



## Australian Government

### Department of the Prime Minister and Cabinet

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Dear Committee Secretariat


As part of the inquiry into the Social Security Legislation Amendment (Community Development Program) Bill 2015, the Committee has sought further detail on the legislative instruments proposed in the Bill.

The Bill provides the power for the Minister to make three instruments to determine separate arrangements for remote job seekers in relation to:

- participation activities and compliance arrangements;
- the remote regions in which these arrangements will operate; and
- only if necessary, other amendments to the social security law in relation to remote job seekers to address any technical issues that may arise during implementation of the other arrangements.

In drafting these instruments, there is a requirement under the *Legislative Instruments Act*, to consult with those people likely to be affected by the instruments. As part of this consultation, the Department has prepared a consultation paper which outlines the details of the proposed instruments. It is proposed that this paper will be circulated widely to communities and providers and the Department will establish a digital platform with detailed information for providing comments and submissions on the proposed arrangements.

Please find enclosed a copy of the consultation paper as well as answers from the Department of the Prime Minister and Cabinet to the Committee's Questions on Notice.

Yours sincerely 

Nadine Williams  
First Assistant Secretary  
Community and Economic Development Division  
Indigenous Affairs Group

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# Consultation Paper

## Changes to the Community Development Programme

### Overview

On 2 December 2015, the Government introduced the *Social Security Legislation Amendment (Community Development Program) Bill 2015* (the CDP Bill) into the Parliament. The CDP Bill establishes a more direct and immediate income support payment and compliance regime and stronger incentives to work for remote job seekers.

The CDP Bill builds on the current Community Development Programme (CDP), introduced on 1 July 2015. The CDP aims to assist people to gain the skills, experience and commitment necessary to find paid work where it exists, and in the absence of work enables people to participate in continuous CDP activities intended to benefit both individuals themselves and their community.

Although steady progress has been made in the first six months of the CDP to reduce welfare dependency in remote communities, current incentives need to be stronger to encourage people to be active in their communities and to take up opportunities to work.

To address this, the CDP Bill creates a framework for new and simpler income support payments and compliance arrangements for individuals living in remote Australia who are eligible for activity tested income support payments. It also provides additional incentives to work by increasing the amount an individual can earn before their income support payment starts to reduce under the income test.

In summary, building on the existing CDP, the legislation makes provision for:

- Payments to be made by local CDP providers;
- Payments to be made weekly to assist individuals to better manage their finances;
- A simplified, compliance framework, with immediate non-attendance penalties to promote work-like behaviours;
- Provision for reasonable excuses for being absent, factoring in appropriate reasons such as illness and cultural business;
- Increased income thresholds so individuals have a greater incentive to take-up casual or part-time work, with the amount of income support dependant on participation in CDP activities; and
- The scheme to be phased in, on a region by region basis, to ensure provider capability and community willingness.

The proposed new income support payment and compliance arrangements, as well as the increased income thresholds will be introduced using a phased approach, commencing from 1 July 2016. The initial rollout will include up to four of the 60 CDP regions.

## How are we consulting on the new arrangements?

The CDP Bill establishes a basic legislative framework to set up these new arrangements.

By itself, the Bill does not trigger the introduction of the new arrangements. Nor does it set out the detail for how these arrangements will work. Instead, the Bill is underpinned by two important legislative instruments.

1. The first will set out in detail changes to rights, responsibilities and obligations that a remote job seeker must meet while in receipt of income support.
2. The second will enable the Minister to determine which regions will commence under the new arrangements.

Both instruments must be consulted on, and feedback must be sought from affected parties, before the legislative instruments are introduced into the Parliament. Both legislative instruments are disallowable by the Parliament.

What this means is that the new arrangements will be subject to Parliamentary scrutiny – they are unable to be introduced without agreement of the Parliament. Further, the new arrangements cannot be introduced into a region until the Government has consulted with affected parties, and is confident that the CDP provider and the community are ready to commence.

Inclusion of the details of the new arrangements in legislative instruments rather than in the Bill itself also means that the Government is able to respond quickly to feedback from the communities during the implementation phase.

This consultation paper will inform the development of the first legislative instrument. It provides detail on the proposed penalties scheme and compliance framework that will be determined via the legislative instrument.

### Key Dates

- ✓ Consultation on the arrangements set out in this paper will occur between March and May 2016, building on the consultation throughout 2015
- ✓ PM&C will conduct a series of targeted consultations around the country with communities and CDP providers during March & April 2016
- ✓ A CDP Provider meeting will be held in May 2016 to discuss the reforms and listen to provider feedback
- ✓ A web-based platform will be established with information and case studies and an opportunity for comments and submissions to be provided by 20 April 2016
- ✓ An exposure draft of the Legislative Instruments will be released in mid-May

Following this consultation process, PM&C will develop final legislative instruments, incorporating community and provider feedback, for consideration by the Parliament.

Feedback is welcome on all areas of the paper. We have included some prompt questions below and throughout the paper that you may choose to comment on. We want to ensure that all relevant stakeholders have an opportunity to comment on these proposed new arrangements. We are also interested in hearing any feedback on matters that have not been addressed in this paper, but which you think are important.

The closing date for comments is 20 April 2016. Submissions will be made public unless specifically requested otherwise.

Information on how to submit comments is available on the Department of the Prime Minister and Cabinet (PM&C) website.

**Questions to consider when making a submission:**

- ✓ What elements of the current national Job Seeker Compliance Framework don't work well for remote job seekers? How could these be improved?
- ✓ Do the proposed new arrangements balance the need to provide safeguards for job seekers with the objective of having individuals attend activities and take-up work?
- ✓ Are the proposed new arrangements simple and easy to understand for job seekers?
- ✓ Will the proposed new arrangements create perverse incentives or lead to unintended consequences?

## How will the first regions be selected?

No decision has yet been made about which regions will be part of the first phase of implementation. A number of regions have expressed strong interest in being part of the first phase.

Under the Bill, when determining the regions in which the reforms will operate, the Minister must consider:

- whether the region is remote;
- the level of social and economic disadvantage within the region, including levels of unemployment, social welfare and education;
- the capability of the region's CDP provider to provide income support payments; and

- other relevant matters.

What this means is that the new arrangements will be introduced into regions where the community is willing, ready and in need of the reforms due to their levels of social and economic disadvantage.

There will also necessarily be minimum standards of capability that the local CDP provider must meet before the reforms will be phased in.

This includes the capabilities to make payments to job seekers on time, make robust decisions supported by strong governance arrangements, and appropriately engage with the community they service. CDP providers will be consulted in the development of supporting systems and processes.

Over the coming months we will speak individually with providers who are interested in commencing in the first phase of implementation about their readiness to adopt the new arrangements. Where there is strong provider readiness, consultations will be held with leaders and communities to assess their willingness.

## Current compliance arrangements - what is the status quo?

All job seekers who receive activity tested income support payments have mutual obligations – that is, activities they agree to participate in or undertake, in return for their income support. The rules around what penalties apply when a job seeker fails to attend these activities is set out in the Job Seeker Compliance Framework. The Job Seeker Compliance Framework is currently applied nationally to all job seekers.

At present, providers are responsible for advising the Department of Human Services (DHS) when a job seeker does not attend a mutual obligation activity and does not have a reasonable excuse.

DHS then consider the provider's advice and decides whether or not a penalty can or should be applied. If a penalty is applied it cannot be deducted from a jobseeker's income support payment until two fortnights after non-attendance.

In practice, in remote areas this process can take five or more weeks creating long delays between the jobseeker's action (for example, failure to attend an activity, appointment or job interview) and the penalty.

The Job Seeker Compliance Framework is also very complex. It provides for a wide range of financial penalties and suspensions with backpay of varying lengths, mandatory re-engagement appointments with providers and scope for additional activities to make up for non-attendance. It is often difficult for job seekers to understand their rights and obligations and to understand the impact of compliance on their income support payments.

## Proposed model: simple, easy to understand and immediate

We are proposing that in remote Australia, the Job Seeker Compliance Framework would be replaced by much simpler rules that are more immediate and easier for the job seeker and CDP provider to understand.

### ***One penalty for not attending an activity***

Instead of a wide range of penalties and suspensions, we are proposing that there only be one, immediate penalty for failures to attend a mutual obligation activity that the job seeker has agreed to participate in.

This penalty would be called a *No Show* penalty. The penalty would be calculated based on hourly attendance and would be reflected immediately in a job seeker's weekly income support payment.

- Currently penalties are deducted on a daily basis. This means that if a job seeker only turns up for part of a day, they lose a full day's income support. Hourly penalties are fairer as they will better reflect actual attendance.

No Show penalties would be applied by the CDP provider and would be deducted for each hour a job seeker fails to attend or participate in their required mutual obligation activities - such as a CDP activity, appointment with the provider, counselling session, searching and applying for jobs, or job interview.

Hourly penalties will make it easier for job seekers to understand when and why they have been penalised. They will also allow providers greater flexibility to schedule activities for a job seeker across a single day and to work around job seekers' home and employment routine. This also provides greater equity for job seekers and the community.

Currently, CDP providers have discretion when a job seeker fails to turn up to an activity, to not advise DHS that a penalty should be applied. Under the proposed arrangements, CDP providers would be required to apply a penalty when a job seeker does not attend an agreed activity unless the job seeker has a reasonable excuse for not attending or they have leave or an exemption from activities.

- We propose that, reflecting the existing system, a higher level of discretion would be provided for Disability Support Pension (DSP recipients). CDP Providers would retain the discretion to apply the penalty only where they believe it would encourage the DSP job seeker to understand their requirements and meet them in the future. This keeps an important current protection in the system for DSP recipients who are more vulnerable.

No Show penalties will be a strong and effective tool to change behaviour – provided they are able to be applied immediately, in the same week that an hour of activity is missed.

Making the penalties mandatory (subject to the job seeker having a reasonable excuse or an exemption) will assist providers in communicating tough decisions to their caseload.

### ***A simpler, fairer penalty rate***

Currently, penalties for non-attendance are applied at a daily rate of 1/10th of a job seekers' basic fortnightly entitlement including some supplements.

Job seekers of full activity tested benefits can potentially lose all their income support if they don't turn up to any of their mutual obligation activities in a fortnight.

We are proposing that instead of a proportional penalty (for example a 1/50<sup>th</sup> hourly penalty), a flat hourly penalty be applied to a job seekers' basic entitlement. This penalty would be fixed at set rate for all jobseekers. For example, a penalty amount of \$7 or \$10 for every hour activity missed. We are seeking your view on what an appropriate penalty would be – resolving this will be a key part of the consultations.

- ✓ Most job seekers are required to attend 5 hours a day of activities, meaning a weekly attendance of 25 hours. Under the proposed system, these job seekers would be penalised either \$7 or \$10 for every hour they did not attend.
- ✓ **This would be fairer. All job seekers would have the same amount deducted from their income support payment for missing an hour of activity regardless of the payment they are receiving.**
  - Currently, the proportional penalty rate means that job seekers on higher basic entitlements (for example DSP recipients and recipients of Parenting Payment) are penalised more per hour than those who receive lesser amounts of income support (such as Newstart Allowance).

A flat hourly penalty would make the penalty system easier for job seekers to understand and for CDP provider to communicate.

It would create a stronger incentive for some job seekers to attend activities than current arrangements. Newstart Allowance and Youth Allowance recipients who have full activity tested requirements (25 hours a week), will have the strongest incentive to attend activities as they could (consistent with the current system) lose the vast majority of their income support if they fail to attend the full week of activities. It is important to retain this element of the current system as this group of job seekers is generally the most disengaged and also the most capable of participating.

At the same time however, a flat penalty rate would mean that for the most vulnerable job seekers – single parents and disabled people – the penalty would be a smaller proportion of

their overall payment. These job seekers would always retain a portion of their income support payment, even if full penalties are applied.

### ***A safety net for persistent non-compliance***

When a job seeker persistently fails to show up to their activities, or shows up irregularly, it is important that there is an investigation and report of the reason.

- Establishing a set review point when a job seeker persistently failing to show up is an important safeguard to ensure that job seekers do not end up in a downward cycle of non-compliance – with their income support eroded by No Show penalties every week.

There are many reasons for non-attendance. In many cases, the activity may not suit or interest the job seeker. Where this is the case, a review by the CDP provider would often result in a provider renegotiating the type of activities, or the timing and location of activities with job seekers so that they better suit the job seeker's needs.

Alternatively, the job seeker's circumstances may have changed, and a re-assessment by DHS of their capacity to attend activities or their hourly attendance requirements, might be needed. Views are sought on what resources would be needed to support the job seekers, such as social work or case management/wrap around services.

However, where persistent non-attendance is not able to be addressed in these ways, the CDP provider will require additional compliance tools to encourage the job seeker to re-engage.

Currently under the national Job Seeker Compliance Framework, a review is triggered when, in a six-month period, either three failures for non-attendance at appointments, not entering into Job Plan and unsatisfactory Job Search are applied; or when three No Show No Pay failures are applied; or at any other time if a provider believes a job seeker's circumstances warrant it (for example, if the job seeker is continually failing to comply with their requirements for no apparent reason).

We are proposing that instead, where a job seeker attends less than 25 per cent of their required hours of mutual obligations over a 10 business day period (and the provider is aware that they are not missing their activities because they are working), a Compliance Review is triggered.

Compliance Reviews would be a comprehensive review of the job seeker's individual circumstances including considering the causes for their persistent non-attendance, whether their activities are suitable and any other relevant matters.

Compliance Reviews would be on top of any informal reviews or discussions with the job seeker that the provider could decide to conduct at any time to increase attendance.



The initial Compliance Review would be conducted by the provider, by a different case manager or review officer. During the review period, the job seeker could continue to incur No Show penalties.

If multiple Compliance Reviews were triggered within a 12 month period, the first and second reviews would be conducted by the provider and any subsequent reviews would be conducted by the Australian Government.

#### **What would be the outcomes of a Compliance Review?**

The outcomes of the Compliance Review could include a combination of the following:

- revision of the job seeker's activities or supports;
- conducting an assessment of the job seekers capacity, circumstances and/or required hours;
- waiver of No Show penalties if a determination is made by the provider in agreement with the Australian Government that that the job seeker is in undue financial hardship;

OR

- the application of a Persistent Non-Attendance (PNA) penalty and potentially cancellation (further detail provided below). *This compliance tool would only be available where a jobseeker is attending less than 10 per cent of their required hours in a month period.*

#### ***Persistent Non-Attendance penalty***

Where a job seeker attends less than 10 per cent of their required hours of mutual obligations over a 20 business day period, we are proposing that a Persistent Non-Attendance (PNA) penalty could be applied following a comprehensive Compliance Review if a determination is made by the CDP provider that the job seeker is entirely disengaged despite well-tailored activities. This preserves the current protections, but tailors them to remote circumstances.

The penalty would be equivalent to non-payment of 20 business days of the job seeker's entire income support payment (including any supplements or income managed components).

During the penalty period, the job seeker would not have any compellable activities (as there would be no payment left to apply No Show penalties to). However, at any point during the penalty period the job seeker can contact the CDP provider and request that they immediately start attending their activities again. In this case, we are proposing that the

remainder of the penalty would be waived and payment of the job seeker's income support would recommence.

The PNA penalty is designed to mimic the effect of current cancellation arrangements. Its purpose is to encourage the job seeker to re-engage with their provider. Unlike current cancellations, however, it gives the job seeker the chance to immediately return to full income support at any time, if they start attending activities.

### ***Cancellation***

Cancellation of income support is designed to prevent the ongoing burden for providers and government of job seekers who cannot be legally compelled to attend activities (as they have not agreed to mutual obligation requirements) or are entirely and persistently disengaged with their activities.

The current system provides for cancellation of a job seeker's income support if the job seeker fails to make contact for 28 days following a missed appointment or where they fail to agree their Job Plan.

Similar to the current arrangements, we are proposing that, under the new arrangements, a CDP provider would be required to refer job seekers to the Australian Government for cancellation of their income support where either:

- a job seeker when they commence with the CDP fails to agree their mutual obligation activities within 10 business days (this is consistent with current arrangements where a job seeker fails to agree their Job Plan); or
- a job seeker has incurred a PNA penalty following a Compliance Review and received the full penalty by failing to attend for another 20 business days (i.e. over 40 days of non-attendance). This is fairer than current arrangements as it gives jobseekers twice as long to re-engage with their CDP provider before cancellation, reflecting the specific challenges of re-engaging job seekers in a remote environment.

PM&C would review the job seeker's circumstances and could decide a job seeker's income support should be cancelled. Alternatively, PM&C could refer the job seeker back to the provider with a recommended approach for re-engaging the job seeker.

If cancelled, consistent with the current system, to be eligible for future income support, the job seeker would have to re-claim income support with DHS.

## Are the new penalty arrangements tougher on job seekers?

The overarching guiding principle we have applied in designing the new compliance framework is that smaller penalties that are simple to understand and are applied immediately and locally, will drive better jobseeker behaviour.

The guiding principle when developing the proposed arrangements was that there would be no increase the types of non-compliance or in the size or duration of current penalties.

The box below compares the current and proposed system in more detail.

### ***Comparison of current and reformed compliance approaches***

- ✓ The proposed approach ensures that all existing safeguards for job seekers are replicated:
  - penalties for Disability Support Pension recipients are discretionary;
  - comprehensive, independent reviews to address persistent non-compliance that are automatically triggered;
  - penalties waived if the job seeker re-engages in activities; and
  - penalties waived if applying the penalty would place the job seeker in undue financial hardship.
- ✓ The period before a disengaged job seeker is cancelled would be doubled to two months where currently it is one month.
- ✓ Penalties are more responsive. While the application of No Show penalties would become mandatory rather than discretionary, they would be applied per hour rather than per day giving job seekers the opportunity to re-engage faster and reduce the impact on their income support.
- ✓ The maximum penalty length would be 4 weeks for job seekers who are attending less than 10 per cent of their required hours. Currently an 8 week penalty can be applied for missing activities on 3 occasions and the highest penalty is a 12 week penalty which can be applied for a job seeker who loses suitable work.
- ✓ A simpler framework:
  - It removes the complex system of suspensions and re-engagement appointments which are confusing and can result in additional financial penalties for job seekers; and
  - Instead of having different penalty arrangements for failing to attend provider appointments and other appointments or activities, No Show penalties would apply for non-attendance at any mutual obligation requirement.

## Redirecting penalties into communities

Currently, when a penalty is applied to a job seeker's income support, that penalty is returned to the Federal Budget.

We are proposing instead, that under the new arrangements, a new Community Investment Fund be established so that funds that have been withheld from job seekers as a result of penalties are put back into communities to assist local economic and community development initiatives and programmes.

The Minister for Indigenous Affairs will be the responsible delegate for the Fund as an accountability measure.

The accountability mechanisms for the Community Investment Fund would be consistent with usual Government process for the expenditure of Government money and will ensure proper scrutiny of Commonwealth funding. We are proposing that funding would be directly hypothecated to address job seeker needs and investment into communities in CDP regions.

We have started discussions with CDP providers and some communities about what would be the most effective way to ensure funds deliver on the ground outcomes for job seekers. Some stakeholders are of the view that Community Investment Funds should be redirected back to the provider, to spend on job seekers or community projects. Others are concerned that this would create an increased incentive for providers to apply penalties and a reduced incentive to encourage job seeker attendance.

We are seeking your views on what you think would be the best approach.

## Reasonable excuses & exemptions sit with the provider

Under current arrangements job seekers may avoid penalties for non-attendance if, having missed an activity, they have a 'reasonable excuse' for not attending.

Currently in social security law the meaning of the term reasonable excuse is discretionary and based on the excuse being considered one that an ordinary member of the community/employer would accept as reasonable for an employee who missed work. It might include for example, sickness or unexpected caring responsibilities.

Providers currently are responsible for assessing whether a job seeker has a reasonable excuse and advising DHS. In making a determination on reasonable excuse, the provider is required to establish whether:

- the circumstance preventing a job seeker from meeting their requirements is unforeseeable or outside their control;
- the requirement or activity was within their capacity and appropriate; and

- they were clearly notified of the requirement in a way suitable to them.

In addition, DHS may grant the job seeker an exemption from their requirements for a specified period – up to 13 weeks or longer depending on the circumstances. The job seeker is suspended from a provider’s caseload for the duration of the exemption, unless they volunteer to continue in CDP activities.

In practice, exemptions fall into three categories:

- Medical and illness related – long term medical or illness related absences with a medical certificate. Providers are expected to manage short term medical/illness related absences (1-2 days).
- Family exemptions – including for family deaths, relationship breakdown or domestic violence. Principal carer parents and parents of disabled children can apply for rolling exemptions for up to 12 months.
- Personal circumstances – unforeseen or unavoidable, including natural disaster, homelessness, Indigenous cultural business, pregnancy and parental leave.

We are proposing to retain the current definition of reasonable excuse and the current categories of exemption, but are seeking your views on whether they are appropriate and adequate.

We are also proposing that responsibility for assessing and granting requests for exemptions and reasonable excuse transfer from DHS to CDP providers. This would mean providers are responsible for determining exemptions, reasonable excuses, and valid reasons.

## What should be a mutual obligation activity?

Currently, most people receiving income support payments with mutual obligation requirements must show that they are actively looking for work and are participating in a range of activities that will help them into employment, unless DHS has granted the job seeker an exemption from these requirements.

The number of hours an individual can be required to do will vary depending on their assessed capacity to work following an Employment Services Assessment (ESAt) or whether they are a Principal Carer Parent.

Mutual obligations include the range of requirements a job seeker can be compelled to fulfil under social security law in return for activity-tested income support. These include:

- attending provider appointments – currently mandated at monthly;
- Job Search;
- acting on referrals to jobs;

- participating in Work for the Dole;
- undertaking employment (part time or full time); and
- participating in any other activity that is relevant to their personal circumstances and that will help the job seeker improve their employment prospects.

The current system provides significant flexibility for providers to select the most appropriate mutual obligation activities for each job seeker. This allows local-decision making to tailor mutual obligation requirements to the remote context.

We are proposing that current arrangements be retained, but are seeking your views on opportunities to broaden the scope of mutual obligations to ensure that all activities that contribute to community development and wellbeing are sufficiently captured.

## How would the review and appeals process change?

Currently, if a job seeker does not agree with a decision made by DHS in relation to the job seeker's income support payment (including qualification, payability, rate of payment, participation requirements, and compliance decisions), the job seeker can request DHS internally review the decision.

There are two levels of internal review. Initially the original DHS decision-maker reviews their decision. This stage is classified as an informal 'original decision maker' review and is not a formal merits review process under Part 4 of the *Social Security (Administration) Act 1999 (SS (Admin) Act)*.

If the officer does not revise their original decision, the matter is formally referred to a DHS review officer to conduct a more detailed review of the decision under Part 4 of the *SS (Admin) Act*.

If the job seeker does not agree with the decision made by the DHS review officer, the job seeker can seek review of that decision by the Administrative Appeals Tribunal (AAT), as provided for in Part 4A of the *SS (Admin) Act*. DHS advocates (lawyers) usually appear for the Secretary in this review process before the AAT.

If the job seeker does not agree with the outcome of the AAT review, they may seek AAT second review. An AAT second review can be appealed to the courts on a question of law.

We are proposing that the current review and appeal process would continue unchanged for all decisions that are made by DHS. This includes qualification, payability, income test and rate of payment decisions made by DHS for remote job seekers.

An equivalent review and appeal process would be introduced for all decisions made by CDP providers in relation to remote job seekers (including reasonable excuses, exemptions, and penalty decisions).

In the first instance, we propose that a job seeker would be able to ask the CDP provider to review their original decision. As with the current process, this would not be a formal merits review process under Part 4 of the *SS (Admin) Act*.

If the CDP provider does not revise their decision, they would then refer the matter to a PM&C officer to conduct a formal review under Part 4 of the *SS (Admin) Act*. PM&C would have the power to require CDP providers to provide any information relevant to the review.

If the job seeker does not agree with the outcome of PM&C's review they may, consistent with current arrangements, seek a review of PM&C's decision by the AAT, as provided for in Part 4A of the *SS (Admin) Act*. As is currently the case with DHS decisions, the job seeker would not be able to appeal CDP provider decisions directly to the AAT. PM&C advocates (lawyers) would appear for the Secretary in this review process before the AAT, the provider would not be required to attend.

If the job seeker does not agree with the outcome of the AAT review, they may as per the current process, seek AAT second review and subsequently appeal to the courts on a question of law.

## Questions on Notice

### Department of the Prime Minister and Cabinet (PM&C)

#### *Questions taken on notice during PM&C's appearance*

##### *Question 1, Senator Moore and Senator Siewert, Hansard p. 50 and p. 51*

Senator MOORE: We are never going to be able to agree on consultation, but can we have two things: a list of all those things you talked about and also who was at all those meetings?

Mr Eccles: Of course.

Senator MOORE: That would be a standard thing.

Senator SIEWERT: Also, what was discussed.

Mr Eccles: We will provide you with the agendas, the breakdown.

Senator MOORE: That would be very useful. And who was there....

...

Senator SIEWERT: So, adding to Senator Moore's list, did you also ask for the department's and Minister Scullion's consultation process?

Senator MOORE: Actually it is both. I actually asked for the minister, but the department as well.

Senator SIEWERT: Yes, the minister's and the department's...

##### *Question 2, Senator Moore, Hansard p. 50*

Senator MOORE:... I am interested in why, in the department's submission under the heading 'Consultation and implementation', there was no effort to describe that. I would have thought there would have been an understanding by the department of how important the issue of consultation was for this committee. In the official PM&C submission to this inquiry, it does not talk about any of that. It does not mention the long-term discussion from March onwards. It just says that there has been significant interest. Ministers talk to people. All CDP in-service providers have been invited to a two-day meeting in February 2016 to discuss it. That is the full content.

Mr Eccles: If the committee is happy, we will provide supplementary information that goes through all of that.

Senator MOORE: It might be useful. In some way it gives me the feeling that there is not an understanding of how important we feel consultation is when the formal submission to us does not even mention it. I just wanted to put that on record, because it was distinctly disappointing.

##### *Question 3, Senator Siewert, Hansard pp 50-51*

Senator SIEWERT: The consultation—I think you said it was last March—from which Job Services produced and published a paper, was largely focused on where you were moving to and acknowledging that RJCP was not working and where that was moving to. As far as I am aware, that did not talk about going to what this legislation would look like.



Mr Eccles: I would need to look at the speaking notes that we provided but I would be confident to say that it would have been at that meeting or not long after that we, on behalf of the government, outlined the ambition or the intention to pursue more fundamental reforms, which had those things that are at the very basis of this: weekly payments, because that is what communities are telling us would be most useful for them.

*Question 4, Senator Siewert, Hansard p. 52*

Ms Williams:...Regarding the wages element, I think it is fairly well established through a number of studies that CDEP wages reduce the incentive for people to move into work where it was available. It reduced the incentive because, essentially, it was equivalent to the minimum wage. Those people were skilled and work-ready and when work came to town—when there were employment opportunities because a road was going through or housing works were being undertaken in a remote area—essentially it was more difficult to find labour.

Senator SIEWERT: Could you provide the references you are using for that claim?

Ms Stuart-Fox: One of the things we hear a lot is that CDEP became a destination. The reason it became a destination was that you were being paid minimum wage—you were being paid as much for doing a CDEP activity as you would for doing another job with an employer where you might have to travel more and you have all of the responsibilities and obligations that you have when you are in a real job. When you compare those two things, the preference was to get the same amount of money in CDEP wages, which was a very different level of work. It was less onerous, if you like, than actually moving into a real job. The wages component was really at the heart of why CDEP became a destination.

Senator SIEWERT: Can you provide the references for that? We have had evidence of the successful nature of CDEP, where it was done properly...

*Question 5, Senator Siewert and Senator Moore, Hansard pp 52-53*

Senator SIEWERT:...we have had evidence today—and it is one of the things that I think we need to test with you—that, when people are going to be working on the dole for less than award wages, either they will have to miss out on some of their income support when they go into a job and be not as well off or they will do work on top of those hours. So they will be working for an organisation getting paid under the minimum wage and, for the extra hours they are working, the minimum wage. Tell me how that is better.

Ms Stuart-Fox: I think it is probably worth going back and really looking at why it is we think that incentives to work will be stronger under the system proposed by the government than under the current system. The first thing to say is that it is not simply about the take-home dollars and what you might lose in income support. In fact, under both systems, you are better off working. You are always better off working than you are under income support...

...

What the government has proposed instead of that system is a very simple-to-understand, intuitive system, where there is, in effect, only one way of having your income support reduced, and that is based on your participation. I think there has been a little bit of misunderstanding that you have to work the full 25 hours before you can work on top of that. That is not the requirement. It is simply the case that people will have an option, if you like—

if they go to the activity then they get their income support for the activity; if, instead of doing that, they go to a job then they get paid that hourly rate.

Senator SIEWERT: The hourly rate for the job?

Ms Stuart-Fox: For the employment, for the job.

Mr Eccles: If they were doing fencing or working at the store or whatever it was.

Ms Stuart-Fox: Or whatever. Say you had your day's worth of CDEP and you decided that, instead of doing that, you have been offered a day's worth of fencing, then you would miss out on whatever your CDEP amount of money is for that day—say it is \$7 an hour or something like that if we take an average—and instead of that you would be paid for an eight-hour day doing fencing. So you are better off and you understand that, because you have not gone to your activity, you miss out on the income support that you would have received for that activity, and, instead of that, you get paid at the hourly rate for employment, which is always going to be higher than the effective hourly rate that you get for income support. So it is a very, very simple and intuitive system for people to understand.

Mr Eccles: And it reflects the realities of the employment markets in these remote areas, where at times there might be work available for a couple of days and then not available for a little while—or for small blocks of time, sometimes a couple of days at a time.

Senator MOORE: Ms Stuart Fox, can you give us that information—actually put it out for us about how it works—because it is not in the submission nor on the website.

*Question 6, Senator Peris and Senator Moore, Hansard p. 55*

Senator PERIS: A number of witnesses have raised the issue of the CDP providers being solely responsible for the financial penalties applied to remote income support payments and their increased risk of harm in confrontations with job seekers. Has that been raised with you?

Ms Williams: Yes, that has been raised with us. We are aware that some providers do have those concerns—that is correct. But, equally, there are a number of providers who do not seem to see it as an issue; they tend to be people who already have relatively strong connections with communities and job seekers and have in place processes to have those conversations already. I guess it goes to the fact that many of those providers are very well connected to community.

Senator PERIS: We heard from a number of them today who said that they do not have that problem at all. Then there were some who were actually very concerned about that.

Ms Williams: Certainly there are mixed views on that—that is right.

Mr Bulman: At our quarterly conferences where we bring together all of our service providers—for example, last week—we have had some of those organisations that handle that very well in community sharing their skills and tricks of the trade with other providers: how to engage better with community, how to deal with people who are disgruntled et cetera. They are some of the things that we move through as part of our implementation.

...

Ms Williams: They are. Job seekers often do not make the distinction between providers and other arms of government. I think that that sort of sharing of experience that Mr Bulman mentioned is a really critical component of those conferences that we have quarterly, because there are providers who do have very sophisticated mechanisms in place for dealing with job seekers.

Senator MOORE: Can we have a list of those: the ones with the sophisticated—

Ms Williams: Of those that are best practice?

Senator MOORE: Yes.

Ms Williams: We would be more than happy to provide that.

*Question 7, Senator Peris, Hansard pp 55-56*

Senator PERIS: I missed it earlier on when you were discussing the meeting you had had just recently in Cairns. Was there an open invitation for people to attend that forum, or was it by invite only?

...

Senator PERIS: Are you going to provide a list of people who attended that?

Ms Williams: We will provide the list of the organisations that attended, of course.

*Question 8, Senator Moore, Hansard pp 56-57*

Senator MOORE: Can I ask a question about costs? Mr Eccles, can you give me any detail or breakdown on the costings in the expansion memorandum? I am wanting to clarify whether the costing is just for the four trial sites or whether that is an investment into the future.

Ms Williams: The costings relate to the four trial sites.

Senator MOORE: So the 30-something million dollars is only for the implementation in four trial sites? Can you give us a bit of a breakdown?

Ms Williams: Yes, certainly.

*Question 9, Senator Moore, Hansard p. 57*

Ms Williams: No. There are a proportion of set-up costs in that.

Senator MOORE: Which include?

Mr Bulman: Just to be clear, the costs that were published in MYEFO were actually \$25.9 million after final costs were settled with agencies. You are correct in that this was a large part of establishment costs, predominantly with adjusting the IT builds to support this, which would support the entire rollout of it, not just the first four sites. That IT build cost was \$18.7 million to the Department of Human Services to support those adjustments. That, like I said, will support the entire rollout of it.

....

Senator MOORE: Also training and support mechanisms for the people who are now going to have this enhanced role—what is going to be the training for them and who is going to do that.

Ms Williams: Yes, we will take all of that on notice for you.

*Question 10, Senator Moore, Hansard p. 57*

Senator MOORE: I have one more question on notice on that issue. It is around using this in delegated legislation. Can you clarify for us whether changes can be implemented before regulations are actually approved? Depending on the date of when a regulation goes before parliament, it can be months before debate happens. This is not a conspiracy statement; it is just how it works. I want to know whether the actual implementation of change could actually be put in place before those regulations are agreed to or debated on in parliament.

Mr Eccles: I understand the question.

***Questions asked of other witnesses to be followed up with PM&C***

*Question 11, see Senator Siewert, Hansard pp 15, 35, 42 – CDP Activities*

Senator Siewert asked a number of witnesses the types of activities that CDP participants engaged in. Could the Department provide a comprehensive list of current activities that can be undertaken to meet the 25 hour a week activity requirements.

*Question 12, see Senator Siewert, Hansard p. 18 – CDP Providers, indicating who are not Australian owned.*

Mr Thompson: There are quite a few references to them being local organisations, but some of them are actually owned offshore. How they can be local is beyond me.

Senator SIEWERT: Is that for current CDP providers?

Mr Thompson: Yes.

Senator SIEWERT: Do you have a current list of CDP providers? I could ask the department.

Mr Thompson: The department has it on its website. In the mainstream employment service, the biggest provider is the organisation that trades as Max Network, which is owned by the American Maximus Corporation.

Senator SIEWERT: I will follow that up with the department.

*Question 13, see Senator Moore, Hansard pp 21-22 – OH&S*

Senator MOORE: I am particularly interested in the OH&S aspect. Certainly, your submission particularly looks at having different standards for workers in Aboriginal communities than elsewhere, again creating that difference across our community. I am interested in OH&S because of the nature of some of the work that people are doing and also because of the difficulty with medical services, particularly in very remote areas. What is the information about how OH&S situations would change or whether this is actually just a continuation of an existing position? Does the OH&S coverage under the proposed new legislation differ from what is in existence now? What has been the discussion around who has the responsibilities?

Ms Keys: Thank you for the question. I must say that this has been a contentious issue over the years with the different changes to this program, and it has never been settled. We experienced similar things under the CDEP program. We experienced similar things under the RJCP program. We feel that if the federal government are going to specifically exclude

these workers from being both employees under the Fair Work Act and, therefore, employees under the workplace health and safety and compensation legislation then the onus is on the federal government to provide clarity through their relationships with state governments and territory governments about how these workers are covered. It really should not be on the worker or the provider to find out. If you are introducing legislation which excludes workers from legislation federally, we feel the onus should be on the federal government to provide that clarity. It would be great to have it once and for all.

Senator MOORE: Is there any case law? Have we had to fight this case, or is it just that, as more workers are being exposed, a danger is being increased?

Ms Keys: When I worked in the Northern Territory—and at that time CDEP was still in place but being grandfathered—the way that the issues were normally dealt with was through union channels. It would be identified that a worker was injured. They were a union member. They had just broken their arm and they were uncertain about where they would go for that. We dealt with it as we deal with these sorts of matters from a union perspective. I do not know about any precedents set in terms of prosecution.

Senator MOORE: Have you raised this with the government? I am sure as an organisation you have raised it with the government over many years. But, through this realm of change and consultation, has this been an issue that has been raised with the government?

Ms Keys: On this legislation? Yes.

Senator MOORE: Did you get any clear response?

Ms Keys: No.

Senator MOORE: We will ask the department this afternoon to clarify, from their perspective, what happens, because it is ongoing in terms of process.

*Question 14, Senator Siewert, Hansard p. 23 – grandfathering of CDEP participants*

Senator SIEWERT: You mentioned CDEP and the whole grandfathering process, which triggered a number of questions in my mind. My recollection is that when that process was first being undertaken there was a significant amount of money put in by the government because there were a lot of government organisations that were also hosting CDEP workers instead of paying them. There was a lot of money put in to make them what they called 'real jobs'. Is that correct?

Ms Keys: When you said 'triggered a lot in your mind', my mind went to 'triggered a lot of post-traumatic stress syndrome for me'. It was a very rough time. Jenny Macklin was the minister at the time, and the ACTU and a number of other organisations made submissions to the minister that basically abuse of the system was happening. I met one woman in Alice Springs who had been an Aboriginal education worker for the Department of Education for 30 years and it was only in the last five years of her career that she was taken on as a non-CDEP worker. That did happen across a lot of places.

Senator SIEWERT: Did the ACTU do any assessment of the rollout of the funding to put people on the payroll as they should have been? The argument was that they should have been on the payroll the whole time.

Ms Keys: Yes, that is right.

Senator SIEWERT: Did you do any analysis of that?

Ms Keys: We did some analysis. The relationship with the department at the time was that they felt that the role of the trade union movement was to report the spot fires so they could put them out. My understanding was that there was no systematic process. There were processes, but I would not suggest that they were systematic.

Senator SIEWERT: I will pursue that with the department, because it is germane to this.

*Question 15, see Senator Moore, Hansard p. 29 – comparative table of CDEP, RJCP and CDP schemes*

Senator MOORE: Thank you for your evidence. I want to ask a question of Ms Weepers and to say thank you for your comparative table in the submission. I am struggling with trying to see exactly how the circumstances differ between the various programs under which Aboriginal communities have been working. I will be asking the department to provide such a table. I am just looking at the officers and warning them that I want to have something that says, 'This is how this scheme worked, this is how this scheme worked and this is how this scheme is proposed to work.' Ms Weepers, this came from Central Land Council. Has the information that you have been checked with the department to see if they agree with your assessments?

Ms Weepers: No, it has not.

*Question 16, see Senator Moore, Hansard p. 42 – appeals process*

Senator MOORE: I take your point very strongly about having very strong local consultation. But in terms of the issues around the compliance model and particularly rights and responsibilities and appeal rights, one of the core elements of our system has been that these have been transparent and general and that people have the full rights of citizens. I am not talking about the rights of the people that have local arrangements. What I am talking about are those clear things about how the system works and appeal rights in particular. Do you think that is the kind of thing that can be adjusted locally?

Mr Flanagan: From our understanding and the conversations we have had, things like appeal rights will stay as they are and be managed by DHS. I do not think the appeals process should go through providers at all. I think the part of compliance that needs to sit with the people on the ground, the local authority and the people in the community, is actually the decision-making about those day-to-day decisions: is it valid that someone was not there on that day? Do they have a cultural obligation on that day? Is it fair and reasonable to expect them to come in, or do they have a legitimate family commitment? For things around other payment types outside of 'No Work No Pay' and the appeals process I think it is still essential that that sits with DHS. Because that is also going to put pressure on the relationships that organisations have in their communities, and I think there would be a massive risk in them actually having any ownership of the appeals process.

Senator MOORE: That is one of the issues we will be asking the department about, because that is not how I read the department's view of how the appeal rights will work. I am sure we will be able to clarify that later, and that is the reason I focused on the appeal aspects. Certainly, what you have described is not what is in the department's submission to us.

*Additional Questions on Notice**Question 17*

What is the policy reason for requiring job seekers in remote areas to engage in activities (Work for the Dole) for 25 hours/week (5 hours a day, 5 days a week)? Why are job seekers in remote areas required to engage in activities from the time that they apply for income support and not wait until they have been in the program for 12 months like job seekers in non-remote areas?

*Question 18*

Could the Department provide the committee with a copy of the CDP Guidelines and Performance Framework for CDP providers?

*Question 19*

In its submission (p. 3), PM&C state that '[t]he bill will not reduce the level of Parliamentary oversight in relation to the social security law or the protections that this provides to job seekers'. Isn't it disingenuous for PM&C to suggest that the level of parliamentary oversight and scrutiny of delegated legislation is the same as that for primary legislation?

