

**Education and Employment Legislation Committee**  
**Social Security Legislation Amendment (Further Strengthening Job Seeker Compliance) Bill 2015**  
**Friday, 13 November 2015**  
**Questions taken on notice index**

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**Education and Employment Legislation Committee**  
**Social Security Legislation Amendment (Further Strengthening Job Seeker Compliance) Bill 2015**  
**Friday, 13 November 2015**  
**Questions taken on notice by the National Welfare Rights Network**

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**1. HANSARD, PAGE 3**

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**Senator LINES:** On a different topic: have you heard of any job seekers being given incorrect advice about their required activity—for example, being told they must work for the dole when over 55? If you have heard that, how widespread do you think that misinformation is?

**Ms Meers:** That is a bit harder because I have not specifically asked that question of our network prior to coming today. Kate, do you have experience in the Western Australian centre?

**Ms Beaumont:** Not in relation to that specifically. If the senator would like, we could always take that question and ask our member centres.

**Senator LINES:** That would be great, thanks.

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**2. HANSARD, PAGE 4**

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**Senator SIEWERT:** In terms of the review process that you suggest, when is the last time that a serious review was done?

**Ms Beaumont:** We are suggesting a specific review that looks purely at those vulnerable job seekers. There was a review. I am afraid I do not quite remember the date, but we could take that on notice.

**Answers:**

**Question 1**

NWRN asked its members for feedback on this. An example from the last month is a call received by our member centre in Adelaide, the Welfare Rights Centre SA, where a jobseeker over 55 reported that he was told that if he didn't do volunteer work, he would have to do work for the dole. He was advised in accordance with the Guide to Social Security Law (extracted below) and did not recontact for further assistance.

The Guide to Social Security Law at 3.2.9.60 says:

***Eligibility criteria***

*To be required to do WFD, job seekers must:*

- *be receiving the full rate income support, and*
- *not be undertaking a suitable activity that already allows the job seeker to fully meet mutual obligation requirements, and*
- *not be exempt from mutual obligation requirements, and*
- *not have an illness, injury or disability that would be aggravated by the work conditions, and*
- *have the necessary skills and experience to perform the required tasks.*

*To be required to do WFD under the CDP, job seekers must:*

- *be 18 to 49 years of age,*
- *receive the full rate of income support,*
- *not be exempt from mutual obligation requirements, and*
- *not have an illness, injury or disability that would be aggravated by the work conditions.*

*CDP job seekers who do not meet these eligibility requirements, for example, those who are under 18 or over 49 can volunteer to participate in WFD.*

*Failure to commence, complete or comply with the conditions of a WFD activity can result in payment being stopped ([3.1.13](#)).*

We do not have data that would enable us to assess how widespread incorrect information from employment services is. Anecdotally the answer would be that, at the least, it is not uncommon.

## **Question 2:**

The last “serious review” resulted in a report of the *Independent Review of the Job Seeker Compliance Framework*, which was presented to Parliament on 30 September 2010.<sup>1</sup>

The current compliance and penalty system was introduced in 2009 in response to problems with the previous system established in 2006. The main criticisms of this system were:

- it had excessively harsh impacts on the penalised job seekers , because of the severe consequences of receiving no payments for eight weeks, such as homelessness;
- it failed to achieve the policy’s stated aim of increasing workforce participation because the penalised job seeker was cut off from employment services during the eight week period and less able to look for work without income;
- it lacked a structured system for deterrence and early intervention to identify and resolve the reasons for the non-compliance because there was no penalty for the first two failures.

These criticisms, including by the then responsible policy department (the Department of Education, Employment and Workplace Relations, DEEWR), are summarised in the report of the *Independent Review of the Job Seeker Compliance Framework*, presented to Parliament in 2010.<sup>2</sup>

The 2009 changes retained the eight week penalty system, but made modifications to address identified concerns. They created a system with a graduated series of penalties, which could be lifted as the job seeker began to comply with their obligations and engage with the employment services providers. The focus was on creating incentives to address the deficiencies of the 2006 system, which had undermined the objective of increasing engagement with and participation in activities to help the person re-enter the workforce.

The 2009 changes introduced a number of safeguards to prevent undue hardship to vulnerable jobseekers, namely:

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<sup>1</sup> <http://employment.gov.au/independent-review-job-seeker-compliance-framework>

<sup>2</sup> <http://employment.gov.au/independent-review-job-seeker-compliance-framework>

- “comprehensive compliance assessments” being conducted prior to imposing penalties for persistent non-compliance. This made the system more effective at identifying job seekers who were failing to meet their obligations because of unaddressed vulnerabilities, rather than due to recalcitrance or deliberate non-compliance.
- “waiver” of eight week penalties was introduced where the job seeker “works off” the penalty by undertaking a “compliance activity”. If the job seeker does not have the capacity to undertake a compliance activity, then the penalty is also waived if the non-payment period would cause severe financial hardship.

The Independent Review in 2010 emphasised that it was too soon after the implementation of the 2009 system to draw clear conclusions about its impact. But broadly it found that those changes had addressed the deficiencies of the 2006 system. It did not recommend any substantial changes to the system with respect to the imposition or waiver of eight week non-payment penalties, apart from regular review of the statutory test for severe financial hardship.

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**Questions taken on notice by the Australian Unemployed Workers Union**

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**1. HANSARD, PAGE 11**

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**CHAIR:** Thank you. In your opening statement you talked about 'rampant' complaints, and that you had a lot of calls to your call centre.

**Mr Bennett:** I would not say 'rampant'. I did not use that word.

**CHAIR:** You did say 'rampant'.

**Mr Bennett:** No, I did not use 'rampant'. You can check the record.

**CHAIR:** Yes. What I would like you to do, Mr Bennett, is to check the Hansard, because you did say 'rampant'. And if you do not mean 'rampant' I would like you to write back to the committee and correct the Hansard record—okay

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**The Australian Unemployed Workers' Union's response:**

We accept that we used the word 'rampant' during the hearing. However, we did not use it in the context that Senator McKenzie alleges. As the Hansard reflects, we were referring to the "rampant problem" of Employment Service Providers giving incorrect information and bullying and intimidating unemployed workers. This is quite different to referring to "rampant complaints".

This is what led me to mistakenly say I did not use the word rampant, because I did not recognise the context Senator McKenzie was referring to.

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**2. HANSARD, PAGE 12**

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**CHAIR:** How many members do you have?

**Mr Bennett:** It is a difficult question with our members because we have a lot of people who are on our mailing list—for example, we have about 2½ thousand people on the mailing list and 3½ thousand likes on Facebook, but that is no indication of membership.

In terms of people who have actually filled out a membership form, which is available online now, I would probably say it is about 60—something like that.

**CHAIR:** On notice, could you provide an accurate membership?

**Mr Bennett:** Yes.

**CHAIR:** Excellent. And maybe some geographic spread of that as well?

**Mr Bennett:** Yes.

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**The Australian Unemployed Workers' Union's response:**

After reviewing our membership data, we have come to the conclusion that we accidentally gave an incorrect summary of our membership number to the Senate committee.

As we primarily use online materials to connect with members, we do consider people who have filled out their details online to be members.

We came to this conclusion on the basis that we allow members to be passive supporters of the union if they choose to be and impose no requirements on them to maintain their membership.

