



Australian Government



Disability Employment Services (DES) Transition Reference Document for Providers V 3.0

Disclaimer

This document will be updated as required. Changes made will be presented in the 'summary of changes' table on the cover page. Updates made prior to the commencement of Disability Employment Services will be advised via bulletins published on the [Transition website](#). Should you wish to print a hard copy of this guide, it is recommended that you regularly crosscheck your printed version with the online version to ensure that you have the latest edition.

These guidelines contain information relating to the transition process. The content contained in this document is subject to change with notice. For the current version of the guidelines please visit the [Transition website](#).

Similar to the arrangements under the Guidelines, all capitalised terms are defined in the ESC3/ESFD3, RSD and/or the DES Deed.

This should not be read as a stand-alone document. This document should be read in conjunction with the ESC3/ESFD3, RSD, DES Deed, Process for Concluding DEN/VRS Contracts Guideline, Process for Commencing DES Deed Guideline, DEN and VRS Guidelines, Records Management Instructions and bulletins posted on the Transition website from time to time.

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DES Transition Reference Document for Providers

Document Change History

Version No.	Start Date	Effective Date	End Date	Change & Location
3.0	27 Jan 10	27 Jan 10		<p>2. Timetable Due date for Program B providers to nominate the frequency of Ongoing Support payments (refer section 3.27) updated</p> <p>3.2 Business Share update to paragraph 4</p> <p>3.24.1 DEN and VRS Exits removal of dot point 3, paragraph 6</p> <p>3.27 Nomination of frequency of Ongoing Support Fees – update to provider payment arrangements</p>
2.0	04 Jan 10	04 Jan 10	27 Jan 10	<p>Policy: Question Manager information updated in Section 1.4 (p5)</p> <p>Update of process for nominating Ongoing Support Fees in Section 3.27 (p22)</p>
1.0	22 Dec 09	22 Dec 09	04 Jan 10	Original version of document

1. Introduction

With the introduction of the Disability Employment Services Deed 2010 – 2012, the completion of existing Contracts and Deeds, and the significant reforms in the delivery of Disability Employment Services, there are a number of arrangements that will require careful attention to ensure a smooth transition for Participants, providers, employers and other industry stakeholders into Disability Employment Services.

The Government is working in partnership and collaboration, using past experiences, feedback from stakeholders and open channels of communication to ensure all parties are aware of requirements and opportunities available to them when transitioning into the new Disability Employment Services.

1.1 Summary

The term 'transition' refers to the movement from the current Disability Employment Network (DEN) and Vocational Rehabilitation Services (VRS) employment service contract and funding deeds to the new Disability Employment Services Deed (the Deed)¹ commencing 1 March 2010. This transition affects a number of stakeholders including, but not limited to, all providers, Participants, employers and Centrelink.

The Department of Education, Employment and Workplace Relations (DEEWR) will manage the transition to Disability Employment Services using the following overarching principles:

- transition activities must support the commencement of the new Disability Employment Services on time on 1 March 2010;
- transition activities must be consistent with the design of the new Disability Employment Services while honouring existing contractual obligations; and
- all eligible Participants must be referred to new providers contracted under Disability Employment Services as efficiently and sensitively as possible.

The objective is a smooth transition to minimise disruption to providers assisting Participants into employment (and education) and minimise disruption to service for Participants.

¹ Please note the arrangements are under a deed (a type of contract). Compared to current arrangements, this does not substantively change the legal relationship between DEEWR and providers of Disability Employment Services.

The transitional arrangements commence on announcement of business offers through to the transition of the final cohort of Participants who were placed under DEN/VRS and are progressing towards an education or employment outcome until 31 August 2010.

Transition information regarding Employer Incentive Scheme services (National Disability Recruitment Coordinator, Wage Subsidies, Employment Assistance Fund (Workplace Modifications and Auslan for Employment), JobAccess and the National Panel of Assessors is not covered in this document.

1.2 Other Information

This reference document should be read in conjunction with your current funding deeds and contracts and other relevant guides and guidelines that are published by the Department of Education, Employment and Workplace Relations including;

- [Process for Concluding 2006-2009 DEN Funding Deed and VRS Contracts Guideline](#)
- [Process for Commencing 2010-2012 Disability Employment Services Deed 2010 – 2012 Guidelines](#)
- DEEWR Learning Centre Modules - IT Systems Training reference material
- Information published on The Employment Community Service Network secure site (ECSN).

1.3 Who Is This Reference Document For?

This reference document has been developed for Disability Employment Services providers including;

1. New providers – providers who do not have a 2006-2009 DEN or VRS contract and who are contracted to deliver Disability Employment Services commencing 1 March 2010
2. Continuing providers – providers who have a 2006-2009 DEN or VRS contract and will deliver DES business under the DES Deed, and where applicable, providers who will be *sub-contracted* by Disability Employment Services providers delivering the DES Deed, and
3. Non-continuing providers – DEN and VRS providers who have a 2006 – 2009 DEN or VRS contract who will not be contracted by DEEWR to deliver Disability Employment Services.

1.4 For More Transition Information

From 6 January 2010, providers will be able to lodge questions via the Question Manager system on the Provider Portal. Providers will have to use an existing site code when lodging the QM Request Form (on the Provider Portal) until the third week of January 2010, when it is expected that Codes for the new DES sites will be uploaded into Question Manager.

Providers can also direct question via the [Transition mailbox](#). Queries may also be directed to the relevant call centre or help desk as listed below. After contract execution, Disability Employment Services providers may also contact their DEEWR State or Territory Account or Contract Manager, as per agreed communication protocols.

- [Transition Website and Secure Site](#)

Information regarding the DES Transition will be made available on the [Transition website](#)

A link to this Transition page will also be available on the ECSN secure site.

- [Transition Mailbox](#)

Queries relating to the transition process can be sent to Transition2010@deewr.gov.au.

- [DEEWR Employment Systems IT Help Desk](#)

For Information Technology (IT) support please contact the DEEWR Employment Systems IT Help Desk on 1300 305 520. This helpline can provide assistance with logging into DEEWR's IT systems and the Employment Service Network (ESN) Learning Centre.

- [DEEWR Customer Service Line \(CSL\)](#)

The DEEWR CSL call centre generally assists Participants including facilitating Participant transfers between Disability Employment Services providers. This service line can be contacted on 1800 805 260 and is the primary contact point for DEN and VRS Participants who elect to change provider during the transition period.

Participants are encouraged to raise any concerns they may have with their Disability Employment Services provider initially. However Participants can contact the CSL if the Participant: is dissatisfied with how their concerns are responded to; feels that they cannot discuss the issue directly with their Disability Employment Services provider; or wish to provide feedback on the service they are receiving from their Disability Employment Services provider.

Disability Employment Services providers and employers may also use this service line to provide feedback and gain general service advice.

Participants with disability may use the CSL number to access the Complaints Resolution and Referral Service (CRRS) if they wish to complain about their DEN, VRS or DES provider or contact the CRRS directly on 1800 880 052.

– Employment Service Information Line (ESIL)

Participants can use this helpline to gain general information about employment services, including Disability Employment Services. The Employment Service Information Line (ESIL) can be contacted on 13 62 68.

– JobAccess

JobAccess is an information and advice service funded by the Australian Government. It offers help and workplace solutions for people with disability and their employers. Phone 1800 464 800 for advice or www.jobaccess.gov.au

– DEEWR State and Territory Account and Contract Managers

Each Disability Employment Services provider site will have a local State or Territory Contract Manager identified as a main contact. This contact will be the Disability Employment Services provider's contact in DEEWR for contractual and operational issues and queries. If a Disability Employment Services provider is unaware of their Contract Manager, the local Account Manager will be able to assist. Please refer to your copy of the contract for the contact details of your Account Manager.