*Question 20*

Are there any Drafting Directions (or a Draft Drafting Directions) for the legislative instruments that are proposed to be developed under the bill?

*Question 21*

A number of CDP providers have raised concerns about the security of their offices and staff if the measures foreshadowed in the Explanatory Memorandum (EM) are implemented? Has any work been done by PM&C as to how such security issues may be addressed? Will additional funding be provided to CDP providers in the event that additional security is required?

*Question 22*

The EM (p. 9) states that a community investment fund:

will be established to enable funds that have been withheld as a result of penalties to be put back into communities to assist local economic and community development initiatives and programs. This will be delivered through the Indigenous Advancement Strategy.

How will that fund be established and administered and what measures will be put in place for scrutinising the use of funds from it?

### *Question 23*

The EM (p. 9) states that the revised compliance arrangements will be introduced in up to four regions following community consultation. Can PM&C tell the committee the regions where these arrangements will be trialled?

## **Answers**

### *Questions 1, 2 & 3*

Responding to the Committee's request for more detailed information on consultation conducted on the initial Community Development Programme (CDP) and the proposed legislative changes (phase 2 of the CDP) which will build on these initial reforms, the Department of the Prime Minister and Cabinet (the Department) provides the following supplementary submission.

The CDP (formerly known as the Remote Jobs and Communities Programme (RJCP)) commenced on 1 July 2015. The development and roll out of the CDP has been characterised by close and ongoing consultation - with the new programme settings and underpinning micro-policy developed and then adjusted to reflect ongoing discussions with and input from CDP providers and community leaders, as well as industry representative groups.

The Minister for Indigenous Affairs has visited approximately 70 remote communities on 90 separate occasions since January 2015 and the CDP and subsequent proposed legislative changes have been a key part of the discussions during these visits. The consistent message from communities has been that people want to return to the positive elements of the former Community Development Employment Projects (CDEP) but that they also need a simpler, tailored service that helps people to get a job and keep it.

The Minister has sought to develop the proposed legislation in a bi-partisan manner by consulting with parliamentary colleagues to ensure that the proposed legislative changes (and subsequent legislative instruments) minimise the continuous cycle of change in remote communities going forward.

Further, it is noted that the *Legislative Instruments Act 2003* requires the maker of a legislative instrument to be satisfied that any consultation that they consider appropriate and reasonably practicable to undertake, has been undertaken. The rules relating to job seeker compliance and the locations in which the proposed new arrangements will apply will be set out in separate instruments that are subject to these clear consultation requirements. These instruments are able to be disallowed by the Parliament should there be stakeholder concerns.

As the Committee raised specific concerns about the extent of consultation with service providers, this is covered in some detail below.

The primary forum for consultation with CDP service providers on the changes to the programme has been quarterly National Provider Business Meetings, held in March, June and



September 2015, and in February 2016. While these have been the primary formal forum, regular conversations have been ongoing.

The first National Provider Business Meeting was held in Alice Springs on 30-31 March 2015 and initiated discussions with service providers on the proposed reforms to the RJCP programme (see agenda at Attachment A). Around 120 representatives of over 40 service provider organisations and provider representative bodies, including representatives from Jobs Australia (JA), National Employment Services Association (NESA) and the Torres Strait Regional Authority (TSRA), attended the meeting (see provider attendance list at Attachment B).

At this meeting the Department worked through the proposed changes, sought initial input on what amendments may be needed to the proposed programme settings and feedback on where adjustments could be made. The Department also discussed with service providers what support they may need to manage transition from the RJCP to the proposed new programme. Advice was also sought on where current arrangements, including job seeker compliance rules, might be unnecessarily burdensome, confusing or ineffective in changing job seeker behaviour.

The Minister for Indigenous Affairs spoke to service providers and listened to their concerns about both the proposed changes and existing frameworks that service providers considered failed to support their interactions with job seekers, in particular the administration of the compliance system by the Department of Human Services.

Immediately following the meeting, the Department met with the Jobs Australia Indigenous Network, at its request. The result of this meeting was detailed feedback and advice on Indigenous service providers' concerns about current and proposed programme and policy settings.

Further, in August 2015, the Department participated in a meeting organised by NESA, between the Department and service providers. The purpose of this meeting was for service providers to provide direct feedback and advice to senior executive in the Department on the ongoing design and implementation of the new programme. The Department has regularly met with NESA both formally and informally and will continue to do so.

Additionally, at its meeting of 27 May 2015, the Prime Minister's Indigenous Advisory Council provided feedback on the proposed changes to remote employment arrangements.

The feedback and input from these various forums and discussions was used by the Department to reshape the proposed programme and to develop detailed operational guidelines and implementation arrangements. This included a staged approach to transition, changes to the payment policy, greater flexibility of activities, inclusion of job seeker leave, hosted placements and arrangements for Christmas shut down, delivery of the programme in homelands and more flexibility around activity generated income.

The Department consulted with service providers on these proposed revisions to the programme and sought feedback on whether further amendments were needed to the programme settings at the next National Provider Business Meeting in Darwin on 2-3 June 2015 (see agenda at Attachment C). The meeting was attended by more than 80 representatives of over 40 provider organisations, including representatives from JA, NESA

and the TSRA (see provider attendance list at Attachment D). The Department noted that some concerns, in particular those related to the efficacy and timeliness of the job seeker compliance framework, were unable to be adjusted at this time as they would require legislative change.

At this meeting, the Minister for Indigenous Affairs announced his intention to change the name of the programme to the Community Development Programme, in response to feedback from communities and service providers. Additionally, the Minister announced that further reforms may be introduced at a later stage, subject to the passage of legislation.

The third National Provider Business Meeting was held in Perth on 21-22 September 2015 (see agenda at Attachment E). Over 75 provider representatives from 35 provider organisations, including representatives from JA, NESA and the TSRA, attended the meeting (see provider attendance list at Attachment F).

This meeting covered topics to assist CDP providers to increase their performance, support the move to the outcomes payment model and ensure providers were implementing the basics of the programme. The focus was on business model designs and sustainable operations, the performance framework, IT and payments system and job seeker compliance requirements. There were practical sessions on hosted placements, turning activities into enterprises and linkages with other programmes. Providers were able to discuss issues and local solutions with Departmental Regional Managers and share innovations that are working well in communities.

The agenda reflected ongoing feedback from the NESA RJCP Forum, including input from the CEO of NESA via regular discussions with senior executives in the Department, and one-on-one discussions between individual CDP providers and the Department's Regional Network, on areas where service providers and communities required further information and support.

At this meeting, the Minister announced to CDP providers his intention to work with his parliamentary colleagues to address the outstanding concerns raised by service providers and community leaders regarding the effectiveness of the CDP in addressing passive welfare. He indicated that he would be seeking to make legislative changes to improve job seeker compliance, including weekly payments by providers, immediate no show no pay penalties and an improved ability for job seekers to earn additional income on top of their income support.

Prior to the introduction of the proposed legislation on 2 December, the Department conducted one-on-one discussions with those service providers, including Indigenous providers, that had indicated a strong interest in the reforms. Senior executives from the Department also discussed the key elements of the reforms, prior to introduction, with the CEOs of NESA and JA. Following introduction of the legislation, teleconferences were conducted with both NESA and JA to discuss the detail of the proposals and answer any questions.

These teleconferences were useful in identifying service providers' concerns about how the proposed changes would be implemented and where more information and detail was needed.

Since the introduction of the Bill, there has been significant interest from CDP providers and communities in participating in phase one of the reforms. Since January this year, the Minister and Department has visited and met with providers and community leaders in Queensland, New South Wales, Western Australia, South Australia and the Northern Territory to explain the proposed model.

The fourth National Provider Business Meeting was held on 16-17 February 2016 (see agenda at Attachment G). Over 115 representatives from 36 provider organisations, including representatives from JA, NESA and TSRA, attended the meeting (see Attachment H).

At this meeting the Department walked service providers through the content and structure of the Bill and the parliamentary process and held initial consultations on what may need to be considered in the drafting of the supporting legislative instruments. These discussions also covered preliminary consideration of implementation issues, drawing on points identified in the earlier teleconferences with NESA and JA.

At this meeting the Department committed to continuing to work closely with CDP providers over the coming months to develop the detail of the legislative instruments, subject to the Bill being passed by the Parliament.

The regular consultation sessions and conversations, both formal and informal, the Minister and the Department have continually had with affected individuals, organisations and communities has helped to inform the development of the Bill introduced into Parliament on 2 December 2015. In addition, these conversations will continue to shape the finer details of the proposed arrangements under the Bill.

Both the Minister for Indigenous Affairs, and the Department are committed to regular and ongoing consultation with individuals, organisations and communities on the proposed arrangements and ongoing implementation of the CDP.

The agenda and list of organisations that attended each meeting is at Attachments A- H.

#### *Question 4*

ANAO (Former Office of Evaluation and Audit). 2009. *Evaluation of the Community Development Employment Projects (CDEP) Program*, Department of Finance and Deregulation, Australian Government.

[http://www.anao.gov.au/~media/Uploads/Documents/evaluation\\_of\\_the\\_community\\_development\\_employment\\_projects\\_\(cdep\)\\_program.pdf](http://www.anao.gov.au/~media/Uploads/Documents/evaluation_of_the_community_development_employment_projects_(cdep)_program.pdf)

“The fact that a CDEP provider would use local subsidised employment opportunities is logical but does not satisfy the goal of moving participants into unsubsidised employment.” (p. 7)

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Forrest, A., 2014, ‘The Forrest Review: Creating Parity’, Department of the Prime Minister and Cabinet, Canberra. <https://indigenousjobsandtrainingreview.dpmc.gov.au/forrest-review>

“The CDEP payment is more like a wage—in that participants can even accrue leave and their payments can be topped up from other sources of income—even though it doesn’t

prepare people for the normal working week by only requiring 30 hours per week.” (p. 134)

“Moreover, the payment of CDEP as a wage sends the wrong message to the community. CDEP activities are not real jobs and individuals should be encouraged to aspire to something more than a welfare activity.” (p.134)

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Gillard, J., J. Macklin and B. O’Connor. 2008. *Increasing Indigenous Employment Opportunity: A Discussion Paper on the Future of the CDEP and Indigenous Employment Programs*, Deputy Prime Minister, Minister for Families, Housing, Community Services and Indigenous Affairs, Minister for Employment Participation, Australian Government.  
<http://apo.org.au/files/Resource/increasing-indigenous-economic-opportunity.pdf>

“Most people on CDEP are not required to look for off-CDEP work” whereas “To get income support payments, people who are able to work have to look for work or participate in activities that may lead to work. This is called ‘participation’. Payments may stop after three participation failures” (p. 4)

“One way of fixing these inequalities would be to move away from the system of CDEP wages and move participants into the income support system” (p. 5)

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OECD (2012), *Activating Jobseekers: How Australia Does It*, OECD Publishing.  
<http://dx.doi.org/10.1787/9789264185920-en>

“CDEP was criticised for having become an alternative to mainstream employment and for reducing the incentive for young Indigenous people to remain in education and training.” (p.214)

“Despite an intention that CDEP should focus on employment outcomes and labour market preparation, it is not clear that this was the case in practice: in 2009 when a formal work readiness stream was introduced, placements were still overwhelmingly into the community development stream” (p. 214)

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Productivity Commission 2002, *Independent Review of the Job Network*, Report No. 21, AusInfo, Canberra. <http://www.pc.gov.au/inquiries/completed/job-network/report/jobnetwork.pdf>

“... defining CDEP as an off-benefit outcome ... may encourage the long-term detachment of Indigenous people from labour markets with good job opportunities in urban and regional centres [and exacerbate] the inability of many CDEPs to facilitate movement into mainstream employment (sub. DR79, p. 6).” (p. 5.8)

### *Question 5*

The policy is designed to improve incentives to work. This is because the system will be simpler to understand and people will be better off the more hours they work.

Under the current system, job seekers lose 50-60 cents for every dollar they earn above the income threshold. For job seekers on NewStart this is \$102 per fortnight. This means that a job seeker who does three 8 hour days of work would typically lose around \$218 of income support for that week. If they were asked to work an extra two hours, they would lose 60 per cent of any additional income through a reduction in their income support.

Under the new system, a job seeker who does three standard days of work in place of three days of CDP activities would lose three days' of income support. The penalty for not attending an activity will be significantly less than the hourly minimum wage (\$17.29 per hour or \$21.61 per hour as a casual employee), particularly if the person is on income management. Activity requirements are also shorter than a standard working day. If the person is asked to work two extra hours under the proposed approach, they would keep all their additional earnings because the taper rate would not kick in until the job seeker earns more than \$1,300 per fortnight (\$650 per week).

Within practical limits, job seekers will be able to maximise their income by working and attending their activity requirements (to a maximum of 25 hours per week). Alternatively, job seekers can work instead of attending their activities, knowing that they will be forgoing income support in favour of the higher hourly wages earned from the job.

The new income threshold is simpler than the current system as it applies one income test and one taper rate to all activity-tested job seekers. Under the current system, there are different thresholds and taper rates depending on the type of income support a job seeker is on, whether the job seeker is partnered and how many children they have.

The size of the income threshold also simplifies the system. This is because the amount of income support that the job seeker receives will typically depend only on their attendance in activities – not their earnings and their attendance.

#### *Question 6*

The quarterly provider business meetings hosted by the Department facilitate structured and informal knowledge-sharing between providers on a broad range of issues. This has included sharing best practice methods for ensuring staff safety and dealing with aggressive clients. Strong ties to the broader community and a close working relationship with community leaders is key to enabling CDP providers to operate with influence in their regions. Generally, we have found that locally-based Indigenous organisations with close ties to community are well placed to deal with challenging clients in their region.

Some organisations that have shared their expertise in dealing with challenging clients during our quarterly provider business meetings include Miwatj Employment and Participation Ltd, Marra Worra Worra Aboriginal Corporation, Arnhem Land Progress Association Aboriginal Corporation (ALPA) and REFAP.

#### *Question 7*

CDP National Provider Business Meetings are forums organised by the Department of the Prime Minister and Cabinet for CDP providers and provider industry bodies. Invitations to attend CDP provider business meetings are extended to all CDP providers, Jobs Australia (JA) and the National Employment Services Association (NESA). Representatives from the Torres Strait Regional Authority (TSRA), as the Department's delegate for delivering the

CDP in the Torres Strait, have also attended each meeting. Additionally, representatives from the Department of Human Services and Department of Employment attend provider business meetings and have, at various times, led/delivered workshops, participated in consultative forums, made themselves available for one-on-one meetings with providers and been available to provide general support and answer questions.

Refer to Q1 attachments for information on provider organisations and other bodies represented at the CDP national provider business meeting held in Cairns over 16 and 17 February 2016.

#### *Question 8*

Since the publishing of the Explanatory Memorandum, costs for the CDP reforms have been finalised and published in MYEFO.

Phase one of this proposal will cost \$25.9 million. Costs include:

- \$2.9 million in 2016-17 for the Department of the Prime Minister and Cabinet, for additional funding for programme administration and service provider costs as well as additional income support payments for job seekers as a result of the change to income thresholds.
- \$18.7 million in 2015-16 and \$3.7 million in 2016-17 for the Department of Human Services. These costs mainly relate to IT. See question 9 for further information.
- \$0.5 million in 2015-16 for the Department of Employment for amendments to the employment services IT system.

In addition to the above, \$27.8 million will be transferred from the Department of Social Services to the Department of the Prime Minister and Cabinet in 2016-17 to make income support payments.

#### *Question 9*

The Department of the Prime Minister and Cabinet will be responsible for providing training and support to CDP providers on use of the IT system. Phased implementation of the new arrangements will ensure there is sufficient time for this training to be delivered. This will include face to face training and access to online training, webinars and support material such as operational guidelines that cover all aspects of the systems, processes and policy. In some cases, embedding or co-locating departmental staff with CDP providers, will be used to further build provider capacity.

#### *Question 10*

Legislative instruments commence and are subject to Parliamentary scrutiny in accordance with the requirements under the *Legislative Instruments Act 2003*. A legislative instrument is made when it is signed, sealed or otherwise endorsed by the person or body authorised to make it.

#### Commencement of legislative instruments

Generally a legislative instrument will commence, and thereby become enforceable, either at a specific time or date set out in the instrument, or otherwise on the day after the instrument is registered on the Federal Register of Legislative Instruments.

The usual rule under the *Legislative Instruments Act 2003* is that a legislative instrument is not enforceable by or against the Commonwealth, or by or against any other person or body, unless the instrument is registered.

Once the legislative instrument is registered, the Office of Parliamentary Counsel must arrange for the legislative instrument to be tabled before each House of Parliament within 6 sitting days. As a result, an instrument may commence prior to consideration by either House of Parliament.

#### Parliamentary scrutiny of legislative instruments

Once the legislative instrument has been laid before a House of Parliament, a notice of motion to disallow a legislative instrument may be made within the next 15 sitting days of that House. If such a notice is given, the House then has 15 sitting days within which to disallow the legislative instrument. If a legislative instrument is disallowed, it will cease to have effect from the time the motion to disallow was carried in the House.

#### *Question 11*

Community Development Programme (CDP) activities must enable job seekers to meet their mutual obligations as outlined in their Job Plan. Activities are designed to assist job seekers to overcome barriers to employment and access employment opportunities, while contributing to their community. Providers can include accredited and non-accredited, non-vocational and vocational training as part of a CDP activity. Activities can also include: project style work; community activities; work experience in real businesses; language, numeracy and literacy training; and drivers licence training.

The following are examples of the types of activities that have been rolled out since the commencement of CDP on 1 July 2015.

#### **Arts & media**

##### **Digital Art & Media Gunbalanya**

This activity assists job seekers to gain skills and work-like experience needed to access future employment prospects in event management, media and marketing.

##### **Goodooga Sewing Group**

Job seekers are currently completing a Certificate II- Clothing Production via Walgett TAFE. The course is held one day a week in Goodooga with the teacher travelling out to deliver the session in Goodooga.

##### **MataMata Women's Art**

The activity builds capacity and skills for women through developing arts and crafts

stock. The arts and crafts produced will be used to host an inaugural exhibition or participation in the Darwin fair.

### **Multimedia Activity**

Job seekers are learning the necessary skills to produce a range of multimedia content. The activities comprise cultural stories, community messages and good news stories. Skills developed include the use of recording devices, cameras, video cameras and audio recordings.

## **Business & Economic Development**

### **Bidyadanga Arts & Craft Activity & Community Resources**

Job seekers are engaged in developing arts and craft skills with the aim of producing products for a social enterprise or their own business. Job seekers also participate in other community support including caring for the elderly.

### **Women's Centre**

Job seekers assist and create arts, craft and artefacts, and work in the Women's Centre Café, Op Shop and the Bush Products business (see below). They also assist with product sales, business planning, financial accountability and learning social enterprise skills in all aspect of these businesses.

### **Bush Products**

Job seekers are involved in producing cosmetic products from local bush plants such as soap, bush medicines and creams. Job seekers collect local ingredients, prepare ingredients, produce products, packaging of products. They also learn retail skills and distribution.

### **Derby Youth Aquaculture Activity**

This activity provides job seekers with skills in aquaculture and nursery design. The goal is the establishment of community and commercial opportunities in partnership with Agroforestry Australia, with the view to rolling this out regionally.



**Community safety****Warakurna - Community Safety Initiative**

This activity involves driving the night patrol bus or vehicles to assist in managing community safety and discouraging anti-social behaviours in the community. Job seekers provide assistance with intervention, advice and support for community members, particularly engaging with youth of the community.

**Early childhood and education****Naiyu Families As First Teachers Community Playgroup (FAFT)**

This activity operates with coordinated support from local Indigenous facilitators. The Families As First Teachers group has modern educational toys and focuses on supporting the development of Language, Literacy and Numeracy (LLN) skills, social and emotional development, and positive communication.

**Environmental and Land Management****Work for the Dole - Kambalda Recycling**

This activity involves the recycling of old furniture, creation of pallet furniture, and the creation of a shop front to display and sell these items to general public. The shop also includes a second hand clothing component.

**Northampton Helping Hands**

The Helping Hands team works independently and alongside Shire workers when required to complete gardening and general maintenance tasks set by the Shire Works Supervisor as well as assisting community and environmental groups.

**Fregon Cattle Mustering Activity**

This activity includes mustering, fencing and other basic labouring work skills that job seekers can transfer to current job opportunities.

## Hospitality & Tourism

### **Our Kitchen Rules (OKR)**

OKR gives job seekers basic skills in kitchen operations, food hygiene, coffee making, and the preparation of packaged foods and simple meals. OKR operates from a commercial kitchen that focuses on training job seekers in daily meal preparation, baking, ordering and serving.

### **Healthy Tucker Warruwi**

This activity provides job seekers with experience in food preparation skills that are transferrable and can lead to a range of employment outcomes with the local store, council and providers on the Island.

## Housing, construction, infrastructure & maintenance

### **Santa Teresa Men's Construction**

This activity involves building a variety of different structures using steel, timber, concrete and other building materials. Job seekers are learning skills required for the construction and manufacturing industries and are gaining experience in using a wide variety of power tools and equipment.

### **Koonibba Building Activity**

This activity upgrades a community sporting complex facility and surrounds. It includes carpentry work on the existing shed, general labouring, concreting, design and landscaping, general construction, earthmoving, and painting and preparation.

### **Jack Lakes Fencing Activity**

This work like activity involves job seekers erecting fencing and providing ongoing maintenance to contain livestock and control feral animals.

### **Murrin Bridge Community Activity**

This activity removes and replaces damaged play equipment and upgrades the kids bike track, promoting safety on the roads. Job seekers also carry out general maintenance of the football field and basketball courts.

### **Galiwinku Building Better Communities**

This activity builds community capacity to undertake community based repairs and maintenance programs including carpentry, joinery, metal fabrication and basic civil works and concreting.

## **Leadership, culture, empowerment & planning**

### **Acacia Community Development**

This activity provides a supported environment for men and women to promote, revitalise and maintain Aboriginal traditions and cultural heritage. This includes community maintenance, arts and crafts and development of work skills and training.

### **Yarning on the Lachlan**

This community activity provides a safe, positive and social environment for women to learn new skills in cultural craft, cooking and social wellbeing.

### **Peppimenarti Protecting Our Sacred Sites**

This activity involves the protection of various important sites of cultural significance in and around the Peppimenarti Community. The tasks undertaken in this activity include fencing and weed control.

## **Other community services**

### **Warakurna - Home Cooking and Aged Care Support**

This activity involves job seekers developing cooking skills to prepare meals for the elderly. Job seekers assist at the Warakurna Clinic, Warakurna Aged Care Facility and the HAAC Program as required by the facility managers.

### **Youth Hub Mentoring**

Job seekers receive on the job training in youth mentoring and youth support roles which include social and emotional wellbeing training, education, employment, youth justice and crime prevention.

## Other VET

### **Carpentry skill building**

Job seekers are learning house maintenance skills such as fixing doors, windows and cupboards, and building internal wardrobes. Other tasks include putting up wood fencing and erecting garden sheds.

### **Cooktown Auto Repairs**

This activity is hosted by a local auto repair business and will prepare job seekers for transition into work. Job seeker tasks include auto repairs, customer service, testing and repairing electrical systems, and repairing panels.

## Pre-employment skills

### **Yes I can - 4 Bourke**

This is an adult literacy programme with an audio visual focus for Aboriginal people. The programme runs for 13 weeks with an additional post literacy focus for 13 weeks, and includes work experience activities.

### **Weipa Women's Engagement Program**

Women in this activity are developing skills to help other women of all ages within the community to deal with common issues associated with basic life skills, language, literacy and numeracy skills, healthy living, wellbeing, working with young mothers, cultural arts, sewing and cooking.

## Sport & Fitness

### **Marninwarntikura Community Garden Centre & Women's Activities**

This activity includes working in a community garden centre, silk screening, arts and crafts, Boab-nut painting, and sewing. Job seekers are helping to establish small enterprises in the community.

**Work for the Dole Karumba Community Activity**

Job seekers are learning horticultural skills, first aid, obtaining their white card in construction, maintaining town common areas and yards for elderly within the community. They also carry out tasks at a local farm around cleaning up and feeding animals.

**Busy Hands Aurukun**

This activity engages women in a range of activities including jewellery making, handcraft, woodwork, paper making, sewing, photography and basic computers skills. Job seekers gather natural resources on country as part of this activity.

**Yadgalah Multi Skills Program**

This activity involves a range of activities including food preparation, horticulture, building and construction, and landscaping.

**Jarlmadanga Community Development Activity**

This is a multi-faceted activity including maintenance of community facilities and infrastructure, cultural events, sorry business, land clearance, land council works and meetings, accredited/non accredited training, assisting schools, clinics, online learning, obtaining learner drivers licence and administrative support.

**Growing the supervisor pool**
**Kalumburu Activity Supervisor Development Program**

This activity develops the leadership skills required to be a successful supervisor including dealing with difficult clients, delivering culturally appropriate and clear messaging, time management and administration tasks.

**MEP Wide Skilling for Employment Services Activity**

Delivers training and provides work experience for job seekers to gain the skill to work as Work for the Dole supervisors and CDP employment consultants. The activity involves formal training and work experience leading to a job placement.

*Question 12*

Please see the list of providers below. There are 39 CDP providers across 60 CDP regions. Twenty-six (26) of these providers, over 65 per cent of all providers, are local Indigenous organisations.

Region Number	CDP Region	CDP Provider	Non-Australian Owned
1	Christmas-Cocos Islands	Indian Ocean Group Training Association	
2	Kambalda/Norseman Region WA	Goldfields Employment & Training Services Pty Ltd	
3	Ngaanyatjarra Lands WA	Ngaanyatjarra Council (Aboriginal Corporation)	
4	Yaaliku Region WA	Goldfields Employment & Training Services Pty Ltd	
5	Mid West - West Region WA	MEEDAC Incorporated	
6	Gascoyne Region WA	MAX Solutions Pty Ltd	A subsidiary of MAXIMUS (American Company)
7	Mid West - East Region WA	Yulella Inc	
8	Karratha Region WA	Enterprise Management Group Pty Ltd	
9	Port Hedland Region WA	Ashburton Aboriginal Corporation	
10	Western Desert Region WA	Ashburton Aboriginal Corporation	
11	Kullarri Region WA	Kullarri Regional CDEP Incorporated	
12	Fitzroy Valley Region WA	Marra Worra Worra Aboriginal Corporation	
13	Halls Creek/Tjurabalan Region WA	East Kimberley Job Pathways Pty Ltd	
14	Derby/Gibb River Region WA	Winun Ngari Aboriginal Corporation	
15	East Kimberley Region WA	East Kimberley Job Pathways Pty Ltd	
16	Eyre Region SA	Complete Personnel SA Pty Ltd	
17	Far West Region SA	Complete Personnel SA Pty Ltd	
18	Flinders and Far North Region SA	Complete Personnel SA Pty Ltd	

19	APY Lands SA	Skill Hire WA Pty Ltd	
20	South East Alice Region NT	Catholic Church of the Diocese of Darwin Property Trust	
21	South West Alice Region NT	Wana Ungkuntja Pty Ltd	
22	West Alice Region NT	Tjuwanpa Outstation Resource Centre Aboriginal Corporation	
23	Alice Springs District NT	Tangentyere Council Incorporated	
24	North East Alice Region NT	Enterprise Management Group Pty Ltd	
25	North West Alice Region NT	Central Desert Shire Council	
26	South East Barkly Region NT	Julalikari Council Aboriginal Corporation	
27	Far West Alice Region NT	Ngurratjuta-Pmara Ntjarra Aboriginal Corporation	
28	North Barkly Region NT	Julalikari Council Aboriginal Corporation	
29	Gulf Region NT	Gulf Savannah NT Aboriginal Corporation	
30	Ngukurr/Numbulwar Region NT	Roper Gulf Shire Council	
31	Katherine Region NT	Jobfind Centres Australia Pty Ltd	
32	Victoria River Region NT	Victoria Daly Shire Council	
33	Central Arnhem Region NT	Roper Gulf Shire Council	
34	Wadeye Region NT	Thamarrurr Development Corporation Limited	
35	Darwin Daly Region NT	Ironbark Aboriginal Corporation	
36	Tiwi Region NT	Tiwi Training & Employment Pty Ltd	
37	West Arnhem Region NT	Jobfind Centres Australia Pty Ltd	
37	West Arnhem Region NT ( Waruwi only)	Yagbani Aboriginal Corporation	
38	Maningrida Region NT	Bawinanga Aboriginal Corporation	
39	Milingimbi/Ramingining Region NT	The Arnhem Land Progress Aboriginal Corporation	
40	Galiwin'ku Region NT	The Arnhem Land Progress Aboriginal Corporation	

41	Gapuwiyak-Yirrkala Region NT	Miwatj Employment And Participation Ltd	
42	Groote Region NT	GEBIE Services Pty Limited	
43	Far West Region NSW	Murdi Paaki Regional Enterprise Corporation Ltd	
44	Upper Darling Region NSW	Murdi Paaki Regional Enterprise Corporation Ltd	
45	South West Region QLD	MAX Solutions Pty Ltd	A subsidiary of MAXIMUS (American Company)
46	Central West Region QLD	Employment Services Queensland Pty Ltd	
47	Cloncurry Region QLD	MAX Solutions Pty Ltd	A subsidiary of MAXIMUS (American Company)
48	West Isa/Alpururulam Region QLD	Rainbow Gateway Limited	
49	Doomadgee QLD	Enterprise Management Group Pty Ltd	
50	Palm Island QLD	Campbell Page Limited	
51	Wellesley Islands QLD	Jobfind Centres Australia Pty Ltd	
52	Western Tablelands Region QLD	Jobfind Centres Australia Pty Ltd	
53	Carpentaria Region QLD	Bynoe Community Advancement Co-Operative Soc Ltd	
54	Cook Region QLD	Enterprise Management Group Pty Ltd	
55	Kowanyama/Pormpuraaw Region QLD	Jobfind Centres Australia Pty Ltd	
56	Central Cape Region QLD	Enterprise Management Group Pty Ltd	
57	Western Cape Region QLD	Enterprise Management Group Pty Ltd	
58	Northern Peninsula Area QLD	Enterprise Management Group Pty Ltd	
59	Torres Strait Islands QLD	Enterprise Management Group Pty Ltd	
60	Aurukun-Coen Region QLD	Cape York Institute for Policy and Leadership	



### *Question 13*

Subsection 1061ZAAZA(4) of the Social Security Legislation Amendment (Community Development Program) Bill 2015 (the CDP Bill) provides that a person is not taken to be a worker or employee for the purposes of various Commonwealth Acts merely by undertaking an activity in accordance with an obligation imposed under the determination made under section 1061ZAAZA(1).

This is consistent with existing provisions in the social security law that currently apply to persons who participate in an approved program of work or undertake an activity (other than paid work) under a term of an Employment Pathway Plan. Those provisions that currently apply to recipients of disability support pension, parenting payment, youth allowance, newstart allowance and special benefit are listed below:

- Section 120 (disability support pension);
- Subsection 510D(4) (parenting payment);
- Subsection 544B(8) (youth allowance);
- Section 631C (newstart allowance); and
- Section 745L (special benefit).

The Department of the Prime Minister and Cabinet (the Department) insures all job seekers while they are doing Work for the Dole activities, including hosted placements. The Department has purchased personal accident insurance; product liability insurance; and public liability insurance that covers job seekers undertaking activities. This approach is consistent with all agencies that deliver Commonwealth employment and participation services.

The CDP Funding Agreement and Guidelines also impose requirements on Providers to ensure that activities (whether hosted or undertaken by the provider) are safe. Provider contracts require that providers comply with Work, Health and Safety laws, any directions from the Department, and any directions from a person having powers under relevant WHS Laws.

Regarding workplace hosted placements (i.e. in private sector organisations), limits are imposed on the number of CDP participants that can be placed in a workplace to ensure adequate training and supervision are provided.

### *Question 14*

On the 1st July 2009, the former Australian Government reformed the CDEP and Indigenous Employment programmes, replacing CDEP with Job Services Australia in established economies. As part of these reforms, CDEP positions that supported Australian Government services were converted into paid jobs under the CDEP Jobs Package.

No analysis has been undertaken by the Department on the extent to which the CDEP displaced paid jobs in Australian Government services.

*Question 15*

The Community Development Employment Projects ran for over 30 years and went through numerous iterations. The table below sets out the most recent iterations.

Programme	Community Development Employment Projects (CDEP)	Remote Jobs and Communities Programme (RJCP)	The Community Development Programme (CDP)	CDP reforms
<b>Social Security requirements, and income support payment arrangements</b>	<p><b><i>CDEP Wages Participants</i></b></p> <p>CDEP Wage participants were not required to register with Centrelink and therefore had no mutual obligation.</p> <p>They were employed by the CDEP provider and paid under relevant legislation, awards and industrial instruments.</p> <p>Pay was calculated on an hourly basis. Participants were given reasonable opportunity to work sufficient hours to earn the “Average per Participant” (APP) rate – which was broadly consistent with income support payments – this was around 15 hours per week, plus top-up.</p> <p>There was an immediate “No Work No Pay” arrangement.</p>	<p><b><i>RJCP Participants:</i></b></p> <p>All activity tested jobseekers were registered with Centrelink.</p> <p>Department of Human Services set the Mutual Obligation requirements consistent with income support type.</p> <p>Participants were paid by Department of Human Services on a fortnightly basis.</p> <p>Providers could place job seekers into Structured Activities up to 20 hours a week, but there was little incentive to do so.</p> <p>Participants were subject to the national job seeker compliance framework and receive penalties and suspensions for not attending activities or appointments.</p>	<p><b><i>CDP Participants</i></b></p> <p>All activity tested jobseekers are registered with Centrelink.</p> <p>Department of Human Services sets the Mutual Obligation requirements consistent with income support type.</p> <p>Participants are paid by Department of Human Services on a fortnightly basis.</p> <p>Providers have strong incentives to create a broad range of activities in communities and to place job seekers aged 18-49 into CDP activities for up to 25 hours a week.</p> <p>Participants are subject to the national jobseeker compliance framework and receive penalties and suspensions for not attending activities or appointments.</p> <p>When a jobseeker has been placed into an activity and does not attend, a penalty could be</p>	<p><b><i>CDP Participants</i></b></p> <p>All activity tested jobseekers will be registered with Centrelink.</p> <p>Income support payment eligibility and hours of activity will be determined by DHS.</p> <p>Income support will be paid by local service providers on weekly basis.</p> <p>Providers will have strong incentives to create a broad range of activities in communities and to place job seekers into CDP activities for up to 25 hours a week – depending on a job seekers activity tested requirements.</p> <p>A new compliance framework will be established that is tailored to the unique conditions of remote Australia.</p> <p>This will be underpinned by the principles of simplicity and an immediate No Show, No Pay arrangements.</p> <p>Job seekers will be able to now earn up to the minimum wage while continuing to have access to full income support (contingent on their attendance at activities).</p>

	<p>CDEP Wages participants were required to register with a Job Network/JSA as well as a CDEP provider.</p> <p>Participants had the capacity to have gross earnings of \$10,332 per quarter.</p> <p><b>Other CDEP Participants</b></p> <p>Other CDEP participants that were not part of the CDEP Wages scheme were required to register with Centrelink. They received income support calculated and paid by the Department of Human Services.</p> <p>They were also required to register with a JSA provider.</p> <p>After 2009, all new participants were paid by Centrelink. These participants were subject to the national jobseeker compliance framework.</p> <p>There were no clear requirements for hours of activity that a participant must undertake.</p>	<p>When a jobseeker was placed into an activity and did not attend a penalty could be applied if there is no valid reason for not attending.</p> <p>There wasn't an immediate "No Work No Pay" arrangement.</p> <p><b>Grandfathered CDEP Wages Participants in RJCP:</b></p> <p>Employed by the RJCP provider and paid under relevant legislation, awards and industrial instruments.</p> <p>RJCP Providers received CDEP Wages funds that were allocated to pay CDEP Wage participants.</p> <p>Paid on hourly basis.</p> <p>Participants given reasonable opportunity to work sufficient hours to earn the "Average per Participant" (APP) rate – which was broadly consistent with income support payments – this was around 15 hours.</p> <p>There was an immediate "No Work No Pay"</p>	<p>applied if there is no valid reason for not attending.</p> <p>There are no immediate "No Work No Pay" arrangements.</p>	
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		arrangement.		
<b>Service provider arrangements</b>	<p>Following reforms in 2009, there were two streams of CDEP activity: the Community Development Scheme and the Work Readiness Scheme.</p> <p>Participants were also required to register with a JSA provider and a CDEP provider and in some cases an Indigenous Employment Programme provider.</p> <p>This meant that they had to be in contact with multiple providers as well as Centrelink.</p>	<p>All Participants, including those on CDEP Wages, had to register with a single RJCP provider.</p> <p>RJCP participants had to register with Centrelink/DHS (except for CDEP Wages participants).</p>	<p>All participants have to register with a single CDP provider.</p> <p>CDP participants have to register with Centrelink/DHS.</p>	<p>All participants have to register with a single CDP provider.</p> <p>CDP participants have to register with Centrelink/DHS.</p>

*Question 16*

The proposed review and appeals processes are set out in the consultation paper provided to the Committee.

*Question 17*

All activity tested job seekers nationally are required to undertake up to 25 hours of mutual obligation activity in return for their income support. This activity can include training, job search, activity to address pre-vocational barriers and ‘work for the dole’ activities.

Activity requirements differ between urban and remote areas because labour markets are different, and job seekers and communities in these areas face different challenges and barriers to work.

In remote areas there are fewer jobs and a higher proportion of job seekers with multiple barriers to work. It is therefore important that when a job seeker goes on income support they are able to immediately access CDP activities and the benefits they provide. If there are long lag times there is a risk that new job seekers will quickly become disengaged. For these reasons, activity requirements in remote areas focus on immediately assisting job seekers to address barriers to work and to actively contribute to their communities. In urban areas where there are strong labour markets, the immediate focus for new job seekers is looking for work.

*Question 18*

See Attachment I: CDP Guidelines Handbook; and  
Attachment J: CDP Programme Management Framework

*Question 19*

The majority of social security legislation will continue to apply to income support for remote job seekers, including general eligibility and the level of participation requirements, rates of payment and rights to review. These matters are unchanged by the Bill.

The nature of parliamentary oversight is different for primary legislation (Acts of the Parliament) and subordinate legislation (such as legislative instruments). However, all legislative instruments (including any legislative instruments made under the CDP Bill) must be made within the scope of the enabling Act, are subject to parliamentary disallowance processes provided under the *Legislative Instruments Act 2003* and are scrutinised by parliamentary committees including the Senate Standing Committee on Regulations and Ordinances and the Parliamentary Joint Committee on Human Rights.

The Bill does not make any changes to the existing level of Parliamentary oversight required for amending the Social Security Law Acts or the legislative instruments enabled under those Acts. Furthermore, the new social security law legislative instrument powers proposed by the Bill are subject to all the usual requirements applicable to legislative instruments. The Bill will not reduce the level of Parliamentary oversight in relation to the social security law or the protections that this provides to job seekers.

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*Question 20*

Drafting instructions will be developed for the legislative instruments once public consultation has been completed.

*Question 21*

The phased approach to implementation of arrangements under the CDP Bill is designed to ensure providers and communities are capable, ready and willing before they are transitioned to the new arrangements. This will include ensuring that CDP providers have the systems, training and infrastructure in place to deal with challenging clients before the new arrangements are introduced into a region.

The scope of any additional funding to providers to build their capabilities with respect to dealing with challenging clients will be determined during commercial negotiations with providers.

*Question 22*

The Community Investment Fund (the Fund) will be established and administered through the Indigenous Advancement Strategy (IAS). The Minister for Indigenous Affairs will be the responsible delegate for the Fund.

The accountability mechanisms for the IAS will be consistent with IAS framework and will ensure proper scrutiny of Commonwealth funding.

*Question 23*

The Social Security Legislation Amendment (Community Development Program) Bill 2015 allows the Minister to phase in the arrangements enabled by the Bill region by region through a disallowable instrument.

Under the Bill, when determining the regions in which the arrangements will operate, the Minister must consider:

- whether the region is remote;
- the level of social and economic disadvantage within the region, including levels of unemployment, social welfare and education;
- the capability of the region's CDP provider to provide income support payments; and
- other relevant matters.

No decision has been made about which regions the arrangements will be introduced into as part of phase one.

The arrangements will be introduced into regions following community consultation and only where the community is willing, ready and in need of the reforms due to their levels of social and economic disadvantage.