This also works both ways, as many of our more active members have only given their details online as on our website they were instructed that they could 'Join the AUWU' by simply filling out their details on an online form.

In this way, we have a flexible definition of membership.

In light of this the correct figure of our membership across Australia is 2,069.

Of the people who gave an indication of their location, there are:

17 from the ACT

285 from NSW

174 from Queensland

100 from South Australia

18 from Tasmania

325 from Victoria

60 from Western Australia

This membership data can be provided to the Senate Committee if necessary.

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### 3. HANSARD, PAGE 17 - 18

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**CHAIR:** And I think there is a lot of churning of people through. I should have asked the Unemployed Workers' Union people about their views on the churning of unemployed people through job service providers previously, when they were not so incentivised to actually get paid on finding the job.

**Senator SIEWERT:** Perhaps Mr Bennett could take that on notice—because we know he is still here. Thank you. In terms of the numbers of older workers unemployed—this is an issue I have been specifically pursuing for some time—I completely agree with you in terms of people over 55. I have had people over 45 saying they are now classed as 'older workers' and are having trouble. And, if you look at the statistics, you can see there is a growing number there. Have you had any discussions with government, either state or federal around what are the things that could be done to specifically address the issues of older workers? Trying to find work when you cannot actually access the provider is really difficult.

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#### **The Australian Unemployed Workers' Union's response:**

There is extensive evidence to suggest that the so-called 'churning through' of unemployed workers

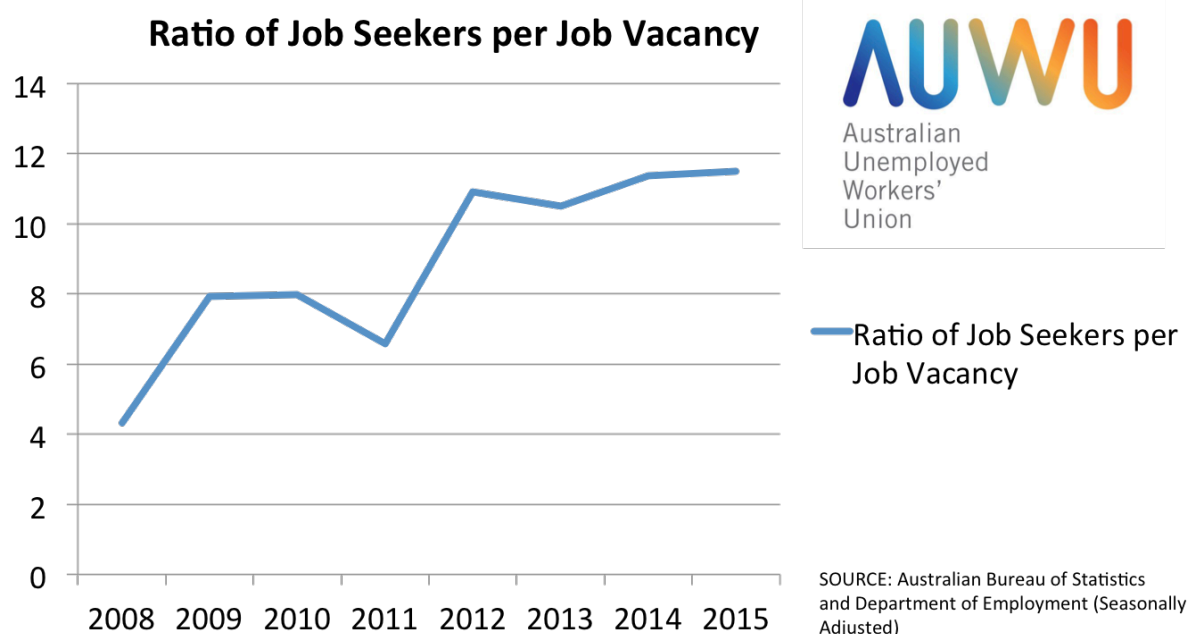
was common-place under the Job Services Australia system as there were financial incentives associated with that.

While it is true that under the jobactive system there is less financial incentives for Employment Service Providers to churn through unemployed workers, the Australian Unemployed Workers' Union has noticed a different kind of churning through of unemployed workers under the current system.

As the funding structure of the jobactive system is largely based on outcomes, there are few incentives for Employment Service Providers to keep certain unemployed workers on their books when they regard them to be unlikely to achieve those outcomes.

In these cases, we have found that unemployed workers will be put in the 'too hard' basket and will transfer from provider to provider in search of the support they need to find work. This leads to a revolving door of disadvantaged unemployed workers that Employment Service Providers regard as not financially viable.

With 11.25 job seekers competing for each job vacancy going by the ABS and department of Employment statistics, the labour market is more competitive that ever. As a result there will be a number of unemployed workers – particularly the long term-unemployed – who have little chance of finding work. It is our opinion that under this system, Employment Service Providers are given little incentive to keep such unemployed workers on their books.



We also would also like to point out the many instances where the job active system still encourages the churning through of unemployed workers.

1. **The 2-year rule:** Under the two year rule, stream A and B unemployed workers are automatically transferred to another employment service providers after two years at their initial Employment Service Provide. This is a very concerning rule as it could potentially force unemployed workers away from an Employment Service Provider that have grown to understand the needs of a particular unemployed worker. Churning unemployed workers



through various Employment Service Providers is thus built into the system.

2. **Wage Subsidies:** Under the jobactive system, certain unemployed workers are eligible for wage subsidies. Much like under the previous JSA system, wage subsidies will lead to unemployed workers finding work with the aid of the wage subsidy, and then finding themselves unemployed again once the wage subsidy expires. This will also lead to a churning through of unemployed workers.
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**QUESTIONS ON NOTICE**

On 13 November 2015, Senator Lines asked:

**Question**

*Senator LINES: If I click on job plan guideline do I have to read seven pages?*

*Mr Stiller: I would have to take on notice how—*

***Senator LINES: Could you take that on notice and provide us with the guideline that the JSAs are getting?***

*Mr Stiller: Sure.*

**Answer**

Please find a copy of the Job Plans Guideline attached.

# Job Plans Guideline

## Document change history

Version	Start date	Effective date	End date	Change and location
1.0	01 07 15	01 07 15		Original version of document

## Explanatory Note

All capitalised terms have the same meaning as in the jobactive Deed 2015–2020. In this document, ‘**must**’ means that compliance is mandatory and ‘**should**’ means that compliance represents best practice and that compliance is discretionary.

## Disclaimer

This Guideline is not a stand-alone document and does not contain the entirety of Employment Services Providers’ obligations.

It **must** be read in conjunction with the Deed and any relevant Guidelines or reference Material issued by Department of Employment under or in connection with the Deed.

## Summary

This Guideline outlines the Provider’s responsibilities and required actions when creating, reviewing and updating a Stream Participant’s (job seeker’s) Job Plan. Providers **must** consult with the job seeker when determining the Activities to be included in the Job Plan.

## Policy Intent

In return for the safety net of receiving taxpayer-funded income support, job seekers generally have Mutual Obligation Requirements such as looking for work and participating in activities that will improve their Employment prospects. The Job Plan outlines the agreed items that will satisfy the job seeker’s Mutual Obligation Requirements and help get them into paid work. Job seekers without Mutual Obligation Requirements **must** also have a Job Plan when referred to Employment Provider Services.

