



## TALKING POINTS

<b>Subject</b>	New Specialist Disability Employment Program Request for Tender Exposure Draft Public Briefing	
<b>Date &amp; Time</b>	19, 20, 21 AUGUST 2024	
<b>Presenter</b>	Tamara Weaver (MCEE), Kellie Spence and Jacinda Still	

### **Tamara to present**

#### **Slide 1/Title** 'Public Briefing for the New Specialist Disability Employment Program'

- Good morning everyone.
- [introduce yourself]

#### **Slide 2/Acknowledgement of Country**

- I would like to start by acknowledging the Traditional Custodians of the lands on which we meet today and their connections to land, water, culture and community.
- I pay respects to the Elders past and present and extend that respect to all Aboriginal and Torres Strait Islander peoples today.

#### **Slide 3/QR Code**

- We invite you to join the discussion using the QR code on the slide on screen.



## **Slide 4/Probity Statement [to be read verbatim]**

- Before we go further, I firstly need to read the Probity Statement.
- The Department of Social Services is committed to conducting a fair, honest, and transparent process for the design and implementation of the new specialist disability employment program and related services.
- For today's event, this means that:
  - this presentation will be made publicly available on the DSS Engage website; and
  - any views expressed, or information provided, by attendees to this event will be considered, along with the views expressed and information provided by other stakeholders.
- I am really pleased to be hosting this public briefing for the new disability employment program commencing on 1 July 2025.
- Today we have Kellie Spence, the Group Manager, Disability Employment and Jacinda Still, the Branch Manager, Disability Employment Implementation.
- Kellie will provide an overview of the new program policy and Jacinda will provide information about the tendering aspects.
- At the end of the presentation, we have time for questions and answers.
- I'll now hand over to Kellie.



## **Slide 5/ Overview**

- Thank you Tamara.
- [Kellie to introduce herself and give a visual description]
- To start, I will provide an overview of the key topics which relate to the new specialist disability employment program that we will cover today, including:
  1. Approach to Market
  2. Indicative timeline
  3. Summary of new program design
  4. Market Structure
  5. Specialist and Generalist providers
  6. Policy reform areas
  7. Performance Framework
  8. National Panel of Assessors and Disability Employment Centre of Excellence
  9. Request for Tender process

## **Slide 6/ The Approach to Market**

- The approach to market will be a two-stage process, the first stage being public consultation through the



Exposure Draft, and the second stage being the Request for Tender.

- The Exposure Draft stage provides an opportunity for stakeholders and interested parties to ask questions and provide feedback to the department on key policy areas and tender arrangements.
- The Exposure Draft describes the services the Government wants to buy and the process through which the department will select providers of those services.
- The Exposure Draft consultation is for all stakeholders, including participants, Disability Representative Organisations, employers, providers and other interested parties.
- It is an opportunity to test the details and confirm whether the services and processes support the policy intent. The broad policy is set, and this consultation process helps us understand if we are taking into account all the details, have missed anything and are being clear in our communication. We welcome views from all users and stakeholder perspectives.



- Questions, feedback and requests for clarification can be forwarded to the department.
- Please keep in mind that as the Exposure Draft has been released to facilitate consultation, tender responses must not be lodged in response to the Exposure Draft.
- We are encouraged by the feedback stakeholders have provided to date.
- We are using this feedback to refine our detailed program design and communications for the new program.
- The Request for Tender stage will then provide the formal opportunity for potential providers to submit tenders to deliver services under the new specialist disability employment program.



## **Slide 7/ Indicative timeline**

- Before we get into the detail of the presentation, I'll take you through the indicative timeline that we are working to and shown on the slide.
- Just to briefly recap, the Government's 2024 Budget announcement outlined the introduction of the new specialist disability employment program commencing on 1 July 2025.
- This followed stakeholder consultation over the past two years on DES Reforms.
- On 23 May 2024, Minister Rishworth held a public briefing where she presented her vision for reform of the disability employment sector.
- As part of the DES reform agenda, the Government has agreed to undertake an approach to market to select providers for the new program.
- This timeline sets out the indicative dates for the approach to market.
- The closing date for comments on the Exposure Draft is on 30 August 2024 at 5.00 pm Canberra time.