2. Timetable

Proposed Dates	Description
9 December 2009	Announcement of successful contractors and despatch of Deeds – Transition Period commences
22 December 2009	Provider and Contract Manager Transition Reference Documents and Guidelines published on Transition website and Provider Portal respectively
22 December 2009	From COB cease direct registrations and new referrals from Centrelink and Job Capacity Assessors to non-continuing DEN and VRS providers
23 December 2009	Contracts and privacy undertakings due back to Account Managers
18-22 January 2010	Letters and Fact Sheet to be sent to all transitioning Participants informing them of Disability Employment Services and their Disability Employment Services provider Transition Hotline operational. Participants may choose to change Disability Employment Services providers
27 January 2010	Disability Employment Services providers to receive an Allocation Report detailing indicative numbers of Participants and their program/funding level and postcode by ESA
Jan – Feb 2010	Training modules available for Disability Employment Services providers on the Learning Centre. LiveMeet IT training sessions available
2 February 2010	Disability Employment Services providers will be provided with a Caseload Report detailing Participant contact details and eligibility for services
3 February 2010	Due date for Program B providers to nominate the frequency of Ongoing Support payments (refer section 3.27)
15 February 2010	Disability Employment Services providers to have access to the diary system to ensure initial and regular Appointment sessions can be made for Participants from 1 March 2010
26 Feb 2010	Employment Services Smartclient (EA3000) access shutdown at close of business Decommissioning of EA3000 begins, limited functionality will remain for providers to service placed DEN/VRS Participants (refer to Access to DEEWR IT Systems under Section 5) All DEN and VRS referrals under ESC3/ESFD3 cease

28 February 2010	Allocation of Participants to providers All Participants transitioned into Disability Employment Services DEN and VRS contracts conclude and cease managing ESC3/ESFD3 caseload (except for Participants in a placement progressing towards an outcome)
1 March 2010	Commencement of Disability Employment Services. DEEWR IT System will be available for commencement of the Disability Employment Services Deed (the DES Deed)
26 March 2010	Submit claims for DEN/VRS payments for Participants transitioned on 28 February. DEN and VRS contracts require claims for payments to be made within 20 Business Days
1 March – 31 August 2010	DEN/VRS Participants with an anchored placement continue in DEN/VRS
31 August 2010	DEN/VRS contracts conclude for providers of Participants with an anchored placement DEN and VRS providers to cease to manage DEN/VRS Participants with an anchored placement. Transition of this group and any remaining DEN/VRS Participants occurs
28 September 2010	Final date for DEN and VRS providers to claim ESC3/ESFD3 payments in DEEWR's IT system (for placed Participants working towards an outcome)
30 June 2012	End date of Disability Employment Services Deed 2010 – 2012 (the DES Deed).

3. Providing Services to Participants throughout Transition

3.1 Allocation arrangements to continuing and new providers

Continuing providers

- Existing DEN and VRS Participants will, regardless of their location, generally transition to Program B and A respectively with their current provider. Exceptions to this may be where current Participants select an alternative provider on transition, where their current provider chooses to exit the market or where the provider is located at an unreasonable distance from the Participant.

Note: This is an exception to what will be the usual rule under DES Program A and B, that providers will:

- not deliver services to a Participant resident outside their contracted ESA(s) (refer clause 79.3 of the Disability Employment Services Deed 2010 - 2012)
- (in the case of DES Specialist providers) not deliver services to a Participant who is not a member of the relevant Specialist Service Group (refer clauses 78.1 and 78.2 of the Disability Employment Services Deed 2010-2012).

New providers

- All Participants whose DEN or VRS provider is not contracted to provide DES Program A or B services will be transferred to a DES Program A or B provider in line with transition rules, contracted business share and tolerance rules applied to the number of transitioning Participants for that service in that ESA.

Transition Participants of continuing and non-continuing providers will be given the opportunity to request a change of provider up to 26 February 2010. After this date, any request from Participants to change providers will occur under the DES program.

The Invitation to Treat process for Program B business means that there is minimal change of service provider for DEN Participants. Some VRS Participants will be affected by changes to VRS providers resulting from the Request for Tender for Program A business.

3.2 Business share

The Disability Employment Services Deed 2010-2012 provides that service providers will be allocated a market share and a proportion of Participants within an ESA and may receive referrals up to 130 per cent of their contracted share.

The transition caseload of contracted **Program B providers will not be taken into account** in the allocation of new Program B referrals from 1 March 2010. The contracted business shares of Program B providers were determined through the Invitation to Treat process whereby business shares were allocated to existing DEN providers on the basis of current caseloads. All Program B providers will start the new contract with a transition caseload roughly equivalent to their current caseload and therefore taking the transition caseload into account in the allocation of new referrals is not necessary.

The transition caseload of contracted **Program A providers will be taken into account** in the allocation of new Program A referrals from 1 March 2010. This will help maximise referrals to new Program A providers that have no pre-existing Participants or transition caseload.

Where a continuing Program A provider's transition caseload puts them above 130 per cent of their contracted share at transition, DEEWR will put in place the following mechanism in order to minimise the length of time that they will not get new referrals:

- All providers of DES-Disability Management (Program A) whose transition caseload puts them above the 130% upper tolerance in an ESA at transition, will have their tolerance level for that ESA set at 130% on the weekend of 27-28 February 2010. This will be done by a once-only adjustment to the provider's referral count.

This will help support client choice of provider and give these continuing providers some new referrals.

3.3 Transition process for transitioned Participants to DES Program

Table D1 in Annexure D of the Disability Employment Services Deed 2010-2012 sets out the transition process for Transitioned Participants to move into DES Program Services and any adjustments to Fees as a result of this transition process. These transition rules are set out separately for seven cohorts of Transitioned Participants, according to the Transitioned Participant's phase of service in the DEN Program or VRS Program as at 28 February 2010.

This Table (hereafter referred to as Table 1 in this document) is also available on the [Transition Webpage](#).

3.4 Key dates for referrals and commencements

Continuing providers

- Referrals and commencements to DEN and VRS (including direct registrations) will continue until **26 February 2010** (where diary appointments are available).
- No referrals will be made from COB Friday 26 February 2010 until the commencement of business, Monday 1 March 2010, as EA3000 will close allowing for the commencement of DES functionality in the DEEWR IT system.

Non-continuing providers

- DEN and VRS Referrals (including direct registrations) will cease from COB **22 December 2009**. Commencements for referrals made prior to 23 December may be made until **26 February 2010**.

3.5 Referrals of new Participants to DEN and VRS from 23 Dec 2009 – 26 Feb 2010

In order to minimise disruption for Participants, from close of business **22 Dec 2009** Centrelink and Job Capacity Assessors will refer new DEN or VRS Participants, to continuing providers only. If a continuing DEN or VRS provider is not available and accessible to the Participant, referrals may continue to non-continuing providers.

3.6 Centrelink and JCA referrals to DEN/VRS and DES in February 2010

Job Capacity Assessment (JCA) referrals to DEN/VRS up to 26 Feb 2010 will continue as normal provided sessions or appointments are available in EA3000. If there are no sessions/appointments available or the Participant cannot attend before 26 Feb 2010, the JCA will be able to book a Participant into a DES Appointment from 1 March 2010 onwards. This will create a DEN/VRS contract referral and the Participant will be transitioned to DES.

From 15 February 2010, DES providers will have access to the DES Diary system to create Appointments for 1 March 2010 onwards.

When booking DES Appointments, Centrelink will either:

- Book a DEN/VRS appointment to occur by 26 Feb 2010 where possible. If there is not one available, Centrelink may call the provider and ask for an additional session to be created. If an appointment occurs by 26 Feb 2010, the Participant will be transitioned.

- If no DEN/VRS appointment can be booked by 26 Feb 2010, from 15 Feb 2010 Centrelink can book a DES Appointment for 1 March 2010 onwards. This will create a DEN/VRS contract referral and the Participant will be transitioned to DES.

3.7 Direct registration

DEN and VRS providers with a contract to deliver DES should continue to accept direct registrations and all referrals from Job Capacity Assessors until EA3000 shut down (26 Feb 2010).

Non-continuing DEN and VRS providers should not directly register Participants after 22 December 2009. The direct registration function will appear in EA3000 but a referral cannot be generated. A non-continuing DEN or VRS provider should refer the person to a provider who has been engaged to provide DES Program A or B services under the Deed (a 'continuing provider) and who has capacity to accept the referral, or refer the Participant to Centrelink.

3.8 Early provider exits from DEN or VRS

Requests from providers to exit DEN or VRS contracts prior to 1 March 2010 will be considered on a case by case basis but with primary consideration given to avoiding inconvenience and disruption to Participants. Non-continuing providers who do not wish to support placed Participants post 1 March 2010 may also request to exit.

When looking at requests, the Department will consider the need to take into account: service arrangements with the objective of minimising disruption for Participants and ensuring their best interests are considered; consistency in the decision making process; and need to minimise red tape so requests can be actioned as soon as possible.

Providers should raise any request for early exit with their DEEWR Account Manager.

3.9 Cut off date for completing/updating DPI and DMI

For all DEN providers, new or updated Disability Pre-Employment Instrument (DPI) and Disability Maintenance Instrument (DMI) assessments should be finalised in EA3000 by **26 February 2010**. Related claims for payment, for example, Intake Fee, may be made in EA3000 until 31 March 2010.

DEN Participants that have been Commenced but are without a DPI assessment in EA3000 as at 26 February 2010 will be transitioned to DES Program B at a funding level determined by the new Funding Level Tool (run on the weekend of 27-28 Feb 2010). Where the Participant does not have a JCA and JSCL, the Participant will default to Funding Level 2 for Eligible School Leavers and to Funding Level 1 for all others.