## Relevant Deed clause/s

The relevant clauses in the jobactive Deed 2015–2020 (the Deed) include:

- Annexure A1—Definitions
- Clause 35—Personal and Protected Information
- Clause 87—General requirements for a Job Plan
- Clause 119—Delegate obligations.

## Relevant references

Reference documents relevant to this Guideline include:

- [Learning Centre website](#)
- [Mutual Obligation Requirements \(including Annual Activity Requirements\) Guideline](#)

- [Disability Support Pension Recipients \(Compulsory Requirements\) Guideline](#)
- [Managing and Monitoring Job Search Guideline](#)
- [Job Seeker Compliance Framework Guideline](#)
- [Documentary Evidence Guideline](#)
- [Social Security Law \(Social Security Act 1991\)](#)
- [Guide to Social Security Law](#)
- Compulsory Job Plan—template
- Voluntary Job Plan—template.

## Job Plan

Process	Details
<p><b>What is a Job Plan?</b></p> <p>Deed clause reference:</p> <ul style="list-style-type: none"> <li>• <b>Annexure A1</b></li> <li>• <b>Clause 87</b></li> </ul>	<p>For job seekers with Mutual Obligation Requirements, a Job Plan is an ‘employment pathway plan’ and a ‘participation plan’ for Disability Support Pension recipients with compulsory requirements, for the purposes of the Social Security Law. The Job Plan <b>must</b> be recorded in the Department’s IT System, as it is the key document that will set out an employment-oriented action plan for each job seeker.</p> <p>The Job Plan <b>must</b> be regularly updated and <b>must</b> take into consideration the job seeker’s individual circumstances, including whether they have part-time or full-time Mutual Obligation Requirements.</p> <p>For job seekers with Mutual Obligation Requirements, the Job Plan will record the activities they <b>must</b> undertake to satisfy those requirements under the Social Security Law.</p> <p>Mutual Obligation Requirements need to be outlined in the Job Plan for the requirement to be enforceable. Penalties can then be applied by the Department of Human Services (DHS) under the job seeker compliance framework where those requirements are not met by job seekers.</p> <p>Job seekers without Mutual Obligation Requirements who volunteer for Employment Provider Services will also be required to enter into a voluntary Job Plan to enable Commencement in Services.</p> <p>Note: Further information on Job Plans for Disability Support Pension recipients with compulsory requirements see the <a href="#">Disability Support Pension Recipients (Compulsory Requirements) Guideline</a>.</p>
<p><b>Who must have a Job Plan?</b></p> <p>Deed clause reference:</p> <ul style="list-style-type: none"> <li>• <b>Annexure A1</b></li> <li>• <b>Clause 87</b></li> </ul>	<p>Providers <b>must</b> ensure that all job seekers have a current Job Plan in place at all times.</p> <p><b>Job Plans (compulsory)</b></p> <p>Under the Social Security Law, job seekers receiving the following income support payments with Mutual Obligation Requirements <b>must</b> enter into a Job Plan to remain qualified to receive payment:</p> <ul style="list-style-type: none"> <li>• Newstart Allowance</li> <li>• Youth Allowance (Other)</li> <li>• Parenting Payment Single (when the youngest child turns six )</li> <li>• Special Benefit (Nominated Visa Holders)</li> </ul>

Process	Details
	<ul style="list-style-type: none"> <li>Disability Support Pension (Participants under the age of 35 with compulsory participation requirements).</li> </ul> <p><b>Job Plans (voluntary)</b></p> <p>Job seekers without Mutual Obligation Requirements, such as Volunteers and other Fully Eligible Participants, including Vulnerable Youth and Special Benefit recipients who are not Nominated Visa Holders, <b>must</b> also enter into a Job Plan (voluntary). The Job Plan for these cohorts <b>should</b> outline the activities they have agreed to undertake as part of volunteering for services; however, the Job Plan for these cohorts is not an ‘employment pathway plan’ for the purpose of the Social Security Law.</p>
<p><b>Who can negotiate, approve and vary a Job Plan?</b></p>	<p>Providers are Delegates of the Secretary of the Department of Employment and have the power to:</p> <ul style="list-style-type: none"> <li>require a job seeker with Mutual Obligation Requirements to enter into a Job Plan</li> <li>approve a Job Plan</li> <li>vary the terms of a Job Plan.</li> </ul> <p>DHS may also update a Job Plan when required. If the job seeker is managed by a Provider, DHS will consult with the relevant Provider before any update(s) or may request the Provider to update the relevant Job Plan at the job seeker’s next Appointment.</p>
<p><b>When must a Job Plan be created, reviewed and updated?</b></p> <p>Deed clause reference:</p> <ul style="list-style-type: none"> <li>Annexure A1</li> <li>Clause 87</li> </ul>	<p>An initial Job Plan <b>must</b> be created at the Initial Interview with a job seeker to enable Commencement in Services.</p> <p>Providers <b>must</b> regularly review (and as required, update) the Job Plan, including:</p> <ul style="list-style-type: none"> <li>when the job seeker’s circumstances change</li> <li>when the job seeker enters into a new phase of their Stream</li> <li>when the job seeker enters in to a new Stream</li> <li>when the job seeker completes an Activity that was in their Job Plan</li> <li>if the job seeker decides to undertake a Compliance Activity in order to avoid an eight-week non-payment penalty under the job seeker compliance framework.</li> </ul> <p>Even if there is no obvious change in a job seeker’s circumstances, the content of their Job Plan <b>should</b> be reviewed regularly to ensure that all requirements are up to date and remain relevant.</p>
<p><b>What must be considered in negotiating/setting the terms of a Job Plan?</b></p> <p>Deed clause reference:</p> <ul style="list-style-type: none"> <li>Annexure A1</li> <li>Clause 87</li> </ul> <p>Guide to Social Security Law - What can be included in a Job</p>	<p>For job seekers with Mutual Obligation Requirements, under the Social Security Law, a Job Plan <b>must</b> contain the terms that the job seeker is required to comply with and that are suitable for the person.</p> <p>When setting and approving the terms of a job seeker’s Job Plan, (including those without Mutual Obligation Requirements) the Provider <b>must</b> take into account the following:</p> <ul style="list-style-type: none"> <li>the job seeker’s individual circumstances, in particular their assessed work capacity (where relevant), their capacity to comply with the requirements and their personal needs</li> <li>the job seeker’s education, experience, skills and age</li> </ul>