- The Request for Tender is expected to be released in September/October, and the Request for Tender Public Briefing will be around this time too.
- The closing date and time for submitting tender responses to the Request for Tender is expected to be in October/November.
- The notification of tender outcomes is expected to be in March 2025.
- Commencement of the transition period to the new program will be in April 2025.
- The new program will commence on 1 July 2025.

### **Slide 8/Summary of the new program design**

- The Government is committed to introducing the new program in July 2025 and lifting the quality of the service for participants and employers.
- The design of the new program has been informed by extensive consultation and multiple reviews.
- The Department has sought to engage openly and transparently throughout the development of the new program.



- The Department is committed to continuous improvement and feedback during the implementation and program delivery stages, with the goal of achieving better outcomes for people with disability and employers.
- Some of you may have attended previous conferences or Minister Rishworth's Budget event and will already be across the key program settings.
- So I will provide an abridged version of the broad design and then highlight some of the areas in the Exposure Draft that have more information on the new specialist disability employment program.
- Many of you may have heard most of this content previously, but it is important that all people attending understand the new program objectives and design.
- Commencing from 1 July next year, the new program aims to improve the employment and career outcomes for people with disability through high quality and effective specialist disability employment services.





- The new program will be simplified to focus on the relationships of providers with participants and employers. It aims to reduce complexity within the system.
- Providers will be expected to design services to meet the unique needs of their participants and employers, and they will have greater flexibility to do so.
- A key change to the new program is the expansion of eligibility to help more people with disability, injury and/or a health condition to prepare for and find sustainable employment.
- This includes people with an assessed work capacity below 8 hours per week and people not on income support.
- In addition, the two year program limit has been removed, reducing churn within the system.
- The new program increases flexibility and customisation to meet the individual needs of participants by having two new service offers – an intensive service and a flexible service.
- The new program will focus on meaningful engagement of participants to help both providers and



participants build positive relationships and take a partnership-based approach to goal setting and participation in activities.

- The Government recognises the crucial role that post-placement support and ongoing support plays in supporting people with disability to achieve sustainable long-term employment.
- These services are retained within the new program but simplified to reduce administration and increase flexibility of the supports to meet the needs of new eligible participants.
- Employers will be able to tap into the expertise of providers in order to build confidence and capability to employ people with disability within their business.
- They will be supported to achieve sustainable employment for people with a disability through a simpler and higher value wage subsidy.

### **Slide 9/QR Code**

- In case you missed it earlier, here is the QR code to support questions and feedback throughout the webinar.



## **Slide 10/ New approach to employment assistance**

- As mentioned, the new program aims to increase flexibility and customisation by having an intensive service and a flexible service.
- The intensive service is the core service, targeting all participants who are able – with the right help – to engage intensively in services and activities that will help them prepare for, find and keep a job.
- The flexible service is for participants who are unable to participate more intensively at a point in time. This includes participants who:
  - are engaged in activities that substantially meet their requirements, and/or
  - have complex and/or multiple barriers to employment that limit their capacity to engage.
- Examples of people who would be assisted through the flexible service could include people who are employed part-time or currently studying, caring or volunteering. Or a mixture of these activities.
- The flexible service will also benefit people who need to undertake non-vocational activities that address



significant personal issues, so they are better placed to participate in the intensive service in the future.

- Participants who have a temporary suspension may also volunteer to participate in flexible servicing to remain connected while their temporary exemption runs its course.
- The provider will consult with the participant before making a decision about whether the flexible service is appropriate and for how long.
- The Department used its administrative data to estimate, at a national level, the number of new participants and the proportion of participants that would be serviced in the intensive and flexible services, as well as post placement and ongoing support.
- These estimates are included in the information paper that was released last week on payments. At a broad level, the estimates include:
  - 5,000 participants each year with 0-7 hour work capacity
  - 10,000 participants each year not on income support but meeting other eligibility criteria



- 7,000 additional participants who choose to volunteer into the flexible service whilst having a temporary exemption.
- For the participant caseload in the flexible, intensive streams or working, it is estimated at a national level that around:
  - 45 per cent may be in employment assistance in the intensive service
  - 25 per cent may be in employment assistance in the flexible service
  - 30 per cent may be in post placement support or ongoing support
- It is important to note that these are estimates at a national level and have been informed by 2023-24 DES program data.
- They will vary by Employment Service Area and for individual providers. Given they are estimates they may vary due to the demand driven nature of the DES program.



