs

Preparing the Participant for the Services Australia Pre-Release Interview

To assist the Participant in their transition to an Employment Services Program following their release from Prison, the Provider should explain:

- why the Participant should attend the Services Australia Pre-Release Interview (if arranged), and encourage them to attend
- generally, how Employment Services Providers are allocated to job seekers including that in some instances the Participant may have a choice
- the activity requirements of different Employment Services Programs in a general sense.

The Provider should also discuss with the Participant where they intend to live on their release from Prison, including whether they can provide a specific address (without an address the Services Australia officer is unable to make a referral). The Provider must provide the Participant with information specific to that area, including the:

- Employment Services Programs available
- job vacancies and skills in demand in that area.

The Provider can find labour market information specific to all areas around Australia via the [Labour Market Insights webpage](#).

The Provider should provide this information to the Participant at least 21 Business Days before the Participant's scheduled release from Prison and before the Services Australia Pre-Release Interview.

(Deed references: Clause 15)

Participant to attend a Pre-Release Interview with Services Australia

A Services Australia officer conducts a Pre-Release Interview with each Participant to prepare an application for an Income Support Payment on their release from Prison, if relevant, and to identify the Participant's post-release Employment Services Provider.

The Services Australia officer will conduct this interview up to 21 Business Days before the Participant's release from Prison. The Provider is not required to arrange this interview and is not expected to participate in this interview. However, the Provider is not prevented from attending this meeting if the Participant requests their Provider's attendance.

In most instances, the Services Australia officer conducts this interview over the phone and not in person.

Note: the Pre-Release Interview might not occur in some instances, such as, where in-prison services are not provided by Services Australia in a Prison, when Services Australia is not notified of the release date from the Prison, Prison lockdowns or lack of availability of Prison resources.

(Deed references: Annexure 1 - DEFINITIONS)

Services Australia to refer the Participant to a post-release Employment Services Provider

The Services Australia officer uses the JSCI and ESAt results to determine the most appropriate post-release employment service for the Participant and refer the Participant to a post-release Employment Services Provider, where possible.

Participants who are referred to the Employment Services Program, Workforce Australia Services, on their release from Prison, will automatically be referred to Workforce Australia Services regardless of their JSCI result. This ensures that Participants who Exit the Service early receive a minimum level of servicing appropriate to their relative disadvantage in the labour market. Where an ESAt has been conducted with a DES recommendation, the Participant will receive the referral to DES, as appropriate.

What is a Facilitated Transfer Meeting?

The Facilitated Transfer Meeting is an opportunity for the Provider and the post-release Employment Services Provider to discuss the Participant's transition to an Employment Services Program on their release from Prison.

The Provider must arrange a Facilitated Transfer Meeting for each Participant who is referred to an Employment Services Program.

The Facilitated Transfer Meeting must occur before the Participant has Exited from the Service and ideally while the Participant is still in Prison. However, the Facilitated Transfer Meeting may need to happen after the Participant's release from Prison. Further information on scheduling the Facilitated Transfer Meeting is in the 'Attendance at a Facilitated Transfer Meeting' section below.

(Deed references: Clause 15)

Arranging a Facilitated Transfer Meeting

The Provider is notified via a noticeboard message on the Department's IT Systems when the Participant has been referred by Services Australia to an Employment Services Program. This notification could happen while the Participant is still in Prison and after the Pre-Release Interview, or after the Participant has been released from Prison. This noticeboard message will include the contact details of the Participant's post-release Employment Services Provider.

Once the Provider has received this notification, the Provider must arrange the Facilitated Transfer Meeting. This requires:

- working with the Prison to organise access to the Participant, a meeting room and a telephone, where possible, or
- if the Participant has been released from Prison, liaising with the Participant to arrange a suitable time, where possible, and
- booking a time in the post-release Employment Services Provider's diary to attend the meeting.

Where the Participant is referred to a post-release Employment Services Provider that is the same organisation that delivered Time to Work Employment Services to the Participant, the Provider is still required to arrange a Facilitated Transfer Meeting. This will ensure that the Participant has the opportunity to meet their post-release Employment Services Provider and discuss their transition from the Service.