Process	Details
Plan	<ul style="list-style-type: none"> <li>the impact of any disability, illness, mental condition or physical condition of the person on the person's ability to work, to look for work or to participate in activities</li> <li>the state of the local labour market and the transport options available to the person in accessing that market</li> <li>the participation opportunities available to the person</li> <li>the family and caring responsibilities of the person (including availability of child care)</li> <li>the length of travel time required to comply with the requirements (90 minutes each way or 60 minutes if the job seeker is a principal carer parent or has a Partial Capacity to Work)</li> <li>the financial costs (such as travel costs) of complying with the requirements, and the person's capacity to pay for such costs</li> <li>any other matters that the Provider considers relevant in the circumstances (including if they disclose that they are a victim of family violence)</li> <li>if the job seeker has any vulnerabilities or vulnerability indicators (as identified by DHS) such as homelessness, psychiatric problems or mental illness, severe drug or alcohol dependency, traumatic relationship breakdown, etc</li> <li>any history of the job seeker not complying with their Mutual Obligation Requirements</li> <li>cultural factors.</li> </ul> <p><b>Capacity of a job seeker to undertake activities</b></p> <p>Some job seekers may have vocational or non-vocational issues or an assessed partial or reduced work capacity. These will generally be identified by an Employment Services Assessment (ESAt), a Job Capacity Assessment (JCA) or through the Job Seeker Classification Instrument (JSCI).</p> <ul style="list-style-type: none"> <li>For job seekers with Mutual Obligation Requirements the Provider <b>must</b> review the job seeker's identified issues and determine activities that will best help them address or sufficiently manage these issues, and ensure the job seeker can simultaneously meet their Mutual Obligation Requirements, including their Annual Activity Requirement. See the <a href="#">Mutual Obligation Requirements (including Annual Activity Requirements) Guideline</a> for additional information.</li> </ul> <p>For Fully Eligible Participants who are accessing Services on a voluntary basis, the Provider <b>should</b> consider the job seeker's individual circumstances, personal needs and capacity to undertake activities. For further information see below - <a href="#">What should be included in a voluntary Job Plan?</a></p> <p>Providers <b>must</b> consider the job seeker's assessed work capacity. The activities in the Job Plan <b>must</b> not place unreasonable demands on the job seeker. The job seeker <b>must</b> be capable of undertaking any Activity or requirements included in a Job Plan. If a job seeker cannot reasonably undertake an Activity (or a combination of activities), then that Activity (or combination of activities) <b>must</b> not be included in their Job Plan.</p> <p><b>What must not be included in a Job Plan</b></p>

Process	Details
	<p>Under the Social Security Law, the following items <b>must</b> not be included in a Job Plan:</p> <ul style="list-style-type: none"> <li>• an Activity that would aggravate an illness, disability or injury</li> <li>• a requirement that the job seeker undertake an Activity where the appropriate support or facilities (that take account of a person's illness, disability or injury) are unavailable</li> <li>• a requirement that the job seeker involuntarily undergo medical, psychiatric or psychological treatment (Note: The initial Assessment can be included as compulsory but ongoing treatment may only be included as voluntary)</li> <li>• an Activity involved in the sex or adult entertainment industry an unlawful activity, including an Activity that would contravene Commonwealth, state or territory laws relating to discrimination or workplace health and safety</li> <li>• an Activity outside of Australia</li> <li>• a requirement that the job seeker participate or otherwise be involved in a criminal activity</li> <li>• any other terms contrary to the Social Security Law.</li> </ul> <p>Job Plans <b>must</b> not include irrelevant information, such as detailed personal medical information, specific details of medical conditions and medications.</p> <ul style="list-style-type: none"> <li>• Note: Job Plans for Early School Leavers <b>must</b> not contain compulsory Job Search. For further information refer to <a href="#">Mutual Obligation Requirements (including Annual Activity Requirements) Guideline</a></li> </ul> <p>.</p>
<p><b>What are appropriate activities for inclusion in a Job Plan?</b></p> <p><b>Deed clause reference:</b></p> <ul style="list-style-type: none"> <li>• <b>Annexure A1</b></li> <li>• <b>Clause 87</b></li> </ul>	<p>Providers <b>must</b> ensure that a Job Plan contains Appointments, Job Search Requirements and any other activities that will enable the job seeker to meet their Mutual Obligation Requirements (including the hours required to meet their Annual Activity Requirement) under the Social Security Law.</p> <p>Most job seekers will need to undertake a range of activities to meet their Mutual Obligation Requirements, depending on their circumstances: whether they have part-time or full-time Mutual Obligation Requirements, their capacity to comply, and whether they have an Annual Activity Requirement.</p> <p>Fully Eligible Participants without Mutual Obligation Requirements can undertake the same sorts of activities, however these activities <b>must</b> be included as voluntary items in the Volunteer's Job Plan, and take into account the job seeker's circumstances.</p> <p>The types of items that may be suitable for inclusion in a Job Plan include, but are not limited to:</p> <ul style="list-style-type: none"> <li>Provider Appointments</li> <li>Job Search Requirements (generally 20 per month)</li> <li>referrals to jobs</li> <li>activities designed to develop Job Search and job interview skills or soft skills needed in the workplace</li> <li>Part-Time work</li> <li>Work for the Dole</li> <li>Unpaid Work Experience</li> </ul>

Process	Details
	<p>Voluntary Work Skills for Education and Employment (SEE) programme Adult Migrant English Program training or education activities Defence Force Reserves activities that address non-vocational issues.</p> <p>Job seekers with Mutual Obligation Requirements may have compulsory and voluntary activities in their Job Plan; however, there <b>must</b> be at least one compulsory item. Voluntary activities are not subject to the job seeker compliance framework and job seekers will not be at risk of incurring a penalty if they do not participate in such activities.</p> <p>Providers <b>must</b> consult with the job seeker to understand the Activities the job seeker is interested in or prefers to undertake, and any personal issues that may affect their employability. While the Provider <b>should</b> take this into account wherever possible, the Provider will have the final decision on what <b>should</b> go into the Job Plan.</p> <p><b>Job seekers fully meeting their Mutual Obligation Requirements</b></p> <p>Any Fully Eligible Participant (Voluntary) who is fully meeting their requirements and has decided to access Services on a voluntary basis has a compulsory rather than voluntary Job Plan. This is because these job seekers are fully meeting their Mutual Obligation Requirements in approved activities and those approved activities need to be included in their Job Plan on a compulsory basis. Any additional items they agree to be included in their Job Plan while voluntarily accessing Services <b>must</b> be included in their Job Plan only on a voluntary basis.</p>
<p><b>What should be included in a voluntary Job Plan?</b></p>	<p>Volunteers and job seekers exempt from their Mutual Obligation Requirements will have a voluntary Job Plan.</p> <p>The voluntary Job Plan will include voluntary activities discussed and agreed to based on the individual's circumstances and reason for registering for Services. In most cases, this will include Appointments with the Provider and other voluntary activities such as Job Search, Education or other skills development, or other activities to improve their employability.</p> <p>All items <b>must</b> be included as voluntary items in the Job Plan, and will not be subject to the job seeker compliance framework if they do not participate in these activities.</p>
<p><b>What must be explained to the job seeker?</b> Deed clause reference:</p> <ul style="list-style-type: none"> <li>• Annexure A1</li> <li>• Clause 87.2</li> </ul>	<p>Providers <b>must</b> explain the Job Plan to each job seeker including:</p> <ul style="list-style-type: none"> <li>the purpose of the Job Plan</li> <li>the job seeker's rights and responsibilities under the Job Plan</li> <li>what the job seeker needs to do if they have a change in circumstances that affects their ability to meet the requirements in their Job Plan</li> <li>the consequences of failing to meet those requirements, and any impact on the job seeker's income support payment</li> <li>the consequences of the job seeker failing to give prior Notice (with a Valid Reason) when they cannot attend compulsory Appointments or participate in compulsory activities</li> </ul>