There will also be minimum standards of capability that the local CDP provider must meet before the arrangements will be phased in.

This includes the capabilities to make payments to job seekers on time, make robust decisions supported by strong governance arrangements, and appropriately engage the community. CDP providers will be consulted in the development of supporting systems and processes. Discussions with communities and providers have commenced and will continue over the coming months, ahead of the finalisation and introduction of the legislative instrument to commence the first four regions.

## Additional CDP Questions on Notice

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1. In regards to the Community Development Program, please provide the following information in respect of referrals and commencements since 1 July 2015:
  - a. How many people were eligible for referral to this program?
  - b. How many were referred to it?
  - c. Please provide a breakdown of reasons for non-referral.
  - d. Of these, what proportion have commenced?
  - e. What proportion of those referred did not commence within the required period: please provide a breakdown of reasons for non-commencement
  - f. Among those who have commenced in the program, please provide a breakdown by State/Territory, whether they were engaged with a host organisation, and whether the host organisations were not for profit or for profit organisations.
  - g. Please provide a breakdown of the types of activities commenced
  - h. How many job seekers are in placements/activities with not for profit organisations?
  - i. How many job seekers are in placements/activities in local Government?
  - j. How many job seekers are in for profit organisations?
  - k. What is the hourly rate of payment for 25 hours a week of participation in the program, for job seekers on different income support payments levels?
  - l. How do these compare with the minimum hourly wage?
  - m. What number and proportion of CDP participants have been assessed as having part time work capacity because of disability? How does this percentage compare with jobactive?
  - n. What consultations were undertaken with affected individuals, organisations and communities that enabled them to comment on the Government's proposal to implement 25 hour per week, 5 days per week Work for the Dole requirements under CDP?
  - o. What consultations were undertaken with affected individuals, organisations and communities that enabled them to comment on the Government's proposed CDP Bill in its development?
  - p. Please provide a breakdown of the effect of the implementation of changes to the CDP program from 1 July 2015 on the anticipated costs of the program for the 2015/6, 2016/7 and 2017/18 years.
  - q. Please provide a breakdown of the effect of implementation of the changes proposed in the Social Security Legislation Amendment (Community Development Program) Bill 2015 on the anticipated costs of the program for the 2016/7 and 2017/18 years.
2. In regard to the impact and effectiveness of the Community Development Program:



- a. In total, how many 13 week employment outcomes have been achieved since 1 July 2013 under the RJCP (now CDP) program? How many 26 week employment outcomes? Please break down by non Indigenous and Indigenous.
  - b. Of the people who were on CDEP wages at the point that they were discontinued (in the first half of 2015), how many are currently (1) on an income support payment (please specify what type) or (if known)(2) in employment.
  - c. How many individuals have received at least one financial penalty under CDP over the last 12 months (please break this down by number penalties received, ie, 1, 2, 3 and 4 or more, and by Indigenous or non-Indigenous job seekers)?
  - d. At present, of those with participation requirements in the CDP program, how many have had their income support suspended (other than because they are in employment)?
3. How many job seekers in CDP have been identified as having full time activity requirements (ie 25 hours per week)?
  4. Over the last month, what proportion of this group who were placed in activities actually attended for all of their required hours (or provided a valid excuse)?
  5. How many people on DSP under the aged of 35 have been subject to reassessment who are eligible for CDP?
    - i. How many of the above have been moved off DSP onto Newstart or Youth Allowance?
    - ii. How many now have activity requirements under Work for the Dole?
  6. Please provide any details the Department has of the time providers spend on administration of compliances requirements under CDP?
  7. Please provide any costings the Department has on the total cost per job seeker of participation in CDP?
  8. Has the Department done any estimates of the time providers will spend on administration of compliance and other measures under the Social Security Legislation Amendment (Community Development Program) Bill 2015? If so please provide.
  9. Has the Department does any estimates of cost per job seeker of the new scheme? If so please provide.
  10. Has the Department considered the administration involved in reporting on an hourly basis job seekers participation in activities?
  11. Why are job seeker requirements different for remote income support recipients?
  12. Why do they have a higher activity requirement?
  13. Why do they have an activity requirement immediately, not after 6 months on income support?
  14. Will the Community Investment Fund be dispersed to the regions the funding comes from?
  15. If so, how will decisions be made on investment in the regions?

16. If not, who will be responsible for decisions on investment of funds in the Community Investment Fund?
17. When will the details of the Community Investment fund be made available?
18. Why isn't the Community Investment Fund included as part of the Bill?
19. Is PMC the holder of the Community Investment Fund? If not, who is?
20. Why is the Department of Prime Minister and Cabinet the body that will be reviewing appeals of a decision by a provider?
21. Will people who move out of the designated remote area still be subject to the provisions of this Bill?
22. Many submitters argue that the provisions of the Bill will encourage providers to sanction job seekers rather than immediately try to re-engage them? Is this true? If not please explain why?
23. Please list which payments and supplements providers will be responsible for?
24. Will providers be required to undertake apply the comprehensive compliance assessment when determining compliance and before sanctioning a job seeker?
25. Has the Department carried out an independent assessment for the poor attendance in activities and high non-compliance rate in remote areas? If not why not?
26. What additional resources will be given to providers to impact the changes in the Bill?
27. Will employees of providers making the decisions on income support payments, investigating job seeker non-compliance and making and applying compliance penalties be required to have any formal qualifications and/or training? If so what will they be?
28. What is the total number of CDP providers? How many of the CDP providers are indigenous owned and operated? How many are multinationals?
29. There is already a capacity under the Social Security legislation to make weekly payments, why hasn't this capacity been used?
30. Has the consultation process for the four trial regions commenced? If so when, where and by whom are these consultations being undertaken?
31. Have any regions already selected for the trial? If so which ones?
32. How does the Government justify people potentially working for the same organisation on below minimum wage payments under work for the dole and for a different higher rate if they work additional hours?
33. Why would an organisation that has access to free labor through work for the dole subsequently permanently employ someone when they can access work for the dole participants? Isn't it unlikely that the subsidy would be too low?

# Answers to Additional CDP Questions on Notice

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## *Questions 1A to 1H*

The most recent publicly available data is as at 30 September 2015. This data was provided in response to questions on notice in October's Supplementary Estimates. The responses provided to these questions at October's Supplementary Estimates are:

“All recipients of activity tested income support who live in a Community Development Programme (CDP) region are eligible to receive CDP services.

From 1 July 2015 to 30 September 2015, 9,800 job seekers were referred to the CDP. This includes those referred by the Department of Human Services, those directly registered by CDP providers, and those transferring between providers following a change of address. Of the 9,800 referred, 62 per cent had commenced their formal engagement with the programme by 30 September 2015. Overall, 83 per cent of job seekers on the CDP caseload at 30 September 2015 had a status of commenced.

Job seekers may not be recorded in the system as commenced in the CDP for a range of reasons. These may include the time required to arrange an appointment following referral, job seekers failing to attend their appointment, job seekers exiting the caseload or becoming suspended before meeting with the provider, or job seekers failing to enter into a Job Plan.

Data on the reason for non-commencement, and the follow up action for the 38 per cent of job seekers that have not yet commenced are not readily attainable and would require analysis of individual job seeker records. We consider this to be an unreasonable diversion of departmental resources.

A breakdown of job seekers who commenced in the CDP between 1 July 2015 and 30 September 2015 and who are undertaking some or all of their CDP activities in a host organisation is as follows.

<b>State/Territory</b>	<b>Number of Job Seekers Placed with a Host Organisation</b>
NSW	<20
NT	46
QLD	<20
SA	<20
WA	45
<b>Total</b>	<b>130</b>

Data are not collected on the not for profit status of host organisations.

CDP participants can participate in a broad range of activities that build employable skills, while contributing to their communities. These activities can include: project style work; community activities such as aged care or beautification; work experience in a real business; language, numeracy and literacy training; vocational training; support to address vocational barriers; and drivers licence training. Data on the actual activities commenced would require analysis of individual job seekers records, and are not readily attainable. The Department will undertake an assessment of the type of activities job seekers have participated in as part of the scheduled evaluation of the CDP due by the end of 2016. A copy of the data or analysis will be made available to the Committee at this time.”

Further detail on CDP activities is included in the response to Question on Notice no. 11 from the Committee’s hearing into the CDP Bill.

*Question 1I*

Data are not collected on the local Government status of host organisations.

*Question 1J*

Data are not collected on the for profit status of host organisations.

*Question 1K*

There is no hourly rate of pay for income support. Income support is calculated on fortnightly entitlement periods and varies from job seeker to job seeker depending on their individual circumstance (such as dependents etc.)

*Question 1L*

As there is no hourly rate of pay for income support, it is therefore not possible to compare it against the minimum hourly wage.

*Question 1M*

This data is not readily available. The Department is currently working with the Department of Employment, the Department of Social Services and the Department of Human Services to extract this data and will provide it to the Committee as soon as it is available.

*Questions 1N & 1O*

See answers provided to Questions 2 and 3 from the Committee Hearings into the CDP Bill.

*Question 1P*

Breakdown of costs from MYEFO 2014.

Reform of the Remote Jobs and Communities Programme

Expense (\$m)	2013-14	2014-15	2015-16	2016-17	2017-18
DHS	-	1.0	0.7	-1.0	-2.5
DoE	-	0.2	-	-	-
PMC	-	-25.3	-51.2	-14.0	-0.4
DSS	-	16.8	64.3	63.5	39.8
Total — Expense	-	-7.4	13.8	48.6	36.8
<i>Related capital (\$m)</i>					
<i>DoE</i>	-	3.0	-	-	-

*Question 1Q*

Breakdown of anticipated costs from MYEFO 2015

Addressing Welfare Reliance in Remote Communities

Expense (\$m)	2014-15	2015-16	2016-17	2017-18	2018-19
DHS	-	11.1	3.6	-	-
DoE	-	0.1	-	-	-
PMC	-	-	26.9	-10.0	-12.0
DSS	-	-	-27.8	-	-
Total — Expense	-	11.2	2.6	-10.0	-12.0
<i>Related capital (\$m)</i>					
<i>DHS</i>	-	7.7	0.2	-	-
<i>DoE</i>	-	0.4	-	-	-
<i>Total— Capital</i>	-	8.1	0.2	-	-

#### *Question 2A*

For the period 1 July 2013 to 31 December 2015, the RJCP and CDP programmes achieved 6,436, 13 week employment outcomes. Of these, 4,404 were for Indigenous job seekers and 2,032 were for non-Indigenous job seekers (or job seekers that did not formally identify as Indigenous).

For the period 1 July 2013 to 31 December 2015, the RJCP and CDP programmes achieved 3,983, 26 week employment outcomes. Of these, 2,791 were for Indigenous job seekers and 1,192 were for non-Indigenous job seekers (or job seekers that did not formally identify as Indigenous).

#### *Question 2B*

This data is not readily available. The Department is currently working with the Department of Employment, the Department of Social Services and the Department of Human Services to extract this data and will provide it to the Committee as soon as it is available.

#### *Question 2C*

Data on the breakdown of the number of financial penalties received by each individual CDP job seeker, and the indigeneity of the job seekers is not available.

#### *Question 2D*

In the first quarter of 2015-16 (July to September), 17,625 CDP job seekers (65 per cent) of the 26,980 CDP job seekers that are compellable under the national Job Seeker Compliance Framework (i.e. those that have not volunteered to undertake CDP activities) had their income support payments suspended. The majority of these suspensions were for non-attendance by job seekers at appointments with a provider. The average length of a suspension is 4.6 days.

Suspensions are lifted when a job seeker attends a re-engagement appointment with their provider. options.

#### *Question 3, 4 & 5*

This data is not readily available. The Department is currently working with the Department of Employment, the Department of Social Services and the Department of Human Services to extract this data and will provide it to the Committee as soon as it is available.

#### *Question 6*

Time spent on administrative arrangements varies from provider to provider, depending on their caseload, the number of regions they operate in, whether they centralise their administration or run it locally or how they structure their organisation.

#### *Question 7*

Costs per job seeker will vary depending on the job seeker's activity requirements and whether the job seeker has been placed in a job.

Providers are paid up to \$12,450 per year, per job seeker, to support job seekers undertaking CDP activities. Providers are paid \$4,000 per year, per job seeker, to deliver basic services to those job seekers not undertaking CDP activities.

Providers are paid \$2,250 for assisting each job seeker to achieve full 13 week employment outcomes (which result in the job seeker fully meeting their work capacity and participation requirements, or enable the job seeker to move off income support), and a further \$5,250 at 26 weeks. In addition, employers are paid an incentive of \$7,500 per job seeker, if they retain them in a job for 26 weeks.

Providers are paid \$1,125 for assisting each job seeker to achieve part-time employment outcomes (which result in the job seeker meeting a certain portion of their participation requirements, or a certain reduction in their income support payment), and a further \$2,625 at 26 weeks. Similarly, employers are paid an incentive of \$3,750 per job seeker, if they retain them in a part-time job for 26 weeks.

*Question 8*

The time providers will spend on administration of the proposed CDP arrangements will vary depending on their caseload, the number of regions they operate in and their current administrative and organisational arrangements.

Further information will be obtained as part of commercial negotiations with providers, and will need to be reviewed depending on the final remote job seeker compliance framework. A copy of the consultation paper on the proposed CDP compliance framework has been provided to the committee.

It is worth noting that some elements of the current administrative burden on providers is likely to be reduced by introducing a new, streamlined job seeker compliance framework and removing the current comparatively more complex interactions with the Department of Human Services.

*Question 9*

Yes. The estimated cost per job seeker per year of the proposed CDP arrangements is around \$1,470. This excludes Department of Human Services and Department of Employment costs that relate to the development of IT solutions needed to implement the new scheme.

*Question 10*

Providers are currently required to report on hourly job seeker participation. It is therefore not expected that there will be any additional administrative costs for providers as a result of moving to hourly penalties arrangements.

*Questions 11 & 12 & 13*

Please see answer to Question on Notice no. 17 from the Committee's hearing into the CDP Bill.

*Question 14 & 15 & 16 & 17 & 18 & 19*

The exact operational arrangements for the Community Investment Fund are yet to be determined. As set out in the consultation paper provided to the Committee, it is proposed that funds that have been withheld as a result of penalties will be put back into communities, to assist local economic and community development initiatives and programmes.

The Minister for Indigenous Affairs will be the responsible delegate for the Fund.

Arrangements for the Community Investment Fund will be developed in consultation with communities, stakeholders and providers. These arrangements will determine what type of mechanism will be needed to establish the fund. The Minister will release further details about the Community Investment Fund following these consultations.

It is not usual practice to outline the specific details of programme funding arrangements in legislation.

The Community Investment Fund will be delivered through the Indigenous Advancement Strategy (IAS). IAS funding is administered by the Indigenous Affairs portfolio within the Department of the Prime Minister and Cabinet.

*Question 20*

The Department of the Prime Minister and Cabinet Indigenous Affairs Group has policy and service delivery responsibility for the CDP and the measures proposed in the *Social Security Legislation Amendment (Community Development Program) Bill 2015*. The Department will therefore be well placed to review provider decisions under these programmes and will ensure that there is decision making capability in place to support the appeals process.

*Question 21*

No.

*Question 22*

This is not the case. The Bill introduces more direct and immediate payment and compliance arrangements that will allow job seekers to easily understand and comply with their requirements. Details of the proposed compliance arrangements are included in the consultation paper provided to the Committee.

Under these arrangements, CDP providers would be required to apply a penalty when a job seeker does not attend an agreed activity unless the job seeker has a reasonable excuse for not attending or an exemption from activities is in place. The Bill does not introduce any perverse incentives for the provider to sanction job seekers rather than re-engage them. Outcome payments to providers will be structured around attendance in activities, to incentivise providers to continue to engage job seekers. Additional tools will also be available to assist providers to address persistent non-attendance.

In addition, it is proposed that any funds withheld from a job seeker as a result of penalties will not be returned to the provider, but that the Minister for Indigenous Affairs will be the responsible delegate. This would avoid the introduction of a perverse incentive for providers to inappropriately sanction job seekers.

*Question 23*

Providers will be responsible for paying individuals living in remote Australia who are eligible for activity tested income support payments including newstart, youth allowance (other), parenting payment (single, once their youngest child turns six), disability support pension (under age 35 with compulsory participation requirements) and special benefit (with activity test requirements).

The following associated supplements and allowances will also be paid by Providers:

- Rent Assistance
- Remote Area Allowance
- Pharmaceutical Allowance
- Youth Disability Supplement.
- Approved Program of Work Supplements



*Question 24*

It is proposed that comprehensive reviews of compliance will be retained in the proposed compliance arrangements as they are a key job seeker safeguard.

Currently, a review (a Comprehensive Compliance Assessment (CCA) is triggered when in a six-month period either: three failures are applied for failing to attend a provider appointment, failing to enter into Job Plan or unsatisfactory Job Search; or three penalties are applied for non-attendance at activities. A CCA can also be requested at any other time if a provider believes a job seeker's circumstances warrant it (for example, if the job seeker is continually failing to comply with their requirements for no apparent reason). CCAs are currently conducted by the Department of Human Services.

Under the proposed arrangements, persistent disengagement in mutual obligations would still trigger the same comprehensive review (a Compliance Review). Proposed arrangements for a compliance review including triggers and possible outcomes are included in the consultation paper provided to the Committee.

*Question 25*

An assessment of attendance rates in CDP activities, non-attendance rates and the rate of use of compliance penalties will form part of the formal evaluation of the CDP. The Department has previously committed to make a copy of the evaluation available to the committee once it is completed.

*Question 26*

Additional resources will be subject to commercial negotiations with selected providers. As published in MYEFO, \$2.9 million is available in 2016-17 for additional funding for programme administration and service provider costs as well as additional income support payments for job seekers as a result of the change to income thresholds.

*Question 27*

Training for CDP providers to ensure sound and accountable decision making will be developed in consultation with the Commonwealth Ombudsman and will be based on an assessment of each provider's capability and capacity to deliver the new arrangements.

*Question 28*

Please see answer to Question on Notice no. 12 from the Committee's hearing into the CDP Bill.

*Question 29*

The *Social Security Legislation Amendment (Community Development Program) Bill 2015* introduces weekly payments *and* weekly compliance arrangements. The current provisions relating to weekly income support payments can be utilised under the existing Social Security Law. However, without weekly compliance arrangements the benefit the Bill is seeking to achieve – a strong and more immediate link between payments, behaviour and compliance action – will not be achieved.

Currently under the Social Security legislation there is a delay of at least five weeks between when a job seeker fails to attend an activity and when a penalty can be deducted from their payment. The arrangements established by the Bill (and the relevant legislative instrument) will enable compliance penalties to be applied in the same week as payment, allowing job seekers to better understand the consequences of non-compliance and avoid financial penalties.

*Question 30 & 31*

Please see answer to Question on Notice no. 23 from the Committee's hearing into the CDP Bill.

*Question 32*

The opportunity for remote job seekers to gain work experience as part of their CDP activity requirements creates a practical and sustainable pathway to ongoing employment.

Remote job seekers can undertake their activity requirements in organisations where they could potentially be employed, including small to medium sized enterprises. These employers are encouraged to provide job seekers with paid employment in addition to their activity requirements and at the end of their hosted placement.

Without access to hosted placements, many remote job seekers will never have an opportunity to gain experience in a real workplace. Their opportunities would be limited to community development activities or training outside normal workplace environments. Employers, particularly small to medium sized businesses, are less likely to employ remote job seekers that they don't know and have had no real work experience.

*Question 33*

There are clear limits set out in the CDP Guidelines on the duration of hosted placements and the number of job seekers that can be hosted in a single workplace. These limits ensure that hosted placements provide training opportunities for remote job seekers, but are not used by employers to displace paid employees.

To facilitate the conversion of workplace hosted placements into jobs, employers have access to \$7,500 if they retain job seekers for 26 weeks.

If an employer fails to offer available jobs to job seekers they have hosted, without good reason, the CDP Guidelines make it clear that PM&C will not permit that employer to have any further hosted placements.

**NATIONAL REMOTE JOBS AND COMMUNITIES PROGRAM PROVIDER CONFERENCE**  
**30-31 MARCH, 2015**

**AGENDA**

**Venue: Alice Springs Convention Centre, 93 Barrett Dr, Alice Springs**

<b>TIME (indicative)</b>	<b>DAY 1: 30 March, 2015 MacDonnell Room</b>	<b>SPEAKER</b>
8.15-9.00am	<b>Conference registration</b>	Foyer
9.00-9.15am	<b>Welcome to Country</b>	Mr. Peter Peltherre Wallace, Central Arrernte Elder
9.15-9.45 am	<b>Overview of the reforms to the RJCP</b>	Nadine Williams, First Assistant Secretary, RJCP Implementation Taskforce, PM&C
9.45-10.15 am	<b>Address by The Minister for Indigenous Affairs, Senator the Hon Nigel Scullion</b>	Minister Scullion
10:15am	<b><i>Morning Tea Break (45 mins)</i></b>	
11:00 am- 11:30 am	<b>Implementing the reforms: How PM&amp;C will work with you</b>	Matt Cahill, National Director of the PM&C Regional Network Division
11:30am- 11:45 pm	<b>Accessing and using the Participation Account</b>	Maya Stuart-Fox, Assistant Secretary – Economic and Employment Policy, PM&C
11:45am- 12:00pm	<b>Wrap up of morning</b>	Nadine Williams, First Assistant Secretary, RJCP Implementation Taskforce, PM&C
12.00pm – 1:30pm	<b><i>Lunch and opportunity to browse the RJCP kiosks (90 minutes)</i></b>	
1.30 pm- 2:15 pm	<b>RJCP &amp; Remote Schools Attendance Strategy (RSAS) – working together</b>	Mike Fordham, Assistant Secretary - Remote Attendance Strategies, PM&C
2:15 pm- 3:00 pm	<b><i>Afternoon Tea Break (45 mins)</i></b>	

RJCP Reforms 2015

TIME (indicative)	DAY 1: 30 March, 2015 MacDonnell Room	SPEAKER
3:00 pm – 4:00 pm	<b>RJCP Payment Model Workshop</b>	Christa Gordon, Partner, Management Consulting, KPMG
4:00 pm	<b>Day 1 Wrap-up</b>	Richard Eccles, Deputy Secretary, PM&C

TIME	DAY 2: 31 March, 2015 - RJCP WORKSHOPS		
8:45- 9:00am	<b>Workshop registration</b>		
9:00am	<b>Workshop 1 (Ellery C Rm)</b> <b>Payment modelling</b> <i>Convenor: Christa Gordon, Partner, Management Consulting, KPMG</i> - What the new payment model means for your organisation	<b>Workshop 2 (Ellery D Rm)</b> <b>Exploring approaches to enterprise development in remote Australia</b> <i>Convenor: Maya Stuart-Fox, Assistant Secretary - Economic and Employment Policy, PM&amp;C</i>	<b>Workshop 3 (Ellery B Rm)</b> <b>Jobseeker Compliance Framework: changes introduced over the last 12 months</b> <i>Convenor: Kym Hemming, Director – Job Seeker Compliance Operational, Department of Employment</i>
10:00am	<b>Workshop 1 (Ellery C Rm)</b> <b>Payment modelling</b> <i>Convenor: Christa Gordon, Partner, Management Consulting, KPMG</i> - What the new payment model means for your organisation	<b>Workshop 2 (Ellery D Rm)</b> <b>Exploring approaches to enterprise development in remote Australia</b> <i>Convenor: Maya Stuart-Fox, Assistant Secretary - Economic and Employment Policy, PM&amp;C</i>	<b>Workshop 3 (Ellery B Rm)</b> <b>Jobseeker Compliance Framework: changes introduced over the last 12 months</b> <i>Convenor: Kym Hemming, Director – Job Seeker Compliance Operational, Department of Employment</i>
11:00am	<b>Morning Tea Break (30 mins)</b>		
11:30am- 12:30pm	<b>Workshop 1 (Ellery C Rm)</b> <b>Payment modelling</b> <i>Convenor: Christa Gordon, Partner, Management Consulting KPMG</i> - What the new payment model means for your organisation	<b>Workshop 2 (Ellery D Rm)</b> <b>Exploring approaches to enterprise development in remote Australia</b> <i>Convenor: Maya Stuart-Fox, Assistant Secretary - Economic and Employment Policy, PM&amp;C</i>	<b>Workshop 3 (Ellery B Rm)</b> <b>Jobseeker Compliance Framework: changes introduced over the last 12 months</b> <i>Convenor: Kym Hemming, Director – Job Seeker Compliance Operational, Department of Employment</i>
12:30pm- 12:45pm	<b>Conference Wrap Up</b> Nadine Williams, First Assistant Secretary, RJCP Implementation Taskforce, PM&C		

**Attachment B**

**RJCP Providers represented at provider conference held 30-31 March 2015 in Alice Springs, NT.**

<b>CDP Region</b>	<b>CDP Region Name</b>	<b>CDP Provider</b>
1	Christmas-Cocos Islands	Indian Ocean Group Training Association
2	Kambalda/Norseman Region WA	Goldfields Employment and Training Services Pty Ltd
3	Ngaanyatjarra Lands WA	Ngaanyatjarra Council Aboriginal Corporation
4	Yaaliku Region WA	Goldfields Employment and Training Services Pty Ltd
5	Mid West - West Region WA	Mission Australia
6	Gascoyne Region WA	Max Employment/ Salvation Army
7	Mid West - East Region WA	Yulella Incorporated/Mission Australia
8	Karratha Region WA	Enterprise Management Group
9	Port Hedland Region WA	Ashburton Aboriginal Corporation
10	Western Desert Region WA	Ashburton Aboriginal Corporation
11	Kullarri Region WA	Kullarri Regional CDEP Inc
12	Fitzroy Valley Region WA	Marra Worra Worra Aboriginal Corporation
13	Halls Creek/Tjurabalan Region WA	East Kimberley Job Pathways Pty Ltd
14	Derby/Gibb River Region WA	Winun Ngari Aboriginal Corporation
15	East Kimberley Region WA	East Kimberley Job Pathways Pty Ltd
16	Eyre Region SA	Complete Personnel S.A. Pty Ltd
17	Far West Region SA	Complete Personnel S.A. Pty Ltd
18	Flinders and Far North Region SA	Complete Personnel S.A. Pty Ltd
19	Anangu Pitjantjatjara Yankunytjatjara Lands SA	Skill Hire WA Pty Ltd
20	South East Alice Region NT	CatholicCare NT
21	South West Alice Region NT	Wana Ungkuntja Pty Ltd
22	West Alice Region NT	Tjuwanpa Outstation Resource Centre (Aboriginal Corporation)
23	Alice Springs District NT	Tangentyere Council Incorporated
24	North East Alice Region NT	Enterprise Management Group
25	North West Alice Region NT	Central Desert Shire Council
26	South East Barkly Region NT	Julalikari Council Aboriginal Corporation
27	Far West Alice Region NT	Ngurratjuta-Pmara Ntjarra Aboriginal Corporation
28	North Barkly Region NT	Julalikari Council Aboriginal Corporation
29	Gulf Region NT	Gulf Savannah NT Aboriginal Corporation
30	Ngukurr/Numbulwar Region NT	Roper Gulf Shire Council
31	Katherine Region NT	Jobfind Centres Australia Pty Ltd
32	Victoria River Region NT	Victoria Daly Shire Council
33	Central Arnhem Region NT	Roper Gulf Shire Council
34	Wadeye Region NT	Thamarrurr Development Corporation Ltd
35	Darwin Daly Region NT	Ironbark Aboriginal Corporation
36	Tiwi Region NT	Tiwi Islands Training & Employment Board
37	West Arnhem Region NT	Jobfind Centres Australia Pty Ltd / Warnbi

38	Maningrida Region NT	Bawinanga Aboriginal Corporation
39	Milingimbi/Ramingining Region NT	The Arnhem Land Progress Aboriginal Corporation
40	Galiwin'ku Region NT	The Arnhem Land Progress Aboriginal Corporation
41	Gapuwiyak-Yirrkala Region NT	Miwatj Employment And Participation Ltd
42	Groote Region NT	GEBIE Services Pty Limited
43	Far West Region NSW	Murdi Paaki Regional Enterprise Corporation Ltd
44	Upper Darling Region NSW	Murdi Paaki Regional Enterprise Corporation Ltd
45	South West Region QLD	MAX Employment
46	Central West Region QLD	Employment Services Queensland Pty Ltd
47	Cloncurry Region QLD	MAX Employment
48	West Isa/Alpururulam Region QLD	Rainbow Gateway Limited
49	Doomadgee Region QLD	Enterprise Management Group
50	Palm Island QLD	Campbell Page
51	Wellesley Islands QLD	Jobfind Centres Australia Pty Ltd
52	Western Tablelands Region QLD	Jobfind Centres Australia Pty Ltd
54	Cook Region QLD	Enterprise Management Group
55	Kowanyama/Pormpuraaw Region QLD	Jobfind Centres Australia Pty Ltd
56	Central Cape Region QLD	Enterprise Management Group
57	Western Cape Region QLD	Enterprise Management Group
58	Northern Peninsula Area QLD	Enterprise Management Group
59	Torres Strait Islands QLD	Enterprise Management Group
60	Aurukun/Coen Region QLD	Cape York Employment
	Industry bodies	Representatives of JA and NESAs also attended

# NATIONAL REMOTE JOBS AND COMMUNITIES PROGRAM PROVIDER BUSINESS MEETING AGENDA

2-3 JUNE, 2015

Venue: Vibe Hotel, 7 Kitchener Drive, Darwin City Waterfront

TIME	2 June, 2015. DAY 1: Finalising the reforms	PRESENTER
8:15 - 8:45 am	Meeting registration in foyer	All members
8:45 - 9:00 am	Welcome to Country	DorrieAnne Raymond
9:00 - 9:30 am	RJCP reforms updates	Nadine Williams, First Assistant Secretary, RJCP Implementation Taskforce, PM&C
GROUP SESSION ONE 9:30 – 11:00am	Group A RJCP Policy, guidelines and funding agreement	Nadine Williams, Ryan Bulman Assistant Secretary, RJCP Implementation Taskforce, PM&C
	Group B Programme Management Framework	Maya Stuart Fox Assistant Secretary, RJCP Implementation Taskforce, PM&C
	Group C PM&C Network Regional Panel	Matt Cahill, National Director, PM&C Regional Network; and Regional Managers
11:00 - 11:30 am	<i>Morning Tea (30 mins)</i>	
11:30- 1:00pm GROUP SESSION TWO	Group C RJCP Policy, guidelines and funding agreement	Nadine Williams, Ryan Bulman
	Group A Programme Management Framework	Maya Stuart Fox
	Group B PM&C Network Regional Panel	Matt Cahill and Regional Managers

TIME	2 June, 2015. DAY 1: Finalising the reforms	PRESENTER
1:00 - 2:00 pm	<b>Lunch (60 minutes)</b>	
<b>GROUP SESSION THREE</b>  2:00pm – 3:30pm	<b>Group B</b> <b>RJCP Policy, guidelines and funding agreement</b>	Nadine Williams, Ryan Bulman
	<b>Group C</b> <b>Programme Management Framework</b>	Maya Stuart Fox
	<b>Group A</b> <b>PM&amp;C Network Regional Panel</b>	Matt Cahill and Regional Managers
3:30 - 4:00 pm	<b>Afternoon Tea (30 mins)</b>	
4:00 – 4:30 pm	<b>Day 1 Wrap up</b>	Richard Eccles, Deputy Secretary, PM&C



TIME	3 June, 2015. DAY 2: Looking forward and getting work underway	PRESENTER
8:30 – 9:00 am	Meeting registration in foyer	All members
9:00 – 9:15 am	Welcome back, summary of yesterday and overview of day Steps forward	Nadine Williams
9:15 -9:45 am	Minister For Indigenous Affairs – let’s get started - setting expectations for the future	Senator Nigel Scullion Minister for Indigenous Affairs
9:45 - 10:15 am	<i>Morning Tea (30 minutes)</i>	
10:15 – 10:45 am	Panel discussion with Minister, PMC and Providers	All members
10:45 – 11:45 am  <b>Small group discussions 1</b>  3 concurrent small-group sessions to workshop and share ideas on delivering the reforms. Held in separate rooms so providers can attend each session	<b>Group A</b> Indigenous Business Australia (IBA) and support for assets	IBA
	<b>Group B</b> Capacity Strengthening support	Maya Stuart Fox and Pricewaterhouse Coopers Indigenous Consulting
	<b>Group C</b> Providers sharing best practice and new ideas for the future	Facilitated by Matt Cahill and Anne-Marie Roberts
Session Change – 15 mins		
12:00 – 1:00pm  <b>Small group discussions 2</b> 3 concurrent small-group sessions to workshop and share ideas on delivering the reforms. Held in separate rooms so providers can attend each session	<b>Group C</b> Indigenous Business Australia (IBA) and support for assets	IBA
	<b>Group A</b> Capacity Strengthening support	Maya Stuart Fox and Pricewaterhouse Coopers Indigenous Consulting
	<b>Group B</b> Providers sharing best practice and new ideas for the future	Facilitated by Matt Cahill and Anne-Marie Roberts

TIME	3 June, 2015. DAY 2: Looking forward and getting work underway	PRESENTER
1:00 – 2:00 pm	<b>LUNCH (60 minutes)</b>	
<b>2:00pm – 3:00pm</b>  <b>Small group discussions 3</b>  3 concurrent small-group sessions to workshop and share ideas on delivering the reforms. Held in separate rooms so providers can attend each session	<b>Group B</b> <b>Indigenous Business Australia (IBA) and support for assets</b>	IBA
	<b>Group C</b> <b>Capacity Strengthening support</b>	Maya Stuart Fox and Pricewaterhouse Coopers Indigenous Consulting
	<b>Group A</b> <b>Providers sharing best practice and new ideas for the future</b>	Facilitated by Matt Cahill and Anne-Marie Roberts
3:00 – 3:30 pm	<b>Afternoon Tea (30 minutes)</b>	
3:30 – 4:00 pm	<b>Business Meeting wrap up</b>	Nadine Williams, First Assistant Secretary, RJCP Implementation Taskforce, PM&C

## RJCP Providers represented at provider business meeting held 2-3 June 2015 Darwin, NT.

CDP Region	CDP Region Name	CDP Provider
1	Christmas-Cocos Islands	Indian Ocean Group Training Association
6	Gascoyne Region WA	Max Employment
7	Mid West - East Region WA	Yulella Incorporated
8	Karratha Region WA	Enterprise Management Group
9	Port Hedland Region WA	Ashburton Aboriginal Corporation
10	Western Desert Region WA	Ashburton Aboriginal Corporation
11	Kullarri Region WA	Kullarri Regional CDEP Inc
12	Fitzroy Valley Region WA	Marra Worra Worra Aboriginal Corporation
13	Halls Creek/Tjurabalan Region WA	East Kimberley Job Pathways Pty Ltd
14	Derby/Gibb River Region WA	Winun Ngari Aboriginal Corporation
15	East Kimberley Region WA	East Kimberley Job Pathways Pty Ltd
20	South East Alice Region NT	CatholicCare NT
21	South West Alice Region NT	Wana Ungkuntja Pty Ltd
22	West Alice Region NT	Tjuwanpa Outstation Resource Centre (Aboriginal Corporation)
23	Alice Springs District NT	Tangentyere Council Incorporated
24	North East Alice Region NT	Enterprise Management Group
26	South East Barkly Region NT	Julalikari Council Aboriginal Corporation
28	North Barkly Region NT	Julalikari Council Aboriginal Corporation
29	Gulf Region NT	Gulf Savannah NT Aboriginal Corporation
30	Ngukurr/Numbulwar Region NT	Roper Gulf Shire Council
31	Katherine Region NT	Jobfind Centres Australia Pty Ltd
32	Victoria River Region NT	Victoria Daly Shire Council
33	Central Arnhem Region NT	Roper Gulf Shire Council
34	Wadeye Region NT	Thamarrurr Development Corporation Ltd
35	Darwin Daly Region NT	Ironbark Aboriginal Corporation
36	Tiwi Region NT	Tiwi Islands Training & Employment Board
37	West Arnhem Region NT	Jobfind Centres Australia Pty Ltd
38	Maningrida Region NT	Bawinanga Aboriginal Corporation
39	Milingimbi/Ramingining Region NT	The Arnhem Land Progress Aboriginal Corporation
40	Galiwin'ku Region NT	The Arnhem Land Progress Aboriginal Corporation/ Marthakal homelands resource Centre
41	Gapuwiyak-Yirrkala Region NT	Miwatj Employment And Participation Ltd
42	Groote Region NT	GEBIE Services Pty Limited
43	Far West Region NSW	Murdi Paaki Regional Enterprise Corporation Ltd
44	Upper Darling Region NSW	Murdi Paaki Regional Enterprise Corporation Ltd
45	South West Region QLD	MAX Employment
47	Cloncurry Region QLD	MAX Employment
48	West Isa/Alpururulam Region QLD	Rainbow Gateway Limited
49	Doomadgee Region QLD	Enterprise Management Group

50	Palm Island QLD	Campbell Page
51	Wellesley Islands QLD	Jobfind Centres Australia Pty Ltd
52	Western Tablelands Region QLD	Jobfind Centres Australia Pty Ltd
53	Carpentaria Region QLD	Bynoe Community Advancement Co-Op Society Ltd
54	Cook Region QLD	Enterprise Management Group
55	Kowanyama/Pormpuraaw Region QLD	Jobfind Centres Australia Pty Ltd
56	Central Cape Region QLD	Enterprise Management Group
57	Western Cape Region QLD	Enterprise Management Group
58	Northern Peninsula Area QLD	Enterprise Management Group
59	Torres Strait Islands QLD	Enterprise Management Group
60	Aurukun/Coen Region QLD	Cape York Employment
	Industry bodies	Representatives of JA and NESA also attended

## NATIONAL PROVIDER BUSINESS MEETING AGENDA

21-22 September, 2015

The Mercure Hotel, Perth.

TIME	21 September, 2015 – DAY ONE
8:00 - 8:30 am	Registration – all members
8:30 - 8:45 am	Introduction and Welcome to the CDP Provider Business Meeting
8:45 - 9:00 am	<b>Welcome to Country</b>
9:00 - 9:15 am	Meeting overview - Purpose of the meeting and overview of CDP reforms to date
9:20 - 10:20 am	<b>Group A</b> Provider Business Models – Discussing business models that support sustainable operations. <b>Group B</b> CDP Performance Framework – Understanding the practical application of the framework. <b>Group C</b> The IT and Payment System – Using the IT system; how data, activities and payments work.
10:20 - 10:50 am	Morning Tea (30 minutes)
10:50 - 11:50 am	<b>Group A</b> CDP Performance Framework - Understanding the practical application of the framework. <b>Group B</b> The IT and Payment System – Using the IT system; how data, activities and payments work. <b>Group C</b> Provider Business Models – Discussing business models that support sustainable operations.
11:55 - 12:55 pm	<b>Group A</b> The IT and Payment System – Using the IT system; how data, activities and payments work. <b>Group B</b> Provider Business Models – Discussing business models that support sustainable operations. <b>Group C</b> CDP Performance Framework – Understanding the practical application of the framework.
12:55 - 1:55 pm	Lunch (60 minutes)
1:55 - 2:25 pm	<b>Group A</b> Department of Employment – Job seeker compliance requirements and tips for keeping job seekers engaged. <b>Group B</b> Department of Human Services – Policy settings, the remote service delivery environment and interacting with DHS staff. <b>Group C</b> PM&C hosted placements – Creating and supporting hosted placements including payments and incentives.
2:30 - 3:00 pm	<b>Group A</b> Department of Human Services – Policy settings, the remote service delivery environment and interacting with DHS staff. <b>Group B</b> PM&C hosted placements – Creating and supporting hosted placements including payments and incentives. <b>Group C</b> Department of Employment – Job seeker compliance requirements and tips for keeping job seekers engaged.
3:00 - 3:30 pm	Afternoon Tea (30 minutes)
3:30 - 4:00 pm	<b>Group A</b> PM&C hosted placements – Creating and supporting hosted placements including payments and incentives. <b>Group B</b> Department of Employment – Job seeker compliance requirements and tips for keeping job seekers engaged. <b>Group C</b> Department of Human Services – Policy settings, the remote service delivery environment and interacting with DHS staff.
4:00 - 4:30 pm	Day 1 Plenary - Summary of key outcomes and wrap up

TIME	22 September, 2015 – DAY TWO
8:45 - 9:00 am	Welcome and recap of previous day
9:00 - 9:25 am	<b>Opening Address</b> Minister for Indigenous Affairs, Senator the Hon Nigel Scullion
	<i>5 minute changeover</i>
9:30 - 10:30 am	<i>Regional group discussions with PM&amp;C officers on issues and opportunities in each region.</i>
	<b>Regional Group 1</b> Arnhem Land, Groote Eylandt, Top End & Tiwi
	<b>Regional Group 2</b> Central Australia
	<b>Regional Group 3</b> South Australia, NSW, Queensland
	<b>Regional Group 4</b> Kimberley & Greater WA
10:30 - 11:00 am	Morning Tea (30 minutes)
11:00 - 12:00 pm	<i>Regional group discussions with PM&amp;C officers on overcoming challenges in each region.</i>
	<b>Regional Group 1</b> Arnhem Land, Groote Eylandt, Top End & Tiwi
	<b>Regional Group 2</b> Central Australia
	<b>Regional Group 3</b> South Australia, NSW, Queensland
	<b>Regional Group 4</b> Kimberley & Greater WA
12:00 - 1:00 pm	Lunch (60 minutes)
1:00 - 1:45 pm	<b>TRACHOMA PREVENTION</b> Presentation by Indigenous Eye Health Group Melbourne School of Population and Global Health
	<i>5 minute changeover</i>
1:50 - 2:30 pm	<b>Group A</b> Activities into enterprises – Using activities to support economic development.
	<b>Group B</b> Linkages – Strengthening CDP delivery with links to other programmes, services & businesses.
	<b>Group C</b> Innovation sharing – Best practice, what's working and learning from others.
	<i>5 minute changeover</i>
2:35 - 3:15 pm	<b>Group A</b> Innovation sharing – Best practice, what's working and learning from others.
	<b>Group B</b> Activities into enterprises – Using activities to support economic development.
	<b>Group C</b> Linkages – Strengthening CDP delivery with links to other programmes, services & businesses.
3:15 - 3:45 pm	Afternoon Tea (30 minutes)
3:45 - 4:25 pm	<b>Group A</b> Linkages – Strengthening CDP delivery with links to other programmes, services & businesses.
	<b>Group B</b> Innovation sharing – Best practice, what's working and learning from others.
	<b>Group C</b> Activities into enterprises – Using activities to support economic development.
	<i>5 minute changeover</i>
4:30 - 4:50 pm	Day 2 Plenary – Summary of key outcomes and meeting close.