(Deed references: Clause 15)

Attendance at a Facilitated Transfer Meeting

Ideally, the Facilitated Transfer Meeting should occur with the Participant before their release from Prison. The Provider must attend in person with the Participant where this is possible and the post-release Employment Services Provider can attend the meeting in person or via teleconference or videoconference, where available.

If this method is not possible, the Provider must arrange the meeting using the methods listed below, exhausting the options in numeric order before proceeding to the next option:

1. Where the Participant cannot attend a scheduled Facilitated Transfer Meeting for reasons outside the Provider's control, for example, a Prison lockdown or due to security concerns, the Provider must use its best endeavours to reschedule and conduct the meeting before the Participant is released from Prison

or

2. Where the Participant cannot attend the scheduled Facilitated Transfer Meeting and the meeting cannot be rescheduled due to reasons outside the Provider's control, such as prison restrictions or the proximity of the Participant's pending release date, the Provider should endeavour to schedule a meeting with the Participant and their post-release Employment Services Provider following their release from Prison. This meeting should occur even if the Participant has been given an exemption

or

3. Where it is not possible to engage or contact the Participant to conduct a Facilitated Transfer Meeting, the Provider should conduct the Facilitated Transfer Meeting with the post-release Employment Services Provider without the Participant being present. This can occur in person or by telephone.



Documentary Evidence: The Provider should make a note on the Participant's file recording which method of Facilitated Transfer Meeting occurred and why.



System Step: The Provider must record whether the Facilitated Transfer Meeting was held and what method was used in the Department's IT Systems as part of the process to approve the Transition Plan.

(Deed references: Clause 15)

Conducting a Facilitated Transfer Meeting

During the Facilitated Transfer Meeting, the Provider must:

- introduce the post-release Employment Services Provider to the Participant, where possible
- discuss the Participant's Transition Plan
- identify any support services or post-release rehabilitation and/or reintegration requirements that may be required
- confirm the first post-release meeting between the Participant and the proposed Employment Services Provider.

The Provider must discuss the Participant's Transition Plan with the Participant before the Facilitated Transfer Meeting and ensure the Participant agrees to the content of the Transition Plan.

(Deed references: Clause 15)

Role of Employment Services Providers

Workforce Australia Employment Services, TTW, ParentsNext, DES and Community Development Program (CDP) Providers must attend a Facilitated Transfer Meeting, in person or by telephone, for each Participant Services Australia refers to the post-release Employment Services Provider. Where possible, the staff member who will

be providing services to the Participant on their release from Prison should attend the meeting.

After receiving a telephone call from the Time to Work Employment Service (TWES) Provider to schedule the meeting, the Workforce Australia Employment Services, TTW, ParentsNext, DES or CDP Provider needs to schedule a time for this meeting in its calendar.

The Workforce Australia Employment Services, TTW, ParentsNext, DES, or CDP Provider should consider comments or recommendations in the Transition Plan to identify any support or services the Participant may require.

For more information on the role of Employment Services Providers, refer to the [Time to Work Employment Service \(TWES\) webinar for Workforce Australia Employment Services Providers](#) in the Media Library section of the Provider Portal.

If the TWES Provider experiences any issues working with a post-release Employment Services Provider, such as a lack of engagement or unwillingness to participate in a Facilitated Transfer Meeting, the TWES Provider should discuss its concerns with its Provider Lead.

14. Facilitating transfers to Self-Employment Assistance

Self-Employment Assistance provides support for people interested in self-employment and starting a small business, as well as owners of eligible, existing micro-businesses that need help to remain viable.

Self-Employment Assistance may suit Participants who:

- want help to generate or refine a business idea
- want to start a new business, or
- intend to return to self-employment that they previously held prior to their incarceration.

Self-Employment Assistance offers a range of flexible, tailored services for eligible Participants to choose from. Participants only requiring limited assistance may access a single business advice session, while Participants who want more structure and support may access up to 12 months of business coaching and mentoring.

Participants may access Self-Employment Assistance through a referral from an Employment Services Provider or by directly approaching a provider that delivers Self-Employment Assistance.

Further information on Self-Employment Assistance is available from your Provider Lead.