DEN Capped Participants who have achieved a 26 week outcome but have no DMI authorised in EA3000 by 26 February will be transitioned to Program B Moderate Ongoing Support. DEN Providers are encouraged to complete DMIs in EA3000 by 26 February 2010.

The DPI assessments for Participants in an anchored placement will remain available until 30 April 2010 (2 months). DPIs can be added and updated (under DEN guidelines) until this date. However, the Participant's Employment Pathway Plan (EPP) and resume for Participants in an anchored placement must be finalised in the IT system by COB 26 February 2010 as this functionality will be decommissioned.

3.10 DEN or VRS transfers

Participant transfers between sites or between continuing providers may continue under normal DEN and VRS program operations until 26 February 2010. The IT system will prevent the transfer of a Participant to a non-continuing provider after 22 December 2009. As of 1 March 2010, DES transfer guidelines will apply to DES Participants.

3.11 School Leavers

Providers of DEN and VRS services may be approached by school leavers during the three months prior to commencement of DES (Dec 2009, Jan and Feb 2010).

If a school leaver approaches a non-continuing DEN or VRS provider after 22 December 2009, the provider should refer the person to a DEN or VRS provider who has been engaged to provide DES under the Deed (a 'continuing provider) and who has capacity to accept the referral, or refer the Participant to Centrelink.

School leavers accepted during this period will be transitioned according to their point in the service continuum (and DPI funding level for DEN Participants). Only school leavers directly registered on or after 1 March 2010 will commence as Eligible School Leavers under the new DES arrangements.

3.12 VRS Job In Jeopardy (JIJ) and DEN Employment In Jeopardy (EIJ)

VRS Job in Jeopardy or DEN Employment in Jeopardy Participants can only be accepted through direct registration and do not require a JCA. After **22 December 2009** a non-continuing provider cannot accept a Job/Employment in Jeopardy Participant.

Continuing providers can accept Job/Employment in Jeopardy direct registrations up to COB 26 February 2010.

As noted in Table One, DEN EIJ and VRS Job in Jeopardy Participants are treated differently during transition:

- DEN Capped EIJ – if the EIJ Participant has a completed DMI, they are treated as being in the DEN maintenance phase and will be transitioned into DES Program B Ongoing Support, High or Moderate according to their DMI level (cohort 4 in Table One). Any DEN Capped EIJ Participants without a DMI will be transitioned into day one DES Program B Job in Jeopardy (cohort 6 in Table One).
- DEN Uncapped EIJ – as no DMI is completed and the period of assistance is limited to six months, this group will be transitioned to day one DES Program B Job in Jeopardy, regardless of the length of assistance already provided.
- VRS Job in Jeopardy – The majority of VRS Job in Jeopardy Participants are placed and working towards a JIJ 26 week outcome. This group (cohort 7 in Table One) stays with their VRS provider until an exit occurs on achievement of the JIJ 26 week outcome. A VRS Participant who has not been exited and requires further workplace support after the JIJ 26 week outcome or 31 August 2010 will be transitioned to Program A Flexible Ongoing Support or exited from the program if no further support is required.

3.13 Future Ongoing Support Assessment (OSA) dates

An Ongoing Support Assessment (OSA) date will be set for all DEN and VRS Participants transitioning into the Ongoing Support phase of DES (Flexible, Moderate or High Ongoing Support).

If the Participant also has a Supported Wages System (SWS) assessment due date, the OSA date will be set to that date.

For Participants without a SWS assessment due date, the OSA due date will be set to 52 weeks from the anniversary of employment placement date for VRS or Employment Start Date for DEN. For example, if a DEN Participant was placed in employment on 26 October 2008, then the OSA due date will be set to

26 October 2010. If a DEN Participant does not have an Employment Start Date, for example they are an old block funding Participant, the OSA due date will be set to the 52 week anniversary of the DMI authorisation date.

3.14 Application of the Funding Level Tool (FLT)

The new Funding Level Tool (FLT) will be applied on 28 February 2010 to DEN Participants with a status of referred but not yet commenced. The FLT will be run to determine the correct Program B Funding Level to which the Participant will be transitioned.

3.15 Services to placed Participants to continue until 31 August 2010

Providers of DEN and VRS services will be able to continue to assist existing Participants that are in a job or education (VRS only) placement through to achievement of a 26 week outcome (or 13 week education outcome) up to 31 August 2010. Refer to Cohort 3 in Table One for further detail. The placement must have been made (anchored) by COB 26 Feb 2010. Participants will transition to DES, if eligible, at any of the following trigger events:

- on achievement of a 26 week outcome, or
- when the placement ceases or
- when the Transition period ends on 31 August 2010,

whichever is the earlier.

Participants whose job or education placement ceases prior to achievement of the outcome will revert back to employment assistance and will transition to Employment Assistance in the DES program. Refer to Cohort 2 in Table One for further detail on the transition of Participants in the Employment Assistance phase.

VRS Participants with an anchored education placement will continue in VRS until **either** a 13 or 26 week education outcome is achieved, up to 31 August 2010, at which point they will be exited as ongoing support is not available. Participants are exited after the 13 week education outcome is achieved, even if a second semester is proposed as no VRS placements can be made after 1 March 2010.

DEN and VRS providers will follow processes applicable to those programs for Participants who achieve a 26 week employment outcome:

- Exit as independent worker not requiring ongoing support – no transition
- VRS Participant requires intermittent support – transition to Program A Flexible Ongoing Support
- DEN Participant requires ongoing support – transition to Program B Ongoing Support

For VRS Participants assessed as requiring ongoing support, transition to a DES provider will occur automatically after completion of the exit report in the system. For DEN Participants, a trigger event referred to in Table One will determine the transition point and phase of DES service.

On commencement in Program B Ongoing Support phase, the DES provider should determine the appropriate level of Ongoing Support, either Flexible, Moderate or High and reassign the level if required.

For continuing providers with Participants in a placement, the Participant will transition across to the same provider, providing employment services are required (either employment assistance or ongoing support). For non-continuing providers, the Participant will be transferred to their allocated DES provider, based on the Participant's postcode and providers servicing that postcode, providing employment services are required. All participants will have the opportunity to choose an alternative provider.

Participants will continue to access existing services and DEEWR will pay all relevant DEN and VRS service and outcome Fees for Participants placed and working towards a 26 week outcome up to 31 August 2010, for example for DEN Capped, a 13 Week Employment Milestone Fee will be paid as well as Employment

Assistance Fees where the requirements for the payment of the Fees are met and provided that the Fees fall due on or before 31 August 2010. Remote loadings continue.

Relevant DEN and VRS service and outcome Fees for Participants who transition on 28 February 2010 (i.e. not for placed Participants) can only be claimed if they fell due prior to transition. For example, the DEN 39 week additional outcome fee can only be claimed if the requirements for the payment of the Fee were met on or before 28 February 2010. The claim for payment should be submitted in the DEEWR IT System within 20 Business Days.

3.16 Employment Pathway Plans

It is important that all Participants have in place an approved Employment Pathway Plan (EPP) that will remain appropriate until they have negotiated and entered into a new DES EPP after 1 March 2010.

All Participants with compulsory participation requirements must continue to have activities included in their EPPs that will enable them to meet these requirements. This may include undertaking job search or a relevant vocational or non-vocational activity.