## CDP Providers represented at provider business meeting held 21-22 September 2015 Perth, WA.

CDP Region	CDP Region Name	CDP Provider
1	Christmas-Cocos Islands	Indian Ocean Group Training Association
2	Kambalda/Norseman Region WA	Goldfields Employment and Training Services Pty Ltd
3	Ngaanyatjarra Lands WA	Ngaanyatjarra Council Aboriginal Corporation
4	Yaaliku Region WA	Goldfields Employment and Training Services Pty Ltd
5	Mid West - West Region WA	MEEDAC Incorporated
6	Gascoyne Region WA	Max Employment
7	Mid West - East Region WA	Yulella Incorporated
8	Karratha Region WA	Enterprise Management Group
9	Port Hedland Region WA	Ashburton Aboriginal Corporation
10	Western Desert Region WA	Ashburton Aboriginal Corporation
11	Kullarri Region WA	Kullarri Regional CDEP Inc
12	Fitzroy Valley Region WA	Marra Worra Worra Aboriginal Corporation
13	Halls Creek/Tjurabalan Region WA	East Kimberley Job Pathways Pty Ltd
14	Derby/Gibb River Region WA	Winun Ngari Aboriginal Corporation
15	East Kimberley Region WA	East Kimberley Job Pathways Pty Ltd
16	Eyre Region SA	Complete Personnel S.A. Pty Ltd
17	Far West Region SA	Complete Personnel S.A. Pty Ltd
18	Flinders and Far North Region SA	Complete Personnel S.A. Pty Ltd
19	Anangu Pitjantjatjara Yankunytjatjara Lands SA	Skill Hire WA Pty Ltd
20	South East Alice Region NT	CatholicCare NT
22	West Alice Region NT	Tjuwanpa Outstation Resource Centre (Aboriginal Corporation)
23	Alice Springs District NT	Tangentyere Council Incorporated
24	North East Alice Region NT	Enterprise Management Group
25	North West Alice Region NT	Central Desert Shire Council
27	Far West Alice Region NT	Ngurratjuta-Pmara Ntjarra Aboriginal Corporation
30	Ngukurr/Numbulwar Region NT	Roper Gulf Shire Council
31	Katherine Region NT	Jobfind Centres Australia Pty Ltd
32	Victoria River Region NT	Victoria Daly Shire Council
33	Central Arnhem Region NT	Roper Gulf Shire Council
34	Wadeye Region NT	Thamarrurr Development Corporation Ltd
35	Darwin Daly Region NT	Ironbark Aboriginal Corporation
36	Tiwi Region NT	Tiwi Islands Training & Employment Board
37	West Arnhem Region NT	Jobfind Centres Australia Pty Ltd

CDP Provider Business Meeting Provider and Advocacy groups' attendance list 21-22 September 2015

CDP Region	CDP Region Name	CDP Provider
41	Gapuwiyak-Yirrkala Region NT	Miwatj Employment And Participation Ltd
42	Groote Region NT	GEBIE Services Pty Limited
43	Far West Region NSW	Murdi Paaki Regional Enterprise Corporation Ltd
44	Upper Darling Region NSW	Murdi Paaki Regional Enterprise Corporation Ltd
45	South West Region QLD	MAX Employment
46	Central West Region QLD	Employment Services Queensland Pty Ltd
47	Cloncurry Region QLD	MAX Employment
48	West Isa/Alpururulam Region QLD	Rainbow Gateway Limited
49	Doomadgee Region QLD	Enterprise Management Group
50	Palm Island QLD	Campbell Page
51	Wellesley Islands QLD	Jobfind Centres Australia Pty Ltd
52	Western Tablelands Region QLD	Jobfind Centres Australia Pty Ltd
54	Cook Region QLD	Enterprise Management Group
55	Kowanyama/Pormpuraaw Region QLD	Jobfind Centres Australia Pty Ltd
56	Central Cape Region QLD	Enterprise Management Group
57	Western Cape Region QLD	Enterprise Management Group
58	Northern Peninsula Area QLD	Enterprise Management Group
59	Torres Strait Islands QLD	Enterprise Management Group
60	Aurukun/Coen Region QLD	Cape York Employment
	Industry bodies	Representatives of JA and NESA also attended



**CDP Provider Business Meeting  
Tuesday 16 and Wednesday 17 February 2016  
Pullman Cairns International, Cairns, Queensland**

Attachment G

*Make it Work, Make it Good, Make it Great.*

TIME		Tuesday 16 February
8:30 – 8:55 am		Registration – all members
8:55 – 9:00 am		Call to Order
9:00 – 9:20 am		Welcome to Country
9:20 – 9:45 am		Meeting opening and review of the first six months of CDP.
9:45 – 10:40 am		Minister's Address
10:40 – 11:10 am		MORNING TEA
11:10 – 12:10 pm	Group A	Payments, data and system reports <i>- Using and understanding reports to drive performance.</i>
	Group B	Effective use of participation reports <i>- How to prepare the perfect PR.</i>
	Group C	Challenging Behaviours <i>- Creating safe environments, strategies to support engagement.</i>
12:10 – 1:10 pm		LUNCH
1:10 – 2:10 pm	Group A	Effective use of participation reports <i>- How to prepare the perfect PR.</i>
	Group B	Challenging Behaviours <i>- Creating safe environments, strategies to support engagement.</i>
	Group C	Payments, data and system reports <i>- Using and understanding reports to drive performance.</i>
2:10 – 3:10 pm	Group A	Challenging Behaviours <i>- Creating safe environments, strategies to support engagement.</i>
	Group B	Payments, data and system reports <i>- Using and understanding reports to drive performance.</i>
	Group C	Effective use of participation reports <i>- How to prepare the perfect PR.</i>
3:10 – 3:45 pm		AFTERNOON TEA
3:45 – 4:30pm		Regional based discussions
4:30 - 4:45 pm		Meeting wrap up and Q&As
4:45 pm		MEETING CLOSE

**CDP Provider Business Meeting**  
**Tuesday 16 and Wednesday 17 February 2016**  
**Pullman Cairns International, Cairns, Queensland**

*Make it Work, Make it Good, Make it Great.*

TIME	Wednesday 17 February
9:15 – 9:30 am	<b>Call to order – reflections on day one</b>
9:30 – 10:30 am	<b>A Profile of Remote Australia</b> <i>People, demographic, economic and employment characteristics</i>
10:30 – 11:00 am	<b>MORNING TEA</b>
11:00 – 11:15 am	Overview of proposed CDP reforms and legislative process
11:15 – 12:15 pm	<b>Group A Consultation on the CDP reforms</b> <i>- Further detail and provider feedback.</i>
	<b>Group B Business Development workshop</b> <i>- Using activities to generate income and turning activities into businesses.</i>
	<b>Group C The Job Seeker Experience – Activities</b> <i>- Sharing what works and lessons learned.</i>
12:15 – 1:15 pm	<b>LUNCH</b>
1:15 – 2:15 pm	<b>Group A Business Development workshop</b> <i>- Using activities to generate income and turning activities into businesses.</i>
	<b>Group B The Job Seeker Experience – Activities</b> <i>- Sharing what works and lessons learned.</i>
	<b>Group C Consultation on the CDP reforms</b> <i>- Further detail and provider feedback.</i>
2:15 – 3:15 pm	<b>Group A The Job Seeker Experience – Activities</b> <i>- Sharing what works and lessons learned.</i>
	<b>Group B Consultation on the CDP reforms</b> <i>- Further detail and provider feedback.</i>
	<b>Group C Business Development workshop</b> <i>- Using activities to generate income and turning activities into businesses.</i>
3:15 – 3:45 pm	<b>AFTERNOON TEA</b>
3:45 – 4:30pm	<b>Regional based discussions</b>
4:30 - 4:45 pm	Meeting wrap up and Q&As
4:45 pm	<b>MEETING CLOSE</b>

## CDP Providers represented at provider business meeting held 16-17 February 2016 Cairns, QLD.

CDP Region	CDP Region Name	CDP Provider
2	Kambalda/Norseman Region WA	Goldfields Employment and Training Services Pty Ltd
3	Ngaanyatjarra Lands WA	Ngaanyatjarra Council Aboriginal Corporation
4	Yaaliku Region WA	Goldfields Employment and Training Services Pty Ltd
5	Mid West - West Region WA	MEEDAC Incorporated
6	Gascoyne Region WA	Max Employment
7	Mid West - East Region WA	Yulella Incorporated
8	Karratha Region WA	Enterprise Management Group
9	Port Hedland Region WA	Ashburton Aboriginal Corporation
10	Western Desert Region WA	Ashburton Aboriginal Corporation
11	Kullarri Region WA	Kullarri Regional CDEP Inc
12	Fitzroy Valley Region WA	Marra Worra Worra Aboriginal Corporation
13	Halls Creek/Tjurabalan Region WA	East Kimberley Job Pathways Pty Ltd
14	Derby/Gibb River Region WA	Winun Ngari Aboriginal Corporation
15	East Kimberley Region WA	East Kimberley Job Pathways Pty Ltd
16	Eyre Region SA	Complete Personnel S.A. Pty Ltd
17	Far West Region SA	Complete Personnel S.A. Pty Ltd
18	Flinders and Far North Region SA	Complete Personnel S.A. Pty Ltd
19	Anangu Pitjantjatjara Yankunytjatjara Lands SA	Skill Hire WA Pty Ltd
20	South East Alice Region NT	CatholicCare NT
22	West Alice Region NT	Tjuwanpa Outstation Resource Centre (Aboriginal Corporation)
23	Alice Springs District NT	Tangentyere Council Incorporated
24	North East Alice Region NT	Enterprise Management Group
25	North West Alice Region NT	Central Desert Shire Council
26	South East Barkly Region NT	Julalikari Council Aboriginal Corporation
27	Far West Alice Region NT	Ngurratjuta-Pmara Ntjarra Aboriginal Corporation
28	North Barkly Region NT	Julalikari Council Aboriginal Corporation
29	Gulf Region NT	Gulf Savannah NT Aboriginal Corporation
30	Ngukurr/Numbulwar Region NT	Roper Gulf Shire Council
31	Katherine Region NT	Jobfind Centres Australia Pty Ltd
32	Victoria River Region NT	Victoria Daly Shire Council
33	Central Arnhem Region NT	Roper Gulf Shire Council
34	Wadeye Region NT	Thamarrurr Development Corporation Ltd
35	Darwin Daly Region NT	Ironbark Aboriginal Corporation
36	Tiwi Region NT	Tiwi Islands Training & Employment Board
37	West Arnhem Region NT	Jobfind Centres Australia Pty Ltd and
39	Milingimbi/Ramingining Region NT	The Arnhem Land Progress Aboriginal Corporation
40	Galiwin'ku Region NT	The Arnhem Land Progress Aboriginal Corporation

CDP Region	CDP Region Name	CDP Provider
41	Gapuwiyak-Yirrkala Region NT	Miwatj Employment And Participation Ltd
42	Groote Region NT	GEBIE Services Pty Limited
43	Far West Region NSW	Murdi Paaki Regional Enterprise Corporation Ltd
44	Upper Darling Region NSW	Murdi Paaki Regional Enterprise Corporation Ltd
45	South West Region QLD	MAX Employment
46	Central West Region QLD	Employment Services Queensland Pty Ltd
47	Cloncurry Region QLD	MAX Employment
48	West Isa/Alpurrurulam Region QLD	Rainbow Gateway Limited
49	Doomadgee Region QLD	Enterprise Management Group
50	Palm Island QLD	Campbell Page
51	Wellesley Islands QLD	Jobfind Centres Australia Pty Ltd
52	Western Tablelands Region QLD	Jobfind Centres Australia Pty Ltd
53	Carpentaria Region QLD	Bynoe Community Advancement Co-Op Society Ltd
54	Cook Region QLD	Enterprise Management Group
55	Kowanyama/Pormpuraaw Region QLD	Jobfind Centres Australia Pty Ltd
56	Central Cape Region QLD	Enterprise Management Group
57	Western Cape Region QLD	Enterprise Management Group
58	Northern Peninsula Area QLD	Enterprise Management Group
59	Torres Strait Islands QLD	Enterprise Management Group
60	Aurukun/Coen Region QLD	Cape York Employment
	Industry bodies	Representatives of JA and NESA also attended



Australian Government

# Community Development Programme



## GUIDELINES HANDBOOK

EFFECTIVE DATE: 7 SEPTEMBER 2015

# Disclaimer

This Guideline Handbook is not a stand-alone document and does not contain the entirety of Providers' obligations.

It **must** be read in conjunction with the Funding Agreement and any relevant Guidelines or reference material issued by Department of the Prime Minister and Cabinet under or in connection with the Funding Agreement.

Version history table: Documents which are 4 pages or more in length will have a version listed below the title. This version will correspond with the amendments recorded within the Document Change history table. The changes made must be identified at the start of the document using the below table.

Version	Start Date	Effective Date	End Date	Change & Location
1.0	1 July 2015	1 July 2015	1 September 2015	Original document
1.1	21 August 2015	7 September 2015	30 June 2018	Changes throughout the document to clarify operational policy details



# Community Development Programme Guidelines Handbook

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# 1. Introduction

## 1.1 About these Guidelines

On 6 December 2014, the Minister for Indigenous Affairs, Senator the Hon. Nigel Scullion, announced that the Remote Jobs and Communities Programme (RJCP) would be reformed to create an employment service that is better targeted to remote Australian communities, that provides real pathways to long term job outcomes, and puts an end to passive welfare.

The reformed programme commenced on 1 July 2015, and has been renamed the Community Development Programme (CDP). The Australian Government through the Department of the Prime Minister and Cabinet (PM&C) manages the RJCP CDP. As part of this, PM&C is responsible for funding, managing, and monitoring RJCP Funding Agreements.

This document provides programme details to support the RJCP Funding Agreement

## 1.2 Using the Guidelines

These Guidelines have been produced solely as a web-based document on the Provider Portal secure site and not in hard copy. Updates will be posted on the Provider Portal secure site. The front page of the site will regularly advise of any changes and the date on which they are published.

Should you wish to print a hard copy of these Guidelines, you should regularly cross check your printed version with the online version. The online version will always take precedence over a printed version of these Guidelines.

## 1.3 About the Community Development Programme (CDP)

The Government has reformed remote employment services to better reflect the aspirations of people in remote Australia. The reforms will lead to practical outcomes and help community members to help themselves.

Flexible and focussed on local decision making and local solutions, the CDP is an essential part of the Australian Government's agenda for increasing employment and breaking the cycle of welfare dependency in remote areas of Australia.

The CDP is delivered in 60 regions and more than 1,000 communities. A CDP provider provides a single point of contact for job seekers and employers in each CDP region.

The Government has announced its intention for the Remote Jobs and Communities Programme to be renamed the Community Development Programme in the future. This signals the Government's

intention for the programme to reflect community aspirations whilst addressing its objectives of reducing passive welfare and getting people into work. Later iterations of the Guidelines will address this change.

RJCP assists unemployed remote job seekers to build employable skills while contributing to their community. The programme operates in remote areas across 60 regions.

Under the RJCP CDP, providers deliver Remote Services. There are two key types of services that assist job seekers:

**Basic Services** – integrated case management and support for job seekers to find and keep a job and to meet their mutual obligation requirements;

**Remote Employment Services (including establishment and conduct of Work for the Dole)** –work-like activities; one or more of which, job seekers participate in five days a week. Activities reflect local employment opportunities and/or are relevant to community aspirations and meet community needs.

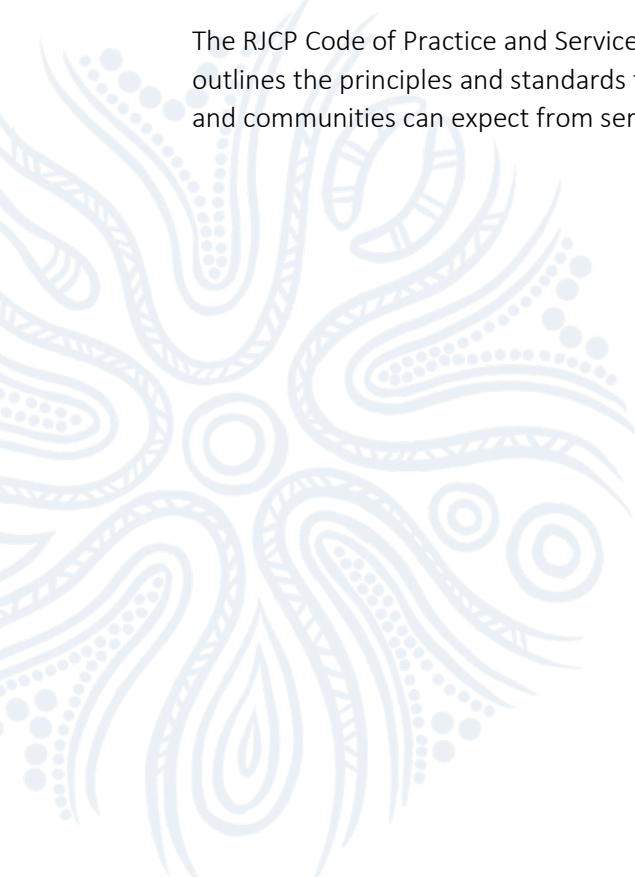
For the purposes of these Guidelines, Remote Services includes Basic Services and Remote Employment Services, which includes establishment and conduct of Work for the Dole.

The majority of job seekers will participate in Work for the Dole activities as they are the principal activities that will put an end to passive welfare, build employability skills, and assist job seekers to transition from welfare to work.

The term ‘job seeker’ in these Guidelines means an ‘Eligible Job Seeker’ as outlined in the RJCP Funding Agreement.

For the purposes of these Guidelines the term mutual obligation requirements includes ‘Social Security Activity Test Requirements’ or SS Activity Test Requirements’.

The RJCP Code of Practice and Service Guarantee is another relevant resource for providers. This outlines the principles and standards that underpin the delivery of RJCP CDP and what job seekers and communities can expect from service delivery by RJCP CDP providers.





## 2. Basic Services

### 2.1 Overview

Providers are required to deliver Basic Services to all job seekers. This includes providing integrated case management and support to assist job seekers to find and keep a job, and meet their mutual obligation requirements. It also includes other suitable activities (refer 3.3 *Criteria for Participation in Work for the Dole and Special Circumstances*).

In RAC1 of the RJCP Funding Agreement job seeker mutual obligations are included in the definition of “Social Security Activity Test Requirements”.

### 2.2 Delivery

As part of Basic Services, providers must prepare and maintain Job Plans. Providers must support job seekers to meet the requirements outlined in their Job Plan and to help job seekers into paid work.

Providers must also deliver the following employment assistance to job seekers:

- provide suitable activities to allow all job seekers to meet their mutual obligations;
- help in searching and applying for jobs, including: providing reasonable access to JobSearch facilities, creating online resumes, and support preparing for interviews;
- provide on-the-job training, Mentoring, or Post-placement Support;

Providers are encouraged to link with non-government organisations that have existing resources, social capital, and expertise in delivering these services.

It is important that providers maintain a minimum of monthly contact with job seekers. This includes maintaining referral and registration services, undertaking initial interviews, assessments and ongoing contact with their job seekers. It also includes managing the exit of job seekers from CDP.

Active job seeker compliance monitoring and reporting is also central to Basic Services.

For further information about job seeker compliance refer to the *Job Seeker Compliance Framework User Guide* and *Job Plan User Guide*.

## *Case Study – Basic Services*

*Jess attends her initial interview with her provider who conducts an assessment (JSCI) to determine her barriers to employment, to get a better understanding of her current interests, and to ascertain her level of skills and education. She is assessed as requiring Basic Services because she is 51 and is receiving income through mining royalties.*

*In her initial interview, the provider works with Jess to identify the types of jobs she would like to find and they put together her Job Plan. As Jess would like a role working with her local community, the provider enrolls her in a course to obtain her First Aid Certificate.*

*While Jess completes her training she works with the provider to look for job vacancies. The provider finds a role as a Community Care officer working with the local regional council. She is given assistance to update her resume and to write a job application. Jess is successful in gaining an interview and with the help of her provider does research about the role and practices mock interview questions to prepare for the interview.*

*Jess gets the job and loves working in her new role. Whenever she has a question (for example when she was unsure about what to wear on her first day of work) she feels happy knowing she can always ask her provider if she feels stuck. After Jess has been in her new job for 13 weeks the provider receives an Employment Outcome Payment of \$2,250. After an additional 13 weeks – once Jess has been in her new community care role for a total of 26 weeks – the provider receives an additional \$5,250.*

*Over at least 26 weeks the provider offers Post-placement Support to Jess when she needs it to make sure she is able to address training and cultural barriers. The provider receives a Basic Service payment during this 26 week period.*

## 2.3 Eligibility

All job seekers on a provider's caseload are Eligible Job Seekers for Basic Services. Broadly, if an individual is on Income Support and resides in remote Australia they will be eligible for CDP.

The eligibility of a job seeker is generally determined by the Department of Human Services (DHS), before they are referred to a provider. However, providers can also directly register job seekers if they meet the relevant criteria for direct registration.

From 1 July 2015, many job seekers will be eligible to undertake Work for the Dole activities. For further information on Work for the Dole activities refer to *Chapter 3 – Remote Employment Services (Including Establishment and Conduct of Work for the Dole)*.

Job seekers who are not required to do Work for the Dole activities will receive only Basic Services, unless they agree to do Work for the Dole activities.

Work for the Dole activities offer all job seekers valuable work-like skills while contributing to community, so participating in Work for the Dole should be encouraged.

Additional services must be offered for vulnerable job seekers or job seekers with a disability consistent with the General Terms and Conditions of the Funding Agreement – see *Chapter 7 – Participating in the CDP*.



For further information on Income Support eligibility please contact the Department of Human Services.

## Supporting people who are not eligible for income support

Providers can provide Basic Services and Remote Employment Services (Work for the Dole activities) to individuals who are not Eligible Job Seekers (known as 'CDP Ineligible Participants' under the RJCP Funding Agreement).


Where the CDP Ineligible Participant wants to participate in Services or activities, the provider should speak with the PM&C Regional Manager and seek approval for funding to deliver services if appropriate.

There may be instances where the provider will receive payment for the provision of Basic Services or Work for the Dole activities to CDP Ineligible Participants. At the time of any approval, PM&C will notify the relevant provider about the details for providing Services to CDP Ineligible Participants (and this notice will expressly authorise those details for the purposes of this Guideline).









## 3. Remote Employment Services (Including Establishment and Conduct of Work for the Dole)

### 3.1 Overview

Providers are required to establish and conduct Work for the Dole activities and place the following job seekers in those activities:

- All job seekers who meet the criteria for participation in Work for the Dole, which are specified in section 3.3 below; and
- Any other job seeker who chooses to participate in Work for the Dole.

Work for the Dole activities should be work-like reflecting local employment opportunities or be relevant to community aspirations and meet community needs.

Work for the Dole activities must be safe and, where applicable, allow job seekers to fulfil their mutual obligations (in RAC1 of the RJCP Funding Agreement, these mutual obligations are included in the definition of “Social Security Activity Test Requirements”).

### 3.2 Delivery

Providers should deliver a mix of Work for the Dole activities that:

- Establish a daily work-like routine for the job seeker, five days a week (Monday to Friday); and
- Are guided by a Supervisor.

Job seekers can be placed in one or more Work for the Dole activities, which should:

- Develop and enhance their ability to work independently;
- Improve or enhance communication skills, motivation, and dependability; and
- Where possible, provide the job seeker with experience working as part of a team.

PM&C Account Managers are available to support providers to work with communities and job seekers to establish meaningful and engaging activities.

## Case Study – Work for the Dole

*Justin is an eligible Work for the Dole job seeker with full mutual obligation requirements (25 hours a week). To receive his income support payments, Justin must show he is actively looking for work and participating in activities that will help him get into employment. These requirements, known as mutual obligation requirements, are outlined in Justin's Job Plan.*

*Justin is placed in a local roads construction activity hosted with the local council Monday to Friday for four hours a day. The Host Supervisor records that Justin has attended. Once he finishes up with the council each day Justin also spends one hour participating in a group project run by his CDP provider that focuses on building language, literacy and numeracy skills.*

*This project supports Justin's ability to undertake his local roads construction activity and improves Justin's employability. The provider records Justin's attendance. In addition to his 25 hours a week in Work for the Dole, Justin also attends regular provider appointments, and goes into his provider's office two days a week to look for a job as agreed in his Job Plan.*

## Work for the Dole Activities

Over time, a Work for the Dole activity should build a set of skills and experience for the job seeker that provides them with a pathway to real employment.

Work for the Dole activities should be designed to meet the aspirations, capacity and needs of individuals, and wherever possible, communities. Activities should also generate outcomes to benefit the community, like stronger school attendance and improved community safety.

All Work for the Dole activities should be work-like in that they reflect the typical daily work routines and expectation that one would expect to see in any workplace in Australia. This could include set starting times, a reasonable number of hours of activity each day, lunch breaks, meeting with and reporting to Supervisors each day and clear tasks and responsibilities. All Work for the Dole activities should be delivered across a five day, Monday to Friday, working week.

A Work for the Dole activity can include a job seeker taking up non-vocational and vocational training if it is a necessary or critical component of the Work for the Dole activity or a prerequisite for a job.

Part-time employment is not a Work for the Dole activity. Where job seekers are in part-time employment, providers should record the employment as an activity in the job seeker's Job Plan as employment using the appropriate code. Employment should not be recorded in the Job Plan as a Work for the Dole activity.

Work for the Dole activities cannot:

- Generate income without the written approval of the PM&C Regional Manager (see chapter 4 for additional information on *Activity Generated Income*);
- Compete unfairly with existing organisations or businesses;
- Replace or reduce the hours of paid employment in local jobs;

- Include training for training sake, where the training provided is not linked to the activity or a job; or
- Involve the job seeker working with, or assisting in any way, an organisation that is owned or controlled by the job seeker (unless agreed by PM&C).
- Involve activities that could bring the job seekers, providers or PM&C into disrepute, for example activities in:
  - The sex industry or anything that involves nudity or pornography
  - The gambling industry
  - Any form of illegal activity
  - Any form of high risk activity

Providers must not conduct any Work for the Dole activity, or place any job seeker into a Work for the Dole Activity, that is excluded from PM&C's insurance coverage, without first obtaining written permission from PM&C (see section 9.9- *Managing Risk* for more details about the insurance arrangements). If permission is given, it will be the provider's responsibility to ensure they obtain adequate insurance for any Work for the Dole activity that is not covered by PM&C's insurance.

Providers must ensure that all Work for the Dole activities in which eligible job seekers participate (including those through sub-contracting and host arrangements) are safe and comply with all laws and do not bring the job seeker, the provider or the Australian Government into disrepute.

#### Risk Assessments

Providers must ensure a risk assessment has been conducted, either by them, a subcontractor or a host before placing eligible job seekers into Work for the Dole activities. It is the responsibility of the provider to ensure that the Work for the Dole activity is safe and complies with all relevant laws. Risk assessments should be reviewed and updated regularly (every 6-12 months) and more often if circumstances change.

Evidence of completed risk assessments must be provided to PM&C if requested. A Risk Assessment template is available on the Provider Portal (see *CDP Risk Assessment (Activity) Template*) or providers may choose to use their own template. Whichever template is used, providers are responsible for ensuring that the risk assessment analyses the possible risks associated with the Work for the Dole activity, assesses the likelihood and consequences of those risks and develops strategies to eliminate or sufficiently minimise those risks, so that the provider can be satisfied that it can ensure that the activity is safe and complies with all laws.

Further information about managing risk is detailed in section 9.9 Managing Risk.

The **Remote Projects in a Box** is a suite of resources that can assist providers to establish or expand current activities to become Work for the Dole activities. The resources help providers design and develop activities. Each box focuses on a category of work-like experiences designed to build a job seeker's skills and employability. The resources are primarily intended as a guide and activities can be varied and tailored to local circumstances and the needs of job seekers.

For further guidance on the kinds of activities that might be delivered, see *Remote Projects in a Box* on the Provider Portal secure site.

## *Work for the Dole activities that support communities*

*Examples of activities that support school attendance:*

- *Helping out in the school canteen.*
- *Supporting children with language and culture.*
- *Running school holiday or after school activities.*

*Examples of activities that support community safety:*

- *Maintaining community meeting places.*
- *Women's and men's groups and shelters.*
- *Animal control.*
- *Community clean up.*

*Examples of activities that support culture:*

- *Cultural heritage preservation e.g. cultural site.*
- *Language preservation.*

*Examples of activities that support healthy living:*

- *Health and nutrition classes.*
- *Assistance for the elderly.*
- *Assistance with proof of identity documents for community members.*



## *Case Study – School and Work for the Dole*

*There is a need to get more kids in schools. Going to school and being at school every day gives every child the best chance for a good start in life.*

*Getting children to school is important for stronger communities.*

*Delivering appropriate activities in and around schools will support school engagement and attendance by kids in the community whilst assisting job seekers to gain a variety of skills and work-like experiences that could provide them with future employment prospects in the school and related sectors. Because job seekers will be at school, in regular routines, making the school a better place to be, job seekers are also promoting and encouraging parents, kids and the community to support school attendance. Duties could include:*

- *A breakfast and lunch program within the school grounds to ensure children get nutritious food, do not arrive hungry or leave school grounds at lunchtime.*
- *Reading to kids, listening to reading, assisting with cultural activities and keeping the library functional.*
- *Providing aid during school outings, excursions and other activities.*
- *Organising, promoting and providing posters and other media for school attendance across the Region.*
- *Developing and producing a weekly Regional school/community radio programme and newsletter.*
- *Small building, maintenance and beautification projects.*
- *Cultural preservation activities (for example participating in cultural excursions or skills classes for school-aged children).*

*Developing routines conducive to and reflective of work like behaviours, in parents of school age children is integral to a seamless transition into employment. The task of preparing children for their school day and conducting the school drop off is part of this work-like routine. Job seekers with school aged children can volunteer to include taking children to school in a Job Plan as a voluntary activity.*

## **Setting Up and Managing Work for the Dole Activities**

Providers should give consideration to the Guidelines and consult with communities when establishing Work for the Dole activities.

Activities must enable job seekers to meet their mutual obligations outlined in their Job Plan and provide a daily routine and work-like experience. Providers must place job seekers in activities and monitor and support them to attend.

Activities can be established by providers or under Host arrangements within the Region. Hosts can include employers, all government organisations (Commonwealth, state or territory and local government levels) and non-government organisations.



## Developing Training as a Work for the Dole Activity

Providers can include accredited and non-accredited, non-vocational and vocational training as part of a Work for the Dole activity.

A job seeker who is participating in an approved full-time short course, included as a compulsory activity in their Job Plan, will still be required to look for and accept work, but not where it conflicts with the contact hours of the course or if it would prevent them from completing the course.

Providers should only approve a full-time education or training course if:

- they include it as a compulsory item in a job seeker's Job Plan, and
- the course is less than 12 months duration, and
  - completing the course is likely to lead to an employment outcome for the job seeker,
  - there is little chance of the job seeker finding employment with their existing skills, or
  - the course will lead to qualifications in an identified area of skills shortage.

Any training provided as a Work for the Dole activity must allow or assist the job seeker to participate in a Work for the Dole activity or directly meet the needs of an employer.

Examples of Work for the Dole Activity Training	
Foundation and Basic Work Skills (Pre-Vocational Training)	Vocational Training that must directly meet the needs of an Employer
<ul style="list-style-type: none"><li>• English, language, literacy and numeracy</li><li>• Driver's licence</li><li>• Personal, health and household management</li><li>• Occupational health and safety</li></ul>	<ul style="list-style-type: none"><li>• Environmental and land management</li><li>• Administration and bookkeeping</li><li>• Computing and information technology</li><li>• Child care</li><li>• Social work and counselling</li><li>• Construction</li><li>• Health and education</li><li>• Hospitality and tourism</li><li>• Retail and business management</li><li>• Pre-apprenticeships training linked to the needs of an employer</li><li>• Local government services</li></ul>

### *Case Study – Training and Work for the Dole Activities*

*Rick is engaged in a Work for the Dole activity up to 25 hours per week with the local ranger programme. Rick needs a driver's licence to be able to fully participate, as well as activity specific training from time to time. Because Rick's training forms part of the ranger activity he attends a driver instruction course, and a weed control course to make up his 25 hours for the first few weeks of the activity. The provider has structured these activities in a way that ensures Rick has a work-like daily routine, five hours each day on Monday to Friday.*

### 3.3 Criteria for Participation in Work for the Dole and Special Circumstances

To be required to do Work for the Dole, job seekers must meet all of the following criteria:

- Be 18-49 years of age;
- Receive the full rate of Income Support;
- Not be exempt from mutual obligation requirements; and
- Not have an illness, injury or disability that would be aggravated by the work conditions.

Work for the Dole activities are the principal activities that will build employable skills, and assist job seekers to transition from welfare to work. Job seekers who are on a part-rate of Income Support may volunteer to participate in Work for the Dole, but cannot be required to do so.

To fulfil their mutual obligation, job seekers can attend one or more Work for the Dole activities, five days a week up to 25 hours, depending on their assessed capacity to work.

They may participate alongside other job seekers:

- Who meet the above criteria for participation in Work for the Dole activities; and/or
- Who choose to participate in Work for the Dole activities?

### Approved Programme of Work Supplement for Job Seekers

Job seekers participating in Work for the Dole are paid a supplement of \$20.80 per fortnight to assist them to meet the additional costs of participation. The supplement is taxable, but is exempt from the income test.

The supplement is not paid on a pro-rata basis. The full payment is made for the fortnights in which the activity begins and ends, regardless of the actual number of participation hours completed in those fortnights. If a job seeker ends participation in Work for the Dole without good reason, the supplement will cease to be paid from the next payday.

### Work for the Dole Activity Scheduling

Providers should deliver a mix of activities that set a daily routine for job seekers across a five day, Monday to Friday week. However, there are some special circumstances where a Work for the Dole activity which may add value to community or increase a job seeker's employability, cannot practically be run over a five day period and/or during business hours. Some examples include intensive cattle mustering activity or a community arts festival. Alternatively, an activity may occur regularly after business hours, for example, helping out at a weekly community youth event in the evening.

Providers should submit a proposal to PM&C seeking approval for the job seeker to meet Work for the Dole requirement through a more flexible arrangement, i.e. less than a five days week and/or outside business hours. The proposal should not involve a subsequent long period of inactivity for job seekers.

The proposal should include:

- ✓ The hours the project will run and the number of days per week

- ✓ Reasons why the Work for the Dole activity cannot be conducted in normal working hours and why the proposed times are necessary
- ✓ How the project enables a job seeker to meet their continuous mutual obligation requirements while they build skills and develop work-like behaviours
- ✓ How the project contributes to an employment pathway for the job seeker
- ✓ Any additional risks to health and safety imposed from working longer hours or outside normal business hours and how these risks have been considered and mitigated
- ✓ Evidence the activity meets State and Federal legislative and occupational health and safety requirements, such as appropriate breaks and meal times
- ✓ Supervisory arrangements, especially outside of business hours
- ✓ Arrangements to ensure that the project does not impact on other priorities like school attendance or community safety
- ✓ The proportion of a job seeker's Job Plan that include outside business hours participation on a regular basis.

Once this activity is approved by PM&C, job seekers undertaking the activity are able to meet their mutual obligation requirements for a fortnight (up to 50 hours) flexibly within the fortnight and/or outside business hours. For example, if a job seeker is undertaking a mustering activity, they may do 15 hours in the first week and the remaining 35 hours in the second week. Or an activity may involve a job seeker attending a community youth activity held in the evening once each week. The time spent at that activity can be included as part of their Work for the Dole hours. If the job seeker is required to do Work for the Dole, once they agree to the arrangements in their Job Plan it becomes a compellable activity. The provider should use the job seeker compliance framework to manage their attendance in this activity. For job seekers without a Work for the Dole requirement, this activity remains a voluntary activity.

Where there is a clear need, a provider may seek the approval of PM&C for the majority of a job seeker's 25 hour a week Work for the Dole requirement to be performed in a support service, such as drug and alcohol rehabilitation, or counselling for the job seeker. In these situations, the provider will be required to monitor and confirm attendance in the support service.

## Under 18 years of age

Providers are required to deliver Basic Services to job seekers under 18 years. Where appropriate, providers should encourage job seekers under 18 to re-engage in school or other education (including vocational training). Providers are required to ensure job seekers under 18 are able to meet their mutual obligation requirements through a combination of approved activities.

Job seekers under 18 are not required to participate in Work for the Dole, but may choose to participate on a voluntary basis where the provider determines that it is the most appropriate activity for them. In placing job seekers under 18 into Work for the Dole, providers should apply rigorous processes and checks to ensure that these participants are able to undertake Work for the Dole activities in a safe environment.

Job Plans for job seekers under 18 must not have compulsory job search as part of their mutual obligation requirements. They can only undertake job search on a voluntary basis if agreed with the provider.



## Early School Leavers (ESLs)

An Early School Leaver (ESL) is a person who:

- a) is less than 22 years old, and
- b) has not completed Year 12 or an equivalent level of education, and
- c) receives Youth Allowance (other).

Providers should encourage ESLs to re-engage in education and/or training, to obtain educational qualifications and skills before they are required to look for work. Providers should focus on assisting job seekers to complete school or a year 12 equivalent qualification wherever possible.

ESLs under 18 are not required to participate in Work for the Dole, but may choose to participate on a voluntary basis. Providers are required to ensure job seekers under 18 are able to meet their mutual obligation requirements through a combination of approved activities, with a focus on re-engagement in school or other education wherever possible.

Job Plans for ESLs must not have compulsory job search as part of their mutual obligation requirements. They can only undertake job search on a voluntary basis if agreed with the provider.

