Guideline:
Managing Employability Skills Training

Youth Jobs PaTH (Prepare – Trial – Hire) has been designed to support young people aged under 25 years into jobs. Youth Jobs PaTH covers three elements:

- **Prepare**: Employability Skills Training to help young people understand the expectations of Employers in the recruitment process and in the workplace.
- **Trial**: voluntary Internships of four to 12 weeks to give young people a chance to demonstrate their skills in the workplace where there is a reasonable prospect of subsequent employment.
- **Hire**: a Youth Bonus wage subsidy of up to $10,000 to support employment of young people.

Youth Jobs PaTH Employability Skills Training (EST) is the prepare element and gives young people the opportunity to enhance their employability through targeted training. Participating in EST will help young people understand the expectations of Employers in both the recruitment process and as a new employee in the workplace.

Version: 1.7
Published on: 03 June 2020
Effective from: 01 July 2020

Changes from the previous version (Version 1.6)

**Policy changes:**
Nil

**Wording changes:**
- **Pg1** - Additional related documents added.
- **Pg4** - Background added, containing EST eligibility criteria.
- **Pg15, 19, 20** - Commencement and Commencement Payment arrangements clarified
- **Pg21, 22 and throughout** - Documentary Evidence requirements clarified.
- **Throughout** - Various wording changes to improve clarity and reduce duplication.

Related documents and references
- [Employability Skills Training Services Panel Deed 2017–2022](#) (Deed)
- [Employability Skills Training Performance Framework](#)
- [Targeted Compliance Framework: Mutual Obligation Failures Guideline](#)
- [Insurance Reader’s Guide](#)
- [Privacy Guideline](#)
- [Records Management Instructions](#)
- [Risk Assessment Supporting Document](#)
- [Risk Assessment Template](#)
## Contents

1. **Background**  
2. **Developing Courses**  
   - Overarching requirements for all training  
   - Complying with Standards for Registered Training Organisations 2015  
   - Training Block 1 Course—specific requirements  
   - Content  
   - Delivery  
   - Training Block 2 Course—specific requirements  
   - Content  
   - Delivery  
   - Industry Awareness Experiences  
   - Preparing for delivery of Industry Awareness Experiences  
   - Conducting and Maintaining Risk Assessments for Industry Awareness Experiences  
   - Supervision and checks  
3. **New Employment Services Trial**  
   - Working with Digital Participants  
   - Working with NEST Providers  
4. **Designing the Course Schedule**  
   - Working with Employment Services Providers, Employers, Host Organisations and Industry Groups  
   - Setting up a Course in the Department’s IT Systems  
   - Information that must be entered  
   - Changes to the Course  
   - Withdrawing a Course  
5. **Filling Courses**  
   - Working with Employment Services Providers  
   - Monitoring Referrals  
   - Confirming that the Course will commence  
6. **Managing the Course**  
   - Commencing a Course  
   - Recording attendance  
   - Substituting Participants  
   - Exit of a Participant  
   - Managing Participants with challenging behaviours  
   - Reporting and Managing Incidents  
   - Managing Complaints and feedback
### Assessing Learning Outcomes
- Making the Assessment
- Providing Participants and Employment Services Providers with a copy of the Assessment

### Claiming Payments
- Commencement Payment
- Completion Payment

### Performance Management
- Key Performance Indicators (KPIs)
- Other factors in performance assessment
- Performance assessments

### Summary of required Documentary Evidence
Employability Skills Training

1. Background

Young people will be referred to EST by their jobactive or New Employment Services Trial Provider (collectively ‘Employment Services Providers’) or the department. A job seeker is eligible for EST if they are:

- a jobactive participant, a Digital Participant or Enhanced Services participant in the New Employment Services Trial (NEST)
- aged between 15 and 24 years (inclusive)
- receiving income support, and
- have mutual obligation requirements.

An EST eligible job seeker has a mandatory requirement to participate in EST once they have received services through jobactive for five months. Participants being serviced in the NEST Employment Regions are not subject to the five month mandatory requirement to participate in EST.

2. Developing Courses

EST is made up of two training Courses with different content focuses:

- **Training Block 1 Courses** must be designed to equip Participants with pre-employment skills and prepare them to meet the expectations of Employers. The content of these Courses must cover the 10 Core Skills for Work listed in the Core Skills for Work Developmental Framework (2013). Industry Awareness Experiences may be included in Training Block 1 Courses.

- **Training Block 2 Courses** focus on job preparation and must be designed to equip Participants with advanced job hunting, career development and interview skills. It must also provide the opportunity to participate in Industry Awareness Experiences. These experiences will provide Participants with an insight into the tasks and duties of different roles and industries.

**Overarching requirements for all training**

Each Course must:

- be delivered face-to-face, unless the Department of Education, Skills and Employment (the Department) has agreed in writing that the EST Provider may deliver the Course, or part of the Course, online
- be delivered in a group setting, except for Industry Awareness Experiences which may be undertaken by either a single Participant or a group of Participants
- unless agreed in writing by the department, be delivered in a setting that is conducive to learning, separate from students undertaking another course
  - with the exception that departmental approval is not required for Industry Awareness Experiences delivered to both Training Block 1 and Training Block 2 Participants concurrently
- have Referrals of a Minimum Participant Number of:
  - 10 Participants in a Non-regional Location
  - eight Participants in a Regional Location
• be delivered to no more than the Maximum Participant Number of 20
• be delivered for a total of 75 hours delivered either for:
  ▪ 25 hours per week for three weeks to Participants with full-time participation requirements
  ▪ 15 hours per week for five weeks Participants with part-time participation requirements.