## **Slide 11 / Meaningful engagement**

- The new program will focus on meaningful engagement of participants to help both providers and participants build positive relationships and take a partnership-based approach to goal setting and participation in activities.
- This expectation is crucial to achieving a participant centric and high quality service.
- All stakeholders - participants, employers and providers - have called for a shift in how mutual obligations works to enable a focus on meaningful engagement and better outcomes.
- The new disability employment program is taking steps within the existing legislative framework to strike a better balance between flexibility and making sure that participants can meet their mandatory obligations under social security requirements.
- Mutual obligations are a part of the broad system of income support and employment services. It is an area of ongoing work for the Government and being considered from a whole-of-system perspective.

*So what are we aiming for?*



- A culture where understanding individual participant's goals and needs, informs services and an employment pathway that is valued by participants and employers.
- Where the majority of participants are engaging meaningfully towards these goals and meeting their mutual obligations without relying on compliance as the primary tool.
- Currently 20 per cent of the caseload are 'volunteers' and this will increase with changes in eligibility. Maintaining engagement will require offering services that all participants value.
- A participant's Job Plan will continue to be the primary agreement for mutual obligation requirements.
- On commencement in the program, the mandatory requirement will be "participating meaningfully in the program by engaging with the provider to prepare for, seek or maintain employment".
- There will be an option for providers to shift to detailed requirements in the Job Plan if a participant is not engaging meaningfully when considering their overall



participation and willingness to work towards achieving their employment goals.

- Detailed requirements in Job Plans will include mandatory items for all key activities, such as appointments, job search and other activities.
- If a participant continues to be non-compliant, they will be subject to compliance action under the Targeted Compliance Framework.
- Enabling providers to encourage and support engagement, rather than monitoring and managing compliance for every individual engagement is expected to reduce the levels of administration associated with compliance for the majority of participants who are meaningfully engaging with employment services.
- This new approach is expected to contribute to the new service culture, where participants are at the centre of service delivery and more involved in their program of supports.

## **Slide 12/ Market Structure**





- The Government is seeking to procure a diverse network of providers who offer high quality expert services to participants and employers.
- This will include attracting providers with deep expertise in working with a specific cohort of participants.
- This is proposed to include specific disability types as identified by the specialist organisation applying.
- It would also include specific cohorts of participants based on their characteristics, such as First Nations people and Culturally and Linguistically Diverse people with a disability.
- Feedback received to date on this issue has raised concern that Employment Service Areas with large cohorts of a specific disability type such as First Nations, CALD, mental health or physical disabilities should be limited as it may impact the viability of other providers in the region.
- This has been considered and it is proposed that, in these cases of larger cohorts, a specialist organisation would be subject to market share caps within the



region similar to providers delivering services to multiple cohorts of people with a disability.

- If market share caps were applied for larger cohorts, we are also open to the consideration of the mental health provider speciality.
- Feedback is welcomed on this issue.
- Another key aspect of the market structure is an expectation of providers to demonstrate leadership in employing people with a disability in both their staff and leadership.
- Providers are expected to offer expert services to employers on employing people with a disability and should be leading by example.
- Providers will also be expected to engage people with disability in the design and continuous improvement of their service delivery.
- How they will achieve this is a part of the selection criteria and their commitments will form part of their ongoing service delivery obligations under the Deed.

**Slide 13/ Specialist and generalist providers**



- The new program's market structure will prioritise diversification to further support participant choice and will aim to build a more viable and attractive market to a wider range of small and specialist providers.
- A significant change is that, subject to limited exceptions, organisations wishing to be a provider under the new program must choose to be either a Generalist or Specialist provider.
- If they wish to be a Specialist provider, they will not be able to apply for different specialist participant cohorts, except in limited circumstances.
- **Generalist providers**, or specialist disability employment services for multiple participant cohorts will:
  - have market shares allocated
  - be proposed to be limited to 30 per cent in metropolitan regions, and
  - be required to support full market coverage for an ESA.
- **Specialist providers** will demonstrate a deep and historical expertise in supporting their nominated cohorts.