To assist ESLs to re-engage, providers should consider:

- liaising with the Remote School Attendance Strategy (where available), local education and training institutions, regional or district state education officials, youth services, and DHS to develop an agreed approach locally for new youth referrals – this may include alternative formats provided by vocational education providers, including any specific arrangements made by schools to support the re-integration of disconnected youth;
- check if there is a “transition support unit” servicing the area (such as those used in North Queensland and currently being developed in the Northern Territory);
- consider opportunities for participants and their families to attend visits from boarding school staff (local schools should know when these occur);
- contact the Career Employment Australia Indigenous Community Facilitator/ Career Pathways Adviser in their area (see [www.ceainc.org.au](http://www.ceainc.org.au));
- promote vocational education and training in school opportunities;
- develop a Job Plan focussed on reconnecting ESLs to education or training institutions;
- addressing barriers to participating in education including assisting with, for example:
  - mentoring support;
  - assistance for literacy and numeracy;
  - transport costs.

Education and training authorities regularly review their service offering so it is important to keep in regular contact with schools, training providers and regional/ district directors of education. However, where a return to school or commencement in training is not possible in the short term due to remoteness or other barriers, ESLs should be engaged in part-time education/training in combination with other approved activities to help them address barriers to re-engagement in education/training or work, and to meet their mutual obligation requirements.

These activities should focus on work preparation and foundational skills (LLN, obtaining a driver’s licence). When there are no opportunities available for the job seeker to return to school or gain

additional education/training, the provider will be required to ensure the job seeker meets their mutual obligation requirements through approved activities.

## Over 49 years of age

While job seekers over 49 years cannot be compelled to participate in Work for the Dole, they may still have mutual obligations. Providers must deliver Basic Services to job seekers over 49, and make available various activity options for them to meet their mutual obligations. Job seekers over 49 may volunteer to participate in Work for the Dole as a way of meeting their mutual obligation.

For a summary of the mutual obligation requirements for all cohorts of CDP Job Seekers, refer to the table below.

## Job Seekers with a Partial Capacity to Work

Some job seekers may have vocational or non-vocational issues that prevent them from participating at a higher capacity and may be assessed as having Partial Capacity to Work (PCW) or a Temporary Reduced Work Capacity (TRWC). Assessed work capacity is identified by an Employment Services Assessment (ESAt). Where there is no ESAt, the Job Seeker Classification Instrument (JSCI) may also help identify personal issues that may affect a job seeker's employability. Refer to the *Employment Services Assessments User Guide* and the *Job Seeker Classification Instrument User Guide* for more information.

The provider must review the job seeker's identified barriers or personal issues and determine activities that will best help the job seeker address these issues while ensuring they meet their fortnightly Mutual Obligation Requirements.

## Principal Carer Parents

Principal Carer Parents (PCPs) also have part-time mutual obligation requirements once the youngest child in their care turns six years of age. Providers must consider a PCP's family and caring responsibilities, including the availability of child care, when creating their Job Plan.

PCPs do not have mutual obligation requirements during the fortnight of the Christmas Public Holidays. PCPs must continue to meet their mutual obligation requirements at all other times and during school holidays. However providers must consider whether the PCP can access appropriate care and supervision for their child during this time.

If the PCP is required to undertake an activity but is unable to obtain suitable child care they will have a Valid or Reasonable Excuse to not undertake that activity. For more information on mutual obligations requirements and exemptions for parents please refer to the [Guide to Social Security Law](#).

<b>Summary of Mutual Obligation Requirements for CDP Job Seeker Cohorts</b> All CDP Eligible Job Seekers must be provided Basic Services as a minimum level of service				
Under 18 years old	18 -49 years old eligible for Work for the Dole	18 -49 years old ineligible for Work for the Dole	50 -59 years old	60 years and over
<ul style="list-style-type: none"> <li>• Monthly appointments.</li> <li>• Looking for a job as agreed with the provider.</li> <li>• May choose to participate in Work for the Dole activities on a voluntary basis.</li> <li>• They may undertake suitable activities, as appropriate.</li> <li>• They may participate in full-time education or training or part-time education or training in combination with other suitable activities for at least 25 hours per week until they attain Year 12 or an equivalent qualification.</li> </ul>	<ul style="list-style-type: none"> <li>• Monthly appointments.</li> <li>• Looking for a job as agreed with the provider.</li> <li>• 25 hours per week in Work for the Dole activities, or up to their assessed capacity.</li> </ul>	<ul style="list-style-type: none"> <li>• Monthly appointments.</li> <li>• Looking for a job as agreed with the provider.</li> <li>• May choose to participate in Work for the Dole activities, up to their assessed capacity.</li> <li>• May undertake other suitable activities, as appropriate.</li> </ul>	<ul style="list-style-type: none"> <li>• Monthly appointments.</li> <li>• Looking for a job as agreed with the provider.</li> <li>• Have mutual obligation requirements and may choose to participate in Work for the Dole activities, up to their assessed capacity.</li> <li>• They are required to participate in other suitable activities, as appropriate.</li> </ul>	<ul style="list-style-type: none"> <li>• Job seekers aged 60 years and over may <b>have</b> mutual obligation requirements and may volunteer to participate in Work for the Dole activities or other suitable activities*as appropriate.</li> </ul>
<ul style="list-style-type: none"> <li>• Principal Carer Parents (PCPs) should participate in activities of at least 30 hours per fortnight (and as appropriate, Job Search). There may only be one PCP per family.</li> <li>• Job Seekers with a Partial Capacity to Work (PCW) or a Temporary Reduced Work Capacity should participate in activities of at least the minimum hours of their assessed capacity (and as appropriate, Job Search).</li> <li>• Attending provider appointments and completing job search requirements <u>does</u> not count towards the job seeker's required Work for the Dole hours.</li> </ul>				

## Time off or breaks in Work for the Dole Activities

In most cases, job seekers receiving income support payments have mutual obligation requirements where they must show that they are actively looking for work and are participating in a range of activities that will help them into employment. Work for the Dole activities are the principal activity that offer all job seekers valuable work-like skills while contributing to community and should be offered all year round in CDP.

There will be times when a job seeker will be permitted to have a break (or time off) from participating in a Work for the Dole activity.

'Time off' only applies to job seekers required to participate in Work for the Dole, not those job seekers who are participating in Work for the Dole voluntarily or who are only receiving Basic Services. 'Time off' does not give the job seeker an exemption from meeting their mutual obligations - it only gives them a break from participating in Work for the Dole. The job seeker will still be required to meet their mutual obligations and the provider will be providing Basic Services during their 'time off' from Work for the Dole. This means that the job seeker will still be required to attend appointments with their provider, complete job search requirements if applicable, and other activities as required.

In this case, providers must update the job seeker's Job Plan with other activities that the job seeker would need to undertake to meet their mutual obligation requirements. A requirement to participate in Work for the Dole should be removed from the Job Plan for the period of 'time off'.

Providers should consider the individual personal circumstance of a job seeker before the provider agrees to offer other activities for the job seeker, for a set period. This may be necessary where the individual has caring responsibilities during school holidays or during normal business shut-down periods and public holidays, for example over Christmas or Easter.

There may also be instances where the provider determines that the job seeker's personal situation should be referred to Department of Human Services for a review of their mutual obligations.

This 'time off' from Work for the Dole activities should not exceed six weeks over a 12 month period without approval from PM&C. Providers should carefully consider a job seekers' circumstances when agreeing to 'time off'. This includes looking at, the job seeker's assessed capacity to work, age, skills and experience, the length of travel required to undertake requirements, family and caring responsibilities, cultural factors, vulnerabilities, history of complying with the mutual obligation requirements.

At the end of the permitted 'time off', the job seeker's Job Plan must be revised to again include the job seeker's requirement to participate in Work for the Dole. Note that Job Plans can be negotiated and approved online, so that an additional appointment may not be necessary.

In these circumstances, the provider will be required to deliver Basic Services during the period of the 'time off' and will receive the Basic Payment until the job seeker returns to participating in Work for the Dole.

When providers would like to approve additional 'time off' beyond the allowed 6 weeks, they should submit a recommendation and approval request to their Regional Manager. The request should include a summary of the relevant job seekers and outline their recommendation of what is considered best for their ongoing participation and engagement in Work for the Dole and CDP.

## Cultural Business

There are times in some remote communities where job seekers will need a break in activities to participate in Indigenous cultural business. Indigenous cultural business relates to the cultural practices of Indigenous Australians.

Cultural business is an allowable break from meeting their mutual obligation requirements for income support recipients under the Social Security Act. The guidance available under Social Security legislation recommends that generally, a job seeker can have a short initial period, for example, two weeks break.

Initially, providers are required to verify individual job seeker's engagement in Indigenous cultural business and report these instances to the Department of Human Services. Where the break required is longer the PM&C Regional Manager should be formally notified. They should also be notified where these arrangements are in place in a community and a high number of job seekers are involved in these arrangements.

Only the Department of Human Services can approve an exemption from mutual obligation requirements for job seekers. PM&C staff will be available to assist you to engage with the Department of Human Services about cultural business and allowable breaks. Providers should sensitively work with cultural leaders and communities to determine the length of time that may be required for Indigenous cultural business and the impact of this on the CDP programme delivery in community and a job seeker's ability to continue to develop their work skills and look for work.

It is recommended that this consultation considers carefully the requirements of local and cultural protocols balanced with priorities of jobs, participating in mutual obligation, school attendance, and community safety and well-being.

PM&C will support providers to work with cultural leaders and with local advisory groups, such as Indigenous Advisory Councils where established, to develop community agreed rules on how cultural business will be accommodated into the programme requirements. PM&C Regional Manager should be formally consulted prior to formalising these community level arrangements for cultural leave.

Further information on Cultural Business and other exemptions in special circumstances (e.g. caring responsibilities) can be found at <http://guides.dss.gov.au/guide-social-security-law/3/2/11/40..>

### 3.4 Supervision

In all Work for the Dole activities a provider must ensure that supervision is appropriate, adequate, and consistent with the General Terms and Conditions of the Funding Agreement.

Where Vulnerable People are involved a provider must ensure that supervision is continuous. That is, the job seeker must be in the line of sight of the Supervisor at all times.

Workplace health and safety requirements apply for all Work for the Dole activities. It is also important that providers consider appropriate levels of skill/knowledge when engaging Supervisors, for example assisting them to obtain first aid certification if required.

The individual needs of job seekers are to be considered, such as the needs of Aboriginal or Torres Strait Islander persons, principal carers, persons with a disability, or people from a cultural or linguistically diverse background.



Providers should ensure that appropriate training is available for nominated Supervisors and the necessary checks are undertaken (including police checks and, where relevant, working with children or Vulnerable People checks).

Supervisors are considered employees/or subcontractors of the provider and National Employment Standards (NES) awards apply.

Providers must ensure that Supervisor absences do not disrupt or adversely affect the delivery of Work for the Dole activities.

Supervisors play a critical role in supporting the provider to monitor and actively manage job seeker attendance. It is important that Supervisors undertake daily assessment of attendance and support the providers to monitor and report on job seeker compliance.

Special circumstances apply to supervision arrangements for small communities with fewer than 10 job seekers (e.g. outstations and homelands).

### 3.5 Small communities with fewer than ten Job Seekers

It is recognised that special consideration is required for providers servicing communities, outstations, and homelands where a very small number (fewer than 10 job seekers) may reside and where the dispersed or isolated nature of the Region means that ongoing monitoring of daily attendance is impractical.

In these circumstances, where there are fewer than 10 job seekers in a community or homeland, providers may seek from PM&C approval to deliver Work for the Dole in alternative ways that provide a benefit to the individuals and the community or homeland, including through projects that are self-managed by job seekers.

In these circumstances a provider should submit a proposal to PM&C for consideration. Proposals will be considered on a case by case basis.

The proposal should clearly outline the Work for the Dole activity, the timeframes, milestones, outcomes and how the proposal will provide a sufficient level of activity for job seekers to meet their mutual obligation requirements over a determined period. The proposal should also outline the costs of the project and the level of investment that will be made to the homeland or community.

If PM&C approves the Work for the Dole activity, the provider is paid Work for the Dole payments for job seekers undertaking the activity to cover the cost of set up and supplies as long as they inspect the Work for the Dole activity regularly (no less than monthly) and are able to confirm that work has occurred and that job seekers have been engaged in the activities. If providers are concerned about their ability to service small communities with fewer than ten job seekers they can speak further with their local PM&C Regional Manager.

### *Example – Small communities with less than ten job seekers*

*A provider would like to deliver a Work for the Dole activity that involves building an outdoor community meeting area and cooking facilities in the homeland. The provider would need to demonstrate how the Work for the Dole activity would provide job seekers with work-like skills and benefit the community. They would need to outline the tools and other building supplies required, and timeframes and milestones for the completion of the activity and how this meets the job seekers mutual obligation requirements.*

*If there are 10 job seekers on the homeland, the provider will need to demonstrate that an appropriate and reasonable amount of the Work for the Dole funding will be invested in materials and resources. The provider will also need to demonstrate that the project offers sufficient hours of work to meet the job seekers mutual obligations. If each of the 10 job seekers had mutual obligations of 15 hours per week, the project should offer 150 man hours of activity each week.*

*As supervision will not be provided on a daily basis, the provider will need to set project milestones that can be measured on visits to the homeland. These visits must occur regularly, no less than once a month. During these visits the Supervisor should assess completion against milestones, job seeker safety, and ensure the ongoing appropriateness of the project. Providers are responsible for the costs of providing supervision and Basic Services to the community and will need to allocate resources from their Work for the Dole payment (\$12,450) to cover this.*









## 4. Activity Generated Income

### 4.1 Overview

In principle, income from activities should not be retained by providers, who are funded by the Government to deliver job seeker activities.

However, recognising that providers currently have a mix of existing arrangements and models in place, existing activities that generate income can be retained (be grandfathered) until 1 January 2016.

During this six month grandfathering period, PM&C will consult with providers and communities on the best way to manage activity generated income. During this period, activities that generate income can only be established, with the approval of the PM&C Regional Manager, if a fair market price is charged by the provider for the goods and services produced. Providers can, with PM&C approval charge less than the market prices, if markets are too small or incomes too low to support a sustainable business.

Where possible, income generating activities should be converted into businesses.

### 4.2 How Activity-Generated Income can be used

Existing activities that generate income can remain in place until 1 January 2016. During this 6 month period, providers should start talking to job seekers and the community about how this income could be used, or begin converting the activity into a related entity business.

PM&C may approve a transitional period that is longer than six months, for example if more time is needed to work out whether to establish a related entity business.

Over the six months transitional period, PM&C will consult with providers and communities on the best arrangements for activity generated income. In principle, activity-generated income should not be retained by providers, who are already paid by the Government to deliver activities. Instead, job seekers participating in the activity should be given a say in how income generated from their activity is used. This will ensure that job seekers and their communities can benefit from their economic activity.

For example, job seekers could choose to:

- Pay themselves for their efforts, immediately or over a longer time period.
- Share income with other job seekers.

- Put the money into facilities or infrastructure for the community such as play equipment for children.
- Use the money to improve the activity.

Job seekers may decide to put the money back into an activity so that they can produce better goods and services for themselves and their communities.

For example:

- A catering activity could provide meals for job seekers for a small fee. Job seekers could agree that the provider will use this money to cover the cost of ingredients.
- Money from selling art can be used to purchase high quality art materials and retailing their work to the public.

## 4.3 Establishing Activities that Generate Income

Over the next 6 months, providers must obtain the prior written approval of the PM&C Regional Manager before establishing a new activity that will generate income.

New activities that generate income will be approved by PM&C where providers charge a fair market price for goods and services. The fair market price is the price charged by other organisations or businesses in the local community for similar goods or services. This ensures that the activity does not compete unfairly with existing businesses.

PM&C will also approve activity generated goods and services being sold at or below cost-price where markets are too small or incomes are too low to be able to support sustainable businesses.

Examples – Activities that generate income:

- An activity provides curtains for families in the community for a small fee that covers some of the costs of materials. Although curtains can be purchased in town, the families that receive the curtains do not have the money to buy them.
- A catering activity makes healthy lunches for Work for the Dole participants. The provider charges a small amount to cover the costs of ingredients. Job seekers can get meals from local food carts but these do not sell healthy food. There are shops in town that sell healthy food but they charge prices that are unaffordable for job seekers.
- A mowing activity helps elderly people. Although there is a gardening business in town, the elderly people cannot afford to hire them to do the job.

## 4.4 Converting Activities into Businesses or Social Enterprises

Providers are encouraged to convert activities that can generate significant income into sustainable businesses or social enterprises that are separate from the provider's employment services business. These enterprises will create real jobs and have flow on benefits for economic development.

Businesses that are separate from a provider's employment services business can:

- provide real jobs
- host job seekers
- compete with other businesses
- generate profits for the owners or reinvestment in the community.

Providers may be eligible for support under the Indigenous Advancement Strategy for these enterprises.

Up to \$25 million per year has been allocated to assist Indigenous businesses access start-up funding, and for business support and mentoring.

Providers may also seek agreement from their PM&C Regional Manager for a higher number of hosted job seekers for a period of up to two years as they are establishing the separate business (see chapter five on hosted placements).

### *Case Study – Turning a landscaping activity into a business*

*Provider X has established a landscaping activity. The provider has used their CDP funding to buy the necessary materials and equipment and participants have become skilled at landscaping activities.*

*The local shire and several private businesses want to contract the provider for landscaping services, including graffiti removal, minor building, beautification, gardening, lawn care and weed management.*

*The provider realises that the activity could generate enough income to become a sustainable business that provides a number of real jobs and quality hosted placements for job seekers.*

*The provider receives a grant from PM&C and a loan from IBA to cover the costs of establishing the new business, including setting up business systems and leasing more equipment.*

*As part of the package of business support, PM&C agree that initially the provider's new business will have 10 hosted-placements in addition to two staff who will supervise the job seekers. In six months' time, the number of Hosted Placements will go down to five and business is expected to employ two more ongoing staff to work on paid contracts.*

*After two years, Desert Landscapes employs five permanent staff and regularly hosts up to two job seekers.*

*In addition, the provider contracts Dessert Landscapes to run a hosted activity for 10 job seekers during the dry season to undertake unpaid beautification activities in remote communities. In the past, this activity would have been managed by the provider directly.*



# 5. Hosted Placements

## 5.1 Overview

A provider can arrange for a Host Organisation to deliver Work for the Dole activities on its behalf through a Hosted Placement.

Hosted placements must be safe and allow job seekers to fulfil their mutual obligations (in RAC1 of the Funding Agreement, these mutual obligations are included in the definition of “Social Security Activity Test Requirements”).

Hosted Placements can be in group community development activities or real workplaces. Group activities can be hosted by another community service provider or organisation. Job seekers can also be hosted in a real workplace by a business, social enterprise or government agency.

A Hosted Placement in a real workplace can be an important step in a job seeker’s transition from unemployment to a paid job. Experience in a real workplace can:

- Boost a job seeker’s employability.
- Introduce long-term job seekers to workplace norms.
- Improve a job seeker’s self-esteem.
- Encourage job seekers to aspire to paid employment rather than rely on welfare.

While any job seeker is eligible to participate, Hosted Placements in a workplace are likely to be more appropriate for job seekers with a higher work capacity and capability.

Providers are encouraged to arrange Hosted Placements in as many real workplaces as they can. For information on how to promote CDP to potential Host Organisations and job seekers refer to *Chapter 11 – Marketing and Promotion*.

## 5.2 Delivery

Host Organisations can be not-for-profit organisations, businesses, social enterprises, entities related to the provider, or Commonwealth, state, territory or local government agencies. Host Organisations can also be located in non-remote areas.

Where Hosted Placements are in a real workplace or involve real work, there are limits on the duration of the Hosted Placement and on the number of job seekers that can be hosted. These limits are to ensure that Hosted Placements do not displace paid work.

A workplace Hosted Placement is one that provides job seekers with experience doing things that:

- are done by paid workers
- produce goods or services for sale
- help deliver government services.

There are no limits on the duration of Hosted Placements or the number of job seekers that can be placed in community development activities that do not involve real work.

Providers must enter into contractual arrangements with the Host Organisation to define the hosting arrangements, including the number and duration of placements, supervision of the job seeker and reporting attendance to DHS. A template is available on the Provider Portal (see *CDP Activity Host Agreement*).

Some Employers may be willing to provide Hosted Placements but unable to do so for five hours per day, across a five day, Monday to Friday week. Providers can submit a proposal to PM&C seeking approval for the job seeker to meet Work for the Dole Hosted Placement requirement through a more flexible arrangement, i.e. more or less than a five days week and/or outside business hours (see *Work for the Dole Activity Scheduling* in Chapter 3 of these guidelines for details on what the proposal should address).

Hosted Placements can also be for fewer than 25 hours per week. In these circumstances, job seekers would make up their remaining hours in another activity.

An organisation that hosts an activity is likely to incur costs, for example costs for materials and supervision. Employers may also incur additional supervision costs when hosting job seekers. Host Organisations and providers will be able to negotiate a payment to cover these costs.

Payments for delivering a hosted activity should be around half of the payments that would normally be received by the provider. However, payments may be negotiated between the provider and the Host Organisation depending on the reasonable costs incurred by the Host Organisation including:

- Size and type of Host Organisation
- Hours per week
- Supervision requirements (including appropriate reporting of attendance to the provider)
- Additional mentoring support requirements
- Complexity of the activity and therefore training or skills development or required materials and equipment.

Providers cannot arrange Hosted Placements that:

- Replace paid employment in local jobs
- Involve activities that could bring the job seekers, providers or PM&C into disrepute, for example activities that involve gambling, illegal or high risk activities.



## 5.3 Hosted Placements in a workplace

An employer, including a business and government agencies, can advertise for and select job seekers for workplace Hosted Placements within certain limits. Employers can also negotiate with their local CDP provider to source suitable job seekers.

Where a job seeker is hosted in a real workplace, the following limits will apply:

- Host Organisations with up to 10 employees can offer up to two Hosted Placements.
- Host Organisations with 11 to 20 employees can offer one Hosted Placement for every five ongoing employees.
- Larger Host Organisations, including Commonwealth, State, Territory and local governments, with 20 or more employees can have four Hosted Placements plus one additional placement for every 10 ongoing employees over 20 employees. For example, an organisation with 32 staff can offer five Hosted Placements.

These limitations reduce the risk that workplace Hosted Placements displace real jobs. They will also ensure that job seekers are well supervised and surrounded by peers and colleagues as they would be in a normal workplace.

Host employers must ensure that job seekers are working within a reasonable ratio of job seekers to employees at all times. Large organisations are not permitted to group job seekers into large teams that have low ratios of employees to job seekers.

Providers may have workplace Hosted Placements within a related entity but these will be subject to the same limits as other Host Organisations, as outlined in this section.

## 5.4 Additional Hosted Placements in a workplace

The PM&C Regional Manager will consider and may approve higher numbers of Hosted Placements in a workplace (including higher ratios of job seekers to paid employees in any work team or workplace task) on a case-by-case basis, generally for temporary periods, taking into account the following criteria:

- Placements do not displace real jobs or reduce the hours of paid workers
- There is evidence of increased employability – for example, some earlier placements have been converted to real jobs in the business or elsewhere
- Whether the enterprise is a new remote enterprise and receives support from the Government's \$25 million package (see supporting new remote enterprises)

These criteria are explained in more detail below.

### Protecting real jobs

PM&C will be cautious when approving additional Hosted Placements in real workplaces. Real jobs need to be protected in all workplaces, both not-for-profit organisations and other enterprises.

PM&C will approve additional workplace Hosted Placements where these are unlikely to displace real jobs. For example where:

- A community organisation may wish to provide healthy food for elderly residents who would not otherwise pay for this service;

- A local council may wish to plant trees along roads but government funding has not been available for this project; or
- A landscape business may volunteer to create a recreational area for young people, using job seekers as labour and materials that they donate.

## Increasing employability

Hosted Placements in real workplaces may be offered for up to six months initially. PM&C may agree to extend workplace Hosted placements for a further period, where, for example:

- The job seeker is engaged on a project that is expected to last longer than six months and there is value to the job seeker in being able to see a project through to its completion; or
- There are plans in place for the job seeker to begin seasonal work within six weeks of their workplace Hosted Placement ending. It would be less disruptive and beneficial for the job seeker to remain in the workplace Hosted Placement for the additional six weeks.

Providers should encourage government agencies or businesses with more than 50 employees to offer employment to job seekers at the end of their six month workplace Hosted Placement.

Where large employers (those with greater than 50 employees) fail to convert workplace Hosted Placements to real jobs at the end of their six months, PM&C will review and consider whether that business should continue to access Hosted Placements in the future.

Underperforming job seekers must be given a fair and early opportunity to remedy any performance issues that impact on their ability to secure permanent employment with the host employer at the end of the placement.

Providers should also encourage host employers with fewer than 50 employees to offer employment to at least some job seekers at the end of their six month workplace Hosted Placement. However, these employers will not be prevented from offering additional Hosted Placements.

To facilitate the conversion of workplace Hosted Placements into real jobs, employers can be paid a \$7,500 Employer Incentive Funding amount if they employ and retain job seekers for 26 weeks (See Chapter 6.3 for additional information on *Employer Incentive Funding*).

## Supporting new remote enterprises

The Government has allocated \$25 million per year to support the development and expansion of remote organisations. As part of the package of support, PM&C may agree to a temporary increase in the number of workplace Hosted Placements for the first two years following a new organisation being established. To ensure organisations become sustainable and are not dependent on Hosted Placements, numbers of workplace Hosted Placements will revert to normal levels after this time.



## *Case Study – Men’s shed*

*A community organisation runs a local men’s shed, which is normally staffed by volunteers.*

*The provider approaches the organisation to run a Hosted Placement on its behalf. The organisation would supervise the job seekers and allow them to use their tools and facilities. Since the men’s shed is a community development activity, there are no limits on the number of job seekers that can be placed in the activity or its duration.*

*The organisation enters into a contract with the provider to run an ongoing Work for the Dole activity for 15 job seekers for 6 hours per day, 3 days per week and 3.5 hours per day, for the other 2 days of the week.*

*The provider pays the organisation \$6,000 per annum per job seeker to run this activity on their behalf. The organisation hires a supervisor to teach the job seekers carpentry skills.*

## *Case Study – Bakery*

*A local baker needs a minimum of five employees to run the store. He could use some extra help and is considering increasing his workforce. He talks to the local provider about taking on a couple of workplace Hosted Placements. As this is a real workplace, there are limits on Hosted Placements. As the baker currently has five staff he can have two Hosted Placements for six months.*

*The baker enters into a contract with the provider to take on two job seekers for 4.5 hours a day, 5 days per week for 6 months\*. As part of the contract, the provider pays the baker \$3000 for each job seeker to cover the baker’s training costs during the placements.*

*After the 6 month placement, the baker is particularly impressed by one of the job seekers and offers her a full-time job. After the job seeker has been employed for six months, the baker is eligible to receive Employer Incentive Funding worth \$7,500.*

*\*Both job seekers attend LLN courses 5 hours per week as part of their job plan in addition to these hours.*

## *Case Study – Community organisation*

*A community run childcare centre is interested in taking on Indigenous job seekers to help out in the centre. The centre doesn’t have any current vacancies, but is keen to partner with the CDP provider to provide work-like experiences for the job seekers. As it is a real workplace, there are limits on the number of job seekers they can host and properly supervise.*

*The centre works with the local provider to find two suitable job seekers to assist them. The job seekers learn about how the centre works and help out with the children for six months. At the end of the six months there are still no new jobs at the centre but the job seekers get a real job doing similar work at the local school.*

## *Case Study – Short term Hosted Placement in a workplace*

*A local business has a contract to do some fencing. The job is likely to last for 6 weeks. The business owner approaches the local provider to see whether he can have two job seekers to help and get experience on the job. There will be four paid workers on the fencing job so he can host two job seekers.*

*The fencing job is 400 kilometres away so the job seekers can't come home each day. The provider finds two job seekers that are interested in the placement. The business enters into a contract with the provider to undertake an activity for two job seekers for 30 hours in one week over six days and 20 hours in the next week over four days. The provider agrees to pay the business \$150 per job seeker per week to undertake this activity. This is enough for travel and extra costs.*

*At the end of the placement, the business offers one of the job seekers part time work. After returning home, the other job seeker moves into another activity.*

## *Case Study - Local council*

*Four job seekers are keen to get experience working at the local council. The provider talks to the council about taking them on as Hosted Placements. The council is interested but knows that it does not have the money to convert placements into real jobs after six months. The council and the providers explain this to the job seekers. The job seekers still want an opportunity to get six months real workplace experience with the council.*

*As this is a real workplace, there are limits to the number of job seekers they can host. The council places two job seekers in its eight person maintenance team and two job seekers with its administrative staff. This ensures that job seekers can be properly supervised and get quality work experience.*

*At the end of the six months, there are no vacancies to convert the placements into real jobs at the council. The provider helps the job seekers to move out of the Hosted Placements into an activity that they are converting into a business that does maintenance and cleaning work. The council provides placements, training and work experience to another four job seekers.*



## 6. Working with Employers and Employment Outcomes

### 6.1 Overview

A key objective of the CDP is helping job seekers to achieve ongoing employment. To achieve this, providers should:

- Build strong links with employers to identify ongoing job opportunities, training and work experience pathways to get job seekers into employment;
- Regularly assess the suitability of job seekers on their caseload for job opportunities with employers; and
- Support job seekers as they move into employment by providing Basic Services.

From 1 July 2015, providers will receive Employment Outcome Payments for placing and retaining a job seeker in employment for 13 weeks and 26 weeks.

### 6.2 Employment Outcome Payments

Employment Outcome Payments are made to providers to encourage them to support job seekers into employment and ensure they stay in employment.

When providers place job seekers into employment they should record a Job Placement in the IT System. This allows the IT System to track a job seeker's progress towards achieving an Employment Outcome. Providers should record the employment as an activity in the job seeker's Job Plan under the employment category. Employment should not be recorded in the Job Plan as a Work for the Dole activity.

Providers can claim an Employment Outcome where a job seeker has achieved:

- 13 weeks of employment
- 26 weeks of employment (i.e. a further 13 weeks of employment after the initial 13 week Outcome)

For each 13 week period, an allowable break in employment of four weeks is permitted. This means, for example, that a provider can claim a 13 week Employment Outcome Payment if a job seeker is employed for 13 weeks over a 17 week period.

Allowable breaks are gaps between periods of employment, not approved absences such as sick leave.

Payments will vary depending on whether the job seeker is employed on a full time or part time basis. This is summarised in the table below.

- A Full Time Employment Outcome occurs where the job seeker is off income support or fully meets their hours based requirements;
- A Part Time Employment Outcome occurs where a job seeker works sufficient hours to reduce their Income Support by at least 60 per cent or partially meets their hours based requirements (see clause 46.3 in RAC 1). The hours of employment needed to achieve a 60 per cent reduction in Income Support will depend on the type of Income Support the job seeker receives and their hourly rate of pay.

**Provider Employment Outcome Payments Table (amounts excluding GST)**

	Provider		
	13 Week Employment Outcome	26 Week Employment Outcome	Total possible on achieving 26 Week Employment Outcome
Full Time Employment Outcome	\$ 2,250	\$ 5,250	\$ 7,500
Part Time Employment Outcome	\$ 1,125	\$ 2,625	\$ 3,750

Any payments relating to job seekers placed into jobs before 1 July 2015 are payable under the original CDP Outcome Payment arrangements (i.e. those that applied before 1 July 2015).

Providers can claim Employment Outcome Payments for job seekers that they employ or that are employed by a related entity.

## 6.3 Employer Incentive Funding

An Employer is eligible for a one-off incentive payment of \$7,500 (exclusive of GST) if they employ a job seeker who achieves a Full Time Employment Outcome for 26 weeks, subject to allowable breaks. Employers can use Employer Incentive Funding in any way they choose, including to cover additional training costs or as a form of wage subsidy.

An Employer can receive a payment of \$3,750 (exclusive of GST) if they achieve a Part Time Employment Outcome over 26 weeks, subject to allowable breaks.

For each 13 week period, an allowable break in employment of four weeks is permitted.

An Employer cannot count a period of employment with another Employer towards their 26 week Employment Outcome.

## *Case Study – Allowable Breaks*

*Jimmy has been employed for 10 weeks with a bricklayer working on a construction project. The project has come to an end and the company has let Jimmy go as it has no further work.*

*A provider can still claim a 13 week Employment Outcome in relation to Jimmy if it can help him to secure another three weeks work within four weeks of being let go.*

*If the bricklayer picks up another contract and re-hires Jimmy two weeks later for a further 10 weeks, the provider will receive an Outcome Payment after Jimmy has been employed for a total of 13 weeks.*

*The bricklayer will not receive a 26 week Employer Incentive payment unless Jimmy is rehired for at least an extra 16 weeks, within four weeks of having been let go.*

The Employer Incentive Funding must be claimed by the provider and paid to the Employer.

The provider will need to claim the Employer Incentive Funding once it appears on the 'available claims' list. This will be a manual claim by the provider, and there is no time limit to claim.

Providers that receive Employer Incentive Funding must:

- Pay an equivalent amount to the Employer, within 10 business days of the funding being received; and
- Ensure an Employer is only paid once for each job seeker.

Providers do not need to make payments if the Employer has a contract with the Government for employment of remote job seekers, e.g. under the employment parity initiative.

Providers cannot claim Employer Incentive Funding for job seekers that they employ. Instead, providers will receive up to \$7,500 in Employment Outcome Payments.

Commonwealth, state and territory agencies are not eligible to receive Employer Incentive Funding, as these organisations do not require additional support.

An entity that is related to a provider can claim Employer Incentive funding when they employ a job seeker, with the approval of the PM&C Regional Manager. The provider and the PM&C Regional Manager will develop a list of related entities, which will be reviewable every six months. The PM&C Regional Manager will determine whether the related entity:

- is operating separately to the provider and should be treated as a separate business; or
- is financially separable from the employment services business (for example the businesses are cross subsidising each other) and they should be treated as the same business.

Generally, related entities operating independently from the provider will be treated in the same way as other employers. This is to encourage providers to establish businesses that are independently owned and operated, and to support the development of new entrepreneurs and vibrant remote economies.

The Regional Manager will monitor employers, including related entity businesses to ensure job seekers are retained beyond 26 weeks. PM&C may notify the provider if the Employer is not eligible to receive any further Employer Incentive funding where the Regional Manager has concerns that employers are not retaining job seekers beyond 26 weeks in order to access repeat Employer Incentive Funding.







## 7. Participating in CDP

### 7.1 Overview

Job seekers can expect to receive Basic Services and where eligible, Remote Employment Services (including Work for the Dole activities) when participating in CDP.

Most job seekers have mutual obligations and if these aren't fulfilled they may face sanctions or financial penalty under the nationally applied Job Seeker Compliance Framework.

### 7.2 Appointments

Job seekers will have regular appointments with their provider, at least monthly. Regular appointments allow timely review and updates to Job Plans and discussion on the ongoing suitability of activities. It is useful for the job seeker to discuss progress in relation to their Job Plan and to reinforce the job seeker's understanding of what they are required to do at appointments. Attending provider appointments does not count towards the job seeker's required Work for the Dole hours.

For further information refer to the *Managing and Monitoring Job Seeker Appointments User Guide*.

### 7.3 Initial Interviews

Job seekers must receive an initial interview with their provider. These interviews must be conducted in accordance with the RJCP Funding Agreement. An initial interview is really important for job seekers because it sets up the foundations for ongoing interaction with their provider.

The provider should focus on giving advice about the best ways to look for and find a job and any local opportunities that might exist. Providers should also discuss the job seeker's aspirations, goals, community needs and the opportunities available in Work for the Dole. This interview is a good time for the provider to give advice on their Code of Practice and how to search for a job and use facilities like JobSearch.

As part of the initial interview, providers should undertake the Job Seeker Classification Instrument (JSCI) to identify the job seeker's individual circumstance and any barriers to employment.

For further information on the use of JSCI refer to the *Job Seeker Classification Instrument (JSCI) User Guide* and the *JSCI Form*.

## 7.4 Referral or Direct Registration

Job seekers are generally connected with a provider by referral or direct registration.

As outlined in *Chapter 2*, the eligibility of a CDP job seeker is generally determined by DHS before they are referred to a provider.

Providers may also directly register job seekers if they meet the relevant criteria.

Job seekers can also be transferred between Regions if they relocate. In these instances, the provider should immediately contact the job seeker and commence providing services for them.

## 7.5 Contacts

Job seekers must meet monthly with their providers to discuss their progress and review the activities in their Job Plan. For some job seekers more regular contact may be required.

Providers must tailor the timing, location, and duration of contact to individual job seekers. Contact must be face to face, unless the job seeker resides in an area affected by extreme weather or a natural disaster, is in full time training, education or employment, or is participating in an activity outside of their community.

The provider should ensure that any changes are updated in the CDP IT system and Job Plan. It is important that after completing each activity a review is undertaken to track progress towards overcoming identified vocational barriers and non-vocational barriers to employment and assistance in identifying appropriate job opportunities is provided.

## 7.6 Job Search

Job seekers who are Social Security Activity Tested may have a job search requirement as part of their mutual obligation. For those job seekers, the provider should determine a reasonable number of job searches to be completed each month, taking into account local labour market conditions and the individual job seeker's circumstances. CDP participants do not have a set number of job searches that they must complete.

The provider should be reviewing and updating the Job Plan regularly with the job seeker, and can adjust the number of job searches specified in their Job Plan as needed to be responsive to these factors.

Job search does not count towards the job seeker's required Work for the Dole hours. Any job search activities should be additional to the Work for the Dole hours the job seeker is required to complete.

## 7.7 Assessments

An assessment should be conducted with a job seeker at the initial interview. This assessment should make reference to a job seeker's non-vocational barriers, literacy and numeracy needs, existing qualifications, work and voluntary experience as well as any resumes or previously written job applications.

Assessments must be conducted by the provider when a job seeker completes an activity, has a change in personal circumstances or discloses information to the provider about changes to their skills or barriers to employment.



For further information on the JSCI refer to the *Job Seeker Classification Instrument User Guide*.

## 7.8 Job Seeker Compliance

Under Social Security Law all job seekers with mutual obligation in receipt of income support are required to attend appointments, look for work and undertake activities to improve their employability and to give back to their communities. A job seeker's mutual obligation is determined by the Department of Human Services and based on income support type, age, work capacity, whether year 12 or equivalent has been completed and whether they have primary care of a child.

Providers have a significant role in overseeing mutual obligation requirements for job seekers by monitoring participation and, where job seekers are not compliant, making decisions about utilising the compliance framework or re-engaging job seekers through other strategies. Where providers determine it appropriate to utilise the job seeker compliance framework they will generally initiate the process by reporting the incident to the Department of Human Services. Consistent with the *Social Security (Administration) Act 1999*, the Department of Human Services is responsible for determining under Social Security law whether or not to impose a failure or penalty for non-compliance with activity test requirements (mutual obligations).

Under the *Social Security (Administration) Act 1999*, financial penalties may be applied on those who fail to meet their requirements without good reason, and again, these decisions are made by the Department of Human Services. However, providers have a number of strategies they can use to engage job seekers, such as giving a job seeker another chance to attend an appointment or letting them make up time missed from an activity, if they believe this will be a more effective way of re-engaging the job seeker than compliance action.

For further information refer to *the Job Seeker Compliance User Guide* and the *Comprehensive Compliance Assessment and Compliance Activities User Guide*.

## 7.9 Job Plan

The Job Plan outlines the items that will satisfy the job seeker's mutual obligation requirements and help get them into paid work. All job seekers must have a current Job Plan in place at all times in order to participate in CDP. Generally Job Plans are created at the initial interview to enable commencement in CDP services. A Job Plan must reflect the appropriate number of hours per week required for a job seeker to meet their mutual obligation. These requirements could be as high as 25 hours for ESL and for job seekers aged 18-49 but may be any number of hours as determined appropriate for personal circumstances.

Providers are required to deliver Basic Services to all job seekers and to make available various activity options for commenced job seekers with mutual obligations requirements. Job seekers not identified as Work for the Dole job seekers, for example because they are on a partial rate of payment or fall outside the 18-49 age cohort, may either volunteer for Work for the Dole or must meet their mutual obligations by participating in activities that are self-identified or participate in an alternative activity facilitated by their provider.

Providers should encourage all job seekers with mutual obligations to participate in Work for the Dole activities where they are the most suitable activities. Where a job seeker is meeting their mutual obligation by participating in Work for the Dole activities, they are only required to participate in the activity up to the hours outlined under their mutual obligation.

Job seekers without mutual obligation requirements who volunteer for CDP Provider Services must enter into a Job Plan in order to receive services. CDP Ineligible Participants must also enter into a Job Plan in order to receive CDP Provider Services.

