



Australian Government

Guideline:

New Employment Services Trial (NEST)- Transfers

Participants may transfer between NEST Providers, or between NEST Providers and jobactive Providers for a range of reasons. Transfers can be automatic or involve a manual process, and can be initiated by the Participant or a Provider. Participants in Digital Services may opt-out and be moved to Enhanced Services by the Contact Centre.

Transfer arrangements support continuity of servicing when Participants change location, and also support Participant choice regarding their Provider.

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Related documents and references

- Eligibility, Referral and Commencement Guideline
- Managing Wage Subsidies Guideline
- Learning Centre website
- Relocation Assistance to Take Up a Job Guideline
- Servicing Participants with Challenging Behaviours Guideline
- Enhanced Services Provider Payments Guideline
- Using the Employment Fund General Account Guideline

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1. Transfers can happen for a range of reasons

Participants may transfer between Providers for a range of reasons:

- After a change of address
- If all parties agree (transfer by agreement)
- If there has been a relationship failure
- For a change in servicing

Transfers can be automatic or involve a manual process. Some can be initiated by the Participant or the Provider.

Automatic transfers, or transfers through the jobactive website, will not happen if the Participant is the subject of a Wage Subsidy Agreement, a Relocation Assistance to Take Up a Job Agreement or has a current Serious or Level 3 Incident Report and/or a reactive Managed Service Plan (MSP) - See Section 8 - Transfers with a Serious or Level 3 incident report and/or an MSP in place

(Deed references: Clauses 91, 92)

2. Participants can be transferred if they change address

If a Participant tells Services Australia or their Provider that they have changed their address, and the new address is not within a reasonable distance or in the same Employment Region as their current Provider Site, the Department of Employment, Skills, Small and Family Business (the department's) IT Systems will automatically transfer them to a new Provider or a different Site. This can include transfer to or from a jobactive Provider, or a Community Development Programme Provider if the address is in a remote region.

If the Participant's current Provider has a Site which services their new address, the Participant will be transferred to a new Site of their current Provider.

(Deed references: Clause 91.1(a))

Participants can request transfer back to their previous Provider

Participants who have transferred due to a change of address can request a transfer back to their previous Provider (or Site) if they still live in the same Employment Region serviced by their previous Provider, or if they live in a neighbouring Employment Region and their previous Site remains accessible.

If a Transition to Work (TtW) participant has transferred to a NEST Provider and indicates they wish to transfer back to TtW, the NEST Provider should not Commence the participant as this will make them ineligible for TtW. The NEST Provider should call the National Customer Service Line while the participant is present and request the Participant be transferred back to their TtW provider.

(Deed references: Clauses 91.1(a), 91.1(e))

3. Participants can be transferred if all parties agree (transfer by agreement)

Participants may transfer to a new Provider if their current Provider, their proposed Provider, the Participant and the department all agree to the transfer.

An online request for a transfer can be initiated by any of the parties.

Once a transfer by agreement happens, the department's IT System alerts both Providers with a noticeboard message.

(Deed reference: Clause 91.1(d))

Online requests by Participants

A Participant can request an online transfer by agreement on the jobactive website. The request is then sent to the proposed Provider for agreement.



System step: If the proposed Provider agrees, the transfer request is sent to the Participant's current Provider. If both Providers agree, the Participant is automatically transferred.

The current and proposed Providers must action the request for a transfer by agreement within three business days of receiving the request or the request will be automatically declined and the Participant notified that the transfer has not been approved. The notification to the participant will be made based on their nominated notification preference in the department's IT system.

If either Provider declines the request, the transfer will not be actioned and the Participant will be notified of the reason via a form generated by the department's IT system.

Providers should have processes in place to ensure they approve, or reject, transfer requests within these timeframes.

If a Participant is unhappy with a declined transfer request, they can contact the National Customer Service Line. A Customer Service Officer will investigate the matter further and take action where appropriate.

Provider initiated requests

Either the current or the proposed Provider can request an online transfer by agreement in ESS Web using the Transfer by Agreement Form, which is attached to this guideline.