- For instance, a strong understanding of the needs of First Nations people with disability, strong community links, and experience in supporting First Nations people into employment.
- Specialist providers will not be limited to operating within ESA boundaries. Instead, they can elect operate using a ‘hub and spoke’ model.
- This would involve nominating a primary ESA with a physical full-time site or sites, and demonstrating how services can be delivered to other ESA ‘spokes’ through outreach sites.
- It will be important to demonstrate how they will connect to local stakeholders, services and employment opportunities.
- It is important to note that a participant will be able to exercise their choice of provider at the point of referral or at any time and not be hindered by market share.

#### **Slide 14/Policy reform areas**

- A number of policies include additional design detail in the Exposure Draft or associated Information Papers.
- For today’s briefing, we will cover:



- Extending Eligibility to Participants with a 0-7 hour Work Capacity
- Initial Engagement phase
- Fees and payments

### **Slide 15/Support for the 0-7 hours per week cohort**

- Participants with a 0-7 hour per week work capacity will be assigned an 8hour per week Employment Benchmark but with additional flexibility in achieving this goal.
- This approach aims to balance the objective of meaningful employment for participants with a recognition of the challenges in achieving that goal.
- The additional flexibilities include the following:
  - the introduction of partial outcomes at an average of 5 hours per week for participants with an 8-hour benchmark. This will also be available for participants with 8-14 hours future work capacity.
  - entitlement to a full outcome if 8 hours is worked each week for a shorter number of weeks
  - the introduction of self-employment outcomes for full and partial outcomes at an 8-hour benchmark



- In addition, wage subsidies will be available for jobs of 8 hours per week or more, with additional flexibility for the cohort of participants with a 0-7 hour per week work capacity assessment.

### **Slide 16/Initial Appointment/ Initial Engagement Period**

- The expectation is for the Initial Appointment to be face to face, other than in exceptional circumstances.
- This is to start building a positive relationship between provider and participants.
- The Exposure Draft also includes a 4 week 'initial engagement' period.
- This approach is to avoid a huge administrative burden in the initial appointment and allow for a period of building the relationship and understanding the individual needs of a participant.
- A Participant will be considered as having been 'Commenced' once they have attended the initial appointment and signed their initial Job Plan.
- The initial Job Plan will be relatively simple with a requirement to engage meaningfully.



- Over the initial engagement period, providers will work with participants to understand an individual's circumstances, strengths, aspirations and challenges and build a more tailored Job Plan for that individual, using voluntary activities.
- This will include whether the participant is appropriate for flexible servicing given their individual circumstances.
- Intensive servicing is expected to involve regular contact and support tailored to an individual's needs. It is proposed that this would entail a minimum of 6 contacts in a quarter.
- Flexible servicing, is less intensive and it is proposed that this would include a minimum of 2 contacts per quarter.
- What counts as a contact is proposed to be flexible to support maximum tailoring and innovation in service delivery.
- Of course it includes individual appointments, it may also include provider delivered training, workshops, support services – both individual and group based.



- Also, supports to organise and access other related services, activities, workplace visits, work experience could be included.
- An important expectation is designing these services and supports with participants and employers, as well as leveraging best practice from the Centre of Excellence or other sources.

### **Slide 17/QR Code**

- Another reminder of the QR code on the slide so you can join in the questions and feedback.

### **Slide 18/Service Fees**

- Service Fees proposed for the new program are specified in Table 1 of the slide.
- There are five levels of Service Fees for the Intensive Stream, determined by the Participant Investment Funding Model.
- The Flexible Service will have one flat fee.
- Service Fees will be payable monthly (28 days) in arrears, rather than the current arrangement of quarterly in advance.





- The Participant Investment Funding Model is based on the likelihood of a participant securing employment and the level of investment required to support them into employment.
- Higher Service Fees will assist providers to address barriers for participants who are least likely to achieve employment. This approach responds to feedback that some participants need more pre-employment support than others.
- To support Providers with enough funding to initially operate, the Department will be offering Providers an optional, one-off, advance payment of the Service Fees upfront at the commencement of the new program.
- The amount available will be equivalent to 12 weeks of Service Fees based on the indicative caseload allocated through the transition process.
- Providers will be able to accept an amount up to 100% of the upfront amount offered.
- The upfront advance will be offset against 100% of monthly Service Fees generated by the Provider



commencing 1 September 2025, to be fully offset by 30 June 2026.