The Job Plan must be recorded in the IT System. Providers can choose whether job seekers agree to their Job Plan online or to sign a hard copy from 1 July 2015.

The Job Plan must consider the job seeker's individual circumstances, including whether they have part-time or full-time mutual obligation requirements.

Mutual obligation requirements need to be outlined in the Job Plan for the requirement to be enforceable. Penalties can then be applied by the Department of Human Services (DHS) under the job seeker compliance framework where those requirements are not met by job seekers.

Providers should advise job seekers of the consequences of failing to meet their requirements in the Job Plan and the potential impact on the job seeker's income support payment of the job seeker failing to give prior notice (with a Valid Reason) when they cannot attend appointments or participate in activities.

## Maintaining Job Plans for Job Seekers

Providers must ensure that a job seeker has a current and up-to-date Job Plan at all times. Job Plans are generally updated when the job seeker's circumstances change and as they progress along their pathway to employment, in particular:

- When activities in the Job Plan are completed or expire;
- If the job seeker's circumstances change;
- If a job seeker's mutual obligation requirements change;
- When a job seeker has a Comprehensive Compliance Assessment;
- When a job seeker undertakes Compliance Activities to waive an eight week non-payment penalty.

When a job seeker gains part-time or full-time employment, the job seeker's rate of income support may reduce through income testing by Centrelink. The provider must renegotiate the job seeker's Job Plan to reflect this work as an activity that meets some or all of their mutual obligations. The new Job Plan must include Work for Dole activities or other suitable activities as needed to enable the job seeker to meet their Mutual Obligations up to their assessed capacity.

Work for the Dole eligible job seekers who gain part-time work and are subsequently on a partial rate of payment cannot be compelled to participate in Work for the Dole. If a job seeker chooses not to voluntarily participate in Work for the Dole activities they must meet their mutual obligations in alternative appropriate activities.

For further information about Job Plans refer to the *Job Plan User Guide*.

## Recording Attendance in the Activity Diary

Providers must use the Activity Diary to record activities the job seeker undertakes to meet their requirements. Providers must enter job seeker attendance in those activities in the Activity Diary (for further information on the Activity Diary refer to *Chapter 10* of these Guidelines).

This will be closely monitored by PM&C, as use of the Activity Diary will be the principal mechanism for reviewing achievement of job seeker attendance in activities and for calculating monthly provider payments. For further information on payments refer to *Chapter 8 – Payments*.

## Job Seekers with Disabilities

Providers must provide tailored assistance to job seekers with disability. This assistance must take into account the job seeker's capacity for work and participation in CDP activities.

In Australia, definitions of disability are based on the World Health Organisation's (WHO) International Classification of Functioning, Disability, and Health (ICF), which uses 'disability' as an umbrella term for any or all of the following components:

- Impairments—problems in body function or structure.
- Activity limitations—difficulties in executing activities.
- Participation restrictions—problems an individual may experience in involvement in life situations.

Providers can access the following nationally available services for people with disability and their employers:

- The Employment Assistance Fund (EAF) —financial assistance for work-related equipment, modifications and services; and
- The Supported Wage System (SWS) —a workplace relations instrument that allows eligible job seekers with disability to be paid a productivity-based wage.

Providers will be able to utilise EAF and SWS in conjunction with JobAccess ([www.jobaccess.gov.au](http://www.jobaccess.gov.au)), which is a free information and advice service about the employment of people with disability.

Providers should also consider purchasing additional services or support for job seekers with disability where appropriate.

For information on delivering services to Disability Support Pension recipients with mutual obligation requirements, refer to the *Disability Support Pension Recipients (Compulsory) Requirements User Guide*.

## Vulnerability Indicator

The term 'vulnerability' relates to a job seeker's capacity to comply with their mutual obligation requirements. DHS will only record a Vulnerability Indicator on a job seeker's record if appropriate evidence suggests the vulnerability could pose a significant barrier to the job seeker's ability to comply with their requirements.

A Vulnerability Indicator is intended to ensure both providers and DHS are aware of a job seeker's circumstances. A Vulnerability Indicator does not exempt a job seeker from the activity test or mean that the Job Seeker Compliance Framework cannot be applied for non-compliance, where the provider chooses to use it. However, being aware of vulnerabilities is useful for providers when negotiating the job seeker's activities and Job Plan to help determine if a job seeker will have any trouble meeting certain mutual obligation requirements.

‘Vulnerability’ for the purposes of the Vulnerability Indicator is:

- A diagnosed condition or documented personal circumstance that currently impacts on the job seeker’s day to day life.
- Temporary, episodic or ongoing.
- May impact to varying degrees on the job seekers capacity to comply with their requirements.

A Vulnerability Indicator is not:

- The same as a disability, though disability may contribute to vulnerability.
- An exemption – requirements still apply and need to be met.
- A valid reason for failing to meet a requirement in and of itself.
- Set in concrete – it is subject to review.

A Vulnerability Indicator should be considered when:

- Setting participation requirements for a job seeker.
- Determining the most appropriate action to take following non-compliance.
- Considering a job seeker’s reason for being unable to comply with a requirement.



# 8. Payments

## 8.1 Overview

Providers will be paid under an outcomes-based payment model. This means providers will be expected to ensure remote job seekers are not just signed up, but also attending their Work for the Dole activities, five days a week.

The programme is supported by a simplified set of payments:

Service Payments, including:

- **Basic Services Payments**; and
- **Work for the Dole Payments**.

Flow-charts outlining the process for Service Payments will be made available on the Provider Portal.

Outcome Payments

(Outlined in [Chapter 6 'Working with Employers and Employment Outcomes'](#)):

- **Employment Outcome Payments** which are payable to providers where job seekers achieve 13 and 26 Week Employment Outcomes;
- **Employer Incentive Funding** which is payable to Employers where job seekers have been employed by one Employer for a 26 Week Period;

Other Payments

- **Ancillary Payments** where applicable, from time to time, under RAC1 of the RJCP Funding Agreement; and
- **Funding in relation to Strengthening Organisational Governance** which is one off payment for becoming incorporated, if the incorporation requirement set out in the RJCP Funding Agreement applies to providers.

## 8.2 Service Payments

Service payments for providers incorporate:

- **Basic Services Payments** which are payable for Basic Services to job seekers who are not required to participate, or who have not chosen to participate, in Work for the Dole (these job seekers are called 'Basic Participants' in the RJCP Funding Agreement); and



- **Work for the Dole Payments** which are payable for job seekers undertaking both Basic Services, such as attending provider appointments and Job Search, and Work for the Dole Activities (these job seekers are called 'WfD Participants' in the RJCP Funding Agreement);

Providers will not receive service payments for job seekers who have not been commenced and/or who do not have an Approved Job Plan or IPP.

Monthly payments are made based on information in the CDP information system, with a calculation date that is usually on the fourth Wednesday of every month. At times where it is not possible to use this date, providers will be notified.

From July to December 2015, 'Start-Up' arrangements will apply, with providers receiving advance payments providing a minimum level of payment based on provider caseloads. From 1 January 2016, service payments will be made in arrears, based on the outcomes achieved by providers.

### 8.3 Service Payments Rates (from 1 January 2016)

Service payments are paid monthly to providers according to the rates outlined below.

Payment type	Annual Payment Value (GST Ex)	Monthly payment (GST Ex)
Basic Services Payment (Excludes job seekers participating in Work for the Dole)	\$ 4,000	\$ 333.33
Work for the Dole payment (excluding GST)*	\$ 12,450	\$ 1,037.50

\*Where there is a hosting arrangement in place, a negotiated payment must be made to the host organisation from the \$12,450 Work for the Dole payment. Typically, this should be around half the amount that would normally be received by the provider.

### 8.4 Basic Services Payment

The Basic Services Payment is paid monthly to providers based on the total number of 'Basic Participants' recorded in the IT System. A 'Basic Participant' is defined as an Eligible Job Seeker who is not a Work for the Dole Participant. Basic Services payments will coincide with Work for the Dole Payments, resulting in a single monthly payment being received by providers.

If a Basic Participant volunteers to participate in Work for the Dole, the provider will receive the Work for the Dole Payment based on the job seeker's attendance, rather than the Basic Services Payment.

### 8.5 Work for the Dole Payment

Providers will be paid a monthly payment for the actual attendance of job seekers in Work for the Dole activities as recorded in the CDP Activity Diary.

Providers will be paid under an outcomes-based payment model. This means that providers will be expected to ensure remote job seekers are not just signed up, but also attend their Work for the Dole Activities, five days a week. Payments will be monthly, in arrears, to enable assessment of performance prior to calculation of the payment.

It will be important for providers to manage their caseload to optimise attendance levels, using the Job Seeker Compliance Framework when needed when a job seeker does not attend an activity without good reason (refer *7.8 Job Seeker Compliance* ).

Providers will receive the same rate of Work for the Dole Payment, irrespective of whether the job seeker has a partial capacity to work. So, if DHS assess that a job seeker has the capacity to perform 15 hours a week, the provider will still receive the full Work for the Dole Payment if the job seeker attends activities for 15 hours. This recognises that often job seekers with a partial capacity to work require the same level of servicing as job seekers with a full capacity.

Providers will be paid Work for the Dole Payments if the following conditions are met:

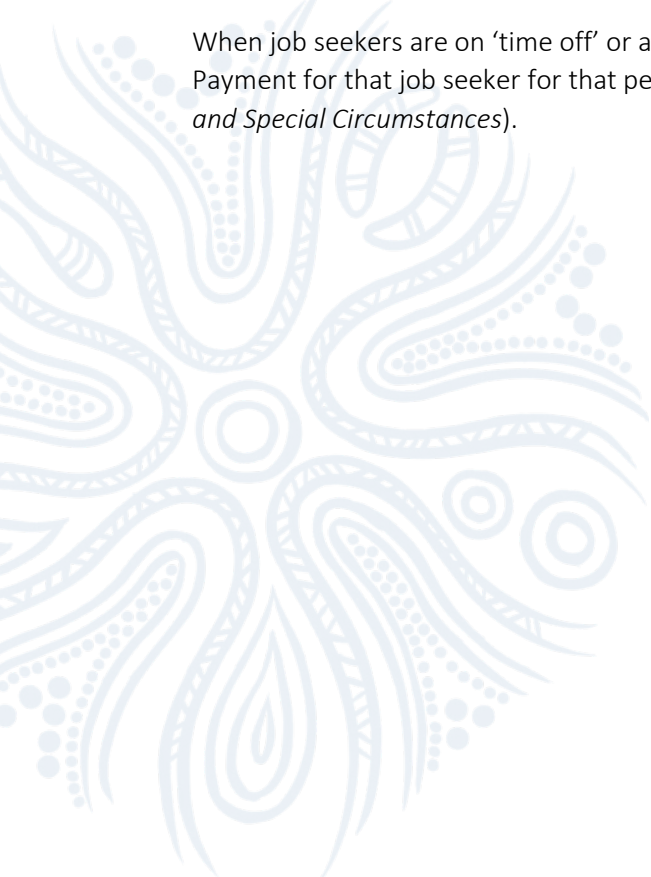
- They have placed the job seeker in enough activities to meet the participation requirements in their Job Plan (up to 25 hours per week) and the job seeker attends these activities;
- Where a job seeker did not attend, the job seeker had good reason (known as a Valid Reason and/or gave prior notice consistent with the definitions outlined in the Job Seeker Compliance Framework); or
- The provider took all reasonable action in relation to non-attendance (including submitting a Participation Report to DHS) and following this action were able to re-engage the job seeker back into Work for the Dole activities within 14 days; and

Providers will not receive Work for the Dole Payments if they have not recorded job seeker attendance in the Activity Diary.

It is important that providers actively manage job seekers and immediately address non-attendance. Assisting job seekers to build skills and daily routine is central to getting them on a pathway to work.

For providers to receive Work for the Dole Payments they will need to actively engage and manage job seeker compliance. This means using all the tools at their disposal.

When job seekers are on 'time off' or a break from Work for the Dole, the provider will receive Basic Payment for that job seeker for that period (Refer *3.3 Criteria for Participation in Work for the Dole and Special Circumstances*).



## Managing Attendance

### *Case Study – Individual*

*Elizabeth must attend her Work for the Dole activity of gardening at the local primary school for 25 hours per week, across five days\*:*

- *Elizabeth attends her activity on the Monday and Tuesday for the whole five hours;*
- *On Wednesday Elizabeth is unwell and is unable to attend her activity. Elizabeth calls her provider to let them know she is unwell and visits the doctor;*
- *On Thursday Elizabeth returns to the activity and completes her five hours; and*
- *On Friday Elizabeth does not show up and the provider Supervisor knows that she has gone to watch the local football carnival. Elizabeth does not give her provider any notice or warning, or an acceptable excuse for not attending.*

*In this case the provider would have their Work for the Dole Payments reduced for the one day that Elizabeth did not attend without a Valid Reason (the football carnival); unless the provider took all reasonable action in relation to non-attendance (submitting a Participation Report to DHS) and was able to re-engage the job seeker within 14 days.*

*\*noting while this case study has 5 hours per day Monday – Friday, participants can have more than 5 hours per day scheduled activity*



Provider will be paid for attendance in all these circumstances

Provider be paid in this circumstance as long as a PR has been lodged and the provider was able to re-engage the job seeker within 14 days



## Case Study – Community Level

A provider has 20 job seekers placed in Work for the Dole activities in one month.

- 15 of the job seekers attend their activities up to their assessed capacity to work. The provider registers the job seekers as 'Attending' in the CDP IT System;
- Three of the job seekers do not attend for six days, due to flooding in their community, but otherwise attend up to their required participation. For each of the six days non-attendance the provider registers the job seekers as 'Did not Attend Valid' in the CDP IT System; and
- Two of the jobs seekers do not attend any of their Work for the Dole activities for the month. They do not make contact with the provider and give no prior notice or valid reason. The provider has not re-engaged these job seekers. The provider registers each job seeker as 'Did not Attend Invalid' every day they did not attend in the CDP IT System and, when contact cannot be made with the job seekers, submits a Participation Report to DHS.

If all 20 job seekers had attended for their required participation, the provider would have been paid the full Work for the Dole Payments for all of these job seekers. However, in this instance the provider will get paid for full Work for the Dole Payments for 18 of the job seekers. This includes:

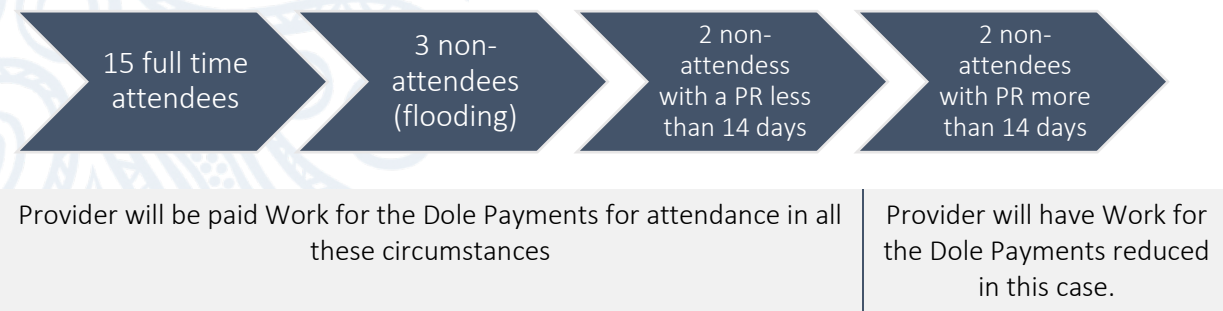
- The 15 job seekers who attended their activities up to their required participation; and
- The three job seekers who did not attend six days because flooding meets the special circumstance exemptions in the Job Seeker Compliance Framework.

The provider will not get paid Work for the Dole Payments for the two job seekers who were registered as 'Did not Attend Invalid', unless the provider has:

- Lodged a Participation Report to DHS for those days; and/or
- Re-engaged the job seekers within 14 days.

If the provider does not record attendance for the job seekers in the Activity Diary, the provider will not get paid Work for the Dole Payments.

For job seekers that have not been re-engaged after 14 days as a result of the compliance action or alternative means to re-engage the job seeker, the job seeker will remain on the provider's case load for an additional 14 days before they will be exited by the system.



## 8.6 The Start-Up Period (1 July 2015 to 31 December 2015)

During the Start-Up Period, providers will receive a minimum level of service payments.

Start-Up Period payment rates are shown below:

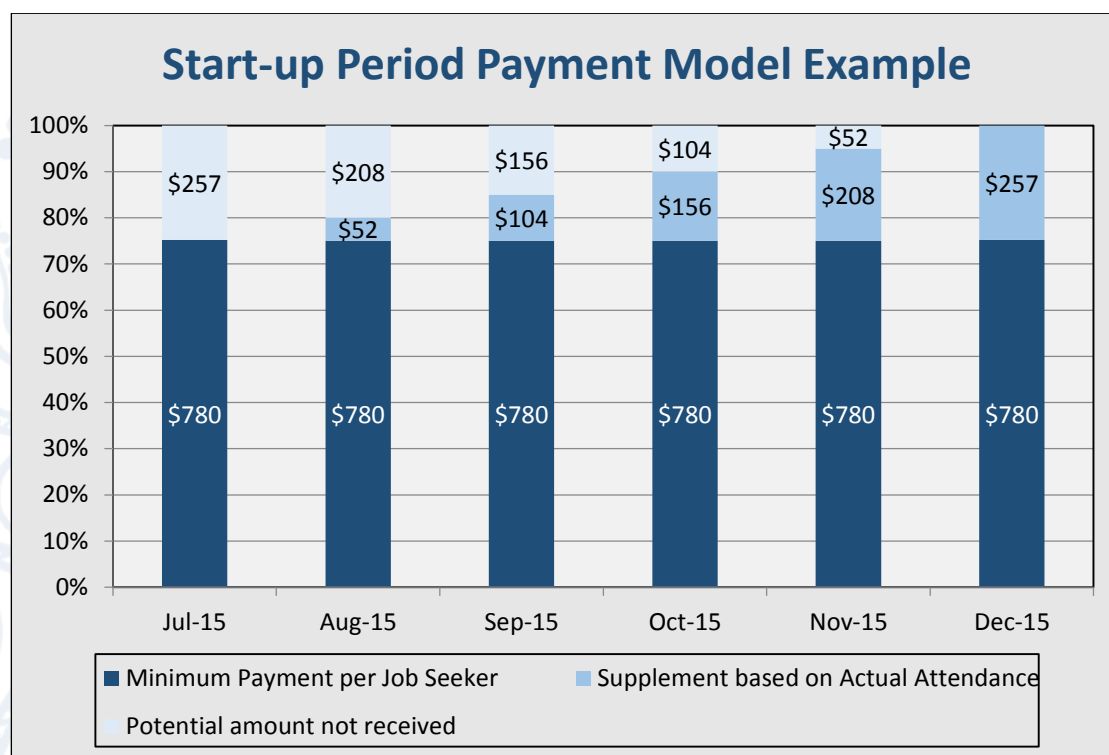
Payment type	Monthly payment (GST Ex)
Basic Services Payment (Job seekers not aged 18-49 and in receipt of activity-tested income support)	\$ 333.33
Work for the Dole payment (Job seekers aged 18-49 and in receipt of activity-tested income support)	\$ 780.00

Start-Up payment rates are equivalent to paying the full Work for the Dole payment for 75 per cent of all Work for the Dole eligible job seekers.

During the start-up period the provider receives the Basic Services Payment for all commenced job seekers who are not required to participate in Work for the Dole, regardless of whether they are volunteering to do Work for the Dole.

However, where a provider achieves more than 75 per cent of job seekers meeting their full Work for the Dole attendance requirements five days a week, they will receive a supplementary amount.

The supplementary payment will be calculated according to difference between the actual attendance rate and the minimum level of Start-Up payment.



Full attendance requirements are met when all job seekers attend all Work for the Dole activities up to their 25 hours per week (or assessed capacity), and where the provider takes all actions required under the RJCP Funding Agreement in relation to non-attendance.

## ***Start-Up Period Payment Examples***

A provider has 100 Work for the Dole eligible job seekers on their caseload.

Scenario 1: The provider has placed 70 Work for the Dole eligible job seekers into activities and these job seekers all meet their full attendance requirements. In the Start-Up Period the provider would receive a payment of \$78,000 ( $100 \times \$780$ ), equal to 75 per cent of the job seekers in the provider's caseload being placed in an activity and meeting their requirements. From 1 January 2016, the provider would only receive a payment of \$72,625 ( $70 \times \$1037.50$ ) for the 70 job seekers who met their full attendance requirements.

Scenario 2: The provider places 85 Work for the Dole eligible job seekers into activities who either meet their full attendance requirements or the provider takes appropriate action using the Job Seeker Compliance Framework. In the start-up period the provider would receive the minimum monthly payment of \$78,000 ( $100 \times \$780$ ), as well as a supplementary amount for achieving above 75 per cent. The provider would receive a supplement of \$10,187.50; the difference between the minimum monthly Start-Up payment and the payment they would receive post January for actual achievement. In total the provider would receive \$88,187.50 for that month (equivalent to  $85 \times \$1037.50$ ).

Scenario 3: The provider places all 100 Work for the Dole eligible job seekers into activities but those job seekers only fulfil 90 per cent of their attendance requirements. In the Start-Up Period the provider would receive the minimum monthly payment of \$78,000 ( $100 \times \$780$ ), as well as a supplementary amount of \$15,375 for the achievement above 75 percent. The total payment they would receive of \$93,375, equals payment for the achievement of 90 per cent applying the post January arrangements for actual achievement ( $90 \times \$1037.50$ ).





## 9. Conducting Services

### 9.1 Overview

Providers are responsible for delivering Services in accordance with the RJCP Funding Agreement and these Guidelines. Services should be also delivered in line with the Service Guarantee and Code of Practice.

This chapter provides guidance to assist providers to conduct services.

Information includes:

- Risk management
- Customer feedback
- Dispute resolution

For further information on conducting services in accordance with the RJCP Funding Agreement refer to the *User Guides*.

### 9.2 Location and Level of Services

Providers are responsible for delivering Services within the allocated Region(s). Providers are required to maintain at least one full time Site (that is open Monday to Friday from 9am-5pm on business days, or as otherwise agreed with PM&C) within each Region and any additional Sites required to deliver sufficient services.

Sites must be open on business days and times consistent with the Activity Schedule and be accessible to people with disability.

### 9.3 Code of Practice

Providers are obliged to deliver services in line with the Code of Practice and the Service Guarantee, which must be available at their offices for job seekers and the public.

### 9.4 Personnel

PM&C is entitled, on reasonable grounds, to request providers remove personnel from work on the services (for example, in the event of actual or suspected serious misconduct).

## 9.5 Sub-Contracting

Subcontractors are permitted with prior written approval from PM&C. Subcontracts must bind subcontractors to, with respect to PM&C, the RJCP Funding Agreement and relevant workplace health and safety provisions.

Subcontractors may be engaged to perform any of the provider's obligations under the RJCP Funding Agreement. Hosts can only offer activities in accordance with these Guidelines.

## 9.6 Serious Incidents

Providers must notify PM&C immediately if a serious incident occurs or almost occurs (that is, any circumstances that could have resulted in the occurrence of a serious incident).

A serious incident is an incident that occurs during, or from provider activities that results in:

- Death or an injury for which medical attention was sought or ought reasonably to have been sought; or
- Police involvement (including drawing the attention of the police).

If a serious incident occurs providers must submit a serious incident report to PM&C within 24 hours.

For further information on insurance refer to the *Insurance Manual and Insurance for Specific Activities under the CDP User Guide*.

Providers must then provide a detailed written report to PM&C within 10 business days. The written report must include:

- A description of the incident and injury;
- What action has been taken to manage the incident;
- What the provider has done to reduce the risk of the incident happening in the future;
- How the provider will minimise disruption to services or activities; and
- Any other details of the incident that the provider considers relevant, or as requested by PM&C or the insurance broker.

PM&C will then advise what other actions providers need to take.

## 9.7 Use of Interpreters

If required, providers must provide an interpreter to facilitate communication with job seekers.

If a job seeker requests the use of an Interpreter and the provider refuses one, they must keep a record outlining the reason for their decision.

The provision of interpreters should be consistent with the General Terms and Conditions of the Funding Agreement.

## 9.8 Police Checks and Working with Vulnerable People

Providers may be required to conduct Police Checks for Eligible Job Seekers and CDP Ineligible Participant engaging in some activities, particularly activities involving Vulnerable People.



A Vulnerable Person is a person who is unable to fully take care of themselves or is unable to protect themselves against harm. This could be because of age, illness, trauma, disability or any other reason.

Specifically, activities that require Police Checks include those where:

- Legislation requires police checks to be conducted;
- The activity is subject to industry accreditation requirements, industry standards or a legal requirement that the activity can only be carried out by people who have not been convicted of particular crimes;
- The activity is specified by PM&C as requiring Police Checks; or
- It is an activity in which the Eligible Job Seeker, CDP Ineligible Participant, the provider, Supervisor or Mentor will have regular or unsupervised contact with children, the elderly or other classes of Vulnerable People, and for which it would be considered wise by a reasonable person that a Police Check be conducted.

Depending on the nature of the activity it may be necessary for a provider to get a Working with Children check as well as a criminal records check, as only certain information will be provided in each.

A provider should have activities available that do not require a Police Check to be undertaken.

These activities can be used to meet the needs of an Eligible Job Seeker who does not consent to a Police Check or for whom police check results indicate an issue of concern or unacceptable risk.

When a Police Check is required it is to be completed:

- Prior to involving a Supervisor or Mentor in work that involves any contact with a Vulnerable Person, and once every two calendar years during the period that the person is engaged in work with Vulnerable People; and
- Prior to involving an Eligible Job Seeker or CDP Ineligible Participant in activities that involves any contact with a Vulnerable Person.

For further information on conducting Police Checks refer to the *Police Checks User Guide*.

## 9.9 Managing Risk

### Workplace Health and Safety

Under the RJCP Funding Agreement, providers are required to ensure all activities are conducted within Commonwealth, State and local government laws and by-laws regarding workplace health and safety.

Section 3.2 Delivery has further details on Risk Assessments for activities.

### Insurance

Providers must have public liability insurance, workers compensation, motor vehicle insurance, personal accident insurance and professional indemnity insurance.

For personal accident insurance providers must have insurance in accordance with the RJCP Funding Agreement, except where activities are covered by PM&C insurance. *CDP*

Providers should note that there are certain activities which are excluded from PM&C's insurance, or which must not be conducted without the consent of PM&C's insurer. Providers must not conduct any Work for the Dole activity, or place any job seeker into a Work for the Dole Activity, that is excluded from PM&C's insurance coverage, without first obtaining written permission from PM&C. Refer to the *Insurance for Specific Activities under the CDP User Guide* and the *DPMC Participant Insurance Manual 2015-2016* on the Provider Portal for more information.

## Conflict of Interest

A Provider's executive staff members and board members are required to sign Conflict of Interest declarations which must be lodged in the provider's conflicts register.

If a Conflict of Interest arises, the provider must notify PM&C immediately, and take action to resolve the Conflict of Interest.

## Fraud

Providers must not engage in fraudulent activity and must take all reasonable steps to prevent fraudulent activity.

## 9.10 Customer Feedback

Feedback and complaints should be dealt with appropriately by a senior staff member.

Providers are required to keep a Customer Feedback Register.

Providers should establish a customer feedback process to manage feedback and complaints about services. The customer feedback process should:

- Be consistent with the RJCP Funding Agreement, Guidelines, Code of Practice and Service Guarantee;
- Inform people they may also lodge a complaint with the National Customer Service Line;
- Incorporate a Customer Feedback Register; and
- Be communicated to new job seekers.

As part of the feedback process, job seekers should be provided with contact details for the National Customer Service Line for situations when they feel they can't talk to their provider, or are not happy with the provider's response to their issue.

### National Customer Service Line

1800 805 260 (free call from land lines) or email [nationalcustomerserviceline@employment.gov.au](mailto:nationalcustomerserviceline@employment.gov.au)

## 9.11 Dispute Resolution

If a provider has any concerns or disputes in relation to CDP they should first contact their PM&C Regional Manager.

If the issue cannot be resolved at this stage, it will be handled in accordance with clause 43 of the General Terms and Conditions of the Funding Agreement.

If the issues remain unresolved, the job seeker can lodge a complaint with the Commonwealth Ombudsman on 1300 362 072.



## 9.12 Administration and Governance

Providers must carry out their business in keeping with all relevant statutes, regulations, by-laws and requirements of any Commonwealth, State, Territory or local authority and any of PM&C's policies as advised in writing by PM&C.

Providers must provide to PM&C immediately upon receipt, a copy of any notice requiring them to show cause why they should not come into any form of external administration and any record that the provider has or will come under one of the forms of external administration.







# 10. Information Technology (IT) and Records Management

## 10.1 Overview

Employment & Community Services Network (ECSN) is the gateway to access IT applications to manage and deliver CDP services including:

- The CDP Provider Portal secure site;
- The Learning Centre; and
- The CDP IT system.

This chapter provides information about those IT tools. For further information providers must refer to the supporting IT Reference materials provided on the CDP Provider Portal secure site; as well as the CDP IT system User guide published on the Learning Centre.

## 10.2 Employment & Community Services Network (ECSN)

ECSN is the gateway to access IT tools to manage and deliver Services.

### The Provider Portal Secure Site

The Provider Portal secure site is a tool for providers to find information and advice on delivering CDP. The Provider Portal secure site hosts key documents including the RJCP Funding Agreement, Guidelines and User Guides. Providers can access the Provider Portal secure site via the ECSN login page.

### The Learning Centre

The Learning Centre is an online training facility for providers and PM&C staff. The Learning Centre provides training for employment services programmes and includes a range of valuable, special interest modules.

## 10.3 CDP IT system

The CDP IT system has been specifically designed for the Community Development Programme. Providers must conduct Remote Services using the online CDP IT system. The CDP IT system is an internet based system that is accessed from the Internet browser.

The CDP IT system provides a number of tools to support providers:

- The Activity Diary;
- Job Seeker JobSearch App;
- Work for the Dole Supervisor Mobile App; and
- Calendar.

Providers must conduct CDP Services using the CDP online IT system.

The CDP IT system supports the administrative processes required to manage the CDP. The CDP IT system is designed around CDP workflows and provides step-by-step guidance through these processes, including:

- A referral process that allows job seekers referrals from the Department of Human Services as well as directly by a provider;
- A noticeboard that keeps providers up-to-date with the important events with the job seeker and activity participation;
- A claims and payments feature.

Providers must comply with PM&C IT policies as detailed in the RJCP Funding Agreement and any directions from PM&C in relation to IT.

### Activity Diary

The Activity Diary is a tool in the CDP IT System that assists providers in the management and servicing of job seekers on their caseload and their activity-related mutual obligation requirements. Providers can use the Activity Diary to:

- Record job seeker activity requirements in activities, both activities in the job seeker's Job Plan and in Activity Management;
- Issue formal notification of requirements and any rescheduled requirements;
- Create attendance lists for activity supervisors;
- Record attendance of individual activity days;
- Link activity non-attendance to the job seeker compliance framework;
- Automatically link job seeker attendance at activities to Activity Management;
- Automatically link to provider payments from 1 January 2016; and
- Automatically link to activity summary screen and job seeker summary screen.

### Job Seeker JobSearch App

The job seeker diary is a central place for job seekers' appointment information. The diary is linked to the online calendar, but is for individuals. A job seeker's diary will only display the appointments of

that job seeker, whereas the online calendar is a tool to help providers manage all Job Seekers on their caseload and their upcoming appointments.

By looking at a job seeker's diary, providers can see all of their past and upcoming Appointments. Providers may need to use diary information as evidence for submitting a Participation Report at a later date, such as looking to see how many appointments a job seeker has not attended without a Valid Reason or a Reasonable Excuse.

Job seekers are now able to access the benefits of the Australian JobSearch website on their mobile devices (mobile devices will require advanced operating systems with working internet connectivity) via the JobSearch Job Seeker Mobile App.

The JobSearch Job Seeker Mobile App allows job seekers to access features from the website quickly and conveniently. Job seekers will be able to:

- Search for jobs based on their location, find a provider and save jobs onto their mobile devices;
- Manage their own dashboard by setting up notification preferences so they can receive job alerts or messages from their provider;
- View their provider appointments, add personal events and sync with their device's personal calendar;
- Send their latest resumes and cover letters directly to their employers; and
- Agree, view or forward their Job Plan on their mobile devices.

Further information on the Australian JobSearch Job Seeker Mobile App can be found on the Provider Portal secure site and the Learning Centre.

## Work for the Dole Supervisor Mobile App

Work for the Dole Supervisors will be able to record and lodge job seeker attendance in the Activity Diary on their mobile devices (Mobile devices will require advanced operating systems with working internet connectivity) via the Supervisor Mobile App. This allows them to submit the attendance of job seekers in real time, reducing paperwork, informing Providers as soon as attendance is submitted by Supervisors.

## Calendar

An important part of the CDP IT System that providers will use to manage their connection with a job seeker is the calendar. The calendar is used to book a number of different types of appointments with job seekers and helps them to keep track of any appointments that job seekers may have with their provider on any given day.

Following scheduled appointments, providers can record an appropriate result against each appointment in the calendar to reflect the attendance of the job seeker. This result reflects the decision the provider made about the job seeker's attendance and the next steps for the job seeker's servicing. The calendar also helps providers to connect with DHS and share information on a job seeker's participation and regular servicing.

## 10.4 Making a Claim for Payment for an Employment Outcome

To claim payment for an Employment Outcome Payment, providers must record when an Eligible Job Seeker has started in work in the CDP IT system. Our IT system will automatically pay providers the appropriate Employment Outcome Payment where the requirements of an Outcome have been met.

The CDP IT System will check whether a provider is entitled to an Employment Outcome Payment by confirming an Eligible Job Seeker's work hours declared to DHS on the Job Seeker Employment Hours Result (JEHR) or the job seeker's rate of Income Support Payments via the Job Seeker Rate Reduction Result (JRRR).

Automated special claims can be lodged in cases where a provider disputes the result of the JRRR or JEHR. Documentary Evidence will be required to support any special claims.

A payment for a Part Time Employment Outcome, once paid, cannot be upgraded to a Full Employment Outcome Payment. A payment for Part Time Employment Outcome will not be automatically paid to providers until 42 days after they become available to allow providers time to place a special claim for payment for a Full Employment Outcome should they have sufficient supporting evidence.

Where a job seeker has pre-existing part-time employment, a provider may claim an upgrade if the provider subsequently works with the employer and job seeker to achieve sustained, increased earnings or hours of work leading to a Full Employment Outcome. The requirements outlined in clause 46.3 of RAC1 to the RJCP Funding Agreement must be met. A provider must provide a job seeker with additional Remote Services to be eligible for an upgrade. These must be:

- Identifiable and documented; and
- Directly responsible for the increase in hours or earnings from the Employment.

An upgrade is not available where:

- A job seeker has arranged their own increase in hours or earnings; or
- A job seeker's earnings or hours are already sufficient to achieve a Full Employment Outcome.

Employment Outcome Payment claims resulting from an upgrade to Employment will be automatically paid to providers where the IT system can confirm the requirements of an Employment Outcome have been met.

**Employer Incentive Funding** will not be auto-paid to providers in the same way as Employment Outcome Payments. Employer Incentive Funding will appear on the 'available claims' list once the provider has received payment for a 26 Week Employment Outcome. Where an Employer is eligible to receive Employer Incentive Funding, this must be manually claimed by the provider and forwarded to the eligible employer, as outlined in [Chapter 6 'Working with Employers and Employment Outcomes'](#).

## 10.5 Records Management

Providers must manage records in line with the CDP Funding Agreement.



- RJCP Funding Agreement Records – includes records created during the course of providing Services such as participant services records and the Customer Feedback Register;
- Commonwealth Records – includes records provided to providers by PM&C such as the Job Plan template or information about a participant; or
- Provider Records – includes records in existence prior to the RJCP Funding Agreement commencing except for any Commonwealth Records.









# 11. Marketing and Promotion

## 11.1 Overview

Providers are expected to promote activities to the community and to job seekers in order to maximise the engagement of job seekers and to promote the programme to potential Hosts.

Providers must seek approval from PM&C before undertaking any public relations initiatives directly relating to CDP.

## 11.2 Contractual Obligations

As referenced in clause.51 of the General Terms and Conditions of the RJCP Funding Agreement, Providers must:

- In all publications, promotional and advertising materials, public announcements and activities in relation to the Services, and any products, processes or inventions developed as a result of the Services, acknowledge the financial and other support received from the Australian Government;
- Ensure that all advertisements, promotional activities and any other public relations matters in relation to the RJCP Funding Agreement are consistent with the requirements set out in these Guidelines.

## 11.3 General Requirements

All advertisements, publicity, and promotion of the services must:

- Be approved in advance by PM&C;
- Refer to CDP;
- Acknowledge financial and other support provided by the Australian Government. Australian Government funding can be acknowledged using this text statement:

*“This initiative is supported by the Australian Government.”*

The Australian Government logo is not to be used on materials developed by the provider.

## 11.4 Promotions of Work for the Dole to Prospective Hosts

A provider may find it useful to advertise in the local community to seek activity proposals from potential Hosts, or to promote the CDP or activities. Advertising may include:

- Local newspapers
- Television
- Radio
- Leaflet drops
- Cold canvass letters
- Telephone calls

Providers may find that running forums and information sessions for Work for the Dole is a good way of letting potential Hosts know about the benefits of sponsoring a Work for the Dole activity.

Information sessions are a good opportunity to network and build relationships to encourage a diverse range of Work for the Dole activities. Many providers find that if they have a wide range of activities, it is much easier to ensure a participant will attend their Work for the Dole activity.

## 11.5 Participant or Host Consent to Publicity

The Australian Privacy Principles (APPs) prohibit the use of personal information of individual participants in publicity material without the written consent of the individual participant (unless one of the other exceptions set out in APP6 is available, refer:

<http://www.oaic.gov.au/images/documents/privacy/applying-privacy-law/app-guidelines/chapter-6>).

A Publicity Consent Form is available on the Provider Portal secure site for the purposes of gaining such consent.

If a provider wants the media to contact or interview a participant then providers must obtain written consent from the participant (a sponsor can do this on behalf of a provider). Participants are free to speak to the media or other third parties.

If the media approaches a provider seeking access to a participant, providers should advise PM&C about the purpose of the approach and seek the participant's agreement. Remember, any written public comment about Work for the Dole must first be approved by PM&C. Contact PM&C for approval.

## Photographing Participants

At activity functions (e.g. graduation ceremonies) or during the activity, participants may be asked by Members of Parliament, Senators, their staff or others to be filmed and/or photographed. This footage and/or photographs may be used to promote the benefits of CDP as a whole or the benefits of a particular activity.

To protect participant privacy (and by so doing adhere to the Australian Privacy Principles (APPs), information about individual participants including film footage and/or photographs, cannot be used without their written consent. Participants must fill in a Publicity Consent Form before photography or filming takes place for any publicity. A separate Publicity Consent Form for Minors is available and should be used to obtain consent to photograph or film any minors.

Providers must ensure that their Hosts (and all other subcontractors) also implement these procedures.

## Requests for Information from Third Parties

If providers are approached by persons (e.g. students) or organisations conducting research projects who are seeking access to Work for the Dole activity sites or premises, providers must first contact PM&C to obtain consent. If consent is given, permission must also be obtained from the Host Organisation in writing. Providers must also liaise with their PM&C Account Manager before providing responses to information requests from external sources.

The written agreement of each participant must also be obtained prior to any interviews and/or surveys conducted as part of a research activity. A Publicity Consent form must be completed for each participant.

Participants must be given the reason why the information is to be collected and to whom it will be disclosed. The information collected can only be done so in a manner consistent with the Australian Privacy Principles (APPs).

If a provider is approached by a MP or Senator or the media regarding publicity they should seek advice from PM&C before making any commitment.

## 11.6 Promotional Activities

### Sharing Success

Providers are encouraged to share good news stories highlighting the positive experiences of Indigenous job seekers and the efforts of providers to support them in finding employment. Stories may also highlight the positive impact that CDP is making within communities. Good news stories are often promoted on PM&C's website: [www.indigenous.gov.au](http://www.indigenous.gov.au).

Submit your story ideas to [indigenous.gov.au@PM&C.gov.au](mailto:indigenous.gov.au@PM&C.gov.au).