Process	Details
	<p>their right to appeal decisions and where they can find assistance  how the Provider intends to support the job seeker  the Service Guarantee and Service Delivery Plan  the section entitled Information You Need to Know  how their information is protected under privacy legislation and under the Social Security Law.</p> <p>As appropriate, Providers <b>must</b> use an interpreter to ensure that each job seeker understands their requirements before the job seeker agrees to or signs the Job Plan.</p> <p>Note: Job seekers may bring a third party to the negotiation of the Job Plan if they wish.</p> <p>Under the Social Security Law, job seekers <b>must</b> be formally notified of the date, time, location and other additional requirements for attending Appointments and participating in activities, such as requiring work boots. See the <a href="#">Job Seeker Compliance Framework Guideline</a> for additional information.</p>
<p><b>How is a Job Plan created and updated?</b>  <b>Deed clause reference:</b></p> <ul style="list-style-type: none"> <li>• <b>Annexure A1</b></li> <li>• <b>Clause 87.2</b></li> </ul>	<p><b>Using the Department's IT Systems</b></p> <p>The Job Plan <b>must</b> be created and recorded using the Department's IT Systems unless the Department's IT Systems are temporarily unavailable or there is no computer access. In this case, Providers <b>must</b> use the compulsory/voluntary Job Plan template (whichever is applicable) available on the Provider Portal.</p> <p>Details of the items included <b>must</b> be entered into the Department's IT Systems as soon as possible after the Job Plan is created.</p> <p>The contents of the Job Plan recorded in the Department's IT Systems <b>must</b> be exactly the same as the hardcopy Job Plan.</p> <p><b>Using Job Plan codes</b></p> <p>Providers <b>must</b> use the <a href="#">comprehensive list of available codes</a>, as they have been developed to be consistent with legislative requirements. This will enable pre-population and linkages through the Department's IT Systems, the job seeker's personal page on the Australian JobSearch website (AJS) and also the DHS IT system.</p> <p>When setting compulsory Job Search Requirements, Providers <b>must</b> use the Job Search Requirements (JS09) code. The JS09 code will populate in AJS for job seeker reporting and enable Providers to self-monitor the setting of Job Search Requirements across their caseload. The Department will also actively monitor the setting of Job Search Requirements.</p> <p>Where applicable, Providers <b>must</b> also use the JS05 and JS06 (Job Search with Disability) codes, as these trigger the higher rate of Mobility Allowance.</p> <p>Free text can only be used where no available code covers an item that the Provider has decided to include.</p> <p>When setting Annual Activity Requirements, Providers <b>must</b> use the relevant Activity codes available, including setting the relevant hours required for that Activity. The Department will also actively monitor the setting of Annual Activity Requirements.</p>

Process	Details
<p><b>How is a Job Plan approved?</b></p> <p>Deed clause reference:</p> <ul style="list-style-type: none"> <li>• <b>Annexure A1</b></li> <li>• <b>Clause 87.2</b></li> </ul>	<p>Once the terms of the Job Plan have been negotiated, and the Job Plan created in the Department's IT Systems, the Job Plan <b>must</b> be provided to the job seeker for their agreement.</p> <p>Providers can choose whether job seekers:</p> <ul style="list-style-type: none"> <li>• agree to their Job Plan online</li> <li>• sign a hard copy of the Job Plan.</li> </ul> <p><b>Job seeker agreement—online</b></p> <p>Providers may send a Job Plan to the job seeker's AJS personal page for the job seeker to review and agree online. If Providers elect to use this option they <b>must</b> ensure that the job seeker has access to AJS and is aware of how to agree to the terms of the Job Plan through their AJS personal page or AJS smartphone application.</p> <p>For all job seekers (including those without Mutual Obligation Requirements) Providers <b>must</b> inform the job seeker (either face to face or over the phone) that the Job Plan has been sent to their AJS personal page for their agreement within two Business Days of sending the Job Plan. Providers <b>must</b> record this in the Department's IT Systems or notify the job seeker via their preferred notification method that the discussion with the job seeker occurred.</p> <p>Note: If the Job Plan is being discussed over the phone, a script is available (<a href="#">see Job Seeker Compliance Framework Guideline</a>) to guide the discussion. This includes a compliance warning that <b>must</b> be given to the job seeker (with Mutual Obligation Requirements) if they do not agree to the Job Plan within two Business Days.</p> <p>When the job seeker agrees to the Job Plan, this will automatically result in the Job Plan's status being set to 'approved' in the Department's IT Systems.</p> <p><b>Job seeker agreement—hard copy</b></p> <p>Providers <b>must</b> approve the Job Plan in the Department's IT Systems as soon as the job seeker and the Provider have signed the Job Plan.</p> <p>Providers <b>must</b> provide a copy of the signed Job Plan to the job seeker. (Note: once their Job Plan has been approved, the job seeker can access it on AJS).</p>
<p><b>What happens if the job seeker refuses to enter into a Job Plan?</b></p>	<p>If the Job Plan is not approved, no action is possible under the compliance framework for failure to meet compliance items recorded in the Job Plan.</p> <p>Therefore, if the job seeker refuses to sign a Job Plan (and does not wish to use 'think time', see below), the Provider <b>should</b> record in the Department's IT Systems the discussion with the job seeker and consider submitting a Participation Report, if appropriate.</p> <p><b>Think time</b></p> <p>Job seekers may have 48 hours 'think time' to consider the proposed requirements of the Job Plan or to discuss them with a third party before signing or agreeing to the Job Plan. If the job seeker requests to have 48 hours 'think time' the Provider <b>should</b> book another Appointment in 48 hours' time. If the job seeker has not agreed to the Job Plan within the 48 hours 'think time' or does not attend the Appointment, the Provider <b>should</b> consider whether submitting a</p>

Process	Details
	<p>Participation Report is appropriate.</p> <p>See the <a href="#">Job Seeker Compliance Framework Guideline</a> for more information on submitting Participation Reports.</p>

### Additional information

Process	Details
<b>Intervention Management Tool</b>	<p>The Intervention Management Tool (IMT) in the Job Plan section of the Department's IT System is an optional tool for Providers. It can be used to review and manage a job seeker's personal circumstances that may affect their capacity to participate in activities or result in identifying specific vocational or non-vocational issues, including any identified by the job seeker.</p> <p>The IMT can help Providers to:</p> <ul style="list-style-type: none"> <li>ensure that the job seeker has activities in the Job Plan appropriate to their circumstances</li> <li>meet requirements to include ESAt-recommended Interventions in the Job Plan</li> <li>record additional vocational or non-vocational issues.</li> </ul> <p>Note: In case job seekers request access to their Records contained in the IMT, Providers <b>should</b> familiarise themselves with relevant provisions (see clause 38 of the Deed).</p>
<b>Privacy and information sharing</b> <b>Deed clause reference:</b> <ul style="list-style-type: none"> <li>• <b>Clause 35</b></li> </ul>	<p>The Deed requires Providers to comply with Australian privacy legislation. A job seeker's Personal Information <b>must</b> only be used or disclosed for the purpose for which it was collected, except in limited circumstances such as where: the job seeker gives permission, where Commonwealth laws allow it, or in other special circumstances. Providers <b>must</b> also ensure that they comply with the Social Security Law. Providers <b>should</b> seek independent legal advice if they have any concerns regarding their obligations under any relevant privacy, or any other relevant, legislation.</p>