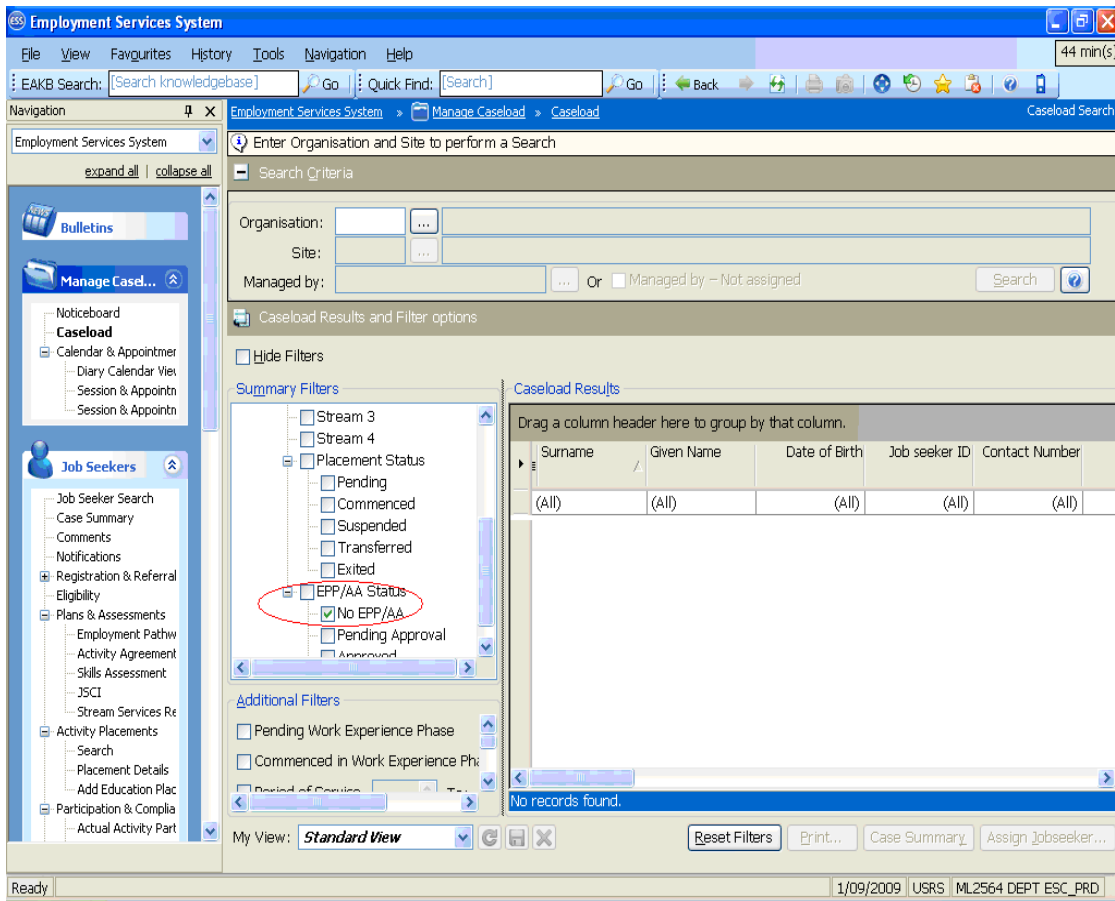
Where a Participant is focussed on job search, it is advisable to include an end date that will ensure the activity will remain valid during the transition arrangements, for example, an end date of 31 August 2010 could be used. An activity that will not continue after 1 March should be removed or updated as appropriate and replaced with an activity that does continue.

No EPPs can be negotiated by DEN and VRS providers after close of business 26 February 2010, so it is essential that EPPs be updated prior to this date. This is particularly important for DEN/VRS Participants placed and progressing towards an employment or education outcome. These Participants will continue to be supported under DEN and VRS (refer section 3.15). Providers will not be able to view and print EPPs for these placed Participants in the DEEWR DEN or VRS IT system, after 26 February 2010.

Approved EPPs for transitioned DEN and VRS participants will be brought across to the DES IT System. However, DES providers will be unable to save an EPP which has an EPP code for a DEN or VRS activity. DES providers will need to remove the DEN/VRS activity (A104, A107, SS01 or SS02) and should add the EPP code of AI09 (attend DES appointments) to enable the EPP to be saved. It is expected that DES providers should do this for all participants at their first contact appointment from 1 March 2010.

VRS Intervention Plans should continue to be developed and updated according to VRS Guidelines until COB 26 February 2010. From 26 February 2010, VRS Intervention Plans will not be available in the DEEWR IT System. Providers wishing to access information contained in the Intervention Plan will need to print a hard copy before 26 February 2010 and place it on the Participants file.

For a small number of DEN/VRS Participants who commence in the few weeks prior to the transition date, an EPP (non voluntary or voluntary) may not have been completed by 26 Feb 2010. On transition to DES, this group will require an EPP to be completed as soon as possible, despite having a Commenced status in DES. Participants without an EPP can be easily identified through the Caseload filter function, an example is below:



3.17 Existing High Cost Workers

Eligible Workers (Capped) for whom a DEN provider was entitled to claim an Existing High Cost Worker Fee on 26 February 2010 and who transition directly to the same Program B provider under DES will be Existing High Cost Workers in DES. The Existing High Cost Worker will be deemed to have received the number of weeks of Ongoing Support equal to the number of weeks the Participant was in the Employment Maintenance Phase under DEN.

3.18 Principles underpinning Participant movement

The proposed system arrangements that facilitate the transition of Participants from current contracted DEN and VRS to DES aim to:

- ensure that all eligible Participants are able to be commenced into the DES Deed from 1 March 2010;
- minimise any disruption to employment services, and activities for Participants and employers; and
- provide an equitable allocation of current (transition) Participants to DES providers, based on contracted market share (for Participants transferring from non-continuing providers).

Every effort will be made to ensure:

- Participants remain with their existing provider with a DES contract, regardless of ESA market share or tolerance;
- that Participants located in a remote ESA and whose provider is not continuing are matched to a DES provider which is contracted to service the region the Participant resides (based on community code); and
- the provision of timely advice about transition arrangements to Participants and DES providers.

3.18.1 Communication to Participants and employers

DEN and VRS providers should discuss the transition arrangements with Participants, and their employers where appropriate, particularly where the Participant may be moving to a new site or DES provider. The department expects non-continuing providers to take extra care in assisting vulnerable Participants move to a new provider. In these circumstances, the discussion could be a meeting between the Participant, the non-continuing provider and the new DES Provider.

The discussions could occur either through a separately arranged appointment or during any regular contact with the Participant between December 2009 and 26 February 2010. This will help ensure that Participants and employers are fully aware of the process and are prepared for the changes.

3.18.2 Automatic Participant transfer

Most Participants will be transitioned by DEEWR via an automatic system process into Disability Employment Services and will be allocated a place with their Disability Employment Services provider.

DEEWR system arrangements will ensure that all Participants eligible for DES who are serviced under the following currently contracted programs, are transitioned to a new or continuing DES provider:

- Disability Employment Network Capped;
- Disability Employment Network Uncapped;
- Vocational Rehabilitation Services Fixed Place;
- Vocational Rehabilitation Services Demand Driven.

Note – the exception is Participants who are placed and progressing to an outcome with their DEN or VRS provider, who will be transitioned later.

Table D1 in Annexure D of the DES Deed specifies the transition process for Transitioned Participants to the DES Program.

3.18.3 Remote Participants

All Participants in Remote ESAs (including excised non-remote locations) and Palm Island will be transitioned according to the automatic Participant transfer process. Please note, Participants in Remote Employment Service Areas (ESAs) and Palm Island will be mapped to DES providers based on their community code, where available.

3.18.4 Manual Participant transfer

Some Participants who will not be transitioned by the automatic Participant transfer process will be transferred manually by DEEWR. This includes for pre-release prisoners, Participants with a current Incident Report and Remote Participants who do not have a Community Code assigned to them.

3.18.4.1 Pre-Release Prisoner (PRP) Participants

Before a PRP Participant can be transitioned to a new DES provider, the DES provider must be deemed suitable by the relevant Department of Corrections for that State or Territory. The suitability of the DES provider will depend on the consideration of factors such as proximity to the prison or pre-release centre, whether the DES provider specialises in issues affecting prisoners (including pre-release prisoners) and the DES provider's performance and experience in finding employment for PRP Participants.

The receiving provider will also be asked if they are willing to accept the client on their caseload.

The DEEWR Contract Manager will liaise with the State Corrections services and the DES provider to facilitate a smooth transition for the PRP Participant.

3.18.4.2 Participants with a current Participant Incident Report (JSIR)

DES providers are required to accept and service a Participant with a current JSIR in the same way that they accept and service other Participants.

Before a Participant with a current JSIR is transitioned to a new DES provider, the Account Manager of the DES provider will be required to inform the DES provider of the following in relation to each Participant with a JSIR:

- the impending referral;
- the incident report/s;
- the Participant's behaviour recorded in the report; and
- any other information relevant to providing services to the Participant (for instance, if the previous service provider used alternative / restricted means of providing services).

This action will ensure that the DES provider is able to determine an appropriate strategy for providing services to the Participant before the Participant is transitioned. A manual transfer will occur and all relevant information relating to the Participant will be migrated from EA3000 to DES functionality.

3.18.4.3 Remote Participants who do not have a community code assigned to their Record

The manual allocation of these Participants will take account of the residential location of the Participant, the DES provider/s that service that location and market share.

If a community code is unavailable, DEEWR will map Participants to DES providers manually, taking into consideration the Participants' residential addresses and the DES provider/s that service those locations.

3.18.5 Participants not transitioned

Most Participants who are currently serviced in DEN and VRS will be transitioned on 28 February 2010. However, some DEN or VRS Participants who have been in the program more than 24 months and Participants with a status of Exited and who have not been identified as requiring either ongoing support or intermittent support will not be transitioned.

3.18.6 Concurrently referred Participants

Concurrent referrals – as a general rule, for Participants with an active DEN or VRS referral at transition; transition to DES will occur regardless of the referral to other programs, for example Job Services Australia. DEEWR will undertake a data clean up prior to transition to identify Participants in these circumstances. Contract Managers may contact DEN and VRS providers in some cases to discuss options for transition.