(Deed references: Annexure 1-DEFINITIONS)

Participants interested in Self-Employment Assistance and referred to Workforce Australia Services, TTW, ParentsNext or DES

If the Participant has expressed an interest in self-employment and is referred by Services Australia to Workforce Australia Services, TTW, ParentsNext or DES, Providers should include the Participant's interest in self-employment in the Participant's Transition Plan and discuss this interest during the Facilitated Transfer

Meeting with the Workforce Australia Employment Services, TTW, ParentsNext or DES Provider. The Participant's new provider will be able to discuss Self-Employment Assistance with the Participant and facilitate a referral if the Participant requests it.

Participants interested in self-employment and referred to CDP

Where the Participant has expressed an interest in self-employment, the Provider should include their interest in self-employment in the Participant's Transition Plan and discuss this interest in the Facilitated Transfer Meeting with the CDP provider.

Participants interested in Self-Employment Assistance and not referred to an Employment Services Program

If the Participant is not eligible for an Employment Services Program on their release from Prison but has expressed an interest in self-employment, the Provider should contact a Self-Employment Assistance Provider located in the relevant Employment Region to discuss the possibility of the Participant's acceptance into Self-Employment Assistance, and to conduct a Facilitated Transfer Meeting, where applicable.

Find a local provider that delivers Self-Employment Assistance by using the [Find a Provider](#) page on the Workforce Australia website.

15. The Participant may be transferred to another Prison

Participants could be transferred between Prisons at any stage during their time in the Service. In some jurisdictions and/or Prisons, due to the Prison policies, the transfer of a Prisoner is not always made known. The Provider should seek information from the Prison on how best to stay informed of movements where this is possible. The Provider must deliver the Service as best it can in these circumstances.

Further information on transfers is available in the [Transfers Guideline](#).

(Deed references: Clause 7)

16. Participants may Exit from the Service for a range of reasons

Exits happen automatically (Effective Exits)

Participants are exited automatically from the Service at the end of the Participant's Service Period. This is called an Effective Exit. An Effective Exit is triggered in the Department's IT Systems when the Participant commences in an Employment Services Program following their release from Prison, other than Self-Employment Assistance.

(Deed references: Clause 16)

Providers can action Exits (Provider Exits)

The Provider must only action a manual Exit for any Participant who:

- advises they no longer wish to participate in the Service
- ceases to participate in the Service

- This includes any Participants who have displayed challenging behaviours and are required to be Exited.
- ceases to be an Eligible Prisoner
- is not eligible for an Employment Services Program
- does not commence in an Employment Services Program within 13 weeks of release from Prison
- is referred to Self-Employment Assistance.

A Participant who ceases to be an Eligible Prisoner due to not having parole granted

A Participant whose parole is not granted and their new release date is more than four months in the future, is no longer eligible for the Service.

The Provider must perform a Provider Exit in the Department's IT Systems with the Exit reason being that the Participant ceases to be an Eligible Prisoner.

Where a Participant is not released from Prison as they have not been granted parole or are re-sentenced but all servicing components (JSCI, ESAt, Transition Plan) have been completed, the Provider can approve the Transition Plan.

(Deed references: Clause 19)

Note: when the next available parole date, or sentenced release date, is less than four months in the future, the Participant will become eligible for the Service again.

(Deed references: Clause 16)

Recording a Provider Exit

The Provider must action a Provider Exit, record the reason and make a comment in the Department's IT Systems.



System Step: The Provider can action a manual Exit by selecting Manage Referral on the Case Summary screen in the Department's IT Systems.

Participants returning to Services after Exiting

If the Participant has Exited for any reason and returns to the Service within 13 weeks after their date of Exit, the Provider must Commence the Participant and review whether any Services have already been provided to the Participant and deliver Services that have not yet been provided to the Participant.

If the Participant has Exited from the service but returns more than 13 weeks after the date of Exit, the Provider must Register and Refer the Participant to the Provider and provide all Services to them as a new Participant.

Further information on the JSCI or ESAt is available in the [Assessments Guideline](#).

(Deed references: Clause 16)

17. Participants engaging in complementary services

A number of other services and programs available in prisons provide Participants with similar services to the Service. An example is the Work Ready Release Ready program in South Australia.

Participants can engage in both the Service and these other services and programs, and the Provider must work with the other in-prison service providers to prepare the Participant for their release from Prison.