## Job Plan codes

Job Plan code and descriptor		Compulsory/ voluntary
Appointment	AI01—Attend Appointment	C,V
	AI12—Provider Contact Appointment	C,V
Job Search	JS02—Job Search Skills Advice	C,V
	JS04—Job Search Contacts Voluntary	V
	JS05—Job Search with Disability - Activity Tested	C
	JS06—Job Search with Disability - Non activity tested	V
	JS07—Research and Prepare Applications	C,V
	JS09—Job Search monthly	C,V
	JS10—Job Search referrals	C,V
Employment	EM52—NEIS	C,V
	EM54—Self Employment	C,V
	EM56—Paid Work	C,V
Participation activities	ET52—Adult Migrant English	C,V
	ET53—Apprenticeship/Traineeship	C,V
	ET56—SEE or ESL course	C,V
	ET57—SEE and/or ESL assessment	C,V
	ET58—NEIS Training	C,V
	ET59—Study - Part-Time or Full-Time	C,V
	ET60—Updating work related licences/quals/m-ships	C,V
	ET64—Work preparation	C,V
	WE12—Work for the Dole	C,V
	WE10—Unpaid Work Experience	C,V
	WE11—Voluntary Work	C,V

Job Plan code and descriptor		Compulsory/ voluntary
	WE09—Temporary Relocation to Undertake an Activity	V
	WE08—Relocation to an Area of Higher labour Demand	V
	WE15—Defence Force Reserves	C,V
	WE17—Green Army	C,V

Job Plan code and descriptor		Compulsory/ Voluntary
Non-vocational	NV02—Counselling	V
	NV04—Non-Vocational Training	C,V
	NV05—Parenting Skills Program	V
	NV07—Drug and Alcohol Rehabilitation	V
	NV09—Self-help Group or Support Group	C,V
	NV10—Undertake an Assessment	C,V
	NV12—Child Care	C,V
	NV13—Intervention – Non Specific	C,V
	NV14—Health Maintenance Program	V
Free-text	FTXT—Free-text	C,V
DHS only	A102—Attend Quarterly Appointment	C,V
	A108—Reduced Capacity Requirements	C,V
	ET63—Youth Activities	C
	WE16—Community Services Order	C,V
	EM51—Disability Supported Employment	C,V

**Education and Employment Legislation Committee**  
**Social Security Legislation Amendment (Further Strengthening Job Seeker Compliance) Bill**  
**2015**

**QUESTIONS ON NOTICE**

On 13 November 2015, Senator Lines asked:

**Question**

*Senator LINES: And then what happens? Does the participation team have the authority to suspend the payment? Am I using the right language? Is 'suspend' the right language?*

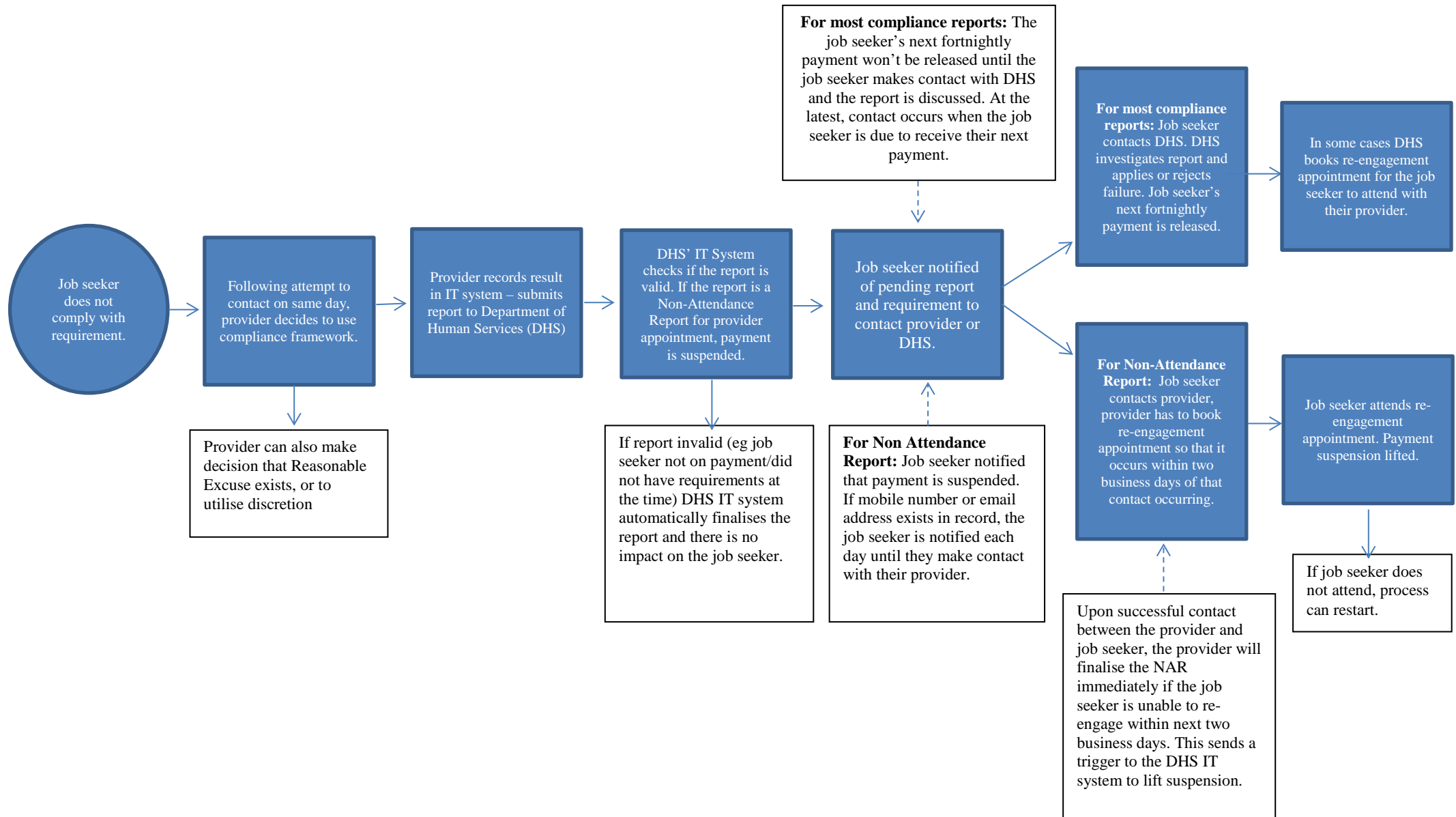
*Ms Jensen: We could take it on notice and bring you back a kind of a—*

***Senator LINES: That would be good, if you could tell us the process while we were here. But, yes, the exact process would be good.***

**Answer**

Attached is a visual representation of when which income support payments may be impacted for different failure types under current arrangements.

Arrangements from 1 January 2015 and current





**Education and Employment Legislation Committee**  
**Social Security Legislation Amendment (Further Strengthening Job Seeker Compliance) Bill**  
**2015**

**QUESTIONS ON NOTICE**

On 13 November 2015, Senator Lines asked:

**Question**

*Senator LINES: They are not specialists in industrial relations. They are making an arbitrary call based on who has the most convincing story, essentially. I will go back to a little comment you made earlier, and then I will pass over to Senator Siewert. Mr Stiller, when I asked you about the employment pathways, **you told us that there was a lot of training provided. You did training; I think you implied it was with the job services people, and you had 1,000 people attend across the country. Was that 1,000 in relation to JSA providers?***

*Mr Stiller: I will probably take this on notice to be doubly sure, but my understanding is that 1,000 figure would have been in relation to the new jobactive providers as well as disability employment and what is now called the Community Development Program.*

**Answer**

Face-to-Face training was delivered in May and June 2015 on the Job Seeker Participation and Compliance Framework.