3.19 Allocation Report

A report will be available late January 2010, to assist DES providers understand the number of Participants their organisation has in each ESA, broken down by program, phase and postcode. This report is called the Transition Allocation report.

3.20 Caseload Report

Another report, called the Caseload Report, will be made available by 2 February 2010 and will include the number and names of Participants referred and their program/funding level. Initially it will be at the organisation and ESA level, then a subsequent report will show Participants attributed to each site. This report can be used to commence contacting Participants to arrange an initial interview (see section on Diary Appointments 3.22 for further information).

Providers can also use this report to identify whether it is more appropriate for some Participants to be linked to a different ESA or site. This may be appropriate because of changes from the Program A tender

and the Program B Invitation to Treat process. Any movement of participant to a different site/ESA must always be in the best interests of the Participant, so that they are neither inconvenienced nor disadvantaged.

Closer to February 2010, DEEWR will advise providers the process that will be used for moving Participants to a different site prior to the transition of Participants on the weekend of 27-28 February 2010.

3.21 Diary Appointments

Diary appointment times and sessions in EA3000 for ESC3/ESFD3 will continue to be available for providers so they can make appointment times for their jobseekers up to 26 February 2010. Appointments for DEN or VRS will not be available from 1 March 2010 onwards.

From 15 February 2010, DES providers will be able to book Participants into diary appointments to receive services from 1 March 2010. Providers will receive the Caseload Report to assist with this process. The transition process will not automatically create diary appointments for Participants transitioning from closing sites.

Diary appointments should be created for all Participants allocated to ensure that Participants can commence receiving DES as soon as possible.

Note: diary appointments should not be created for Participants with a current exemption to DEN or VRS services. The Caseload reports will flag exemptions to ensure that Participants with exemptions can be easily identified. Details of when the exemption period is due to end will be provided in the report.

There will be a number of scenarios where a DES appointment created for a transition Participant will be cancelled:

- 1) DES provider has created a post 1 March DES appointment. Participant then requests to be transferred to a different provider. Existing appointment will be cancelled and Participant will be transitioned to requested provider.
- 2) DES provider has created a post March DES appointment. But before transition takes place, Participant becomes ineligible for transition (change of circumstance). The appointment will be cancelled.

3.22 Participant letter

In mid January 2010, transitioning Participants will be sent a letter to advise them that from 1 March 2010 DES will be introduced. Copies of Participant letters will be available to view on the Provider Portal prior to sending. This will give providers the opportunity to alert Participants to the letters and discuss their content.

It is anticipated that all these letters will be distributed during the week beginning 18 January 2010. Advice will be placed onto the Transition website if there is any change to this date.

For transitioning Participants, the letters provide Participants with information about who their DES provider will be, what they need to do (if anything), and a brief overview of their obligations. A fact sheet and the DES Service Guarantee will also be included with the letter advising Participants of what services they can expect as part of DES.

There will be a range of different letters sent to the Participants that are tailored to the particular circumstances of the Participant. For example, a Participant who is staying with an existing provider will receive a slightly different letter from a Participant who is moving to a new DES provider.

The letters will be sent to Participants from DEEWR.

3.22.1 Participant enquiries

DEEWR is actively working to ensure queries and requests from Participants are managed effectively through the provision of information such as call centre scripts so that staff are aware of transition arrangements and the latest information so they can provide timely responses to Participants.

Letters to Participants will include a phone number for Participants to call for more information about the changes including:

- DEEWR Customer Service Line number (1800 805 260) for Participants wishing to choose another DES provider or to ascertain which DES providers will be operating in their local area;
- An interpreter can be arranged by calling the CSL number above; and
- National Relay Services (13 36 77) for those Participants with a hearing or speech difficulty.

3.23 Participant choice of provider

The transition letters will provide Participants with the option of calling the DEEWR Customer Service Line, until 26 February 2010, to select an alternate DES provider should they prefer a different one to the one they have been allocated. Participants of continuing DEN and VRS providers will also have the option of changing provider prior to transition.

Participants are informed that their electronic personal records will be transferred automatically to both continuing and new providers and they may request their current provider to arrange a transfer of paper records. Please refer to Section 8 Records Management for further detail.

3.24 Caseload consolidation during January and February 2010

3.24.1 DEN and VRS exits

Until 26 February 2010, DEN and VRS providers must continue to exit Participants from their caseload (and prepare exit reports) where an exit is related to normal program operations, as outlined in the related Guidelines (for example, Participant completes maximum period of employment assistance in the program, volunteer elects to discontinue participating or Participant relocates).

DEN and VRS providers should ensure that exit reports related to normal program exits are submitted in the system by 26 February 2010 in order for associated payments to be claimed after 1 March 2010.

Providers should also seek to review their caseload prior to 26 February 2010 to ensure Participants transition to DES appropriately. As part of this review, providers should (where appropriate):

- exit voluntary Participants who no longer wish to participate;
- transfer Participants where they have relocated outside the ESA; and
- ensure they reactivate Participants from suspensions, if the suspension end date is prior to 26 Feb 2010 (this will ensure the Participants commence DES as soon as possible).

Particular attention should be given to DEN capped and VRS fixed place Participants who have been in the program for longer than 24 months without a placement. Any Participants in this situation who remain in the system by 28 February 2010 will be exited by DEEWR or referred for a JCA; that is they will not transition to DES but will be referred to a JCA to determine the most appropriate service option. Preferably, providers should discuss options with the Participant prior to 26 February 2010 and record the decision in the system, for example volunteer does not wish to participate.

DEN Uncapped and VRS demand driven Participants who have reached their program end date and have not been exited by the DEN/VRS provider will not be transitioned and will be referred by DEEWR for a JCA prior to transition. Providers are strongly encouraged to action outstanding exits, discuss future servicing options with affected Participants in the lead up to transition and refer for a JCA if appropriate.

DEN capped Participants with an authorised DPI or DMI Level 0 will not be transitioned to DES and will be exited. Providers are advised to consider the ongoing support requirements for DMI Level 0 Participants and if necessary either:

- exit the Participant if no ongoing support is required; or
- exit as Independent Worker who requires intermittent support only prior to transition to ensure Participants who need ongoing support are transitioned to Program B Flexible Ongoing Support.

Those Participants who are exited from DEN or VRS will not be able to transition into DES after 1 March 2010, they will have to seek referral through the JCA process or directly register. (DEN Participants who exit as Independent Worker who requires intermittent support only will be transitioned to DES Program B Flexible Ongoing Support.)

DEEWR may contact DEN and VRS providers to discuss the circumstances of small groups of Participants whose circumstances do not match the outlined cohorts for transition and for whom a manual transition may be necessary.

3.24.2 Outstanding referrals

Continuing DEN and VRS providers should determine the appropriate action for outstanding referrals, including processing transfers between sites within the organisation, or transfers from a different provider, to ensure commencement in DEN/VRS by 26 February at the latest.

3.24.3 Outstanding DPIs

DEN providers are encouraged to update or finalise DPIs for commenced Participants where possible prior to 26 Feb 2010. This is encouraged for DEN Participants in an anchored placement in particular.

3.25 Retained DEN/VRS Participants in a placement and progressing towards an outcome

There is no requirement for DEN and VRS providers to exit Participants who are placed and progressing towards an outcome from their caseloads, unless the outcome is achieved and the Participant no longer requires assistance, or any other exit reason occurs.

In accordance with normal program operations, DEN and VRS providers should review their caseloads of Participants placed and progressing towards an outcome prior to 31 August 2010 to ensure that all Participants on their caseload are active and currently receiving services.

A checklist of activities DEN/VRS providers should undertake in the lead up to transition is at Attachment A.

3.26 Transition Fees and commencement in DES

3.26.1 Transition In Fees

Transition In Fees include pro-rata Employment Assistance and Ongoing Support Fees for Participants transitioning to DES and will be available to be claimed by DES providers from 1 March 2010.

One other Transition Fee is available:

- Existing DEN Capped DMI4 Participants, as at 28 February 2010, will be eligible for the one-off Transition In Fee if they transition to a new Program B DES provider. This fee can be claimed once the Participant has been Commenced through the DEEWR IT system special claim process.

3.26.2 Participant commencement in DES

To support the timely commencement of transitioned Participants, their details will appear on the 'Case Summary' and 'Referral Placement' screens with a transition code indicating the transfer occurred as part of the transition process.

Participants transitioning to a new provider will have a status of 'pending' in their assigned phase.

Program eligibility checks will be bypassed as eligibility for DEN and VRS meets DES eligibility requirements, except for Participants transitioned as 'referred'.

For DEN or VRS Participants transferring to a new DES provider, the receiving provider will need to manually record the Participant as having Commenced on DEEWR's IT system. DES providers are expected to manually record the Commencement of all transitioned Participants as soon as possible after the transition date of 1 March 2010.

