



Exposure Draft of the Request for Tender for the New Specialist Disability Employment Program - Companion Document

The Exposure Draft has been produced for the information of stakeholders and potential Respondents to allow them the opportunity to provide feedback to the Department of Social Services (the department) to inform the final Request for Tender (RFT) for the new Specialist Disability Employment Program (new program).

While all questions and feedback on the Exposure Draft are welcome, the department is particularly interested in receiving responses to the questions outlined below. The department is also interested in feedback on the Information Papers about the new disability employment program published on [DSS Engage](https://engage.dss.gov.au/a-new-specialist-employment-disability-program-consultation) (<https://engage.dss.gov.au/a-new-specialist-employment-disability-program-consultation>).

Feedback should be sent to DESConsultations@dss.gov.au. All feedback or comments will need to be made **before 5.00 pm (Canberra time) on 30 August 2024**. The department may not consider feedback received after this time.

Feedback and comments will be handled in accordance with the *Public Briefing and Feedback on the Exposure Draft* information at page 6 of the Exposure Draft.

The department may not adopt all of the feedback received and will not comment on or respond directly to individual feedback.

Descriptors

'Participant' is the term used in the Exposure Draft and in the current Disability Employment Services (DES) program to describe people with disability, injury or health condition who are eligible to participate and receive disability employment services.

A Participant is generally considered to be a person who participates in an activity.

It has been suggested that 'client' would appropriately describe people in the new program to support the emphasis on quality servicing where the individual is central to engagement and decision-making. This term was adopted by the House Select Committee on Workforce Australia

Employment Services. A 'client' is usually understood to be a person who engages the professional advice or services of another.

Questions for consideration:

- What is the preferred descriptor for a person being assisted through the new program – is it participant, client or another descriptor? Please provide reasons for your suggestion.

Providers are described in the Exposure Draft as:

- Specialist Providers - where they will be delivering services to a group of Participants with particular characteristics and/or disability, injury, or health condition, or
- Generalist Providers - where they will be providing services to all Participants, regardless of the nature of their disability, injury, or health condition.

'Specialist Providers' will have deep knowledge and experience in providing services to a specified cohort.

The department has received feedback that the term 'Generalist Provider' does not properly recognise the new program as a specialist disability employment program or that all providers will be disability specialists.

One suggestion is that all providers could be referred to as Specialist Disability Employment Providers, with a descriptor that identifies they assist 'for multiple cohorts/all people with disability' or 'for specific cohorts/particular groups of people with disability'.

Staff Experience and Qualifications

(Section 1.2 Purchasing Principles)

To support the provision of high-quality, effective employment services to improve employment outcomes for people with disability, each provider will need to have a recruitment and training strategy for its own staff. Providers must provide a strategy that outlines: the recruitment of staff with qualifications, who are working towards obtaining qualifications, who have lived experience, and who reflect broader diversity in their community.

The strategy should outline how providers support professional development of all their staff including setting aside dedicated training time, arranging specialist training and working towards qualifications. The strategy must also include proposed performance metrics that demonstrate to the department and to Participants progress towards meeting its strategy.

The department intends for Providers to work towards front-line staff (who directly interact with Participants) have, or be working towards, a Certificate III or higher in employment services, disability services, or related qualifications or relevant experience.

Providers will be expected to have staff and leadership with a variety of skills and experience that is representative of the communities in which they operate and Participants who they support. To support other employers in the recruitment of people with a disability, it is expected that Providers demonstrate leadership in employment and career progression of people with disability.

Questions for consideration:

- What minimum qualifications are essential for Provider staff who are engaging with Participants and Employers?
- The Exposure Draft encourages a move toward minimum qualifications for front-line staff: should this be mandatory for the new program? If so, what do you see as the opportunities and risks associated with this proposal? What would be a reasonable period to implement these requirements?

Participants with under 8 Hours Work Capacity

(Section 2.2 Overview of Services under the new program; Section 2.10 Meeting Employer needs; Section 2.11 Payments to Providers)

Eligibility has been expanded under the new program to include Participants with an assessed Future Work Capacity of less than 8 hours per week. As Voluntary Participants, they will be eligible for the full range of services according to their individual needs and circumstances.

These Participants will have an Employment Benchmark of 8 hours per week. This recognises that with the right supports, a participant with a 0-7 hour Future Work Capacity can achieve meaningful and sustainable employment and discourages the underemployment of people with a disability.

A number of further arrangements are proposed below.

Participants with a 0-7 Future Work Capacity may attract Wage Subsidies up to \$3,000 per week if Employment is offered at an intended level of 8 hours per week on average. Both Partial Outcomes and Full Outcomes are available, with additional flexibilities introduced to allow for these Outcomes based on the achievement of either an average 8-hour Benchmark or the full 8 hours worked each week for a shorter number of weeks. That is, a Full Employment Outcome will be available if working the full 8 hours per week across:

- 9 of 12 weeks for a 12-week outcome, and
- 20 of 26 weeks for the 26-week outcome, and
- 20 of 26 weeks for the remaining 26 weeks of the 52-week outcome, or
- at least 96 hours (12-week), and 208 hours (26 weeks, and 27 to 52 week period).

In addition, a flat payment would continue to be provided to support participants with a Moderate Intellectual Disability (MID) into jobs that are at least 15 hours per week or more, acknowledging the additional support requirements. The Moderate Intellectual Disability Payment would be paid at 12, 26 and 52 weeks.

Questions for consideration:

- Does the introduction of a partial outcome for an 8-hour benchmark (for 0-7 and 8-14 hours per week work capacity) recognise progress towards meaningful employment?