The training focused on changes under the Strengthening the Job Seeker Compliance Framework measure to apply from 1 July 2015. The following attendance was recorded for provider staff for the 23 training sessions which were delivered across 16 locations.

Remote Jobs and Communities Programme/Community Development Programme – 189  
Job Services Australia /jobactive/Disability Employment Services – 878  
Total provider staff: 1067

Staff who were not able to attend the training in person have access online to all materials and information delivered at the training.

**Education and Employment Legislation Committee**  
**Social Security Legislation Amendment (Further Strengthening Job Seeker Compliance) Bill**  
**2015**

**QUESTIONS ON NOTICE**

On 13 November 2015, **Senator Siewert** asked:

**Question**

*Ms Jensen: It is obviously difficult to comment on a particular case. Would it be helpful if we came back, on notice, with something that sets out how the appeals process works in that type of situation—what the checks and balances are? We could provide the committee with that.*

*Senator SIEWERT: That would help, but it does not help me on the fact that it sounds like it obviously has not worked. We have somebody who seems to have fallen through the cracks. Perhaps what you could do is look at the Hansard. I am always very reluctant to use people's names. Perhaps look at the Hansard and how that could have happened. I fully appreciate that there are some cases where we do not know all of the circumstances. I would appreciate it if you could look at that and at what the mechanisms were. We are seeing a worked example of the way it could work and where it could have fallen down.*

**Answer**

Job seekers can initiate a request to transfer by agreement to another jobactive provider, however, both the current jobactive provider and a job seeker's proposed new provider must agree to this transfer. If either of the providers does not agree to the request, the transfer will not be approved.

Where a job seeker's request to transfer by agreement has not been agreed, the job seeker can call the Department of Employment's National Customer Service Line to request either a transfer for better servicing or a transfer due to relationship failure. For these requests to be approved, the job seeker will need to demonstrate to the Department of Employment's satisfaction that they will receive better servicing from another provider or show that a relationship breakdown with their current provider has occurred.

If approved, the job seeker will be transferred to another provider of their choice or as recommended by the Department (should the job seeker not exercise choice).

If a job seeker's request is not approved by the Department, the job seeker will be advised of the decision in writing. The letter also advises the job seeker that they can seek a review of the decision in writing within 14 working days from the date of the letter from the Department. The review is undertaken by a Departmental officer who was not involved in the original approval process. In undertaking a review, the Departmental officer will make their decision after considering all evidence provided by the job seeker.

**Education and Employment Legislation Committee**  
**Social Security Legislation Amendment (Further Strengthening Job Seeker Compliance) Bill**  
**2015**

**QUESTIONS ON NOTICE**

On 13 November 2015, **Chair** asked:

**Question**

*CHAIR: What level of support can they expect when they are volunteering? A computer?*

*Mrs Ryan: Correct me if I am wrong, but they would get assistance with resume writing and job searching—that type of assistance.*

*CHAIR: I know that is the expectation of government, but that is not our evidence. That is, 'We don't get money for you, so there's the computer over there in the corner and here is a website. Off you go.' Can we give you that feedback?*

*Mr Stiller: It is good to get that feedback, thank you. I guess the important thing to recognise is that Ms Ryan is right—a volunteer in those circumstances does get a limited period of assistance. It is six months, actually, since 1 July this year. They get stream A assistance—that is the lowest intensity of the system.*

*CHAIR: I appreciate that this person does not need the level of assistance of somebody on a higher level. But we are expecting that even that basic level of assistance includes assistance with resume writing, and there is a whole list of things that seem to be in that criteria. Our evidence is that they are not getting that.*

*Mr Stiller: That is something that the department is happy to follow up on.*

**Answer**

Stream A (Volunteers) are eligible to receive one period of up to six months assistance in jobactive.

All jobactive providers are required to meet the minimum standards of service set out in the relevant Service Guarantee and in their Service Delivery Plan. Both the Service Guarantee and the Service Delivery Plan are part of each provider's contract with the Department of Employment and are publicly available.

Stream A (Volunteers) are eligible for the same level of assistance as all other Stream A job seekers, including those in receipt of income support payments. Volunteers receive time limited assistance in Stream A for up to six months.

Assistance for Stream A job seekers includes:

- providing access to self-help facilities to enable the Volunteer to undertake job search and prepare a resume;
- providing advice about the best ways to look for and find work;
- advice on the local labour market including employer needs and skill shortage areas; and
- providing access to suitable vacancies and assistance in applying for jobs where required.

As with all other Stream A Participants, Stream A (Volunteers) will attract Administration Fees, Outcome Payments and Employment Fund credits. This includes:

- six monthly Administration Fee which is paid upon commencement;
- Outcome Payments payable where the Stream A (Volunteers) commences in eligible employment after they have been in jobactive for three months; and
- an Employment Fund credit after the Stream A (Volunteer) commences in jobactive.

The Department follows up individual reports of jobactive providers not delivering the level of services required when it is made aware of these incidents.

**Education and Employment Legislation Committee**  
**Social Security Legislation Amendment (Further Strengthening Job Seeker Compliance) Bill**  
**2015**

**QUESTIONS ON NOTICE**

On 13 November 2015, **Senator Siewert** asked:

**Question**

*Senator SIEWERT: There are a couple of things there, because things have been moving and there have been so many changes. Can you give us an up to date list of what you get now in stream A, B and C.*

*Ms Jensen: Sure.*

**Answer**

There are a number of common services that jobactive providers are required to provide job seekers in Streams A to C. These include:

- conducting a comprehensive initial face to face interview.
- working with the job seeker to develop a Job Plan.
- using the Employment Fund, Administration Fees and Outcome Payments to support the job seeker's agreed Job Plan taking into consideration the level of disadvantage and individual needs of each job seeker.
- referring job seekers to available job opportunities and encourage job seekers to consider job opportunities outside their local area.
- monitoring and ensuring appropriate JobSearch is undertaken by job seekers.
- using Wage Subsidies, relocation assistance and self-help facilities where relevant.
- arranging, monitoring and managing the job seeker's Annual Activity Requirements, as well as any other activities (e.g. attending appointments) as set out in the job seeker's Job Plan.

In addition to the above services, job seekers will receive the following assistance:

Stream A - Stream A job seekers are the most job ready. Stream A job seekers will be referred to available vacancies and assisted in the use of the Australian JobSearch website and mobile facilities to undertake active job search. Stream A job seekers will also participate in activities identified by their jobactive provider.

Stream B - Stream B job seekers have greater barriers to employment than job seekers in Stream A and require their jobactive provider to play a greater role in making them job ready. Stream B job seekers will be referred to available vacancies and be assisted from when they register with a jobactive provider so the issues that are preventing them from getting a job can be proactively addressed.