- Offsetting will expand to all monthly payments, including outcome fees and other payment types, after March 2026 if repayments have not been fully made by this time.



## **Slide 19 /Progress Fees**

- Progress Fees will be introduced to recognise improvements to Participant's work readiness and progress towards Employment through the provision of Services under the new program.
- Activities that attract Progress Fees for the new program are shown in Table 2 of the slides.
- A Progress Fee based on accredited education and training may be claimed where:
  - a Certificate II is attained where the Participant does not already hold a year 12 or equivalent qualification. The Certificate must be attained and not just participated in, or
  - a Certificate III or higher qualification is attained, or the Participant completes 26 consecutive weeks of the certification.
- Up to 2 Progress Fees may be claimed for a Participant in any 12-month period.
- Only one of the 2 payments can be claimed for education and training.
- Providers will need to have Documentary Evidence required to support each claim.



- Providers will not be able to claim multiple Progress Fees linked to the same job.

### **Slide 20/Outcome Fees**

- Outcome Fees will be available for 12, 26 and 52-week Full and Partial Outcomes
- Different amounts will be available depending on the type of outcome achieved
  - 12 week outcomes from \$401 (Partial) to \$8,194 (Full)
  - 26 week outcomes from \$581 (Partial) to \$11,742 (Full)
  - 52 week outcomes from \$157 (Partial) to \$3,244 (Full)

### **Slide 21/Moderate Intellectual Disability**

- The Moderate Intellectual Disability (MID) Payment can be claimed when a Participant with moderate intellectual disability meets the requirements of a Full Outcome for a Job Placement of at least 15 hours per week.
- It is paid in addition to the associated Outcome Fee.



## **Slide 22/Ongoing Support Fees**

- Ongoing Support is available to employees with disability who require support to maintain their employment
- A Provider can only claim up to 6 instances of Flexible Ongoing Support (\$477/instance) within a 26-week period.
- Moderate or High Ongoing Support Fees are paid in arrears
  - every 28 days (\$440/moderate and \$1,100/high)
  - or
  - every 12 weeks (\$1,430/moderate and \$3,576/high)
- The Department had been reviewing ongoing support and how it may offer greater flexibility and tailoring to better meet the needs of participants whilst maintaining accountability for Government.
- In particular, it has been raised that some cohorts of participants with higher support needs such as people with an intellectual disability may have periods of time where their ongoing support varies significantly.



- An additional information paper will be released shortly covering more detailed policy for ongoing support.

### **Slide 23 / Performance Framework**

- The overarching objective is to measure and drive a high performing disability employment service that supports individuals to find and maintain sustainable employment.
- It is proposed that the newly developed Performance Framework will be the foundation of the Performance Framework to support the new program. Some refinement will need to occur to reflect changes in policy such as newly eligible cohorts and the intensive and flexible service.
- In addition, the department will be continuing to improve the performance framework through additional measures such as direct participant feedback.

### **Slide 24/QR Code**

- Again, if you missed it earlier, you can join the discussion using the QR code on the slide on screen.



## **Slide 25/ National Panel of Assessors and Disability Centre for Excellence**

- The National Panel of Assessors and Disability Employment Centre of Excellence are two important complementary programs.

### **NPA**

- A new panel will be established for 1 July 2025.
- The role of the NPA continues under the new model, delivering independent assessment services for Ongoing Support, Workplace Modifications Services and the Supported Wage System.
- For Ongoing Support, they will also assess whether a participant may need reassessment at 1, 2 or 5 years. Individuals with stable permanent conditions will not require frequent assessment.

### **Centre for Excellence**

- The Centre of Excellence will be an evidence-informed, best-practice hub.
- It will collect, translate, and disseminate disability employment related research and evidence of what works into best practice resources, bringing together



and using existing resources available both nationally and internationally.

