

**SENATE EMPLOYMENT, WORKPLACE RELATIONS AND EDUCATION  
LEGISLATION COMMITTEE**

**2005-2006 BUDGET SENATE ESTIMATES HEARING  
30, 31 MAY and 3 JUNE 2005**

**EMPLOYMENT AND WORKPLACE RELATIONS PORTFOLIO**

**QUESTIONS ON NOTICE**

**Outcome 1: Efficient and effective labour market assistance**

**Output Group 1.2: Labour market programme management and delivery**

**Output 1.2.4: Mutual Obligation initiatives**

**Question Number: W023-06**

**Question:**

Senator Wong asked at *Hansard* pages 61-62:

Please provide a copy of the material regarding detailed guidelines on Job Search Plans and the obligation of JNMs in dealing with job seekers that is available on the secure site for Job Network.

**Answer:**

The Job Search Plan (JSP) guidelines, which are available to Job Network members (JNMs) via the JNM secure Internet site, provide detailed information in relation to the obligations of JNMs in dealing with job seekers.

This information includes the requirement that any proposed activity or term included in a JSP must be of a type that falls within the scope of the *Social Security Act 1991*. Page 10 of the JSP guidelines advises:

**Q: What activities can be included in a Job Search Plan?**

**A:** Subsection 606(1) and 544B(1) of the *Social Security Act 1991* outline the categories of activities that may be included in a JSP. Any proposed activity or term included in a JSP must be of a type that falls within the scope of the legislation and be designed with realistic expectations of both the job seeker's capacity to comply and their particular needs.

The JSP guidelines provide a comprehensive list of those activities which are allowable under social security legislation as well as a detailed list of the types of activities that may not be included in a JSP.

In addition, the JSP guidelines provide information on the responsibilities of JNMs as the JSP approval delegate. Page 20 of the JSP guidelines reads:

**Q: What are the responsibilities of JNMs as the approval delegate?**

**A:** As the JSP approval delegate, JNMs are required to ensure that the contents of the JSP reflect the provisions of the *Social Security Act 1991*. If the activities or terms contained in the JSP are not consistent with subsections 606(1) to 606(4) (for NSA) and subsections 544B(1) to (4) (for YA) of the *Social Security Act 1991*, the JSP cannot be approved.

The JSP guidelines also provide information on a job seeker's rights and responsibilities in relation to entering into and complying with an activity agreement (JSP). Page 17 of the JSP guidelines advise:

**Q: What information do JNMs have to provide to job seekers prior to signing a JSP?**

**A:** Job seekers must be given adequate notice of their rights and responsibilities, as well as the implications of failing to meet their activity test requirements. The 'Information You Need to Know' document attached to the JSP should be read with the job seeker at the time the JSP is negotiated. It provides an explanation of the various terms in the JSP and clearly outlines the rights and responsibilities of the job seeker under the *Social Security Act 1991*.

It is important that job seekers also understand that they must comply with their ongoing activity test requirements (e.g. their PFWA) as well as the activities included in their JSP. Job seekers should also be reminded that there is an appeals process available through Centrelink in the event that they disagree with a decision made by a JNM in approving their JSP.

In relation to the number of job searches included in a JSP, page 39 of the JSP guidelines (Attachment F – Setting Job Search Contacts) advises:

“When the JSP is created, the job search activity (J02 code) will be automatically generated and the number of job searches will default from the job seeker's PFWA as negotiated with Centrelink. The number of required job searches for a job seeker should generally remain at that level. In the majority of cases the default will be 4 contacts except in cases where the job seeker is deemed to already be satisfying the activity test e.g. in a full time approved activity.”