System step: When all parties agree and sign the Transfer by Agreement Form, the current Provider must enter the details into the department's IT Systems to action the transfer. The current Provider must retain a copy of the signed form as documentary evidence.

- Where either the current or the proposed Provider declines the transfer request, all parties will be advised via the Department's IT system.

If a Participant is unhappy with a declined transfer request, they can contact the National Customer Service Line. A Customer Service Officer will investigate the matter further and take action where appropriate.

Some Participants cannot be transferred through an online request

The following Participants cannot be transferred through an online request:

- Participants with a current Serious or Level 3 Incident Report and/or a reactive MSP (see Section 8 -Transfers with Serious or Level 3 incident report and/or an MSP in place and Servicing Participants with Challenging Behaviours Guideline) and Knowledgebase article KE2703),
- Participants with a sensitive record (refer to Knowledgebase article KE1227); and
- Pre-release Prisoners wanting a transfer by agreement need to use the Transfer by Agreement Form which the current Provider must lodge using the department's IT System, as outlined above.

4. Participants can be transferred if there has been a relationship failure

Where the relationship between a Participant and Provider has broken down, the Participant can be transferred to a new Provider due to relationship failure subject to the department's agreement.

This can include transfers into and out of Trial Employment Regions.

(Deed reference: Clause 91.1(b), Clause 91.1(c))

Participant requests

If a Participant thinks a reasonable and constructive relationship cannot be maintained with their Provider, they can contact the National Customer Service Line on 1800 805 260. A customer service officer will record the request and help to make the transfer where appropriate.

Provider requests

If a Provider thinks it cannot maintain a reasonable and constructive servicing relationship with a Participant, it can complete the Transfer Due to Relationship Failure Form and forward this to the department's National Customer Service Line at nationalcustomerserviceline@jobs.gov.au for investigation. The department will consider the request based on the evidence provided, including whether the Provider has followed the process outlined in the Servicing Participants with Challenging Behaviours Guideline.

Departmental action

If the National Customer Service Line approves a transfer due to relationship failure, it will transfer the Participant after taking into account a range of factors, including

Provider location. The Participant will be sent a letter advising them of their new Provider and the date and time of their next appointment.

If the National Customer Service Line does not approve the transfer, it will notify the Provider and/or the Participant in writing.

5. Participants can be transferred if they think a change in service provider would be beneficial

If a Participant thinks a change in Provider would be beneficial to them, they can request a transfer by contacting the National Customer Service Line. Such Transfers between a jobactive Provider and a NEST Provider will generally only occur if Provider sites are in neighbouring Employment Regions.

The department will action the transfer if it thinks the Participant has demonstrated their case for a transfer. If the department does not agree to the request, it will inform the Participant of the decision.

(Deed reference: Clause 91.1(b))

6. Transfers with Serious or Level 3 incident report and/or a reactive MSP in place

Where there is a current Serious or Level 3 incident report and/or a reactive MSP on a Participant's record in the department's IT system, the Participant cannot be transferred to another Provider without the involvement of the Department.

Participant requests where they have a Serious or Level 3 Incident report or reactive MSP

A Participant with a current Serious or Level 3 incident report and/or a reactive MSP can request a transfer to a new Provider if they believe they would be better serviced. This can be done by them contacting the National Customer Service Line.

The department will consider the request based on the Incident and or the MSP, including whether the Provider has followed the process outlined in the Servicing Participants with Challenging Behaviours Guideline.

Providers requests for Participants with a Serious or Level 3 incident report or reactive MSP

Providers must approach the Department through their Account Manager to authorise the request (see Servicing Participants with Challenging Behaviours Guideline and Knowledgebase article KE2703 and KE2709).

Departmental action

If the National Customer Service Line approves a transfer due to a current Serious Incident and/or a reactive MSP, it will transfer the Participant after taking into account a range of factors, including whether the Provider has followed the process outlined in the Servicing Participants with Challenging Behaviours Guideline and

Provider location. The Participant will be sent a letter advising them of their new Provider and the date and time of their next appointment.