- The Centre will support all providers who help deliver employment outcomes for people with a disability, including the new specialist disability employment program, Workforce Australia, remote employment services, the National Disability Insurance Scheme and supported employment, including Australian Disability Enterprises.
- We expect the Centre to commence in March 2025, to support the introduction of the new specialist disability employment program from 1 July 2025. A dedicated online hub will be available from September 2025.
- Further information on both of these programs will be released soon.
- I'll now hand over to Jacinda to go through processes relating to the tender process.
- [Jacinda to introduce herself and give a visual description]

**Slide 26/Request for Tender process – lodging a response**

- I'll now go through the key aspects of the Request for Tender process.





- These next few slides are very important for those organisations that are considering whether or not to prepare a response to the Request for Tender.
- For other stakeholders, the subject of criteria is also an area we are interested in receiving feedback on. This is to ensure we are identifying what is important for assessing responses.
- I will go through these in some detail, and it is important that you read the relevant parts in the exposure draft and then the Request for Tender when it is released.
- They are pretty technical as a result, so please bear with me.
- Throughout the next few slides, I will refer to a respondent. What I mean by this is the organisation or body that prepares a tender bid or response and submits it.
- I will also be referring to market share and market share caps. Market share means the level of business that will be referred to the provider. The cap means the maximum limit on that level of business.



- I will discuss further which providers will be subject to market share caps.
- Lodging a response to the request for tender will constitute an offer by the Respondent to provide the services on the terms and conditions set out in their response and the Draft Deed.
- It is the document that the department will use for the evaluation.
- When lodging a response, there are a few aspects that you need to be aware of.
- The Request for Tender document will include conditions for participation and minimum content and format requirements.
- Respondents must satisfy these elements in order for their response to be evaluated. In other words, these are the ticket to play items.
  - The Conditions for participation are set out in Section 3.1 of the Exposure Draft.
  - Respondents must meet a number of conditions in order for their response to be included in the evaluation.



- There are also Minimum content and format requirements.
- These are set out in in Section 3.2 of the Exposure Draft and include that:
  - the response must be written in English
  - all Selection Criteria must be addressed
  - an Indigenous Participation Plan must be included.
- The Request for Tender will also include information about employment service areas and coverage. For this process:
  - For Employment Service Areas
    - ESA boundaries will remain the same.
    - Maps of each region are available in Appendix C of the Exposure Draft.
  - The department will shortly be publishing updated caseload data on data dot gov. The data will provide more detail, be clearer and be more current.



- It will also include a breakdown of both current caseload and commencement information.
- The report has also been looked at to improve usability.
- A link to the information will be uploaded onto the department's website and DSS Engage once it has been published.
- Coverage
  - Generalist providers will be required to have full market coverage for an ESA.
  - Specialist providers will not be limited to operating within ESA boundaries. Instead, they can operate using a 'hub and spoke' model.
  - This would involve nominating a primary ESA with a physical full-time site or sites, and demonstrating how services can be delivered to other ESA 'spokes' through outreach sites.
  - It will be important to demonstrate how they will connect to local stakeholders, services and employment opportunities.



## **Slide 27/Request for Tender process – evaluation of responses**

- Responses will be evaluated through a staged approach as outlined on this slide.
  - Stage 1: Responses will be downloaded and undergo checks, including checking that all information was provided and was received by the closing time and date.
  - Stage 2: Responses will be assessed, noting that the department will use all information available, including the responses to criteria and any available data and referee reports.
  - Stage 3 – Right Fit For Risk assessment: The department, with the assistance of the Department of Employment and Workplace Relations (DEWR), will consider the status of a Respondent's RFFR accreditation, or readiness to achieve RFFR accreditation under the External Systems Assurance Framework (ESAF).
  - Stage 4 – The department will determine the financial viability of Respondents, again using all information available to it, including the information provided by Respondents.



- Stage 5 – The department will conduct an overall value for money assessment to inform recommendations for offering a Deed.
- Stage 6 – The department may enter into negotiations with one or more respondents, including detailed discussions with respondents with the goal of achieving the best value for money.
- The Deputy Secretary – Disability and Carers is the Delegate for this process and will make the final decisions. Any decision of the Delegate in relation to the outcome of the Request for Tender process is final and not subject to review or appeal.