The Provider should seek to build relationships with the organisations and Prison staff who offer these services to complement the Service and manage any overlap.

Participants registered in the Pre-Release Prisoner initiative

Participants can participate in the Pre-Release Prisoner (PRP) initiative and the Service concurrently. To determine if an Eligible Prisoner is registered in the PRP initiative, the Provider needs to ask the Eligible Prisoner at their Initial Appointment.

The Provider must not Register and Refer an Eligible Prisoner who is participating in the PRP initiative to the Service in the Department's IT Systems. Registering an Eligible Prisoner who is participating in the PRP initiative into the Service automatically Exits them from the PRP initiative.

The Department requires the Provider to report on the number of Participants they are delivering Services to who are also participating in the PRP initiative. This is done by completing regular progress reports. Further information on the progress reports is available in [section 19 – Progress Reports](#) of this guideline.

Servicing a Participant registered in the PRP initiative off-system

The Provider is required to service a Participant who is registered in the PRP initiative off-system, which includes keeping an up-to-date Participant file with a record of the Contacts conducted and copies of all relevant Documentary Evidence, such as a completed privacy consent form, completed registration form and draft Transition Plan or the final approved Transition Plan.

As the Provider will not have access to the Department's IT Systems, the Provider must work closely with the Workforce Australia Employment Services Provider providing the PRP services to ensure services can be delivered to these Participants.

The Provider should contact the Workforce Australia Employment Services Provider to determine whether the Participant has already had a JSCI completed that was conducted less than two years ago in the Department's IT Systems. Where the Participant already has had this assessment completed, the Provider should discuss the results of the JSCI with the Workforce Australia Employment Services Provider. If the Provider considers that the JSCI still accurately reflects the Participant's current circumstances, the Provider does not need to conduct another JSCI and can instead rely on the results of the existing JSCI. In these circumstances, the Provider can use the responses to engage in discussions with the Participant and inform the development of the Transition Plan.

If a new JSCI is required, the Provider must undertake this JSCI with the Participant and provide the hardcopy results to the Workforce Australia Employment Services Provider for uploading into the Department's IT Systems.

For Participants who require an ESAt, the Provider needs to contact its Provider Lead to arrange the ESAt. The Provider Lead will make the referral to Services Australia for an ESAt through the Department's IT Systems. The Provider will also need to

request medical records and fax or, where fax is not available, email a copy to Services Australia, advising its Provider Lead when this has occurred.

Finalising the Transition Plan for a Participant registered in the PRP initiative

The Provider should work closely with the Participant's Workforce Australia Employment Services Provider to gather information to inform the Participant's Transition Plan. Skills and experience gained while undertaking the PRP initiative should be included in the Transition Plan.

Upon approval of the Participant's Transition Plan, the Provider should contact its Provider Lead attaching the relevant Documentary Evidence to facilitate payment of the Transition Plan Fee.

Participating in a Facilitated Transfer Meeting with the post-release provider

The Provider is not notified when Services Australia refers a Participant who is registered in the PRP initiative to an Employment Services Program following the Pre-Release Interview. The Provider must ensure that the Workforce Australia Employment Services Provider passes on the details when it is notified who the post-release Employment Services Provider will be.

The Provider must contact the post-release Employment Services Provider to arrange a time to discuss the Participant's participation in the Service and their Transition Plan. The Provider should email a copy of the Transition Plan to the Participant's post-release Employment Services Provider.

For more information on the PRP initiative, refer to the [Pre-release Prisoner initiative](#) fact sheet on the Provider Portal.

18. Provider performance and conduct is monitored and assessed

The Department monitors the performance of Providers. Performance assessments occur annually (at a minimum). The Provider is required to participate in the performance assessments.

The Provider will receive feedback from the Department following each performance assessment. Assessments may be used to determine Deed extensions and/or remedial actions, including adding or removing Prisons the Provider is approved to deliver Services to. The Department may publish information about a Provider's performance.

Providers' performance is assessed against Key Performance Indicators (KPIs). The KPIs for the Service measure effectiveness, engagement and satisfaction, and service quality.

For more information on the KPIs, refer to the [Performance Framework Guideline](#).