3.26.3 Participants on suspensions

Participants on suspensions will be assigned on the transition date to the DES provider's caseload but are not expected to recommence services until the end of their suspension period.

An expected to start after date will be displayed on the caseload report that identifies the date the suspension ends.

A DES provider may recommence a previous DEN or VRS Participant if the Participant requests to commence earlier than indicated in the system.

In DEN and VRS, EA3000 does not automatically suspend a Participant who has a Centrelink exemption. The DEN/VRS provider is required to manually suspend/exit the Participant as appropriate, or the Participant can opt to volunteer during this period. Because of this requirement to manually suspend Participants there will be a number of Participants who have Centrelink exemptions but are still commenced in DEN/VRS at transition. A change to the IT system from 1 March 2010, will automatically suspend a transitioned Participant in DES if a Centrelink exemption exists. The DES provider will not be able to make any claims for payment until the suspension is lifted. If the Participant was volunteering in DEN/VRS during their exemption period, the DES provider will need to create a volunteering period in order to continue servicing the Participant and claim relevant payments. Length of time in the Program continues to run during the volunteering period.

3.26.4 Waitlist Participants

All Participants on the national VRS waitlist (referred but not yet commenced) will be referred to a DES Program A provider. Participants will be allocated based on the postcode (or community in remote areas) they reside in, the providers that service the area and transition market share.

3.26.5 Benchmarks for transitioning Participants

Employment benchmarks for transitioning DEN/VRS Participants:

- DEN Capped will be transitioned with an employment benchmark of 8 hours
- DEN Uncapped will be transitioned with an employment benchmark of 15 hours
- VRS Participants will be transitioned with their current VRS employment benchmark

After 1 March 2010, the employment benchmark may be reset if the Participant's JCA is reviewed.

3.26.6 Transition of volunteers

Volunteers will transition according to the relevant cohort in Table One. The same transition rules apply to volunteers and non-volunteers.

Volunteers who wish to opt out of DEN/VRS prior to 26 February 2010 may do so under normal DEN/VRS operational guidelines. After 1 March 2010 volunteers who wish to opt out of DES may do so under normal DES operational guidelines.

3.27 Nomination of frequency of Ongoing Support Fees

Moderate and High Ongoing Support fees (applicable to Program B only) will normally be paid Quarterly in Arrears.

However, in response to feedback from Providers, DEEWR's IT Systems have been modified to also support an alternative arrangement. Each Program B Provider Organisation can nominate to instead have these payments made monthly in arrears. This arrangement is set at an organisational level.

For a DES provider to be paid the relevant Ongoing Support Fees, the Participant needs to be receiving Ongoing Support at the end of the payment time period. **If a Participant exits Ongoing Support, a pro rata payment will not be made available.**

Providers should also note that whilst Ongoing Support payments are made in arrears, Service Fees are paid in advance. If a participant is placed in employment part way through a 13 week Service Fee period, Service Fees are not recovered.

What should providers do?

If DES Program B providers are happy for Moderate and High Ongoing Support Fees to be payable Quarterly in arrears, they don't need to do anything. Quarterly is the default payment arrangement.

If DES Program B would prefer for the Moderate and High Ongoing Support Fees to be payable monthly in arrears, and have not already advised DEEWR, they should contact DEEWR as outlined below:

Send an email to the DES Transition mailbox by COB Wednesday 3 February 2010.

The title of the email should be "Request Ongoing Support Payments be paid 4 weeks in arrears"

The body of the email must include:

- Organisation Legal Name and Organisation Code:
- Contact Person Name:
- Title (eg CEO):
- Phone:

The email should be sent by someone with the appropriate authority in the organisation to make this decision.

NOTE: Once set, it will not be possible to change the payment frequency again until further changes are made to DEEWR's IT Systems.

4. Training

Training for DES providers is delivered through the online Learning Centre (<https://ecsn.gov.au/ecsn>). Training will be delivered in three Levels. Level 1 training covers DES concepts, features and key messages and will be released in December 2009. Level 2 training covers the operational policy and procedures and will be available in the Learning Centre in mid January 2010. Level 3 training covers use of the new DEEWR IT System. Level 3 training will include a 'live' training database supported by training workbooks.

The training database will be released on 1 February 2010 and will be supported by a series of IT trainer briefing sessions (face to face and LiveMeet) will be held in February.

Managers can track uptake and success of training by subscribing to the GTR001 General Training Report in the EA Reporting application (ES SmartClient). Individuals may view and download their own training records from the My Training page in the Learning Centre.

Training is delivered through a range of linked products and events. Facilitated training is delivered using the LiveMeet web conferencing system, which allows DES providers to meet online with operational policy and IT System subject experts.

Further information relating to training can be found on the [Transition website](#).

5. Access to DEEWR IT Systems

5.1 Priorities for new DEEWR IT Systems

High priority has been placed on establishing a robust and accessible employment system application that is operational on 1 March 2010. It is important that all providers are aware of the proposed transition arrangements and their role in carrying out relevant operational procedures.

5.2 Importance of Security and Access Package

A Security and Access Package has been dispatched, together with the Deed, to all DES providers. This package includes all the forms and information required to arrange system access and commence system relevant training. The DES provider's Organisational Security Contact(s) (OSC) is/are responsible for the creation and management of the user accounts within each organisation. It is therefore important that OSCs are setup in good time to allow them to create the user accounts and systems access for the DES provider's staff. Security Access forms for OSCs will be processed by the Department within 7 working days. This means that DES providers will receive smart tokens for their OSCs within 7 working days after the completed Security Access forms are received by the Department. See the Security and Access Package for further information and contact details for DEEWR Help Desk support. DES providers need to factor this turnaround time, and the time they then need for their OSCs to process the access for their staff, into their timelines for access to training, reports and the Employment Services System.

5.3 EA3000 Offline COB 26 Feb – 28 Feb 2010

EA3000 will be off-line to all providers from COB 26 February 2010 until 28 February 2010 to facilitate the implementation of DES, including the movement of Participants.

5.4 Access to EA3000 after 28 February 2010

5.4.1 To make claims for payment

From 1 March 2010, continuing and non-continuing providers will have limited access to DEEWR's IT system to claim outstanding fees or payments associated with ESC3/ESFD3/RSD. Limited system access will continue until 28 September 2010 for DEN/VRS Participants placed and progressing towards an outcome, but this may vary depending on the type of payment claimed.

Providers have 20 Business Days, or three months in the case of late claims, in which to submit claims for payment in the DEEWR IT System for transitioned DEN/VRS clients. Providers with Participants placed and progressing towards a 26 week outcome will have three months or until 28 September 2010, whichever is the earlier, in which to submit claims for payment.

5.4.2 For DEN and VRS providers

DEN and VRS providers will continue to be able to use the DEEWR IT (EA3000) system during the period from 1 March to 31 March 2010 to submit claims for Participants who were transitioned on 28 February 2010. DEN and VRS providers with Participants placed and progressing towards a 26 week outcome will have limited functionality during the period from 1 March to 28 September 2010. Limited functionality will remain to process Outcome claims. DEN providers will be able to add and update employment records and enter employment hours for DEN Participants who were not transitioned on the weekend of 27-28 February 2010.

5.5 Access to DEEWR IT Systems from 1 March 2010

5.5.1 Continuing providers

Continuing providers will maintain their access to DEEWR systems. Their OSCs will continue to be able to create User IDs, and existing staff access will continue. However, where a Continuing provider has a new organisational code because of a new partnership or sub-contracting arrangement then access to the new IT system must be applied for under the new organisational code. In addition, staff that have changed organisations will need to apply to their new OSC for the creation of a user account attached to their new organisation.

5.5.2 New DES providers

DES providers will have the system access necessary to commence business on 1 March 2010, including access to their caseload and diary from 15 – 26 February to begin scheduling appointments with Participants. This is reliant on the timely completion of the Security and Access Package included with the Deed. The department will monitor progress of this to ensure that providers have system access by 1 March 2010.

6. Payments for ESC3/ESFD3/RSD

6.1 DEN and VRS Service Fees and Outcome Payments

For DEN and VRS providers continuing to assist Participants in a placement and working towards a 26 week outcome, all relevant DEN and VRS service and outcome Fees will be payable where the requirements for the payment of the Fees are met and provided that the Fees fall due on or before 31 August 2010. Claims will need to be submitted in EA3000 by 28 September 2010. For all other Participants who are transitioned on 28 February 2010 the final date for submitting claims for payment is within 20 Business Days or three months in the case of late claims for payment.

6.2 Transition Out Fees - DEN

A number of pro-rata Fees are available to DEN providers for various cohorts of transitioning Participants (refer to Table One for cohorts). Providers will have 20 Business Days, or 3 months in the case of late claims for payment, in which to submit claims for payment.