- Do these arrangements offer the right balance between outcomes for meaningful employment, while also offering flexibility to account for those with 0-7 hours per week work capacity?
- What data and evidence do you think should be collected to evaluate what is working for those with 0-7 hours per week work capacity over the initial three-year expansion to support this group.

Payment Model

(Section 2.11 Payments to Providers)

Under the new program, the payments model has been streamlined and simplified.

Feedback on the proposed payments model can be provided through this Exposure Draft process or in response to the Information Paper – Payment Model to be released shortly on DSS Engage (<https://engage.dss.gov.au/a-new-specialist-employment-disability-program-consultation>).

Participation requirements and Job Plans

(Section 2.2 Overview of Services under the new program; 2.6 Job Plans; 2.9 Participation requirements and compliance)

In the new program, the services and supports should be tailored to the needs of individual Participants and promote meaningful engagement.

The Job Plans for Meaningful Engagement by Participants (Mutual Obligation) or Disability Support Pension Recipients (Compulsory Requirements) must include the compulsory requirement to 'Participate meaningfully in the program by engaging with the Provider to prepare for, seek or maintain employment'.

If a Provider determines that a Participant (Mutual Obligation) or Disability Support Pension Recipient (Compulsory Requirements) is not meeting the requirement of Meaningful Engagement, the Job Plan must be updated with detailed requirements. The Job Plan must list the Participant's compulsory requirements individually, including appointments and any other activities that the Participant needs to comply with. The Job Plan may also contain additional, voluntary activities agreed to by the Provider and Participant.

Questions for consideration:

- What are some of the ways a Participant could demonstrate 'Meaningful Engagement', and how should that be monitored and recorded?
- Should a Participant with a Job Plan that includes detailed requirements be able to return to Job Plan with the Meaningful Engagement requirement, and if so, under what conditions?
- What data and reporting would assist Providers in ensuring Meaningful Engagement?

Appointments and contacts with Participants

(Section 2.4 Engagement with Participants)

The Exposure Draft says that the Initial Interview should be conducted in person face-to-face, to help the Provider build a relationship with the Participant. Alternative options may be agreed by the Provider and Participant, on a case-by-case basis, where this supports the specific needs of the Participant.

Question for consideration:

- When would a communication mode other than face-to-face be appropriate for the Initial Interview?

Providers are expected to meaningfully engage participants to prepare for, find and sustain work. To do this, it is expected Providers will have regular contact with their Participants: at least 6 contacts over each 3-month period with Participants in the Intensive Service; and at least 2 contacts over each 3-month period with Participants in the Flexible Service. The objective of contacts is to not only support job search but also offer support whilst a Participant is in training or other activities. Contacts could include appointments, interaction via a range of communication modes or a range of individual or group-based activities tailored to the individual's needs, such as Provider-based training or supports.

Questions for consideration:

- What should count as a contact for the purposes of the Intensive and Flexible Service offers?
- How else can the department be assured that participants are engaging meaningfully?
- What data would support providers to effectively monitor participants circumstances, contacts and activities and the appropriateness of the Intensive or Flexible Service?

Ongoing Support

(Section 2.5 Ongoing Support; 2.7 Period of Registration and Period of Service)

Ongoing Support is available from the 26-week Employment Outcome for Participants receiving Post Placement Support who require additional support from their Provider to fulfil the essential requirements of their role and are likely to continue to require support after their first 52-weeks in Employment. Ongoing Support is also available to employees with disability, injury or health condition who are having difficulty meeting the requirements of their job. Providers assist Ongoing Support (Work Assist) Participants — Participants who volunteer for Services — by providing Ongoing Support to maintain their employment.

A separate information paper on Ongoing Support will be released shortly on DSS Engage with more detailed information and questions. Feedback can be provided through this Exposure Draft process or in response to the *Information Paper – Ongoing Support* which will be made available on [DSS Engage \(https://engage.dss.gov.au/a-new-specialist-employment-disability-program-consultation\)](https://engage.dss.gov.au/a-new-specialist-employment-disability-program-consultation).

Market Structure

(Section 3.3 Specialist vs Generalist Provider)

The new market structure is seeking to build a diverse network of Providers with flexible service offers that meet participant and employer needs, while avoiding market concentration and over-supply that may limit viability and risk investment in service quality.

Feedback on the proposed market structure can be provided through this Exposure Draft process or in response to the *Information Paper - Market Structure* on the department's website on [DSS Engage](https://engage.dss.gov.au/a-new-specialist-employment-disability-program-consultation/) (<https://engage.dss.gov.au/a-new-specialist-employment-disability-program-consultation/>).

Feedback submitted already in response to the Information Paper is being considered in parallel with the Exposure Draft process and does not need to be re-submitted. The Exposure Draft reflects some early consideration of feedback including:

- exceptions to the requirement for respondents to submit as either a specialist or a generalist when part of Group Respondent or as a separate organisation operating as a sub-contractor, and
- Specialist Providers will be subject to caseload caps arrangements where the specific cohort they service constitutes a large proportion of the Employment Service Area.

Additional questions for consideration are:

Specialist and Generalist Providers

- Do the proposed exceptions for group respondents and sub-contractor arrangements work effectively to maintain the intent to engage Providers with deep expertise in a specific cohort, are there any unintended consequences?

Specialist Cohorts

- Does the proposed inclusion of caseload caps for providers who represent larger cohorts of particular participants, support the objective to engage Providers with deep expertise in a specific cohort? Does it strike an appropriate balance with the need for market certainty for Generalist Providers within an ESA?