Twitter posts that reference CDP activities should include #IndigenousJobs. Where possible, posts should tag @indigenous\_gov and include #ClosingtheGap.

Facebook posts that reference CDP activities should include #IndigenousJobs and #ClosingtheGap. Posts should tag @indigenous.gov.au within the text.





# 12. Performance

## 12.1 Overview

Providers need to meet a range of Key Performance Indicators (KPIs), Performance Measures and Performance Targets that measure compliance, quality and the effectiveness of a provider's service delivery.

Poor performance against KPIs is a serious matter. The RJCP Funding Agreement sets out different consequences that can be applied if there is poor performance by a provider.

The KPIs apply to all CDP Regions, although individual Regional Employment Targets under KPI 3 are set for each Region to reflect local employment conditions.

In the event of a natural disaster or other unforeseen events that may affect the providers' ability to deliver parts of the programme, PM&C will determine suitable substitute performance measure and Performance Targets and their duration.

The following information in section 12.2 is a summary only. Further information about performance, including assessment and ratings systems is available in the *Programme Management Framework*.

## KPI 1: Delivery of services in accordance with the CDP Funding Agreement

Performance Measure	Performance Targets
Basic Services	100 per cent of Eligible Job Seekers have been provided with monthly contact which complies with Clauses 6, 7, and 8 of RAC 1.
Helping Eligible Job Seekers find and retain a job	100 per cent of all Eligible Job Seekers have an individualised Job Plan that complies with the requirements set out in the CDP Funding Agreement.
	In each six month period, at least 15 per cent of Eligible Job Seekers identified as requiring a driver's licence in their Job Plan sit for a driver's licence assessment.
	100 per cent Eligible Job Seekers identified as requiring literacy, language or numeracy training in the Job Seekers Classification Instrument (JSCI) or Employment Services Assessment (ESAt) received such training.
	100 per cent of Eligible Job Seekers placed in employment are provided with quality Post-placement Support in accordance with RAC 1.
	Eligible Job Seekers were supported to apply for vacancies and Paid Work Assignments.
General Provider Performance	Provider has managed customer feedback in line with the CDP Funding Agreement and Guidelines and has improved practices in response to complaints.
	All Eligible Job Seeker non-attendance is handled swiftly and appropriately in accordance with Guidelines and the CDP Funding Agreement.
	Providers comply with operational, financial and record-keeping requirements outlined in the CDP Funding Agreement and Guidelines. No Breach Notices are issued by PM&C.*  *Please note, if a Breach Notice is later retracted, the Breach Notice will not count against provider performance.



## KPI 2: Availability, attendance and appropriateness of activities for Work for the Dole Participants

Performance Measure	Performance Targets
Availability of activities for Work for the Dole Participants	100 per cent of Work for the Dole participants have been placed in one or more activities, sufficient to meet their participation requirement.
Attendance of Work for the Dole Participants	100 per cent attendance required of all Work for the Dole Participants in activities (in line with their mutual obligation requirements).
Appropriateness of activities	100 per cent of activities are appropriate to Work for the Dole Participants, local labour market, and the community.
Hosted Placements	The provider has made significant efforts to broker and place Work for the Dole Participants in quality Hosted Placements with local employers.

## KPI 3: Achievement of the Regional Employment Target

Performance Measure	Performance Targets
Regional Employment Target is met	100 per cent of the Regional Employment Target is met.

## 12.2 Setting and Assessing the Regional Employment Target

### Setting the Regional Employment Target

Regional Employment Targets set the required number of Eligible Job Seekers who achieve 26 Week Employment Outcomes during a specific 6 month period.

For example, if the target is for 1 January 2016 to 30 June 2016, the target is for the number of Eligible Job Seekers who achieve a 26 Week Employment Outcome during this period.

Regional Employment Targets are individually set by PM&C to ensure they take account of the specific context of each Region.

To ensure that Regional Employment Targets remain appropriate over time, Regional Employment Targets will be reviewed and reset every six month according to demographic, labour market and economic circumstances.

When determining a Region's Regional Employment Target, the following factors are considered:

- Previous Performance;
- Performance in comparable CDP regions;
- Current and future labour market opportunities;
- Seasonality in the labour market;
- Job Seekers disadvantage and concentration of all Job Seekers in the region;
- Discreteness of region and opportunities for mobility.

To be counted towards achievement of the Regional Employment Target, the provider must have received the 26 Week Outcome Payment.

PM&C Regional Managers will formally notify providers of each period's Regional Employment Target at least six months in advance of the start of the period.

## **Assessing the Regional Employment Target**

Providers' achievement against Regional Employment Targets will be formally assessed during the Onsite Reviews every six months.

Due to the six-month lag between job seekers commencing employment and reaching a 26 Week Employment Outcome, the first Regional Employment Target can only be assessed during the July-August 2016 review.

For the purposes of the January-February 2016 review, providers will receive an indicative assessment based on the likelihood of meeting the first Regional Employment Target when it is formally reviewed during the July - August 2016 review.





# 13. Provider Compliance

## 13.1 Overview

Providers must conform to any applicable obligations under:

- The RJCP Funding Agreement;
- The Guidelines, instructions, policies and procedures;
- Industry regulations, standards and codes; and
- Commonwealth, State and Territory laws, regulations, standards and codes.

The following information on compliance is a summary only. Further information is available in the *Programme Management Framework*.

## 13.2 Compliance Goals

PM&C's compliance goals are for providers to be fully compliant with the RJCP Funding Agreement, Guidelines and policies, and any laws, regulations, standards and/or codes set by any relevant Governments or industry bodies.

In order to achieve this, PM&C will:

- Ensure all providers are given the information they require to voluntarily comply with all of their compliance obligations; and
- Establish a robust monitoring and correction system to detect cases where this is not occurring and take appropriate corrective action.

## 13.3 Compliance and Assurance Approach

Providers are responsible for their performance and compliance. Providers must also have in place their own governance and control systems that support their performance, delivery of quality services and accuracy of payments consistent with the RJCP Funding Agreement and relevant Guidelines.

PM&C acknowledges that the majority of providers are willing and able to comply with their obligations under the RJCP Funding Agreement and the Guidelines; however:

Some providers may engage in inappropriate activities which do not meet these requirements or be inadvertently non-compliant due to poor governance or procedures; and

Some providers will require training, corrective action or other more serious remediation to address entrenched non-compliance issues.

## 13.4 Compliance Issues for Particular Consideration

The following compliance issues may be areas for particular attention under the monitoring systems described in the *Programme Management Framework*:

Category	Compliance questions
Workplace Health and Safety	Are providers ensuring workplace health and safety risk assessments are conducted prior to activity commencement?
	Are activities being adequately supervised by suitably trained and qualified staff?
	Are job seekers being briefed on emergency procedures and work place health and safety requirements?
Governance structures, staffing and internal reporting	Are governance structures and internal reporting arrangements appropriate / adequate?
	Are internal risks controls in place, and are they adequate?
	Has there been a high level of staff or management turnover?
Claims	Are the claimed Employment Outcomes Payments and job seeker attendance reported in the Activity Diary accurate?
	Is there a discrepancy in patterns of claims compared to previous review periods? <ul style="list-style-type: none"> <li>Variations in the patterns of claims, or in the provider's performance, compared to previous assessment periods.</li> <li>Higher than normal levels of claims compared to comparable CDP providers.</li> <li>Claim patterns within period indicate possible breaches.</li> </ul>
Application of Attendance Categories	Have Eligible Job Seeker attendance categories been applied correctly?
Assets	Have any Assets that have been partially or wholly funded by the Commonwealth Government been encumbered or disposed of without PM&C approval?
	Are all Assets safeguarded against theft, loss, damage or unauthorised use?
	Are all Assets used for CDP insured to their full replacement value?
	Are all Assets in good working order?
	Are all registrations and/or licencing of Assets up to date?
	Is there an Asset register and Asset Disposal Plan?
Conflicts of interest	Are there any conflicts of interest between the provider and any organisations associated with activities or Hosted Placements?

Category	Compliance questions
Customer feedback	Are there any valid complaints and/or poor feedback from Eligible Job Seekers, CDP-Ineligible Participants, stakeholders or communities about manipulative, poor service delivery or potentially non-compliant behaviour?
	Does the provider meet RJCP Funding Agreement requirements with respect to Customer Feedback?
Financial management	Have all Funding been managed in accordance with Guidelines and the RJCP Funding Agreement?
	Have all Funding transfers to Employers and subcontractors been executed in accordance with Guidelines and the RJCP Funding Agreement?
Contracts	Are all contracts with subcontractors, Employers and Hosts in accordance with Guidelines and the RJCP Funding Agreement?
General quality of record keeping	<p>Does the provider comply with requirements in Guidelines and the RJCP Funding Agreement with respect to:</p> <ul style="list-style-type: none"> <li>• Documentary Evidence</li> <li>• Eligible Job Seekers files</li> <li>• Digital records</li> <li>• Timeliness of reporting and Records management?</li> </ul>





# 14. Performance and Compliance Strategies

## 14.1 Overview

The Programme Management Framework outlines how performance and compliance issues will be prevented, monitored, identified, reported and remedied both at a Provider and programme level.

The approach centres on four risk-based strategies to manage performance, compliance and the issuing of breaches and application of corrective actions:

- Prevention and Deterrence
- Monitoring, Assessment and Detection
- Response and Correction
- Evaluation and Reporting



## 14.2 Prevention and Deterrence

Prevention and deterrence are the first lines of defence against poor performance and non-compliance. To encourage strong performance and compliance, PM&C will:

- Communicate responsibilities and expectations clearly to providers through documents like the RJCP Funding Agreement, the Guidelines and the Programme Management Framework Guidelines;
- Provide training and education, and encourage providers to seek out training and education opportunities;
- Support providers to share best practice, lessons learned and success stories and recognise excellence in performance.

## 14.3 Monitoring, Assessment and Detection

PM&C will take a risk-based approach to monitoring and assessment of the work of providers with a view to detecting instances of poor performance or non-compliance. We will use the processes outlined below to achieve this.

## Onsite Provider Performance and Compliance Reviews (Onsite Reviews)

PM&C staff will undertake six monthly, onsite reviews which assess a provider's performance against KPIs, Performance Measures and Performance Targets. These will assess provider compliance against the requirements of the RJCP Funding Agreement and Guidelines.

PM&C reserves the right to conduct onsite reviews more frequently according to each provider's previous performance and compliance history and risk profile.

## Desktop Monitoring of IT systems

Desktop monitoring will be undertaken both at the PM&C Regional Network and National Office level. It may be done as frequently as PM&C deems necessary. The monitoring will facilitate early detection of performance and compliance issues especially around:

- Placement of Work for the Dole Participants in activities; and
- Attendance of Work for the Dole Participants in activities.

## Regular Liaison with Providers

PM&C staff will regularly liaise with providers to monitor performance or compliance and to support providers to meet their obligations. These meetings may be face-to-face, onsite at an activity, offsite, via phone or internet. PM&C will give notice to allow provider to prepare.

## Spot Checks

Without notice, PM&C staff may perform a formal spot check to assess one or more areas of performance and/or compliance. These may include, but are not limited to:

- Work for the Dole Participant attendance
- Contact and Appointment diary
- activities
- Community engagement
- Employer engagement
- Record and financial management

## Surveys of Community Leaders and/or Elders, Employers, and/or Job Seekers

PM&C staff may conduct questionnaires of community leaders, elders, Employers and job seekers at any time. Any survey will be organised by and conducted by PM&C or at PM&C's expense.

## Financial Reports and Audits

Financial statements provided to PM&C in accordance with the RJCP Funding Agreement may be used as evidence of poor performance or compliance breach, including fraud.

Where the provider has audited financial statements, these must also be provided to PM&C and may also be analysed to determine whether breaches have occurred.



## Targeted Assurance Reviews

PM&C may undertake Targeted Assurance Reviews, in response to areas of emerging or identified compliance and/or fraud risks at any time. Target Assurance Reviews may involve:

- One provider
- A small group of providers
- Specific CDP Region(s), and/or
- A specific element of the programme

## Customer Feedback and Tip-offs

Feedback from customers of CDP providers (including job seekers, community representatives and employers) is an important indicator of a provider's performance.

Such feedback, whether received and handled by the provider, PM&C or a third party such as the Commonwealth Ombudsman will be used to monitor and assess provider performance and compliance.

## 14.4 Response and Correction

Where under performance or non-compliance has been identified, PM&C will assess the severity and the appropriate corrective action to be applied, having regard to any extenuating circumstances.

Corrective actions can include helping a provider to improve, intervening in service delivery, imposing additional performance requirements or (in worst cases) terminating the RJCP Funding Agreement. PM&C will ensure its corrective actions:

- Are proportionate to the severity of the breach and are taken in good faith;
- Take into account the capacity and motivation of the providers to return to compliance or satisfactory performance;
- Signal the seriousness with which PM&C views the performance or compliance issue.

Once the breach has been categorised and corrective actions have been determined, PM&C may issue:

- A Show Cause Notice, which gives the provider an opportunity to demonstrate why corrective action should not be taken in respect of a breach; or
- A Breach Notice, which outlines that a breach has occurred and what corrective actions PM&C will take (if any) in respect of the breach.

## 14.5 Evaluation and Report

The framework will allow us to learn lessons from instances of non-compliance to improve the overall management of the programme.

The Programme Performance and Compliance Risk Assessment will provide the Department with an indication of the effectiveness of the compliance and fraud controls being applied across the programme. These controls should be proportionate to their respective risks, and be adjusted as the inherent levels of these risks change over the life of the programme.

By utilising both proactive and reactive strategies to seek continual improvement, PM&C will be able to effectively prevent and deter non-compliance, accurately monitor levels of compliance, and react swiftly to non-compliance, preventing significant losses and harm to PM&C.









Australian Government



# Remote Jobs and Communities Programme (RJCP)

## Programme Management Framework

Effective 1 July 2015

Please note:

- all terms have the same definition as the Funding Agreement unless indicated.
- PM&C reserves the right to update this Framework at any time.



**Australian Government**

Version	Start Date	Effective Date	End Date	Change & Location
1.0	1 July 2015	1 July 2015	30 June 2018	Original Document



# 1. Introduction

## 1.1 Overview

This is the Programme Management Framework (Framework) for the reformed Remote Jobs and Communities Programme (RJCP) which will come into effect from 1 July 2015.

The Framework has been prepared for:

- use by the Department of the Prime Minister and Cabinet (PM&C) staff involved in the management of the RJCP; and
- reference by the RJCP Providers to enable them to have a clear understanding of how the Australian Government will monitor Provider performance and compliance in order to ensure the integrity of service delivery.

The Framework establishes PM&C's approach to performance, compliance and assurance relating to the management of the Funding Agreement and all relevant guidelines. It also outlines how issues will be prevented, monitored, identified, remedied and reported upon at both a Provider and programme level.

The Framework is intended to assure the Government that RJCP Providers are complying with their obligations under the Remote Jobs and Communities Funding Agreement 2013-2018 (Funding Agreement). The Framework has been developed in line with best practice compliance strategies, is supported by robust corporate governance, and is underpinned by risk management principles and practices.

## 1.2 Programme Objectives

RJCP is part of the Australian Government's commitment to the Closing the Gap strategy agreed in 2008 by the Council of Australian Governments, and is consistent with the Indigenous Economic Development Strategy 2011-18 which directs Australian Government initiatives.

RJCP is designed to support job seekers in remote Australia to build their skills, get a job or to participate to their capacity in work-like activities that contribute to the strength, safety and sustainability of communities.

RJCP supports the provision of a jobs, participation and community development service in remote Australia. The Objective of the Remote Jobs and Communities Programme is to:

- (a) support Work for the Dole Participants in remote regions of Australia participating in Activities as part of continuous participation in Work for the Dole, to build their job readiness and contribute to the community;
- (b) support Eligible Job Seekers to build their skills and get a job, including through participating in Activities that contribute to the strength and sustainability of their communities; and
- (c) work in partnership with employers to place Eligible Job Seekers into jobs and support Eligible Job Seekers to remain in a job.



## 2. Performance

### 2.1 Overview

This section of the Framework outlines how Provider performance will be monitored, assessed, and managed over the life of the Funding Agreement.

Providers will need to meet a range of KPIs that will measure the compliance, quality, and effectiveness of a Provider's service delivery.

KPI 1 (worth 30%): Delivery of Services in accordance with the RJCP Funding Agreement

KPI 2 (worth 35%): Availability, attendance and appropriateness of Activities for Work for the Dole (WfD) Participants

KPI 3 (worth 35%): Achievement of Your Regional Employment Target

The KPIs apply to all RJCP regions. However, with respect to KPI 3, flexibility is required to ensure that the significant differences across the remote regions are accounted for. For this reason, KPI 3 is a region-specific target which will be set every six months.

In setting region-specific targets, PM&C has taken many factors into account, including:

- previous performance
- current and future labour market opportunities
- seasonality in the labour market
- Job Seekers disadvantage
- number of Job Seekers against job vacancies in the region
- discreteness of region and opportunities for mobility.

In the event of a Natural Disaster or other unforeseen events that may affect the Providers ability to deliver parts of the programme, the Regional Manager will determine suitable Performance measures targets and their duration.

The KPIs are weighted at a ratio of 30:35:35 to reflect the objectives of the programme. This means if a Provider achieves a rating of 4 for KPI1, a rating of 1 for KPIs 2 and 3, the overall rating will be 2. For more information on Performance Review methodology see Attachment A.

A note on ratings:

Number	1 - <2	2 - <3	3 - <4	4
Word	<i>Unsatisfactory</i>	<i>Needs to improve</i>	<i>Good</i>	<i>Excellent</i>



## 2.2 KPI 1: Delivery of Services in accordance with the Funding Agreement

Performance Measures	Performance Targets	Assessment Rating System	
1.1 Basic Services	100% of Eligible Job Seekers have been provided with monthly Contact which complies with Clauses 6, 7, and 8 of RAC 1.	% of the Performance Target achieved	# Rating
		90 - ≤100%	4
		75 - <90%	3
		50 - <75%	2
		<50%	1
		Account Manager will consider the following in assessment: <ul style="list-style-type: none"><li>Whether all Eligible Job Seekers have had Contact with the Provider each calendar month.</li><li>Whether the content of the Contact complied with Clause 7.</li><li>Whether the Mode of Contact was face-to-face except as permitted by Clause 8.</li></ul>	
		There is no requirement as to length or timing of Contact – only that it should occur at least monthly.	
Where Contact was not face-to-face and the reason for an alternate mode of contact was not allowable under Clause 8 of RAC 1, the Contact will not count towards the target and this will affect performance against the target.			

Performance Measures	Performance Targets	Assessment Rating System	
1.2 Helping Eligible Job Seekers find and retain a job.	100% of all Eligible Job Seekers have an individualised Job Plan that complies with the requirements set out in the Funding Agreement.	<b>% of the Performance Target achieved</b>	<b># Rating</b>
		90 - ≤100%	4
		75 - <90%	3
		50 - <75%	2
		<50%	1
		<ul style="list-style-type: none"> <li>Eligible Job Seekers who have come onto the Provider's caseload within the previous four weeks will not be taken into account for the purposes of the performance assessment. This is to allow sufficient time for Contact with the Job Seekers, drafting of the document, and securing Job Seeker agreement.</li> <li>Where a Job Plan does not meet the requirements of the Funding Agreement, it will not be counted towards the achievement of this Performance Target (i.e. to achieve 100% all Eligible Job Seekers must have a Job Plan and all Job Plans must meet requirements of the Funding Agreement).</li> </ul>	

	<p>15% of Eligible Job Seekers identified as requiring a driver’s licence in their job Plan* undertake a driver’s licence assessment every six months.</p> <p>NB:<i>*Providers should determine whether there is a legitimate impediment to a Job Seekers sitting for a driver’s licence assessment prior to putting the requirement in the Job Seeker’s Job Plan. Legitimate impediments include suspensions, bans/revocations, disqualifications, eyesight or other physical or mental impediments, and severe literacy issues that would mean the Job Seeker would be unable to understand road rules and signs. Additionally, unpaid fines could also impede a Job Seekers ability to obtain a driver’s licence, the Provider should check with their relevant State/Territory authority.</i></p>	<p><b>Where 15% is greater than 1 person:</b></p> <table><tr><th>% of Job Seekers identified as lacking a driver’s licence who sit an assessment</th><th># Rating</th></tr><tr><td>≥15%</td><td>4</td></tr><tr><td>10 - &lt;15%</td><td>3</td></tr><tr><td>5 - &lt;10%</td><td>2</td></tr><tr><td>&lt;5%</td><td>1</td></tr></table> <p><b>Where 15% is equal to or less than 1 person:</b></p> <table><tr><th># of Job Seekers identified as lacking a driver’s licence sit an assessment</th><th># Rating</th></tr><tr><td>2+ people; all people</td><td>4</td></tr><tr><td>1 person</td><td>3</td></tr><tr><td>0 persons</td><td>1</td></tr></table> <p>Where no Eligible Job Seekers lack a driver’s licence, the Provider will be awarded a rating of 4.</p>	% of Job Seekers identified as lacking a driver’s licence who sit an assessment	# Rating	≥15%	4	10 - <15%	3	5 - <10%	2	<5%	1	# of Job Seekers identified as lacking a driver’s licence sit an assessment	# Rating	2+ people; all people	4	1 person	3	0 persons	1
% of Job Seekers identified as lacking a driver’s licence who sit an assessment	# Rating																			
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10 - <15%	3																			
5 - <10%	2																			
<5%	1																			
# of Job Seekers identified as lacking a driver’s licence sit an assessment	# Rating																			
2+ people; all people	4																			
1 person	3																			
0 persons	1																			

	100% Eligible Job Seekers identified as requiring literacy, language or numeracy training in the Job Seekers Classification Instrument (JSCI) or Employment Services Assessment (ESAt) received such training.	<table><tr><th>% of the Performance Target achieved</th><th># Rating</th></tr><tr><td>90 - ≤100%</td><td>4</td></tr><tr><td>75 - &lt;90%</td><td>3</td></tr><tr><td>50 - &lt;75%</td><td>2</td></tr><tr><td>&lt;50%</td><td>1</td></tr></table> <p>Assessment by Account Managers will be based on:</p> <ul style="list-style-type: none"><li>• Comparing numbers of Eligible Job Seekers identified in their Job Plan as literacy, language or numeracy training and the number of Job Seekers actually receiving such training (This may be done through sampling and or quantitative reports).</li><li>• Provider records demonstrate effort to broker literacy, language or numeracy training opportunities (Account Managers should take this into consideration especially where training was not available despite the effort of the Provider).</li><li>• Whether Eligible Job Seekers with disabilities or reduced capacity were considered and supported appropriately – this may be done through sampling.</li></ul>	% of the Performance Target achieved	# Rating	90 - ≤100%	4	75 - <90%	3	50 - <75%	2	<50%	1
% of the Performance Target achieved	# Rating											
90 - ≤100%	4											
75 - <90%	3											
50 - <75%	2											
<50%	1											

	100% of Eligible Job Seekers placed in Employment are provided with quality Post-placement Support in accordance with RAC1.	<b>% of the Performance Target achieved</b>	<b># Rating</b>
		90 - ≤100%	4
		75 - <90%	3
		50 - <75%	2
		<50%	1
Assessment will be undertaken by Account Managers based on:			
<ul style="list-style-type: none"><li>• Provision of Post-placement Support will be determined by records demonstrating that all Eligible Job Seekers placed in employment were offered Post-Placement Support Services.</li><li>• Where Post-placement Support was not provided, evidence that this was the choice of the Eligible Job Seeker or that equivalent services were provided by a third party, such as the Employer.</li><li>• Quality of Post-placement Support will be determined through the Provider's success in helping Eligible Job Seekers retain jobs, including<ul style="list-style-type: none"><li>○ attrition rates for Eligible Job Seekers placed in Employment</li><li>○ records that such services were provided in a tailored fashion</li><li>○ where applicable confirmation or survey results from employers and Eligible Job Seekers.</li></ul></li></ul>			

	Eligible Job Seekers were supported to apply for Vacancies and Paid Work Assignments.	<b>Assessment of Provider's performance</b>	<b>Rating</b>
		The Provider displays a high level of performance and frequently exceeds expectations.	4
		The Provider consistently achieves a good performance.	3
		The Provider has notable weaknesses and performance does not generally meet an acceptable standard of performance.	2
		The Provider performance is well below an acceptable standard of performance.	1
		<p>Assessment by Account Managers based on:</p> <ul style="list-style-type: none"> <li>• Jobsearch Facilities are available in at least one Full-Time Site</li> <li>• Vacancies and Work Assignments are recorded in the IT system</li> <li>• Evidence that the Provider canvassed Employers for Vacancies and Labour Hire Employers for Paid Work Assignments</li> <li>• Evidence that Eligible Job Seekers were screen, matched and referred to Vacancies and Paid Work Assignments</li> <li>• Where Eligible Job Seekers have applied for Vacancies and Paid Work Assignments, this will be considered towards Provider performance</li> <li>• Job Seekers with disabilities or reduced capacity were considered and supported appropriately.</li> </ul> <p><i>Where an Account Manager finds evidence that on multiple occasions, Vacancies or Paid Work Assignments of which the Provider should reasonably aware, were not entered into the IT system and subject to job matching process, a rating of 1 "Unsatisfactory" should apply.</i></p>	

1.3 General Provider Performance	Provider has managed Customer feedback in line with the Funding Agreement and Guidelines and has improved practices in response to complaints.	<table><tr><th>Assessment of Provider's performance</th><th>Rating</th></tr><tr><td>The Provider displays a high level of performance and frequently exceeds expectations.</td><td>4</td></tr><tr><td>The Provider consistently achieves a good performance.</td><td>3</td></tr><tr><td>The Provider has notable weaknesses and performance does not generally meet an acceptable standard of performance.</td><td>2</td></tr><tr><td>The Provider performance is well below an acceptable standard of performance.</td><td>1</td></tr></table> <p>Assessment by Account Managers based on:</p> <ul style="list-style-type: none"><li>• The Provider has a compliant Customer Feedback Register (where the Register does not exist or is not compliant a rating of 1 must be applied, unless there is a reasonable excuse).</li><li>• Information logged in the Provider's Customer Feedback Register</li><li>• Provider can demonstrate that Feedback from employers and job seekers was investigated by an appropriately senior staff member</li><li>• Provider communicated of outcomes or investigation to the complainant</li></ul>	Assessment of Provider's performance	Rating	The Provider displays a high level of performance and frequently exceeds expectations.	4	The Provider consistently achieves a good performance.	3	The Provider has notable weaknesses and performance does not generally meet an acceptable standard of performance.	2	The Provider performance is well below an acceptable standard of performance.	1
Assessment of Provider's performance	Rating											
The Provider displays a high level of performance and frequently exceeds expectations.	4											
The Provider consistently achieves a good performance.	3											
The Provider has notable weaknesses and performance does not generally meet an acceptable standard of performance.	2											
The Provider performance is well below an acceptable standard of performance.	1											

	All Eligible Job Seeker non-attendance is handled swiftly and appropriately in accordance with Guidelines and the Funding Agreement. This includes:	<table><tr><th>% of the Performance Target achieved</th><th># Rating</th></tr><tr><td>90 - ≤100%</td><td>4</td></tr><tr><td>75 - &lt;90%</td><td>3</td></tr><tr><td>50 - &lt;75%</td><td>2</td></tr><tr><td>&lt;50%</td><td>1</td></tr></table>	% of the Performance Target achieved	# Rating	90 - ≤100%	4	75 - <90%	3	50 - <75%	2	<50%	1
	% of the Performance Target achieved	# Rating										
	90 - ≤100%	4										
	75 - <90%	3										
50 - <75%	2											
<50%	1											
<ul style="list-style-type: none"><li>100% of Eligible Job Seeker non-attendance is followed-up with the Eligible Job Seeker and actioned in the IT system on the same day.</li><li>If no Valid Reason or Reasonable Excuse for Eligible Job Seeker non-attendance exists, 100% of Provider Attendance Reports and Non-Attendance Reports are submitted to DHS within 2 business days* of non-attendance by Eligible Job Seeker</li><li>Where appropriate, reconnection appointments are scheduled within 2 days of contact with Job Seekers being made.</li></ul>	<table><tr><th>Average number of business days for NAR/PAR submission to DHS</th><th># Rating</th></tr><tr><td>Within 2 business days</td><td>4</td></tr><tr><td>3-4 days</td><td>2</td></tr><tr><td>5 or more days</td><td>1</td></tr></table>	Average number of business days for NAR/PAR submission to DHS	# Rating	Within 2 business days	4	3-4 days	2	5 or more days	1			
Average number of business days for NAR/PAR submission to DHS	# Rating											
Within 2 business days	4											
3-4 days	2											
5 or more days	1											
	<table><tr><th>Average number of business days for reconnection – where appropriate</th><th># Rating</th></tr><tr><td>1 days</td><td>4</td></tr><tr><td>2 days</td><td>3</td></tr><tr><td>3 or more days</td><td>1</td></tr></table>	Average number of business days for reconnection – where appropriate	# Rating	1 days	4	2 days	3	3 or more days	1			
Average number of business days for reconnection – where appropriate	# Rating											
1 days	4											
2 days	3											
3 or more days	1											
	Average of the three scores above.											
	Where reconnection did not occur due to acceptable reason (see “Table of Reasons for Job Seekers unable to re-engage within 2 business days” in the Job Seekers Compliance Framework), this will not impact Provider performance.											
	However, Account Managers and/or the EPAT may monitor application of these acceptable reasons to identify inappropriate use.											
	<i>*For DSP Recipients (Compulsory) the period for reporting non-compliance is 10 business days.</i>											



	<p>Providers comply with operational, financial and record-keeping requirements outlined in the Funding Agreement and Guidelines. No Breach Notices are issued by PM&amp;C.*</p> <p>*Please note, if a Breach Notice is later retracted, the Breach Notice will not count against Provider performance.</p>	<table><tr><th>Assessment of Provider's performance</th><th>Rating</th></tr><tr><td>The Provider displays a high level of performance and frequently exceeds expectations.</td><td>4</td></tr><tr><td>The Provider consistently achieves a good performance.</td><td>3</td></tr><tr><td>The Provider has notable weaknesses and performance does not generally meet an acceptable standard of performance.</td><td>2</td></tr><tr><td>The Provider performance is well below an acceptable standard of performance.</td><td>1</td></tr></table> <p>Assessment by Account Managers based on:</p> <ul style="list-style-type: none"><li>• Financial Records</li><li>• Eligible Job Seekers records are up-to-date and kept well</li><li>• IT records are up-to-date and all actions or categorisations are appropriate.</li><li>• Shopfronts were open as advertised – confirmed through spot visits, spot calls, verification of complaints received.</li><li>• Number and severity of Breach Notices issued.</li></ul> <p><b>Any fraud breaches (irrespective of severity) or major breaches will result in a rating of 1.</b></p> <p>Exceptional circumstances preventing shopfronts being open may include:</p> <ul style="list-style-type: none"><li>• Natural disasters</li><li>• Serious illness of majority of shopfront staff</li><li>• Utility disconnection of longer than 2 hours</li><li>• Cultural or bereavement leave for majority of shopfront staff</li><li>• Criminal threat or damage to staff or property</li><li>• WHS incidents or notifications – these must have been formally recorded and reported to apply.</li></ul>	Assessment of Provider's performance	Rating	The Provider displays a high level of performance and frequently exceeds expectations.	4	The Provider consistently achieves a good performance.	3	The Provider has notable weaknesses and performance does not generally meet an acceptable standard of performance.	2	The Provider performance is well below an acceptable standard of performance.	1
Assessment of Provider's performance	Rating											
The Provider displays a high level of performance and frequently exceeds expectations.	4											
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The Provider performance is well below an acceptable standard of performance.	1											

## 2.3 KPI 2: Availability, attendance and appropriateness of Activities for WfD Participants

Performance Measures	Performance Targets	Assessment Rating System	
2.1 Availability of Activities for WfD Participants.	<p>100% WfD Participants have been placed in one or more Activities, sufficient to their participation requirement.</p> <p><i>Note: Where WfD Participants move into the region or have significant changes in personal circumstances which preclude certain Activity-types (i.e. because of reduced capacity including disability or legal restrictions) the Provider will have a period of 6 weeks to roll-out one or more Activities that meet that Eligible Job Seeker's requirements.</i></p>	<b>% of the Performance Target achieved</b>	<b># Rating</b>
		90 - ≤100%	4
		75 - <90%	3
		50 - <75%	2
		<50%	1
2.2 Attendance of WfD Participants	<p>100% attendance of all WfD Participants in Activities (in line with their participation requirements.)</p>	<p>Account Managers will determine availability by:</p> <ul style="list-style-type: none"> <li>Comparing the number of WfD Participants in Activity to the number of WfD Participants.</li> <li>Comparing WfD Participant placement to requirements in job plan (may be done through sampling).</li> <li>In order to count towards the Performance Target, the Activity must comply with requirements in the Funding Agreement and Guidelines.</li> </ul>	
		<b>% of the Performance Target achieved</b>	<b># Rating</b>
		90 - ≤100%	4
		75 - <90%	3
		50 - <75%	2
		<50%	1
		<p>Attendance will be determined through:</p> <ul style="list-style-type: none"> <li>Attendance records (both physical and digital in the RJCP IT system inc. Activity Diary).</li> <li>Spot checks at Activities by Account Managers and/or Contract Managers.</li> <li>Records kept by Hosts.</li> <li>Please see guidelines for assessing attendance.</li> </ul> <p>Account managers should corroborate attendance with other sources such as DHS records and community elders where errors or misreporting are suspected.</p>	

2.3 Appropriateness of Activities	100% Activities are appropriate to WfD Participants, local labour market and the community.	Assessment of Provider's performance		Rating
		100% activities are deemed appropriate		4
		No more than 1 activities are inappropriate and there are plans to improve this situation		3
		No more than 2 activities are inappropriate and there are plans to replace/improve some of the situations		2
		More than 2 activities are inappropriate and there are no (or inadequate) plans to replace/improve any situations		1
		Appropriateness will be determined by Account Managers, based on their assessment of whether:		
		<ul style="list-style-type: none"><li>• Activities are needed, wanted and valued by the community. This will be determined via:<ul style="list-style-type: none"><li>○ Documentary evidence which may include Business Cases for Activities demonstrating community need and support, any updated community action plans (not a requirement), identification of community priorities in internal strategies.</li><li>○ Questionnaires or interviews with community leaders and/or elders</li></ul></li><li>• Activity or WfD Participant engagement in the Activity does not cause, contribute or exacerbate social dysfunction. This will be determined by<ul style="list-style-type: none"><li>○ Evidence in that WfD Participants compatibility was considered</li><li>○ Evidence that social dysfunction occurred</li><li>○ Survey of community leaders</li></ul></li><li>• Activities build skills and increase job-readiness for WfD Participants (this may be done on a sample basis).</li><li>• Where Training was provided as an Activity, the Provider can demonstrate that this Training was aligned to local labour market needs or otherwise needed for participation in an Activity.</li><li>• Eligible Job Seekers with disabilities or reduced capacity were considered and supported appropriately.</li></ul>		

2.4 Hosted Placements	The Provider has made significant efforts to broker and place WfD Participants in quality Hosted Placements with local employers.	<b>Assessment of Provider's performance</b>		<b>Rating</b>
		The Provider displays a high level of performance and frequently exceeds expectations.		4
		The Provider consistently achieves a good performance.		3
		The Provider has notable weaknesses and performance does not generally meet an acceptable standard of performance.		2
		The Provider performance is well below an acceptable standard of performance.		1
		<p>Assessment by Account Managers based on:</p> <ul style="list-style-type: none"> <li>• Evidence of contact with local employers to broker Hosted Placements (emails, records of conversation)</li> <li>• Success in placing WfD Participants in Hosted Placements with local employers</li> <li>• Feedback from employers confirming proactive engagement by Providers</li> <li>• Feedback from employers confirming requests by them to offer Hosted Placements were accepted by the Provider and resulted in WfD Participants being placed.</li> </ul>		

## 2.4 KPI 3: Achievement of the Regional Employment Target

KPI 3 measures Provider performance against Regional Employment Targets.

Regional Employment Targets are set by PM&C for the number of Eligible Job Seekers reaching 26-week employment outcomes. Regional Employment Targets will be individually set for each RJCP region by PM&C. Providers will be informed of each period's target at least 6 months in advance of the period commencing. To ensure that Regional Employment Targets are appropriate, targets will vary over time and between regions according to demographic, labour market and economic circumstances.

When determining each region's Regional Employment Target, the following factors are considered:

1. Previous Performance
2. Performance in comparable RJCP regions
3. Current and future labour market opportunities
4. Seasonality in the labour market
5. Job Seekers disadvantage and concentration of Job Seekers in the region
6. Discreteness of region and opportunities for mobility.

To be counted towards achievement of the Regional Employment Target, the Provider must have received the 26 week outcome payment.

Performance Measure	Target	Assessment Rating System	
3.1 Regional Employment Target is met.	100% of the Regional Employment Target is met.	% achieved of the target rate	Rating
		90 - ≥100%	4
		75 - <90%	3
		50 - <75%	2
		<50%	1

## 2.4.1 Setting and Assessing the Regional Employment Target

### *Setting the Regional Employment Target*

Regional Employment Targets set the required number of Eligible Job Seekers who achieve 26-week outcomes during a specific 6 month period.

For example, if the target is for 1 January 2016 to 30 June 2016, the target is for the number of Eligible Job Seekers who achieve a 26 week outcome during this period.

Regional Employment Targets are individually set by PM&C to ensure they take account of the specific context of each region.

To ensure that Regional Employment Targets remain appropriate over time, Regional Employment Targets will be reviewed and reset every six month according to demographic, labour market and economic circumstances.

When determining a region's Regional Employment Target, the following factors are considered:

1. Previous Performance
2. Performance in comparable RJCP regions
3. Current and future labour market opportunities
4. Seasonality in the labour market
5. Job Seekers disadvantage and concentration of Job Seekers in the region
6. Discreteness of region and opportunities for mobility.

To be counted towards achievement of the Regional Employment Target, the Provider must have received the 26 week outcome payment.

Providers will be informed of each period's target at least 6 months in advance of the start of the period.

### *Assessing the Regional Employment Target*

Providers' achievement against Regional Employment Targets will be formally assessed during the Onsite Reviews every six months.

Due to the 6-month lag between job seekers commencing employment and reaching a 26-week outcome, the first Regional Employment Target can only be assessed during the July-August 2016 review.

For the purposes of the January-February 2016 review, Providers will receive an indicative assessment based on the likelihood of meeting the first Regional Employment Target when it is formally reviewed during the July - August 2016 review.

## Example

The first Regional Target for Provider X is **47** job outcomes.

Based on the Provider's historical performance in converting placements to 26-week outcomes, Provider X is likely to need to place at least 102 people into employment between 1 July 2015 and 31 December 2015 to achieve **47** employment outcomes.

Alternatively, the Provider could increase the amount of support they provide to jobseekers, making it more likely jobseekers will achieve 26-week employment outcomes. This will allow them to reduce the number of commencements they need to achieve these **47** employment outcomes.

Provider X's performance against these targets will be assessed as follows:

- Indicative assessment against the first Regional Employment Target: January/February 2016
- Achievement of the first Regional Employment Target: Assessed July/August 2016

The Table below outlines the assessment periods for KPI 3.

Target	Period the target applies to	Review period
Target 1	1 July to 31 December 2015 (commencements and retention)	January/February 2016 (indicative assessment)
Target 1	1 July to 31 December 2015 (outcomes)	July/August 2016
Target 2	1 January to 30 June 2016 (outcomes)	January/February 2017
Target 3	1 July to 31 December 2016 (outcomes)	July/August 2017
Target 4	1 January to 30 June 2017 (outcomes)	January/February 2018
Target 5	1 July to 31 December 2017 (outcomes)	July/August 2018
Target 6	1 January to 30 June 2018 (outcomes)	January/February 2019



## 3. Provider Compliance

### 3.1 Overview

PM&C defines provider 'compliance' as the obligation on funding recipients and third party Providers to conform with any applicable:

- funding agreement
- guidelines, instructions, policies and procedures;
- Industry regulations, standards and codes; and
- Commonwealth, State and Territory laws, regulations, standards and codes.

### 3.2 Compliance Goals

PM&C's compliance goals are for Providers to be fully compliant with the Funding Agreement, guidelines and policies, and any laws, regulations, standards and/or codes set by any relevant Governments or industry bodies.