(Deed references: Clause 17, 18)

Providers are expected to meet the Time to Work Employment Service Guarantee (Service Guarantee)

The Service Guarantee forms part of the Deed. The Provider must provide the Service Guarantee to each Participant during the Initial Appointment.

The Service Guarantee outlines the Department's minimum expectations of both Providers and Participants in delivering and participating in services. It requires the Provider to deliver assistance in a manner that is tailored to each Participant's individual needs and sensitive to their culture and circumstance.

(Deed references: Clause 2)

19. Providers must submit an implementation plan and progress reports

Providers must submit an implementation plan to the Department

Within one month of receiving the implementation plan template from your Provider Lead, the Provider must provide its Provider Lead with an implementation plan for approval. A template for this plan is also on the Provider Portal. The Department may direct the Provider to amend and resubmit the implementation plan.

The purpose of the implementation plan is to provide the Department with an outline of how the Provider is preparing to commence servicing, its engagement strategies and service delivery considerations.

(Deed references: Clause 2)

Providers must submit reports to the Department

The Provider is required to submit progress reports to the Department. A template for this report is on the [Provider Portal](#).

The purpose of this report is to update the Department on service delivery, and report issues or concerns as well as good news stories.

The Provider must submit these reports to the Provider Lead every month from the approval of the implementation plan for a period of six months. Following this, the reports must be submitted quarterly or as directed by the Department.

(Deed references: Clause 26)

20. Providers payments for delivering the Service

Two types of payments are available to the Provider:

1. Service Fees (Upfront Payments)
2. Transition Plan Fees.

Upfront Payments

The Provider is paid an Upfront Payment of \$693.53(GST inclusive) per expected Participant every six months. The expected number of Participants is based on information provided by states and territories and calculated as the higher of the following:

- the Department's estimation of the number of Eligible Prisoners that will be in Prison for the relevant six-month period
- the estimated number of Eligible Prisoners as specified at item 6.5 of Schedule 1 of the Deed.

The calculation is based on the expectation that 50 per cent of Eligible Prisoners will volunteer to participate in the Service.

Upfront Payments are made in January and July on the first available Business Day where possible. If the Upfront Payment is made based on the Department's estimation of the number of Eligible Prisoners for the relevant six-month period, this number will be calculated the month before the payment based on the prisoner numbers from the previous 6 months. For example, if the payment is due in July, the calculation will be made in June based on the number of eligible prisoners in the prison between the previous December–May.

If the Provider commences business outside these times, the Provider receives a pro-rated upfront amount up until the next scheduled upfront payment. For example, a Provider commencing in March receives three months of upfront payment ahead of a full six-month payment in July.

The Upfront Payment amount is not reduced where the expected number of Eligible Prisoners decreases or where fewer than 50 per cent of Eligible Prisoners participate in the Service.

The Upfront Payment is increased where the expected number of Eligible Prisoners increases or where the Provider's performance is such that more than 50 per cent of Eligible Prisoners participate in the Service, for each previous six-month period.

The Provider will not receive an adjustment to its Upfront Payment for any Participants that are transferred to its Prison from another Prison during the six-month period.

(Deed references: Clause 19)

Transition Plan Fee Payments

The Provider is paid a Transition Plan Fee of \$255.81(GST inclusive) for each Participant who has completed servicing. Providers are required to record a JSCI, arrange an ESAt and prepare a Transition Plan with the Participant, recording this information in the Department's IT Systems. Where possible, the Provider should also arrange and hold a Facilitated Transfer Meeting. The Transition Plan fee will be paid when the Provider approves the Transition Plan in the Department's IT Systems.

Further information on when to approve a Transition Plan is in [section 12 – Preparing a Transition Plan](#) of this guideline.

(Deed references: Clause 19)

Summary of required Documentary Evidence




Documentary Evidence: Privacy and Personal Information

The Provider must retain a copy of the completed privacy consent form and where applicable make a note on the Participant's file.




Documentary Evidence: Registration form

The Provider must retain a copy of the completed registration form and, where the participant has given verbal consent, make a note on the Participant's file.

 **Documentary Evidence:** Completing the Transition Plan

The Provider must ask the Participant to sign and date the signature page of the Transition Plan to confirm the responses recorded are correct. This should be completed following every Contact with the Participant. If the Participant is unable to sign the Transition Plan, the Provider must obtain and record verbal consent on the plan.