7. Non-continuing providers

Under the Department's non-continuing arrangements, all provider staff, including sub-contractors, will need to complete an Exit Advice Notice. The Exit Advice Notice can be found on the ECSN Employment Secure Site along with contact details if you require further information.

All providers who are non-continuing at the conclusion of ESC3/ESFD3 must ensure that they comply with the DEEWR systems access termination process outlined in the *Provider's Guide to DEEWR Systems Identity Management* and the *DEEWR Systems – Security Policy for External Users*, which were previously provided to all Providers and are also available on the Secure Site.

Non-continuing and continuing providers will continue to have limited access to DEEWR systems from 1 March 2010 to claim outstanding Fees or payments associated with ESC3/ESFD3. However, they should ensure that only authorised users continue to have access to DEEWR systems from 1 March 2010.

Non-continuing providers who are continuing as a DES provider in a *subcontracting* capacity must ensure that they terminate all users' access to DEEWR systems on or before the exit date. From 1 March 2010, they must obtain access to DEEWR systems through their principal contractor who is the DEEWR-contracted provider.

7.1 Early Exit

Non-continuing providers may request to exit their current contracts before 1 March 2010 or cease to provide services to placed Participants between 1 March and 31 August 2010. DEEWR will consider such requests on a case-by-case basis, but the key consideration will be to minimise disruption for Participants.

For example:

- a current provider and a DES provider could jointly propose a smooth handover by way of subcontracting the remainder of the contract to the new provider. This could, in some instances, mean that the new provider retains the staff and Participants at this site or ESA; or
- a current provider, who is not providing DES in an ESA from 1 March 2010, may indicate they wish to cease their contract early. DEEWR will work with providers in the area to determine the best way to ensure ongoing services to Participants; or
- a current provider who is not providing DES in an ESA from 1 March 2010 may indicate they wish to cease providing services on 1 March 2010 to Participants who are placed and working towards a 26 week outcome.

When looking at requests, the department will consider the need to take into account: service arrangements with the objective of minimising disruption for Participants; consistency in the decision making process; and need to minimise red tape so requests can be actioned as soon as possible. Providers should raise any proposals for early exit with their DEEWR Account Manager.

7.2 Site Closures

If a provider is closing any site (either as an early site closure or at COB on 28 February 2010), they need to contact their local Contract Manager who will send them a Site Closure Declaration Form which the provider needs to complete and return to the Contract Manager prior to the site closure date. The provider must ensure that they have carried out and/or will carry out all the actions outlined in the Site Closure Declaration Form, including termination of staff access to DEEWR IT systems, removal of signage and management of records in accordance with ESC3/ESFD3.

Where no smart token was previously provided by the Department, providers would need to complete an Exit Advice Notice (EAN) for all staff whose access to DEEWR IT Systems would need to be terminated. The EAN is submitted directly to the Service Desk and not to the Contract Manager.

Depending on the site closure management strategy identified by the Account Manager for each provider, a site closure visit may need to be conducted on a closing site prior to its closure. The Account Manager will advise the provider in accordance with their Communication Protocol if a site closure visit will be conducted on a closing site.

Upon receipt of the Site Closure Declaration Form and/or upon completion of a site closure visit, the Account Manager will conduct a final review of the steps that will need to be taken prior to a site permanently closing down (e.g. all outstanding claims have been lodged, all participants have been transferred to their new provider, all debts have been identified).

The Account Manager must ensure that all the necessary checks have been completed and any outstanding issue has been resolved prior to advising the provider that the site has been approved for closure.

Providers that have sites with Participants who are progressing towards an education or employment outcome until 31 August 2010, can still apply to close those sites whilst completing their servicing obligations in accordance with ESC3/ESFD3. The closure of such sites would also be managed in accordance with the above process.

8. Records Management

Providers must comply with records managements contractual arrangements including Records Management Instructions in place at the time. Current contractual arrangements are as specified in the following:

- *Employment Services Funding Deed 2006-2009*
- *Employment Services Contract 2006-2009*
- *Remote Services Deed 2006-2009*

collectively referred to below as “ESC3/ESFD3”.

Under ESC3/ESFD3 providers are required to retain Contract Material for 7 years.

ESC3/ESFD3 Records Management Instructions (RMIs), available through the secure site, include specific requirements for the management of Personal Information Records including reduced retention arrangements in some cases. Identified Records with a continuing retention policy as outlined under the RMIs must be returned to DEEWR if requested by DEEWR, when a provider is no longer contracted to deliver services to DEEWR.

Providers will need to make decisions about how to manage Records within their own administrative practices, in accordance with applicable legislation and contractual arrangements outlined above.

The following information on the return of Records to the Department is the current process as specified in the RMIs. Any variation to the arrangement in the RMIs is specified below. All information and documentation requirements will be provided to providers when they contact DEEWR.

Providers are reminded to consider contractual requirements, for example under survival clauses and Documentary Evidence arrangements, and any applicable legislation, such as the *Privacy Act 1988* when determining how to manage Contract Material.

Please Note: The only providers eligible to apply to return identified RMI Records to the Department are providers who no longer have a direct contractual relationship with DEEWR. Providers will need to discuss their individual situation with their DEEWR Account Manager, to establish if they are defined as a non-continuing provider for the following process, before contacting DEEWR for assistance.

8.1 Personal Information

The arrangements outlined below aim to protect the privacy of Participant Personal Information.

The RMIs specify arrangements for the management, including retention and destruction, of identified records.

Continuing and non-continuing providers must comply with ESC3/ESFD3 RMIs. The ESC3/ESFD3 RMIs apply to active and inactive Records containing Personal Information created by providers before 1 March 2010.

All the DES Deed providers, including continuing ESC3/ESFD3 providers will need to comply with the the DES Deed RMIs in relation to the management of identified Records containing Personal Information created by providers after 1 March 2010.

DEN and VRS Participants’ electronic personal records will be transferred automatically to continuing and new providers and a Participant may request their current provider to arrange a transfer of paper records.

8.2 Non-continuing Providers Records

Non-continuing providers, as defined by DEEWR, must return to the Department, all Records containing Personal Information as specified in the ESC3/ESFD3 RMIs, other than those Records eligible for destruction in accordance with the ESC3/ESFD3 RMIs, to the Department.

After the completion of services, Records must be returned to DEEWR by delivery to a nominated storage facility, no later than 28 business days after the last claim for payment date, unless alternative arrangements are made for the management of those Records prior to that date.

If a non-continuing provider has entered into a subcontract to continue delivering Services to Participants under the DES Deed, and it wishes to retain certain Records containing Personal Information to allow the delivery of subcontracted services, then the non-continuing provider must arrange for the DES Deed provider to advise the DEEWR Account Manager (in writing) by no later than 15 February 2010. Where this arrangement is approved, the DES provider remains ultimately responsible under DES for the management, retention and disposal of those Records held by its approved subcontractor. All other identified inactive Records must be returned to DEEWR in accordance with the ESC3/ESFD3 RMIs.

Non-continuing providers are responsible for the management of all identified Records, including information in DEEWR IT systems and any Records approved to be retained if the non-continuing provider has entered into a sub contract under the DES Deed.

Non-continuing provider RMI identified Records will fall into three categories:

1. Records due for destruction;
2. Records not due for destruction that are for inactive Participants; and
3. Records not due for destruction that are for active Participants.

Providers must sort Records into the above three categories and manage the Records in accordance with ESC3/ESFD3 RMIs requirements.

Providers are reminded to consider Survival Clauses and Documentary Evidence requirements when determining how to manage Records.

8.2.1 VRS Section 23 Recoveries

Section 23 Participants are identified as such in EA3000 and this information will be transferred across to their DES provider (continuing or new). Non-continuing VRS providers assisting Section 23 Participants must return original signed forms directly to VRS Program Management, DEEWR in Canberra. Continuing or new DES providers are not required to return the original signed forms.

8.2.2 Returning Records to DEEWR

Non-continuing Providers will need to apply to their DEEWR Account Manager for authorisation to return Records. The only information to be returned by non-continuing Providers is active Records, or inactive Records with continuing retention requirements as outlined in the ESC3/ESFD3 RMIs.

The DEEWR Account Manager will provide further information about the process, including the following:

8.2.2.1 Obtaining boxes for Records returned to DEEWR

Non-continuing providers must estimate the number of boxes needed for Records to be returned to DEEWR. Boxes and barcode labels will need to be ordered through DEEWR. Boxes will take approximately 15 files of 2cm thickness and should not be over-packed.

8.2.2.2 Labelling boxes

Non-continuing providers must determine the future destruction dates, in accordance with ESC3/ESFD3 RMIs, by year, for each Record.

Boxes must be clearly marked on the exterior with the provider's business name, the retention date and the status of Records, for example, active or inactive.