In order to achieve this, PM&C will:

- Ensure that all Providers are given the information they require to voluntarily comply with all of their compliance obligations, and
- Establish a robust monitoring and correction system to detect cases where this is not occurring and take appropriate corrective action.

### 3.3 Compliance and Assurance Approach

Providers are responsible for their performance and compliance. Providers must also have in place their own governance and control systems which support their performance, delivery of quality services, and accuracy of payments consistent with the Funding Agreement and relevant Guidelines.

PM&C acknowledges that the majority of Providers are willing and able to comply with their obligations under the Funding Agreement and the Guidelines; however:

- some Providers may engage in inappropriate activities which do not meet these requirements, or be inadvertently non-compliant due to poor governance or procedures, and
- some Providers will require training, corrective action or other more serious remediation to address entrenched non-compliance issues.



PM&C uses a risk-based approach to inform its compliance activities and to address areas of concern. Mechanisms to assure the integrity of the RJCP, service delivery and claims for payment includes data analysis, management of the Funding Agreement, programme evaluation, stakeholder and client surveys, national and targeted programme assurance activities and Job Seekers feedback.

The Framework allows PM&C to assure itself that RJCP Providers are complying with their obligations under the Funding Agreement and relevant Guidelines and policies.

## 7.4 Compliance Issues for Particular Consideration

The following compliance issues may be areas for particular attention under the monitoring systems described in the Programme Management Framework.

Category	Compliance questions
Workplace Health and Safety	Are Providers ensuring workplace health and safety risk assessments are conducted prior to Activity commencement?
	Are Activities being adequately supervised by suitably trained and qualified staff?
	Are Job Seekers being briefed on emergency procedures and work place health and safety requirements?
Governance structures, staffing and internal reporting	Are governance structures and internal reporting arrangements appropriate / adequate?
	Are internal risks controls in place, and are they adequate?
	Has there been a high level of staff or management turnover?
Claims	Are the claimed Employment Outcomes and Job Seeker attendance reported in the Activity Diary accurate?
	<p>Is there a discrepancy in patterns of claims compared to previous review periods?</p> <ul style="list-style-type: none"> <li>• Variations in the patterns of claims, or in the Provider's performance, compared to previous assessment periods.</li> <li>• Higher than normal levels of claims compared to comparable RJCP Providers.</li> <li>• Claim patterns within period indicate possible breaches.</li> </ul>
Application of Attendance Categories	Have Eligible Job Seeker attendance categories been applied correctly?
Assets	Have any assets that have been partially or wholly funded by the Commonwealth Government been encumbered or disposed of without PM&C approval?

Category	Compliance questions
	Are all assets safeguarded against theft, loss, damage or unauthorised use?
	Are all assets used for RJCP insured to their full replacement value?
	Are all assets in good working order?
	Are all registrations and/or licencing of assets up to date?
	Is there an Asset register and Asset Disposal Plan?
Conflicts of interest	Are there any conflicts of interest between the Provider and any organisations associated with Activities or job placements?
Customer Feedback	Are there any valid complaints and/or poor feedback from Job Seekers, stakeholders or communities about manipulative, poor service delivery or potentially non-compliant behaviour?
	Does the Provider meet Funding Agreement requirements with respect to Customer Feedback?
Financial Management	Have all funds been managed in accordance with Guidelines and the Funding Agreement?
	Have all fund transfers to Employers and subcontractors been executed in accordance with Guidelines and the Funding Agreement?
Contracts	Are all contracts with subcontractors, Employers and Hosts in accordance with Guidelines and the Funding Agreement?
General Quality of Record Keeping	<p>Does the Provider comply with requirements in Guidelines and the Funding Agreement with respect to:</p> <ul style="list-style-type: none"> <li>• Documentary Evidence</li> <li>• Job Seekers files</li> <li>• Digital records</li> <li>• Timeliness of reporting and records management?</li> </ul>

## 4. Performance and Compliance Strategies

### 4.1 Overview

The Programme Management Framework outlines how performance and compliance issues will be prevented, monitored, identified, reported and remedied both at a provider and programme level.

The approach centres on four risk-based strategies to manage performance, compliance and the issuing of breaches and application of corrective actions:

1. Prevention and Deterrence
2. Monitoring, Assessment and Detection
3. Response and Correction
4. Evaluation and Reporting.



These four strategies are complementary and iterative and are described in detail below.

### 4.2 Prevention and Deterrence

Prevention and deterrence are the first lines of defence against poor performance and non-compliance and provide the most cost-effective method of ensuring performance and compliance by RJCP Providers. The strategies employed under this Framework are:

- Funding Agreement and Guidelines
- Performance and compliance education

#### 4.2.1 Funding Agreement and Guidelines

The RJCP Funding Agreement describes the roles and responsibilities of Providers in delivering the programme on behalf of the Commonwealth.

Specifically, the Funding Agreement stipulates:

- record keeping and reporting requirements;
- information security obligations;
- requirements for the management of fraud and corruption;
- service delivery and performance obligations; and
- mechanisms for disputes and termination.

The Funding Agreement is complemented by guidelines which provide clarification on Providers' compliance obligations under the programme. These include: Operational Guidelines, Fact Sheets, Codes of Practice and Service Guarantees, and this Programme Management Framework, all of which are available on the Provider Portal.

The RJCP Agreement Management Framework provides the structure for PM&C's relationship with RJCP Providers ensuring a consistent and uniform approach to agreement management is applied across all RJCP regions.

### Guidelines

Guidelines have been developed to complement the Funding Agreement. They are intended to supplement the terms and conditions in the Funding Agreement, and to assist RJCP Providers in understanding their obligations under the programme.<sup>1</sup> Consequently, the Guidelines are another key element of prevention and deterrence in this Framework.

#### 4.2.2 Provider Performance and Compliance Education

PM&C staff are responsible for providing regular face-to-face support to RJCP Providers regarding performance expectation and compliance responsibilities under the programme.

Performance and Compliance education may also be delivered on a risk basis, for example:

- where education is targeted towards individual Providers at a higher risk of poor performance and/or non-compliance, or
- targeted education campaigns focusing on particular aspects of the programme susceptible to systemic poor performance non-compliance by Providers (e.g. Employer Incentive Payments).

Another effective deterrence measure is educating RJCP Providers on the risk-based performance and compliance strategies employed under this Framework. Through understanding how they might be targeted for more frequent or intense monitoring activities, Providers will be motivated to comply with their obligations under the programme and the Funding Agreement.

Educating Providers as to the actions available to PM&C if poor performance or non-compliance is reported or detected will also help deter non-compliant behaviour and incentivise stronger performance.

Provider education is the responsibility of PM&C and the Providers themselves. Account Managers will undertake support and education at a grass-roots level based on the needs of their Provider. Other areas of PM&C will identify programme-level education opportunities and develop educational tools to support these opportunities.

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<sup>1</sup> In the event of any inconsistency with Operational Guidelines, the provisions contained in the Funding Agreement will prevail.

Providers are responsible for identifying education needs, asking questions or requesting support from PM&C staff and organising suitable training for their staff, especially that offered by peak bodies such as Jobs Australia or NESA.

## **PM&C**

### **Informal**

Account Managers and Contract Managers will be the primary PM&C staff engaging in informal support either face-to-face or over the telephone. Such informal support will be in response to issues, risk profiles and Providers' own concerns. PM&C will provide support to Providers based on Provider capability and risk profile.

### **Formal**

#### **Roadshows**

National Office may from time-to-time organise roadshows to engage with Providers in person. An example of this includes is the series of face to face training workshops that will occur over June 2015 across Australia. These face to face training sessions will facilitate the delivery of an IT system presentation regarding system workflows that support the implementation of key RJCP policies and processes.

#### **Webinars**

By its nature as a remote programme, RJCP will rely on online education and training. The heart of the online education and training system is the webinar series. Webinars will be regularly offered to both Providers and Contract Managers by National Office staff. Webinars will cover a variety of topics. PM&C may invite external parties to deliver webinars, including highly-performing RJCP Providers.

To ensure that the webinars focus on issues of interest and need to Providers, Providers will have the opportunity to ask questions, make suggestions as well as proposing future topics during the webinars. There are no costs associated in the development and delivery of webinars.

## **PROVIDERS**

Providers are expected to take responsibility for education and training, both at an organisational and individual staff member level. They are also responsible for providing support and training to any subcontractors.

Providers should regularly and proactively reassess their capability and their education and training needs. Where gaps are identified, Providers should recommend issues to be covered in webinars. They should also seek formal training opportunities through industry bodies like NESA and Jobs Australia – please note external training will not be paid for by PM&C.

Providers should consider the role of other training organisations when establishing a training programme for staff. General skills such as financial management, leadership, cultural sensitivity

training, and customer service may be available more locally through organisations that do not focus solely on training employment services staff.

### 4.2.3 Support and Recognition

PM&C is committed to supporting RJCP Providers in the delivery of its services to participants in remote communities and recognising and celebrating excellence. Support and recognition includes the following:

#### **Sharing Best Practice and Lessons Learned**

Providers are encouraged to share innovative approaches to addressing service delivery barriers, as well as their knowledge and strategies for improving service delivery with Providers.

Approaches for sharing of Best Practice will be considered during 2015 and may include a range of strategies such as identification and dissemination of best practice through the RJCP Provider Portal, e-newsletters, industry round tables and other promotional and media activities and materials.

PM&C will also share lessons learned from across the RJCP to help Providers strengthen their internal compliance and performance monitoring systems

#### **Sharing Success**

Providers are encouraged to share 'good news stories' highlighting the positive experiences of Indigenous Job Seekers and the efforts of Providers to support them in finding employment, as well as good news stories about the positive impact that RJCP is making within communities. Good News Stories can be shared via the [www.Indigenous.gov.au](http://www.Indigenous.gov.au) site. Links to published stories can then be uploaded to the Provider Portal for sharing between Providers.

#### **Recognition**

Providers who achieve excellence will be publically recognised by PM&C and/or the Minister for Indigenous Affairs, through the Provider Portal, special events and public acknowledgement.

## 4.3 Monitoring, Assessment and Detection

To detect instances of poor performance or non-compliance while allocating finite compliance monitoring resources appropriately, PM&C will use a risk-based approach to monitoring, assessing and reviewing Provider compliance and performance.

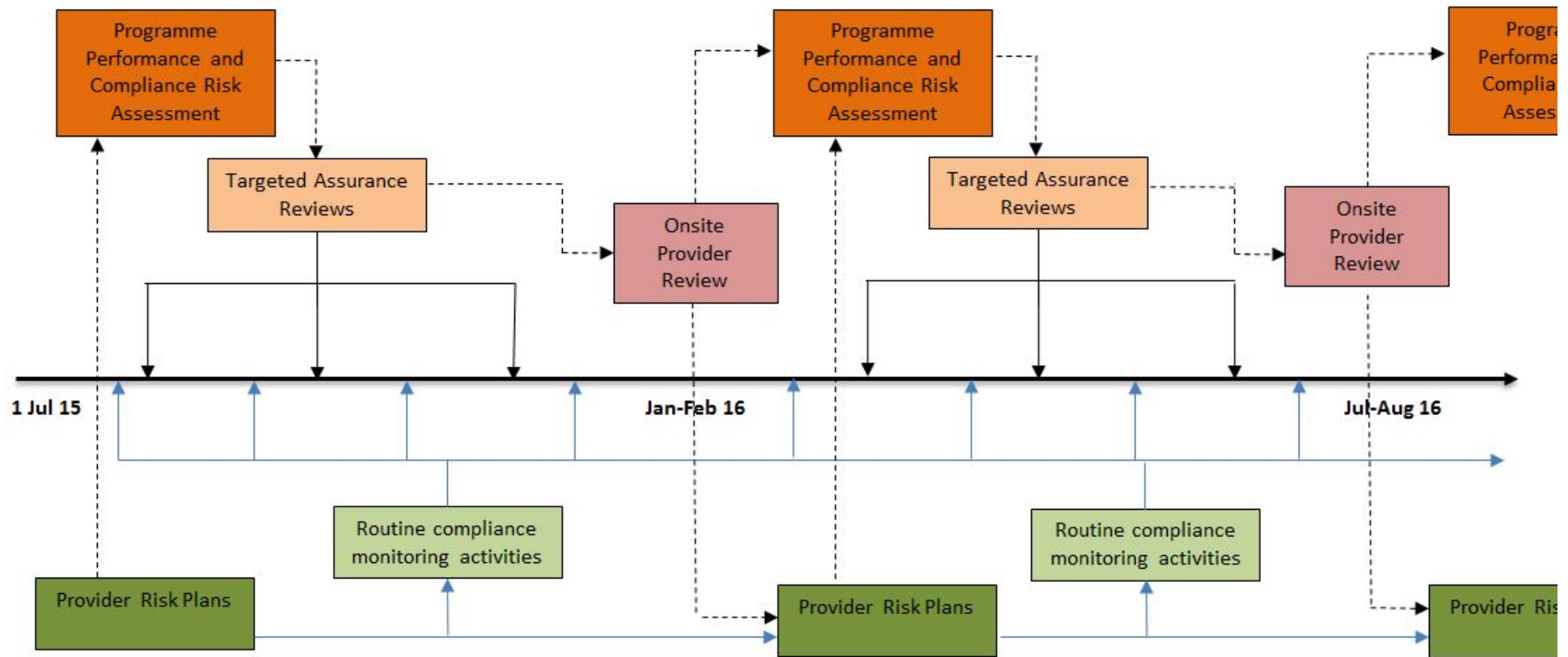
Each Provider (in each region) will have a Risk Assessment conducted upon them. A Provider assessed to be a high risk may be monitored, assessed and reviewed more frequently and intensely than lower risk Providers, and is more likely to be the subject of a Targeted Assurance Review (refer Section 4.3.7).

However, all Providers will be subject to a minimum level of monitoring and assessment. Attachment A outlines how Provider performance will be assessed to form an overall performance rating.

Figure 1 on the next page illustrates the timing and integration of the monitoring activities.



**Figure 1: Timing and Integration of Monitoring and Assessment Activities**



Routine monitoring activities include spot check, regular liaison, desktop monitoring etc.

Provider Risk Plans, Routine Compliance monitoring activities and Onsite Provider Reviews are undertaken at a Provider level by Account Managers.

Programme Compliance and Performance Risk Assessments are undertaken at a programme level by National Office. The Target Assurance Reviews will be designed and coordinated by National Office, though some elements may be undertaken by Account Managers.

The rest of this section provides detail on each of the elements of the RJCP Performance and Compliance monitoring system.

### 4.3.1 Onsite Provider Performance and Compliance Reviews

#### **Purpose:**

The Onsite Provider Performance and Compliance Review (Onsite Reviews) is the formal and comprehensive review point for the performance and compliance of each Provider in each region.

Onsite Reviews will have two tranches:

1. **Performance:**

Performance against KPIs, Performance Measures and Targets (refer Sections 2.2 – 2.5). These will be assessed and an Overall Performance Rating will be applied to the Provider for each Region. For details about performance assessment methodology and overall Performance Ratings (including an assessment template), please see **Attachment A**.

2. **Compliance Assurance:**

Adherence to the compliance requirements outlined in Section 3, the Funding Agreement and Guidelines as well as the results of previous Onsite Reviews and whether corrective actions have been implemented.

The Onsite Reviews will be undertaken by the Account Manager or suitable delegate. To ensure that relevant records are available and presented in an ordered fashion, the Account Manager must give the Provider at least 5 business days' notice of the date and time of the Onsite Review.

Serious non-compliance and suspected fraud will be referred to the responsible officer within PM&C for action.

Data from Onsite Reviews will be aggregated to a programme level to inform the design, scale and frequency of other performance, compliance and assurance monitoring activities, both at an RJCP level and across all programmes being implemented under the Indigenous Advancement Strategy.

During an Onsite Review, the Account Manager will require access to records relating to all of the Performance Targets under the KPIs as well as:

Support for Eligible Job Seekers	<ul style="list-style-type: none"><li>Any non-vocational Interventions offered by Provider (or referrals to specialist support services) incl. but not limited to:<ul style="list-style-type: none"><li>Alcohol and Drug support services</li><li>Homelessness Services</li><li>Mental Health</li></ul></li></ul>
Provider Capability	<ul style="list-style-type: none"><li>Training received by Provider staff, such as cultural training, client-servicing etc.</li></ul>
Records of job seeker attendance	<ul style="list-style-type: none"><li>Participation Reports</li><li>Non-attendance reports</li><li>Provider Attendance Reports</li><li>Follow-up and reconnection with Job Seekers</li><li>Use of attendance categories</li><li>Documentary evidence proving reasonable excuse, valid reason or exceptional circumstances</li></ul>

Financial Management	<ul style="list-style-type: none"> <li>• Payments to organisation hosting Activity placements for WfD Participants</li> <li>• Employer Incentive Payments</li> <li>• Provider Financial Viability</li> <li>• Bank Statements,</li> <li>• Previous Audits;</li> <li>• Audit Management Letters</li> <li>• How long Accountants and Auditors have been engaged</li> <li>• Turnover of Accountants, Auditors and key finance staff</li> </ul>
Subcontractors	<ul style="list-style-type: none"> <li>• Financial, training and attendance information</li> </ul>
Employer engagement	<ul style="list-style-type: none"> <li>• Any updated Workforce Development Strategy kept by the Provider (*Please note, although the Workforce Development Strategy is no longer a requirement under the Funding Agreement, Providers may continue to update any existing Workforce Development Strategies to facilitate consideration of local labour markets and engagement with employers.)</li> <li>• Proof of contact with local employers and / or Chamber(s) of Commerce</li> <li>• Local Employer Vacancies and Paid Work Assignments</li> <li>• Referrals of jobseekers to Vacancies and Work Assignments</li> </ul>
Community Engagement	<ul style="list-style-type: none"> <li>• Any Community Action Plans kept by the Provider (*Please note, although the Community Action Plan is no longer a requirement under the Funding Agreement, Providers may continue to update any existing Community Action Plan to facilitate consideration of community needs and development.)</li> <li>• Proof of contact with elders, community organisations (inc. schools etc.) and/or local governments</li> </ul>
Activities for WfD Participants	<ul style="list-style-type: none"> <li>• Supervision</li> <li>• WH&amp;S risk assessments and training</li> </ul>
Employment outcomes	<ul style="list-style-type: none"> <li>• All employment placements</li> <li>• Attrition before 13-week outcomes</li> <li>• 13-week outcomes</li> <li>• Attrition after 13-week outcome, before 26-week outcome</li> <li>• 26-week outcomes</li> </ul>
Corrective Actions	<ul style="list-style-type: none"> <li>• Any records required by Corrective Actions previously issues</li> <li>• Any records required to be kept as a result of Corrective Actions.</li> </ul>

**Frequency:**

PM&C will hold formal Onsite Reviews with the Providers regularly for the duration of the Funding Agreement. At minimum, Providers will be reviewed at six-monthly intervals as follows:

Onsite Review	Period under review	Review timing
1	1 July to 31 December 2015	January/February 2016
2	1 January to 30 June 2016	July/August 2016
3	1 July to 31 December 2016	January/February 2017
4	1 January to 30 June 2017	July/August 2017
5	1 July to 31 December 2017	January/February 2018
6	1 January to 30 June 2018	July/August 2018

PM&C reserves the right to conduct onsite **Provider Performance Reviews** more frequently according to each Provider's previous performance and compliance history and risk profile.

### 4.3.2 Desktop Monitoring of IT systems data (e.g. ECSN)

Desktop monitoring will be undertaken both at the PM&C Regional Network and National Office level:

- National Office will monitor IT systems for the purpose of determining monthly payments.
- Contract Managers will engage in desktop monitoring as part of their data integrity role.
- PM&C staff in both National Office and Regional Network will use desktop monitoring as part of the suite of tools used for more regular and routine performance and compliance monitoring.

**Purpose**

The purpose of desktop monitoring of IT systems data is to:

- facilitate early detection of performance and compliance issues and allow Account Managers and Contract Managers to give Providers assistance as early as possible especially around
  - placement of **WfD Participants** in Activities
  - attendance of **WfD Participants** in Activities.
- (from 1 January 2016) facilitate calculation of monthly payments to Providers.

In accordance with the Payment Guidelines, desktop monitoring may lead to payment reduction and/or other actions being taken where the number of **WfD Participants** placed in Activities is less than 100% or payments have been incorrectly paid.

**Frequency:**

Desktop monitoring will occur at least monthly to assist in the calculation of each month's Work for the Dole payments and Basic Payments according to the Guidelines.

PM&C will give Providers regular updates of their performance data, which will include information about highly performing Providers and the average performance of Providers across the RJCP.

PM&C reserves the right to conduct desktop monitoring of IT more frequently according to each Provider's previous performance and risk profile.

### 4.3.3 Regular Liaison with Providers

#### **Purpose:**

Contract Managers may liaise informally with Providers in order to monitor specific areas of performance or compliance as required and provide support to help Providers meet their obligations and raise their level of performance. Such contact may also enable Account Managers to gain an understanding of the challenges being faced by Providers

Such contact may take whatever form the Contract Manager (with the agreement of the Account Manager) sees fit, including phone calls, email, provision of posters or other materials, onsite visits to shopfronts or activities, or workshops offsite.

Account Managers and Contract Managers must respond promptly to questions from Providers. If a response will take longer than a business day to develop, acknowledgement of receipt of the query should be sent to the Provider by COB of the business day after the query was received.

#### **Frequency:**

The frequency of such contact is at the discretion of the Account Manager and the Contract Manager, according to the Provider's performance and compliance history and risk profile. However, contact with Providers must be reasonable and not place an undue burden on the Provider.

### 4.3.4 Spot Checks

#### **Purpose:**

Contract Managers and Account Managers may undertake formal spot checks to monitor any performance or compliance areas. These may include, but are not limited to:

- WfD Participant attendance is being recorded correctly by supervisors or Providers, whether the Activity is provided by the Provider or a Host organisation.
- Ensuring Activities are being held, are appropriate for WfD Participants and provide them with work-like skills and experiences.
- Appointments are being made and kept
- Training is being provided in a quality way and attendance is being recorded correctly
- Complaints registers are up-to-date and all complaints are being handled appropriately
- Engagement with Eligible Job Seekers, employers and/or communities is occurring and appropriate
- Financial records are up-to-date and compliant
- WHS is adequate

Spot Checks also give Providers or Host organisations an opportunity to demonstrate the quality of their Activities.

#### **Frequency**

The frequency of spot checks is at the discretion of the Account Manager and the Contract Manager, according to the Provider's previous performance and risk profile. As spot checks are designed to be random and require no preparation from Providers, Account Managers do not need to give advance warning of spot checks (unlike the Onsite Reviews and informal liaison.)

#### 4.3.5 Surveys of Community Leaders and/or Elders, Employers and Job Seekers

##### **Purpose:**

To complement the records kept by Providers, and to ensure the needs of Customers are considered during the monitoring and review of performance and compliance, Account Managers and Contract Managers or other PM&C staff may conduct questionnaires of community leaders and/or elders, Employers, and Job Seekers. Any survey will be organised by PM&C and conducted by PM&C or at PM&C's expense.

The questionnaires may be conducted as an interview in person or over the phone, or as an elicited written response through email/mail or an online survey app. Choice of medium is left to the Account Manager's discretion but should be appropriate to the accessibility, literacy and language proficiency of the respondent.

Account Managers will be given assistance from PM&C National Office to help design the surveys as required. This will include the creation of a database of questions and response types and the development of survey guidelines to meet statistical and ethics requirements.

##### **Frequency:**

To ensure that the engagement burden on respondents is minimised, surveys should only be used to complement the formal six-monthly Onsite Provider Performance Reviews which occur in July/August and January/February each year and form the basis of the Provider Assessment.

#### 4.3.6 Financial Reports and Audits

Financial statements must be provided to PM&C, according to the terms of the Funding Agreement. Such statements may be used as evidence of poor performance or compliance breach, including fraud.

Where the Provider has audited financial statements, these too must be provided to PM&C and may also be analysed to determine whether breaches have occurred.

#### 4.3.7 Targeted Assurance Reviews

PM&C may also undertake Targeted Assurance Reviews, in response to areas of emerging or identified compliance and/or fraud risks. These targeted reviews may involve:

- one Provider
- a small group of Providers
- specific RJCP region(s), and/or
- a specific element of the programme.

PM&C will ensure thorough internal consultation has occurred during the development of a Targeted Assurance Review in order to ensure that the Targeted Assurance Reviews reflect areas of broad

concern and align with other assurance activities occurring across the Indigenous Advancement Strategy.

Target Assurance Reviews may occur at any time.

Any poor performance and/or non-compliance identified may result in the issuing of a Breach Notice.

#### 4.3.8 Self-Reporting

RJCP Providers are expected to take responsibility for ensuring that they comply with all programme requirements. Providers must self-report any instances of non-compliance to Account Managers and Contract Managers.

Where a Provider self-reports non-compliance, PM&C may elect not to apply Corrective Actions. However, where PM&C finds a Provider has continued to operate in a knowingly non-compliant manner, PM&C may apply all available actions to address the matter, including termination of the agreement.

#### 4.3.8 Customer Feedback and Tip-offs

In accordance with the Funding Agreement and the Guidelines, Customers of RJCP Providers (including Job Seekers, community representatives and employers) should be supported to:

- make enquiries and ask questions about services; and
- provide feedback, including lodging compliments or complaints about the service they receive from their Provider.

Such feedback, whether received and handled by the Provider, PM&C or a third-party such as the Commonwealth Ombudsman will be used to monitor and assess Provider performance and compliance, for establishing whether a breach has occurred, and for determining appropriate corrective action.

Where feedback refers to activity that could be a breach or suspected breach, PM&C will investigate and escalate the complaint in a manner consistent with the Funding Agreement and /or guidelines. Records relating to complaints will be used in reviews to assess performance and compliance, to support the issuing of a breach and to determine appropriate corrective action.

For further information regarding customer feedback, please refer to the Guidelines.

## 4.4 Response and Correction

While PM&C places a strong focus on the prevention and deterrence of poor performance and/or non-compliant behaviour by RJCP Providers, it will respond to identified issues. Response may include issuing Breach Notices and applying Corrective Actions.

For the purposes of the Funding Agreement, poor performance against the KPIs is considered to be a breach.

Where poor performance or non-compliance has been identified, Account Managers will assess the size, scope, and impact of the breach in order to categorise it.

Considerations may include but not be limited to the following:

Breach Category	Considerations
MINOR	small quantum, rate, or volume of poor outcomes or non-compliance
	little-to-no history of poor performance or non-compliance
	poor performance or non-compliance indirectly impacted third parties
	poor performance or non-compliance caused a low risk of minor harm
	provider self-identified and reported the performance or compliance issue
	provider can demonstrate strong efforts to improve that are likely to succeed
	poor performance or non-compliance is limited to a less significant aspect of the programme
SIGNIFICANT	moderate quantum, rate, or volume of poor outcomes or non-compliance
	some-to-significant history of poor performance or non-compliance
	poor performance or non-compliance directly impacted third parties
	poor performance or non-compliance caused moderate risk of harm or minor-to-medium harm eventuated
	provider did not self-identify or report the performance or compliance issue
	provider efforts to improve are likely to be incomplete or inadequate
	poor performance or non-compliance occurred in a significant aspect of the programme
MAJOR	large quantum, rate, or volume of poor outcomes or non-compliance
	extensive significant history of poor performance or non-compliance
	poor performance or non-compliance extensively or severely impacted third parties
	poor performance or non-compliance caused high risk of harm or moderate to severe harm eventuated
	provider did not self-identify or report the performance or compliance issue and attempted to conceal the issue
	provider has not attempted to improve the performance or compliance issue
	poor performance or non-compliance occurred in a critical area of the programme

Once the breach has been categorised, PM&C will determine appropriate Corrective Action(s). Corrective Actions may include requiring the Provider to undertake activities or remedies as part of a Performance Improvement Strategy, or enacting rights under the Funding Agreement, such as PM&C stepping-in or terminating the Funding Agreement.



PM&C will ensure its corrective actions:

- are proportionate to the severity of the breach and are taken in good faith.
- take into account the capacity and motivation of the Providers to return to compliance or satisfactory performance
- signal the seriousness with which PM&C views the performance or compliance issue.

In determining both the category of breach and the appropriate corrective action, PM&C will consider extenuating circumstances such as:

- How long has the Provider been operating?
- Is the Provider facing short-term governance issues that are in the process of remediation?
- Was the breach identified first through a self-audit rather than other compliance activity? Did the Provider self-report the breach? If so, should this be recognised in the final breach assessment? Note that repeated and ongoing breaches identified through self-audit are still of concern.
- Are there any factors in the review that need to be considered, such as the reliability of the data or sample size relied upon?
- Is the Provider in the process of implementing a robust process improvement plan, which should be recognised in the final breach assessment?
- Was there any policy ambiguity through changes to the relevant Guidelines, information technology system errors or other PM&C actions?
- What is the Provider's attitude to performance and compliance in this particular instance and overall? Is the Provider's behaviour consistent with:
  - wilful breach or performance manipulation through a repeated pattern of breach;
  - exploitation of loop holes; or
  - attempting to comply but not succeeding in some cases.
- Are there any other issues that should be considered?

Once the breach has been categorised and corrective actions have been determined, PM&C may issue:

- a Show Cause Notice, which gives the Provider an opportunity to demonstrate why corrective action should not be taken in respect of a breach; or
- a Breach Notice, which outlines that a breach has occurred and what corrective actions PM&C will take (if any) in respect of the breach.

### 4.4.1 Performance

Consistent with the Funding Agreement, poor performance against the KPIs is a breach. This means that poor performance may lead to Show Cause and/or Breach Notices being issued and corrective actions being undertaken.

Regarding performance the following events may be considered to be breaches:

- Poor performance detected through monitoring activities including (but not limited to) Onsite Reviews, Desktop Monitoring, Spot Checks, Targeted Assurance Reviews and Audits.
- With respect to Onsite Reviews:
  - Where a Provider's achieves an Overall Performance Rating of **"Needs to Improve"** or **"Unsatisfactory"**
  - Where a Provider with an Overall Performance Rating of **"Needs to Improve"** or **"Unsatisfactory"** has been unable to improve its performance level to a minimum rating of **"Satisfactory"** within 6 months.
  - Where a Provider achieves an Overall Performance Rating of **"Satisfactory"** but has poor performance (i.e. Needs to Improve" or "Unsatisfactory" ratings) against a particular KPI, Performance Measure or Target.
- Poor performance may be determined outside of the formal Onsite Reviews through other monitoring activities. In these cases PM&C will provide a brief description of how poor performance was determined to have occurred.

### 4.4.2 Provider Compliance

Non-compliance will be treated according to the nature and level of non-compliance, and the Provider's level of cooperation.

#### *Low-level and accidental non-compliance*

Providers must ensure that they comply with all programme requirements. Specific low-level compliance issues that are identified by Account Managers and Contract Managers will be addressed through the development of Corrective Actions and regular engagement with RJCP Providers. Account Managers will apply the appropriate level of Corrective Action to remedy non-compliance.

Where a Provider voluntarily discloses non-compliance, PM&C may elect not to apply additional actions (other than applying action for the recovery of relevant payments made and other related costs). Additional actions would apply if there was repeated or significant non-compliance, or where there is evidence of criminal behaviour.

Where activities are not consistent with a Provider's agreement or RJCP guidelines, PM&C will undertake preventative strategies, such as working with the Provider to improve their practices for future compliance, or provide additional guidelines and other material to ensure their requirements are as clear as possible.

Low-level and incidental non-compliance is likely to be categorised as a minor breach; however, PM&C will categorise ALL breaches according to the individual circumstances of each instance of non-compliance, according to the principles set out in Section 4.4.

### *Opportunistic and serious non-compliance*

Where it becomes apparent through compliance monitoring activities that RJCP Providers are being opportunistically or deliberately non-compliant (e.g. financial mismanagement and/or exploiting ambiguities or loopholes in their funding agreement), PM&C may initiate reviews and audits into potential breaches of the Funding Agreement. In the course of reviewing these matters, PM&C may make direct contact with employers, Job Seekers or other relevant parties to verify evidence provided by the Provider.

The type and severity of actions applied will be determined by the nature and level of non-compliance identified, the causes of the non-compliance and the Providers' level of cooperation with any investigation into the matter. More severe actions will be undertaken in situations where service fees and/or performance data have been wilfully manipulated, which may include termination of the funding agreement and/or referral for possible criminal investigation.

PM&C will consider what, if any, correction strategies should be applied, which may include one or more of the following actions:

- recovering payments which the RJCP Provider was not entitled to claim consistent with PM&C's obligations under the *Public Governance, Performance and Accountability Act 2013 (PGPA Act)*
- exercising other correction activities detailed in the Agreement, and/or
- imposing additional conditions on payment of outcome payments, or imposing additional reporting requirements.

These more serious compliance matters may also trigger training and capacity strengthening, and may result in increased compliance monitoring activities, such as Targeted Assurance Reviews and follow-up audits.

Opportunistic and serious non-compliance is likely to be categorised as a significant or major breach; however, PM&C will categorise ALL breaches according to the individual circumstances of each instance of non-compliance, according to the principles set out in Section 4.4.

### *Fraud*

The Commonwealth Fraud Control Framework (CFCF) requires PM&C to investigate any instances of fraud or suspected fraud against its programmes. The CFCF describes 'fraud' as: "*Dishonestly obtaining a benefit, or causing a loss, by deception or other means*".

This definition includes, but is not limited to:

- theft
- accounting fraud (e.g. false invoices, misappropriation)
- unlawful use of, or unlawful obtaining of, property, equipment, material or services
- causing a loss, or avoiding and/or creating a liability
- providing false or misleading information to the Commonwealth, or failing to provide information when there is an obligation to do so
- misuse of Commonwealth assets, equipment or facilities
- making, or using, false, forged or falsified documents, and/or
- wrongfully using Commonwealth information or intellectual property.

In the course of conducting prevention and deterrence activities, if a PM&C employee becomes aware that an RJCP Provider may be committing serious non-compliance that potentially amounts to fraud, National Office must be notified immediately.

The Governance, Audit and Reporting Branch will conduct an assessment of the allegations to determine whether further investigation is warranted. The Governance, Audit and Reporting Branch will liaise with relevant stakeholders throughout the process and provide feedback within agreed timeframes.

Fraud is likely to be categorised as a major breach; however, PM&C will categorise ALL breaches according to the individual circumstances of each instance of non-compliance, according to the principles set out in Section 4.4.

## 4.5 Evaluation and Reporting

The compliance strategies and activities employed under the RJCP will be most successful when lessons are learned from incidents of non-compliance, and used as a rationale to improve compliance systems and processes. PM&C will review this Framework to ensure that it continues to be effective and appropriate.



## 5. Programme Evaluation

PM&C will be conducting a whole of programme evaluation on the RJCP in 2017.

The purpose of the evaluation will be to assess whether the programme has been well-designed, well-implemented and effective at achieving its objectives and outcomes. Results from the evaluation will inform programme improvement at both a Government and Provider level.

RJCP Providers will be expected to make all records available to evaluators and also participate in reasonable qualitative information gathering activities (e.g. interviews etc.). Information and responses will be de-identified before any evaluation reports are published. More information will be available closer to the evaluation time and will be published through the Provider Portal.

# ATTACHMENTS

# Attachment A.1

## Performance Assessment

Providers will be assessed at least twice a year against the KPIs, Performance Measures and Targets outlined in Section 2. The assessment will be the Performance tranche of the Onsite Review.

The assessment periods will occur as follows:

Onsite Review	Period under review	Review timing
1	1 July to 31 December 2015	January/February 2016
2	1 January to 30 June 2016	July/August 2016
3	1 July to 31 December 2016	January/February 2017
4	1 January to 30 June 2017	July/August 2017
5	1 July to 31 December 2017	January/February 2018
6	1 January to 30 June 2018	July/August 2018

# Attachment A.2

## Performance Ratings

The RJCP Programme Management Framework does not include a Star Rating assessment as used in JSA and DES. Instead, PM&C will determine an Overall Performance Rating by combining average KPI 1, KPI 2 and KPI 3 ratings (according to their relevant weights), as follows.

At each Onsite Review, Account Managers will be required to rate each Provider's performance against the targets set for each Performance Measure under each KPI according to the criteria and guidance provided in Section 2.

### **A note about rounding when calculating performance against targets relating to people**

Account Managers should translate the % into whole people for the purposes of applying ratings, and always round down. The following examples show how this should be done:

#### **EXAMPLE 1:**

Region X has a Regional Employment Target of 58 and achieved 43 outcomes. Nominally, 43/58 is 74%, which would be a rating of 2. However, 75% of 58 is 43.5. As an outcome cannot be achieved for "half a person", the achievement of 43 outcomes should be recorded as a rating of "3" not "2".

#### **EXAMPLE 2:**

Region Y has 31 WfD Participants and has placements for 27 of them.  $27/31 = 87\%$  or a rating of 3. However, 90% of 31 is 27.9 people. Therefore, the outcome of 27 should be recorded as a "4" not a "3".



Once each target has been awarded a rating out of five, the ratings will be averaged (to two decimal places) for each KPI as follows:

Performance Measures	Performance Targets	Rating
1.1 Basic Services	100% of Eligible Job Seekers have been provided with monthly Contact which complies with Clauses 6, 7, and 8 of RAC 1.	4
1.2 Helping Eligible Job Seekers to find and retain a job	100% of all Eligible Job Seekers have an individualised Job Plan that complies with the requirements set out in the Funding Agreement.	4
	In each six month period, at least 15% of Eligible Job Seekers identified as lacking a driver's licence sit for a driver's licence assessment.	2
	100% Eligible Job Seekers identified as requiring literacy, language or numeracy training in the Job Seekers Classification Instrument (JSCI) or Employment Services Assessment (ESAt) received such training.	3
	100% of Eligible Job Seekers placed in Employment are provided with quality Post-placement Support in accordance with RAC1.	2
	Eligible Job Seekers were supported to apply for Vacancies and Paid Work Assignments.	3
1.3 General Provider Performance	Provider has managed customer feedback in line with Guidelines and has improved practices in response to complaints.	4
	All non-attendance is handled swiftly and appropriately in accordance with Guidelines and the Funding Agreement.	3
	Providers comply with operational, financial and record-keeping requirements outlined in the Funding Agreement and Guidelines. No breaches are issued by PM&C.	3
<b>KPI 1 AVERAGE</b>		<b>3.1</b>

Performance Measures	Targets	Rating
2.1 Availability of Activities for WfD Participants.	100% WfD Participants have been placed in one or more Activities, sufficient to their participation requirement.	2
2.2 Attendance of WfD Participants	100% attendance of all WfD Participants in activities (in line with their participation requirements.)	2
2.3 Appropriateness of Activities	100% Activities are appropriate to the WfD Participants, local labour market and the community.	3
2.4 Hosted Placements	The Provider has made significant efforts to broker and place WfD Participants in quality Hosted Placements with local employers.	3
<b>KPI 2. AVERAGE</b>		<b>2.5</b>

Performance Measure	Target	Rating
3.1 Regional Employment Target is met.	100% of the Regional Employment Target (for 26-week outcomes) is met.	2
KPI 3. AVERAGE		2

Each rating correlates to a word – whether at the target level, the Performance Measure level, the KPI level or at the Overall Performance Rating Level.

# Rating	Word Rating
4	<i>Excellent</i>
3	<i>Good</i>
2	<i>Needs to improve</i>
1	<i>Unsatisfactory</i>

The KPI ratings are then aggregated into an Overall Performance Rating, according to the relative weights of the KPIs, as follows:

#### Overall Performance Rating Calculation

	Rating	Word Rating
Average Overall Results Score of KPI 1 (worth 30%)	3.1	Good
Average Overall Results Score of KPI2 (worth 35%)	2.5	Needs to Improve
Average Overall Results Score of KPI3 (worth 35%)	2	Needs to Improve
<b>Overall Performance Rating</b>	<b>2.54</b>	<b>Needs to Improve</b>

The Onsite Reviews will be conducted by Account Managers and results will be agreed by the relevant PM&C Regional Manager.

Providers will be notified of their performance in writing within 10 business days of the Assessment date and will have 2 weeks to respond.

Each Provider's Overall Performance Rating (see below) will be uploaded to the Provider Portal and will be published publically on Government website(s). This will provide a snapshot of the performance level of each Provider nationally and encourage accountability to Job Seekers and communities.