The Provider must keep the original signed and dated draft Transition Plan or the final approved Transition Plan on the Participant's file.

 **Documentary Evidence:** Facilitated Transfer Meeting

The Provider should make a note on the Participant's file recording which method of Facilitated Transfer Meeting occurred and why.

All capitalised terms in this Guideline have the same meaning as in the Time to Work Employment Service Deed 2018–2024 (the Deed).

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

Attachment A— Advice on cultural competence

Cultural competence is the set of attitudes, practices and policies that come together to link individual capability with organisational business needs to enable the achievement of outcomes in cross-cultural situations.

Cultural competence supports an ability to understand, interact and communicate effectively and sensitively with Indigenous people. It is about *respecting* and *valuing* their diverse language groups and traditions, and recognising those connections to family, community, country and culture are central to a person's wellbeing. It includes building mutually respectful, solid relationships with the individual and community, as well as valuing their strengths.

Cultural competence is a continual process that should be incorporated into staff training and policy development. It involves increasing awareness, knowledge and understanding of:

- different cultural perspectives
- the unique aspects of Indigenous societies and cultures
- history of, and how the past has shaped and continues to impact the lives of, Indigenous people today
- the complexities, challenges and opportunities involved in improving and sustaining policy and program outcomes in partnership with Indigenous people.

Communication

Strong and effective communication is central to good service provision and can suffer from misunderstandings related to culture. Prison providers and support services generally rely on Indigenous people to communicate their needs and understand their obligations, and it is vital that this information is elicited in a culturally competent way. Service providers and prisoners commonly raise issues such as inaccurate assessment of prisoners and non-comprehension of parole conditions.

Many compounding factors can contribute to failures in communication. These can include poor literacy, English being a second (or third) language, distrust of authority, and misunderstanding of cultural ways of thinking and communicating.

Interviews present specific challenges as a means of addressing the needs of Indigenous prisoners or communicating obligations, such as parole conditions. A number of challenges tend to arise from a disconnection between interviews and Indigenous ways of finding information. For example:

- using silence to portray thoughtfulness or respect can be mistaken for evasiveness or non-compliance
- giving positive answers regardless of agreement or understanding (gratuitous concurrence)
- avoiding eye contact—when this occurs the Provider should not stare at the Participant as this may be perceived as intimidating and impact the accuracy of responses.

The Provider should ensure it is trained in or familiar with cross-cultural communication, use clear language with a minimal reliance on technical terms or jargon and, where possible, use qualified interpreters when liaising with Participants. This will ensure the Provider applies effective communication techniques and uses culturally appropriate methods to elicit sensitive information, which will improve the Service delivery experience for Participants and the overall service efficacy.

A number of organisations provide cultural awareness training which may assist Providers to build cultural competency, such as:

- The Australian Institute of Aboriginal and Torres Strait Islander Studies
- The Centre for Cultural Competence Australia.

Many prisons employ Indigenous Liaison Officers within Prisons who may be able to assist the Provider to identify any cultural needs and answering any questions.

Attachment B— Guidance on preparing the Transition Plan

Preparing the Transition Plan

The Time to Work Employment Service Transition Plan assists a post-release Employment Services Provider to better support the Participant on their release from Prison and help them to find employment.

The Transition Plan has a number of purposes. It lessens the need for the Participant to re-tell their story and captures the Participant's:

- education and medical information so that it is not lost
- barriers to employment as well as their skills, experience and aspirations
- any other commitments that may affect job search post-release
- any vulnerabilities experienced by the Participant.

A Transition Plan must be prepared for each Participant, and the Provider must work with the Participant to develop the plan.

The Transition Plan has different sections that focus on specific topics, such as accommodation and living, education and work, through-servicing, parole conditions, and post-release services. The Provider is required to record a response in each section which captures relevant information obtained during servicing. This includes information from the JSCI and ESAt, unless the Participant has requested this information not be included. This is important in ensuring the post-release Employment Services Provider receives all relevant information.

The Provider should use guidance in the Transition Plan to capture the necessary information required for each section. Example questions are included to assist the Provider with its conversation with the Participant.