8.2.2.3 Incident Records

If there are any incident files (Records that document an accident or Records that are identified which involve legal action or the potential for legal action) the DEEWR Account Manager will need to be informed and the relevant Records appropriately marked and returned to DEEWR.

8.2.2.4 Returning Records to DEEWR (DEEWRs nominated storage provider)

Once boxes have been prepared for return to DEEWR's custody, non-continuing providers must arrange for them to be securely transported to the nearest DEEWR nominated storage provider. The list of storage providers is available through the DEEWR Account Manager. Costs associated with transporting Records to the DEEWR nominated storage facility are a provider's responsibility. However, DEEWR will pay the costs of storing and lodging the Records with the external storage facility.

Where records have been returned to the Department and a provider requires access, providers must write to their DEEWR Account Manager with the details and purpose of the request. The Department will then consider these requests, but may require providers to seek access via the freedom of information process as required under the *Freedom of Information Act 1982*. More information on this process is at www.deewr.gov.au/Department/Pages/FreedomofInformation.aspx

8.2.3 Records due for destruction

Records may only be destroyed after they have reached the minimum retention period, as outlined in the relevant RMI. However, providers need to ensure that Records relevant to legal proceedings, or where legal action or litigation can reasonably be expected, are not destroyed, even where minimum retention periods are met.

8.2.3.1 Destruction methods

Where Records are eligible for destruction, as outlined in the ESC3/ESFD3 RMIs, Records must be destroyed in accordance with arrangements for the destruction of Commonwealth Records using one of the following methods:

- pulping: transforming used paper into a moist, slightly cohering mass, from which new paper products will be made;
- burning: in accordance with relevant environmental protection restrictions;
- pulverisation: using hammermills with rotation steel hammers to pulverise the material;
- disintegration: using blades to cut and gradually reduce the waste particle to a given size determined by a removable screen; or
- shredding: using crosscut shredders (using either A or B class shredders).

The DEEWR Account Manager has a list of companies that destroy documents to Australian Government standards. Costs associated with destroying Records are the provider's responsibility.

8.2.4 Participant request to transfer paper Records to new provider

Participants may request the transfer of their (paper) Records to a new provider.

Where a participant requests a transfer of their Records to their new provider for the purpose of continued servicing, DEEWR (or Participant) written permission is not required, however, a letter to the Participant acknowledging the transfer is recommended. The Account Manager can provide an appropriate proforma on request.

There are also some requirements for providers to consider in relation to the use and transfer of Personal Information under privacy legislation and Protected Information under the social security legislation which may be relevant to the transfer of a Participant's file.

Providers are not required to obtain written approval from DEEWR for the transfer of Participant Records, where the transfer is required to continue providing service to a Participant. The transfer of Records, must be in accordance with the *Privacy Act 1988 (Cth)* and the *Social Security (Administration) Act 1999* respectively.

Providers must seek their own legal advice if they are unsure of these legislative requirements.

Providers must ensure the Records are transferred securely, as outlined in ESC3/ESFD3 RMIs, and in consideration of ongoing servicing of the Participant during the transition period. For example, ESC3/ESFD3 providers will need to continue servicing DEN or VRS Participants until the end of ESC3/ESFD3 arrangements.

8.2.5 Contact Details

For more information on records management please contact your DEEWR Account Manager. They will be able to provide you with guidance on managing records.

8.3 Continuing providers

Active Records for Participants moving from ESC3/ESFD3 to DES Deed arrangements must be retained and managed under the DES Deed RMI arrangements. Records for Participants that have ceased receiving Services on 28 February 2010 (or 31 August 2010 for Participants placed and working towards an outcome) must continue to be retained by providers in accordance with remaining retention periods as specified in ESC3/ESFD3 and the relevant ESC3/ESFD3 RMI.

9. Glossary

- AA – Activity Agreement
- Anchored or placed Participants – Cohort 3 Participants in Table 1 of the DES Deed.
- COB – Close of Business
- Continuing providers – providers who have a 2006-2009 DEN/VRS contract and have won a contract to deliver DES Deed business, and, where applicable, providers who will not be contracted by DEEWR to deliver DES, but, who will be *sub-contracted* by DES providers
- CSL – Customer Service Line (DEEWR)
- CRRS – Complaints Resolution and Referral Service
- DEEWR – Department of Education, Employment and Workplace Relations
- DEN – Disability Employment Network
- DES – Disability Employment Services
- DES Deed – Disability Employment Services Deed 2010-2012
- DPI – Disability Pre-Employment Instrument
- DMI – Disability Maintenance Instrument
- EA3000 – Employment Services Smartclient
- ECSN – Employment Community Service Network
- Eij – Employment in Jeopardy (DEN)
- EPP – Employment Pathway Plan
- ESA – Employment Service Area
- ESC3/ESFD3 – Employment Services Contract 2006-2009
- ESIL – Employment Service Information Line (DEEWR)
- Non-continuing providers - providers who have a 2006 – 2009 DEN/VRS contract and who are unsuccessful in the DES tender process, or who do not tender or make an offer under the ITT, for DES
- FLT – Funding Level Tool
- ITT – Invitation to Treat
- JCA – Job Capacity Assessment
- Jij – Job in Jeopardy
- JSA – Job Services Australia
- JSIR – Job Seeker Incident Report
- New providers – providers who do not have a 2006-2009 DEN/VRS contract and who are contracted to deliver DES commencing 1 March 2010
- OSA – Ongoing Support Assessment
- PRP – Pre-Release Prisoner
- Program A – now Disability Management Service
- Program B – now Employment Support Service
- RFT – Request for Tender
- RMI – Records Management Instructions
- RSD – Remote Services Deed 2006-2009
- SWS – Supported Wage System
- VRS – Vocational Rehabilitation Services

10. Provider Transition Checklist

Key date	Action	Who
COB 22 Dec 2009	Cease referrals and direct registrations (inc Employment/Job in Jeopardy) (Sections 3.4 to 3.7 refer)	Non-continuing DEN/VRS providers
Jan – 26 Feb 2010	Caseload consolidation: <ul style="list-style-type: none"> - activate appropriate exits - update suspended status - check volunteer status and update - commence outstanding referrals - discuss options with Participants with more than 24 months service without a placement and refer for JCA if appropriate (Section 3.24) 	All DEN/VRS providers
	Input/update DPI and DMI assessments (Section 3.9 refers)	All DEN providers
	Submit claims for outstanding DEN/VRS payments (Section 5.4.1)	All DEN/VRS providers
	Meet with Participants and their carers/advocates to discuss program changes, particularly if Participant is moving to a new provider (Section 3.18.1 refers)	All DEN/VRS providers
Feb 2010	Transfer Participant files to continuing provider on request from Participant or return Participant files to DEEWR if provider no longer has a direct contractual relationship with DEEWR (Section 8 refers)	Non-continuing DEN/VRS providers
By 3 Feb 2010	Program B providers to advise their preferred frequency of Ongoing Support payments, emailing transition2010@deewr.gov.au (section 3.27 refers).	Program B providers
15-26 Feb 2010	Centrelink and JCA referrals made to DEN/VRS providing diary sessions available (Section 3.6 refers)	Continuing DEN/VRS providers
26 Feb 2010	Final date for submitting exit reports for Participants transitioning to DES on 27-28 February 2010 (Section 3.24.1 refers)	All providers
	Last day for referrals to DEN/VRS (Section 3.4 refers)	Continuing providers
	Last day to commence referrals made prior to 23 Dec 2009 (Section 3.4 refers)	Non-continuing DEN/VRS providers
1 March 2010 onwards	Review and update EPPs for transitioned Participants (except those placed and progressing towards an outcome) (Section 3.16 refers)	All DES providers
	Conduct Initial Interview with transitioned Participants and manually commence (Section 3.26.2 refers)	New DES providers
	Identify DEN/VRS active volunteers with exemption period and create volunteering period. (Section 3.26.3 refers)	All DES providers
1 March - 30 May 2010	Period in which DEN/VRS providers can submit claims for payment in DEEWR's IT System for Participants who transitioned on 28 February 2010. Claims should be submitted within 20 Business Days. (Sections 5.4.1 and 5.4.2 refers)	All DEN/VRS providers
30 April 2010	Final date for submitting DPIs in EA3000 for Participants placed and progressing towards 26 week outcome. (Section 3.9 refers)	DEN/VRS providers with Participants placed and progressing towards 26 week outcome
1 March – 31 August 2010	Update Participant circumstances and claim relevant DEN/VRS outcome payments Assess need for ongoing support once 26 week outcome achieved. (Sections 3.15 and 5.4.2 refer)	
28 Sept 2010	Final date for claiming outstanding DEN/VRS outcome and service fee payments in the DEEWR IT System. (Sections 5.4.1 and 5.4.2 refers)	