**Slide 28/How will tenders be assessed?**

- Separate selection criteria and sub-criteria will apply for Specialist and Generalist Providers. As mentioned earlier, a Respondent must be clear on whether they are responding as a Generalist or Specialist Provider.
- There are three proposed selection criteria, with different sub-criteria depending on whether the



Respondent is tendering as a Generalist or Specialist Provider:

- The first criterion is Organisational Capability
- The second criterion is Tailored Servicing Strategies
- The third criterion is Local Strategies for Employer and Participant Engagement
- I will go through each criterion shortly.
- It is important that Respondents only respond to the criteria and sub-criteria that reflect the business they are bidding for.
- Respondents should include evidence such as case studies, examples or relevant data to support their responses.
- Responses to each criterion will be scored (subject to weighting), and the scores will inform the value for money evaluation and allocation of business.
- In responding to the selection criteria, Respondents should refer to the Statement of Requirements in the Request for Tender.

**Slide 29/Organisational Capability (SC1)**



- The first selection criterion is about organisational capability.
- It is proposed that this criterion asks the Respondent to demonstrate, against each of the sub-criteria, how its organisational management and governance framework and delivery approach will ensure performance and deliver quality disability employment services.
- For those responding as a Specialist provider, you will need to demonstrate how you will deliver tailored disability employment services and create a culture that places Participants and Employers at the centre of the service delivery design.

### **Slide 30/Tailored Servicing Strategies (SC2)**

- The second selection criterion is about tailored servicing strategies.
- It is proposed that this criterion asks the Respondent to:
  - describe, against each of the sub-criteria, its service delivery model for Participants and Employers; and





- demonstrate how it will deliver tailored disability employment services and create a culture that places Participants and Employers at the centre of the service delivery design.

**Slide 31/Local Strategies for Employer and Participant Engagement (SC3)**

- The third selection criterion is about local strategies for employer and participant engagement.
- It is proposed that this criterion asks the Respondent to demonstrate, against each of the sub-criteria, how it will implement local strategies and collaborative arrangements in their chosen ESA to achieve sustainable outcomes for people with a disability (and for Specialist Providers, in its specialist cohort) and to support the workforce needs of Employers.
- Importantly, Respondents tendering as a generalist provider should respond to this criterion separately for each ESA they wish to undertake business in.
- For those proposing to tender as a Specialist Provider, they have the option of deploying a hub and spoke model if they wish to service across adjacent ESAs.



- This means that the Respondent may nominate a central ESA with physical site(s) identified, which will be the hub, and deliver services across adjacent ESAs, for example through outreach sites.
- In this case, the Respondent will only need to submit one tender response which outlines the ESA that will contain the hub and the ESAs that will be the spokes.
- The respondent must demonstrate how they will deliver quality services across the hub and spoke model to participants and employers.
- For example, if a Respondent is tendering as a Specialist Provider with their main site located in Canberra and outreach sites in Yass and Jindabyne, they will only need to submit one tender response describing their hub and spoke model, provided that they clearly identify the ACT and Queanbeyan ESA for their Canberra hub and the South Eastern and Lower South Coast ESAs in New South Wales for their Yass and Jindabyne spokes.



## Slide 32/Tendering rules

- Respondents must only bid for either generalist or specialist - This applies at the national, as well as individual ESA level.
- Limited exceptions will apply, which we will talk more about on the next slide.
- Respondents that wish to deliver Services as a Specialist Provider:
  - must identify the **specific client group** in their response to the Specialist Selection Criteria, and
  - will be required to demonstrate a deep and historical expertise in supporting their nominated Specialist group.
- Specialist Providers will **not** be subject to **Market Share Caps** in each ESA (except in ESAs with a strong market concentration of certain participant cohorts)
- Generalist Providers will be subject to **Market Share Caps** in each ESA
- In all cases, participant choice would allow for Referrals over their Market Share Cap.

## Slide 33/Tendering rules - continued



- As mentioned on the previous slide, there are exceptions. The exceptions will apply for Group Respondents and Subcontracting arrangements.
- Subject to meeting specific criteria, a Group Respondent or a Respondent with a Subcontracting arrangement may tender for both Generalist and Specialist Services for the same ESA (instead of having to select one of the two).
- For example, for the Manning ESA, a Respondent may tender to provide both Generalist services through their primary organisation and Specialist autism services through a subcontractor relationship they have with a specialist disability organisation.
- The specialist disability organisation for autism will deliver the frontline services for participants with autism and must continue to deliver these services to maintain a specialist contract.
- Similarly, a Group Respondent or a Respondent with a Subcontracting arrangement may tender for Specialist Provider Services for different ESAs for different specialisations (instead of having to choose



only one specialisation for all ESAs they wish to service).