The Participant must review and agree to all information captured in the Transition Plan.

The information must be entered into the Transition Plan on the Department's IT Systems. To enter the Transition Plan, the Provider:

- should update the Participant's career profile and résumé via the Department's IT Systems inputting as much education, training and work history information as possible
- must complete the Transition Plan tab in the Department's IT Systems inputting all relevant information from the hardcopy Transition Plan.

Note: Text fields in the Transition Plan tab in the Department's IT Systems will only accept 3000 characters, including spaces, or approximately 500 words.

How to get started

The Provider should use the Transition Plan template on the Provider Portal to record the required information. The Provider should print a hardcopy of this form and take it with them into the Prison. IT equipment may not be allowed to be taken into Prisons. The Provider should confirm with each Prison their access requirements including whether laptops are allowed to be taken into Prison.

The Provider should explain the Transition Plan to the Participant and what information will be collected and why. The Provider should explain that the more information included in the Transition Plan, the better informed the post-release Employment Services Provider will be and the more assistance that post-release Employment Services Provider can give to the Participant. If the Participant has concerns about the content in their Transition Plan, the Provider should discuss this with the Participant and review the content. It is best to exclude some information so the Participant is comfortable with their Transition Plan to ensure that the plan is approved and can progress to the post-release Employment Services Provider.

Gathering information from the Participant

The Provider can determine how it would like to elicit the information from the Participant. For example, the Provider can spend time during a Contact with the Participant and undertake a question/answer format or allow the Participant to tell their story in their own words and complete the form as the relevant information is presented.

The Provider should also use the Job Seeker Classification Instrument (JSCI) assessment and the Employment Services Assessment (ESAt) to gather information to inform the Transition Plan. For example, while undertaking the JSCI assessment, the Provider should include information collected from these conversations in the Transition Plan, where relevant. The Provider can also ask additional questions during the JSCI assessment to elicit specific information to be included in the Transition Plan.

During all Contacts with the Participant, the Provider must continuously identify information that can be included in the Transition Plan. The Transition Plan should be continually reviewed and updated throughout the Participant's time in the Service.

Gathering information from the Participant's education and medical records

The Provider can use the Participant's education and medical records to identify any employment barriers and include this information in the Participant's Transition Plan.

Gathering information from other service providers

The Provider must work with the Prison and in-Prison service providers to gather information that will assist in preparing the Transition Plan. The Prison can assist with providing information on parole conditions and education records or qualifications the Participant has undertaken while in Prison.

The Provider should also work with any through-care services that have been assisting the Participant, and include this information in the Transition Plan.

The Provider must discuss any information that is gathered from other service providers with the Participant and seek their approval to include that information in their Transition Plan.

Tailoring the Transition Plan to reflect specific Employment Services Programs

The Provider should be familiar with the requirements of post-release Employment Services Programs to tailor the Transition Plan content to the relevant program the Participant will be referred to on their release, if known. For example, if the Participant is eligible for Workforce Australia Services and has an interest in self-employment, this should be included in the Transition Plan as the Participant may be eligible for Self-Employment Assistance.

Fact sheets outlining services and assistance provided by each Employment Services Program are on the Provider Portal to guide the Provider about what can be considered for inclusion in the Transition Plan.

Completing the Transition Plan template

Below is guidance on how to complete each section of the Transition Plan template.

Focus

The purpose of this section is to capture the key areas of focus the post-release Employment Service Provider should consider when assisting the Participant to prepare for employment on their release. This section should include:

- career and work goals, including realistic employment options and aspirations
- skill gaps, including any education and training that may be needed
- vocational barriers.

The Provider can also highlight other key barriers (such as risk of homelessness, addiction, cultural obligations) that will negatively affect the Participant's ability to find employment.

Accommodation and living

The purpose of this section is to capture the Participant's living arrangements and family status on their release from prison. This includes any parenting or caring responsibilities.

The Provider should determine whether the Participant has a stable place to stay on their release, including:

- Is the accommodation permanent or temporary?
- If temporary, how long do they think they can stay there?
- Have they stayed at this accommodation before?
- Are they worried about overstaying their welcome at this accommodation?
- Is the accommodation safe?
- Will they be living alone?