If the National Customer Service Line does not approve the transfer, it will notify the Provider and/or the Participant in writing.

Note: If a Participant transfers to a gaining Provider while an MSP is current, the new Provider must be made aware of existing requirements. This may include, where possible and appropriate, a phone call to the gaining Provider by either the current Provider or their Account Manager.

7. Participants can be transferred by the department for any other reason

The department can transfer a Participant for any reason at its sole discretion. This includes transfers into and out of the Trial Employment regions.

(Deed reference: Clause 93.1(e))

8. Participants or Providers can request the department review a decision

If either party is not satisfied with the outcome of any transfer decision, they can request a review of the decision by notifying the National Customer Service Line in writing within 14 business days of the original decision. If a review has been requested, it will be undertaken by a departmental officer who was not involved in the original approval process, and will consider, where relevant, whether the Provider has applied the strategies outlined in the Servicing Participants with Challenging Behaviours Guideline.

If the outcome of the review is that the request for transfer is approved, the department will action the transfer using the process outlined previously.

If the outcome of the review is that the request for transfer is not approved, the Provider and/or Participant will be notified in writing and the Provider must continue to provide Services to the Participant.

9. Administration Fees are automatically adjusted if Participants transfer between jobactive Providers

If a Participant transfers between jobactive¹ Providers, the department's IT System will automatically calculate and adjust Administration Fees for both the relinquishing and the gaining Providers on pro-rata basis.

If a pro-rata adjustment to the Administration Fees is required:

- the full amount initially paid will be reversed
- a new payment of the appropriate amount (pro-rata) of Administration Fees will be paid to both Providers.

¹ In addition to delivering Trial Provider services, NEST Providers will need to continue delivering jobactive Stream A services to assist Volunteers until all Volunteers have completed their period of assistance.

10. Engagement Fees are not affected by transfers

There will be no adjustment to any Engagement Fees paid to the relinquishing Provider and no payment of Engagement Fees to the gaining Provider when an Enhanced Services Participant is transferred.

(Deed references: Clause 135.2)

11. Effect of Transfers on Progress Fees

Where an Enhanced Services Participant transfers after having completed one of the activities or interventions identified as contributing toward a Progress Fee (refer to Enhanced Services Provider Payments Guideline), and there has been no progress fee paid for the Participant during their current Period of Service, the gaining NEST Provider will be eligible for the Progress Fee if the Participant completes a second eligible activity or intervention whilst on the caseload of the gaining NEST Provider.

12. Employment Fund credits may be transferred when Participants are transferred to a new Provider

Please refer to the NEST Employment Fund Guideline

13. Summary of required Documentary Evidence



Documentary evidence: If a Transfer by Agreement is facilitated using the online process on the jobactive website, the Participant, the current Provider and the proposed Provider must complete the online form on the jobactive website and Providers must record a reason if they decline the transfer request. The request to transfer form is retained in the Department's IT Systems.



Documentary evidence: If a Transfer by Agreement is facilitated using a manual form, the completed form must be retained by the current Provider, who must enter the details of the transfer in the department's IT System (the department will then complete the process). The form must be signed and completed by the Participant, the current and the proposed Provider. The form must be retained by the current Provider.



Documentary evidence: If a Transfer due to Relationship Failure is requested by a Provider, the Provider must submit the completed form to the department by email to the nationalcustomerserviceline@employment.gov.au.

Attachment A: Transfer by Agreement Form



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Please complete the following form to request a Transfer by Agreement. This form **must** be completed by the Participant, the current NEST Provider and the proposed NEST Provider. This form/process can be initiated by either the Participant or one of the NEST Providers.

Each of these parties agrees to the transfer of the Participant from the current NEST Provider to a **Site** of the proposed NEST Provider when this form is signed by:

- the Participant
- an approving officer from the proposed NEST Provider
- an approving officer from the current NEST Provider.