- This is provided that the Group Respondent has a member (or the Head Contractor has a Subcontractor) that is a specialist disability organisation for the particular specialisation in each ESA.
- Market Share Caps may be imposed for Group Respondents who have successfully tendered to be both a Generalist and Specialist Provider.

#### **Slide 34/Financial viability and other checks**

- The department may perform security, probity and financial investigations as necessary in relation to any Respondent, its employees, officers, partners, associates, subcontractors or related entities.
- Respondents must satisfy the department of their financial viability to meet the requirements of the Request for Tender.
- Respondents must also provide information to allow the department to undertake a credentials check on the organisation.



- The department reserves the right to make any enquiries it considers appropriate to the evaluation of an organisation.

### **Slide 35/Legal and other matters**

- Chapter 8 of the Exposure Draft offers comprehensive information on conditions and requirements for organisations that intend to submit a response.
- It is the Respondents' responsibility to ensure that it has met these requirements when lodging the Request for Tender. For example, you will need to:
  - read the entire Request for Tender
  - make your own inquiries regarding the risks, contingencies and other circumstances that may impact on your decision to submit a response
  - satisfy yourselves as to the terms and conditions of the Draft Deed and ability to comply
  - make your own assessment and investigations
  - take note of the closing date and time
  - satisfy yourselves the response is complete, accurate and provides the necessary information to be assessed



- keep a copy of the submitted response and attachments.
- Respondents should note that the Indigenous Procurement Policy applies to this procurement. Further information on the Indigenous Procurement Policy is at [www.niaa.gov.au](http://www.niaa.gov.au).
- Essentially what this means is that:
  - The department may apply the principles of the Indigenous Procurement Policy in selecting providers for each of the ESAs.
  - Mandatory Set Aside requirements may apply to this RFT for ESAs that intersect with a 'remote area' as identified in the Remote Indigenous Procurement Policy (RIPP) map on the National Indigenous Australians Agency website.
  - This means that in those ESAs, the department will first determine whether an Indigenous small or medium enterprise could deliver the required good or service on a value for money basis.
  - If any resultant Deed is a High Value Contract (i.e. at least \$7.5 million), the Mandatory



Minimum Requirements for Indigenous participation will apply.

- This means the provider must meet certain Indigenous employment and business participation targets.
- Respondents must also ensure compliance with all relevant laws and government policy in preparing and lodging tenders and taking part in the RFT process.
- The department is committed to conducting a fair, honest and transparent process for the procurement of services for the new model.
- The department has appointed Ashurst Law as the external Probity Adviser. The role of the Probity Adviser is to advise the Delegate on the probity and integrity of the procurement processes.

### **Slide 36/Consultation and Feedback**

- We want to hear from stakeholders.
- Feedback, comments and questions on the **Exposure Draft** can be submitted to [DESConsultations@dss.gov.au](mailto:DESConsultations@dss.gov.au)





- The department has issued a Companion Document to suggest questions that stakeholders and potential respondents may wish to provide feedback (although any other feedback is also welcome).
- Easyread version of the companion guide is also available.
- Submissions need to be made before 5.00 pm (Canberra time) on 30 August 2024 to ensure they will be considered in preparing the formal Request for Tender.
- You can also respond to **Information Papers** on [engage.dss.gov.au](https://engage.dss.gov.au).
  - Market Structure – published
  - Payment Model – published
  - Ongoing Support – pending

[hand back to Tamara]

### **Slide 37/Questions and Answers**

- We now have approximately 30 minutes to answer your questions on the Exposure Draft.



- Please note that per probity statement at the start of this session, any views expressed, or information provided, by you will be considered, along with the views expressed and information provided by other stakeholders.

### **Slide 38/Thank you**

- That's all we have time for today.
- If you have any further questions and feedback, please email DES Consultations at DSS dot gov dot au.

We welcome your feedback and will be keeping track of all the comments and questions we receive to inform our further communication and the final design.

- <Closing remarks>

- <Thank everyone for their time>