Stream C - Stream C job seekers have complex and/or multiple vocational and non-vocational barriers. The assistance provided to Stream C job seekers combines pre-employment and employment assistance. Stream C job seekers will be assisted to build work capacity and address personal issues (such as drug or alcohol addiction). Providers will develop and deliver services that are specific to the job seeker's needs.

**Education and Employment Legislation Committee**  
**Social Security Legislation Amendment (Further Strengthening Job Seeker Compliance) Bill**  
**2015**

**QUESTIONS ON NOTICE**

On 13 November 2015, Chair asked:

**Question**

*Chair: Have you had any feedback on the effectiveness of the myGov website?*

*Ms Jensen: We do not have the right people at the table here, but we could take that on notice if you would like. It is basically a question around how myGov is operating.*

*Chair: I think we have had evidence that it can be quite a frustrating process and that people who are acting on behalf of others are unable to log in and do what they need to do.*

**Answer**

Over 8 million Australians have a myGov account. Australians are using their myGov account to complete their tax returns, lodge Medicare claims, register for their electronic health record and many other services from the 10 member services that are available through myGov.

Increasingly Australians are seeking to simplify the way they engage with government by “telling us once”. In myGov address details can be updated and shared across government, saving valuable time.

Customers who are having difficulty accessing myGov are encouraged to contact the myGov help desk on 132307, which is available seven days a week.

In line with the myGov Terms of Use, a customer can only login to myGov as “themselves”. Once a customer accesses an online government service via myGov they may be able to act on behalf of others, if that service provides this capability.

**Education and Employment Legislation Committee**  
**Social Security Legislation Amendment (Further Strengthening Job Seeker Compliance) Bill**  
**2015**

**QUESTIONS ON NOTICE**

On 13 November 2015, Chair asked:

**Question**

*CHAIR: Also, there are some real inconsistencies across Centrelink with advice. I want to understand how you ensure integrity across the system with the advice that is being given to Australians on a range of the services, particularly employment services.*

*Ms Ryan: Our staff have a range of tools available to them when they are responding to questions from the public about eligibility for payments. They are trained and if they have any questions they can escalate them to others for response.*

*CHAIR: It seems that it is really patchy.*

*Ms Ryan: If you have some examples of some things, I would be happy to respond.*

*CHAIR: Just review the Hansard.*

*Ms Ryan: Okay. We are happy to take that on board. Sometimes if we do become aware of processes, we will issue an advice to clarify things—messaging the approach, the policy interpretation.*

**Answer**

The Department of Human Services (the department) provides a comprehensive range of training, tools and support to staff to support the delivery of services to the Australian community. Staff are provided with ongoing training specific to their role. The department maintains a comprehensive information repository for staff to access information on policy and procedural matters. Staff also have access to specialist staff and telephone based help desks to assist them respond to more complex customer enquiries. The department strives to provide high quality and accurate advice in response to all customer enquiries, noting that the payments and services available to individual customers may differ based on their individual circumstances consistent with the legislative and policy frameworks in which the department is required to operate.



**Education and Employment Legislation Committee**  
**Social Security Legislation Amendment (Further Strengthening Job Seeker Compliance) Bill**  
**2015**

**QUESTIONS ON NOTICE**

On 13 November 2015, Chair (Senator McKenzie) asked:

**Question**

*CHAIR: Yes, across job service providers as well—consistency of knowledge and advice to job seekers.*

*Ms Ryan: Yes, happy to respond to that.*

**Answer**

The Department of Employment provides jobactive providers with a range of information relating to the delivery of employment services, including guidelines and scripts for conversations with job seekers.

This information is available to all jobactive providers via the department's Provider Portal.

The department's Learning Centre also has self-paced interactive training and development modules for jobactive providers.

Providers are able to use this information to develop their own servicing strategies for job seekers or build their own business processes.

Providers are also able to seek further clarification with regard to operational or policy issues through Question Manager, a web-based knowledge management system.

The department regularly reviews programme guidelines and, where a need for clarification is identified, provides updated information to all providers, including the Provider Portal.

**Education and Employment Legislation Committee**  
**Social Security Legislation Amendment (Further Strengthening Job Seeker Compliance) Bill**  
**2015**

**QUESTIONS ON NOTICE**

On 13 November 2015, Chair (Senator McKenzie) asked:

**Question**

*CHAIR: We have also received evidence that the Work for the Dole program is really not effective, that there is no evidence base around it with respect to assisting job seekers and the unemployed getting jobs. Do you have any comments to make about that?*

*Ms Jensen: We do not have our Work for the Dole people here, so I would like to take that on notice.*

*CHAIR: All right, and if you could also provide the evidence base.*

*Ms Jensen: Yes.*

**Answer**

The Department of Employment has previously published net impact studies of Work for the Dole in 2000, 2006, and 2010.

The Minister for Employment, Senator the Hon Michaelia Cash, released the Evaluation of Work for the Dole 2014-15 on 16 November 2015.

The Report found that the programme was effective in helping participants gain confidence and self-esteem and learn skills such as team work, communication and appropriate workplace behaviour.

While the evaluation showed that Work for the Dole 2014-15 had a small but statistically significant impact on job placements and job seekers moving off income support. The evaluation was undertaken early in the trial and outcomes were therefore likely to be limited.

The report of the Evaluation of Work for the Dole 2014-15 can be found at <https://www.employment.gov.au/evaluation-work-dole-2014-15>.

**Education and Employment Legislation Committee**  
**Social Security Legislation Amendment (Further Strengthening Job Seeker Compliance) Bill**  
**2015**

**QUESTIONS ON NOTICE**

On 13 November 2015, Senator Siewert asked:

**Question**

*Senator SIEWERT: While we are there, could I just add some questions on notice, because I was going to go there as well. Could you give me the latest figures on the number of people that have managed to engage with work, both part time and full time, after completing Work for the Dole? Could you just take that on notice?*

*Ms Jensen: We will take that on notice.*

**Answer**

As jobactive commenced on 1 July 2015, it is too early to report on employment outcomes for job seekers who have participated in Work for the Dole since the national rollout.

The most recent figures are found in the Labour Market Assistance Outcome Report of June 2015. 23.3 per cent of job seekers who exited Work for the Dole in the 12 months to March 2015 were either in full or part time work three months after exiting.

**Education and Employment Legislation Committee**  
**Social Security Legislation Amendment (Further Strengthening Job Seeker Compliance) Bill**  
**2015**

**QUESTIONS ON NOTICE**

On 13 November 2015, Senator Siewert asked:

**Question**

*Senator SIEWERT:* Have you had a chance to look at the comments from the Scrutiny of Bills Committee on this provision?

*Ms Jensen:* Yes, and a formal response has gone through, if I recall correctly. I do not have the papers in front of me.

*Senator SIEWERT:* To the final report?

*Ms Jensen:* We did provide a response to the Scrutiny of Bills Committee original review.

*Senator SIEWERT:* I am asking for the final conclusion.

*Ms Jensen:* I will seek some clarification here. We have not yet provided a response to the final report.

*Senator SIEWERT:* Okay. Could you take on notice then a response to the final report, which I appreciate was only tabled on Wednesday.

*Ms Jensen:* Could be why, yes.

*Senator SIEWERT:* Yes. If you could, that would be good and we could use that in our report.

*Ms Jensen:* Will do.

**Answer**

The Department of Employment will not be providing an additional response to the Senate Standing Committee for the Scrutiny of Bills on the Bill.