The Provider should determine whether the Participant has parenting or caring responsibilities on their release, including:

- Who will live with them on their release?
- Are they the main caregiver for the children?
- How old are the children?

Many parents in prison are concerned about access to their children upon release. This is often a very sensitive issue and great care should be taken when discussing the Participant's children.

Education and work

The purpose of this section is to capture as much of the Participant's education and work history as possible as well as other relevant information that would assist the Participant to find employment, such as any licenses and accreditations obtained and all relevant workplace specific skills.

The Provider should also capture whether the Participant has access to transportation, such as whether they own a car or motorcycle or have access to regular public transport.

The information captured in this section is used to populate the Participant's career profile and résumé in the Department's IT Systems. The information is accessible to the Participant upon their release from prison, it can also be used to generate a résumé and the information could be sent to future employers.

The following information will be used to populate the Participant's career profile and résumé:

Employment history

List any employment that the Participant has undertaken, including any employment undertaken while the Participant was in prison:

- Have they undertaken any employment? Include all details, including the name of the organisation, dates, responsibilities undertaken.
- Have they undertaken any voluntary work?

Education history

List all education the Participant has completed, including any courses undertaken while the Participant was in prison:

- Have they completed any education or training? List all details.
- What was the highest level of schooling completed?

Licences and accreditations

List any licences and/or accreditations that the Participant has obtained, where possible.

Skills

List all the Participant's skills that would assist them to find employment.

Transport

List whether or not the Participant has a driver's licence.

Education and Work – Transition Plan tab:

The Transition Plan tab in the Department's IT Systems also includes a section for general comments on the Participant's education and work history. This should be used to capture any information not included in the Participant's career and résumé

profile. This section will only be seen as part of the Participant's Transition Plan and will not form part of a résumé or be sent to future employers.

Information that could be captured in this section includes:

- Strategies identified to improve the Participant's work readiness.

For example, do they need to attend classes to improve their English language skills.

- The Participant's interests.

Are they interested in doing any more education or training?

Are they interested in working in a particular industry/organisation?

Do they still want to work in a job where they can utilise any qualifications obtained?

- Does the Participant still have the relevant paperwork for any qualifications?

If not, a comment could be included for the post-release Employment Service Provider to obtain this paperwork.

- Transportation concerns.
 - Do they have a current and valid driver's licence that can be used in the state or territory where they will be living when they are released from prison?
 - Is it a full licence or a learner's permit or provisional licence?
 - Does the licence have any restrictions?
 - If they do not have a licence, are they eligible to get a driver's licence?
 - Do they own a car or motorcycle that they can use to travel to and from work?
 - Is the car or motorcycle registered and roadworthy?
 - If they do not own a car, how would they get to and from work?
 - Are there any other transportation issues that would affect their ability to get to work?

Through-servicing

The purpose of this section is to capture any services the Participant received while they were in prison, such as literacy and numeracy courses, domestic violence counselling, and alcohol and substances abuse rehabilitation.

The Provider should work with any through-care services that have been assisting the Participant and include this information in the Transition Plan.

Parole conditions

The purpose of this section is to capture any parole conditions the Participant has and how these conditions could affect their ability to find employment, such as job search arrangements or suitable work opportunities.

The post-release Employment Services Provider needs to know these conditions to determine if they will affect what type of work the Participant will be able to do.

Post-release services

The purpose of this section is to capture any support services the Participant should access on their release from Prison to assist them to overcome any vocational barriers as well as any non-vocational barriers.

Examples of post-release support services that could be recommended include:

- literacy and numeracy courses
- education courses
- housing services
- legal services
- drug and alcohol programs
- childcare assistance
- counselling services
- parenting skills training and information
- mentoring programs
- domestic violence safety plan
- emergency relief.

Comments

The purpose of this section is to capture any additional comments that the post-release Employment Services Provider should know and that are not already captured elsewhere in the Transition Plan.

These could include:

- details specific to the relevant post-release Employment Services Program, such as Self-Employment Assistance or CDP
- any cultural obligations the Participant has identified they may have to undertake if they move back to their community
- any financial concerns the Participant has raised
- any other vulnerabilities the Participant has raised
- any meetings or appointments the Participant needs to make upon release from Prison (for example, doctor's appointments).