The Transfer by Agreement **should not** be actioned in the Department's IT Systems unless all parties have agreed to the transfer and signed this form. The current NEST Provider must keep the completed form as evidence that a Transfer by Agreement was agreed to. Please refer to the NEST Transfers Guideline before completing this form.

Note: Participants also have the option to initiate a Transfer by Agreement request online via the jobactive website

Title

Family name

First name(s)

Preferred name

Job Seeker ID

Reason for transfer

Signature of Participant

Date

Participant details

Current NEST Provider details

Site code and organisation code

Contact name

Site name

Telephone

Email

Discussed transfer of Employment Fund credits with proposed NEST Provider?

Yes

No

Outcome of discussion regarding Employment Fund credit transfer

Transfer approval details—Current NEST Provider

Approved

Yes

No

If no, why?

Approved by

Position/title

Signature of Approving Officer

Date

Proposed NEST Provider details

Site code and organisation code

Contact name

Telephone

Email

Transfer approval details—Proposed NEST Provider

Approved

Yes

No

If no, why?

Approved by

Position/title

Signature of Approving Officer

Date

Current NEST Provider – Please tick this box to acknowledge that, if all parties have agreed to the transfer, it has been entered into the Department’s IT Systems.

Attachment B: Transfer due to Relationship Failure Form



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This form should only be used by the NEST Provider to request the transfer of a Participant when there has been a relationship failure between the NEST Provider and a Participant. The relationship is deemed to have failed when the NEST Provider and Participant can no longer work together to serve the Participant's needs, as determined by the Department of Employment, Skills, Small and Family Business (the Department). The Department **must** be completely satisfied that the Provider and the Participant have taken every possible action to resolve the problem.

NEST Provider requirements

NEST Providers **should** follow the processes outlined in the Servicing Participants with Challenging Behaviours Guideline available on the Provider Portal, taking note that this type of transfer will generally only be approved following the implementation of a Managed Service Plan.

- Please tick this box to acknowledge that you have read the Servicing Participants with Challenging Behaviours Guideline before submitting this request for transfer.

Please scan and email the completed form and any attachments to the Department's National Customer Service Line (nationalcustomerserviceline@employment.gov.au).

Participant details

It is recommended that the following Participant be transferred from the NEST Provider identified on this form due to a relationship failure.

Title

Family name

First name(s)

Preferred name

Job Seeker ID

Action taken

Please tick the appropriate box(es) below to indicate the actions that have been taken in an attempt to resolve differences between the NEST Provider and the Participant—including in accordance with the Servicing Participants with Challenging Behaviours Guideline, where applicable. Please also attach to this form evidence of actions undertaken.

- Complaints process used
- Change of consultant
- Alternative servicing arrangements
- Change of Site (if possible)
- Purchased professional services (if eligible)
- Implemented a case management plan
- Implemented temporary service restrictions
- Incident report
- Police report
- Other (please specify)

Reason for transfer

Information to consider

- Evidence relating to action taken to resolve the differences between the NEST Provider and the Participant **should** be attached. If this evidence is not provided, your request may be declined.
- A customer service officer may contact you to confirm or clarify some of the information submitted with the request.
- A request to transfer will generally be processed within 10 business days from the date of receipt of all information relevant to the request. The Department will notify you of the outcome in writing.

NEST Provider details

Site code and organisation code

Site name

Telephone

Email

Print name of requesting officer

Signature of requesting officer

Date

Department Only

Departmental Decision

- Where the transfer has been approved, please tick this box to indicate that the transfer was actioned.

Date

If the Department declines this request to transfer

If the Department declines this request to transfer and you are not satisfied with the decision because for example, you believe that the administrative process was not correctly followed or information not originally considered has become available to you, you may request a review. Your review request must be received by the Department's National Customer Service Line (1800 805 260) within 14 days of the Department declining the original request.

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 NEST Provider means a New Employment Services Trial Provider.

References to Participants means Enhanced Services Participants as defined in the Deed.

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