When scheduling Courses, EST Providers need to ensure that Courses are not scheduled on a public holiday, but still run for the required number of hours per week. EST Providers can deliver accredited and non-accredited units as part of a Course. Accredited units should be made available where an Employment Services Provider or EST Provider believe that a Participant is capable of undertaking them and would find them beneficial.

Where EST Providers do offer units of competency as part of a Course, they must have the specific unit or course on their Vocational Education and Training (VET) scope of registration as listed on training.gov.au.

If a Course delivered by an EST Provider includes one or more units of competency (as defined on training.gov.au) in the Course content, then the EST Provider must provide those Participants who achieve the required competencies, a certificate or statement of attainment for those units of competency.

EST Providers must ensure the content of a Course does not disadvantage Participants who undertake the Course in accessing their entitlement under the National Training Entitlement.

EST Providers must deliver the content detailed in their Response to the Request for Proposal and Service Delivery Plan. Service Delivery Plans are agreed with each EST Provider and included as a Schedule to the Deed.

If EST Providers wish to make any significant changes to the content of any Course they have been contracted by the Department to deliver, they must first obtain written approval from the Department.

The Department may, at any time and at its absolute discretion, direct an EST Provider to make changes to the content of one or more of their Courses.

**Documentary evidence:** EST Providers must retain a copy of each certificate or statement of attainment for units of competency achieved, as well as evidence that the certificate or statement of attainment was provided to the Participant.

(Deed reference: Clause 7.5)

**Complying with Standards for Registered Training Organisations 2015**

**Work Health & Safety content:** In delivering EST Services, EST Providers must apply and meet the Standards for Registered Training Organisations (RTOs) 2015. For example, Standard 8 in relation to complying with all relevant legal requirements must be adhered to. EST Providers must:

• comply with workplace health and safety legislation and regulations to ensure that there is a safe environment to conduct Courses including Industry Awareness Experiences
• comply with any relevant legislation, including any Working with Children Legislation, to ensure that all required checks for Personnel and Participants are conducted prior to Prospective Participants commencing the Course including any Industry Awareness Experience.

Example:
A Prospective Participant under 18 years of age is Referred to a Course. All Supervisors, either EST Provider Personnel or Supervisors for Industry Awareness Experiences, must meet legislative requirements for working with children, including continuous Supervision while participating in all aspects of the Course.

Training Block 1 Course—specific requirements

Content
The content for the Training Block 1 Courses must cover the 10 Core Skills for Work listed in the Core Skills for Work Developmental Framework (2013). These are:
• manage career and work life
• work with roles, rights and protocols
• communicate for work
• connect and work with others
• plan and organise
• make decisions
• identify and solve problems
• create and innovate
• recognise and utilise diverse perspectives
• work in a digital world.

Information about the Core Skills for Work Developmental Framework and useful resources can be found on the Department’s website.

Delivery
Delivery of Training Block 1 Courses must be contextualised to the work environment so Participants learn what is expected in the workplace, including strong expectations about punctuality and attendance, being cooperative and positive.

EST Providers must use methods such as interactive, experiential and scenario-based learning, to allow Participants to develop:
• knowledge—what someone knows in a theoretical or abstract sense
• understanding—how they link knowledge to their personal experience
• skills—how they put their knowledge and understanding into practice in work settings.

Training Block 1 Courses may include Industry Awareness Experiences.
Training Block 2 Course—specific requirements

Content

The content of Training Block 2 Courses must focus on job preparation, advanced job hunting skills, career development, interview skills and Industry Awareness Experiences.

The content should include:

- how to identify growth occupations/industries in the local labour market
- how to identify career pathways in an industry/occupation and setting career goals
- how to identify entry-level requirements in a particular occupation/industry including the preferred industry entry pathway
- how to assess suitability for a particular job
- planning and organising a job search
- writing and updating résumés (for example to reflect the recently completed units of competency and recent demonstration of employability skills in a workplace)
- writing cover letters and addressing selection criteria
- identifying recruitment methods most commonly used in identified industries/occupations of interest
- how to apply for jobs online
- preparing applications tailored to the job
- pursuing job ‘leads’
- building and expanding employment networks
- obtaining references
- approaching Employers
- preparing for and practising interviews
- job search etiquette
- staying positive/job search resilience
- preparing to start your new job.

Delivery

Training Block 2 Courses must include Industry Awareness Experiences. Industry Awareness Experiences can be delivered to Participants either individually or in a group setting.

Delivery should also include considerable involvement by Employers. For example, Employers conducting mock interviews with Participants, or giving presentations to Participants about the jobs available in particular industries. It could also include presentations by former Participants who are now employed to talk about their experience of getting a job.
Industry Awareness Experiences

The aims of Industry Awareness Experiences are to:

- provide Participants with insight into the tasks and duties of different occupations and industries
- highlight the expectations of working in those industries
- help identify the Participant’s interests and aptitude.

Industry Awareness Experiences can include Employer visits to the training environment, creating work-like environments or tours of workplaces to watch and learn what is required for different occupations and industries.

Industry Awareness Experiences can be delivered by the EST Provider on their Sites or in the case of a Hosted Industry Awareness Experience on the premises of the relevant Host Organisation.

The Department may at any time direct the EST Provider that an Industry Awareness Experience be either:

- discontinued and cease in future
- offered only within a specific timeframe
- offered differently, within a specific timeframe.

Preparing for delivery of Industry Awareness Experiences

**Work Health & Safety content:** Prior to the commencement of an Industry Awareness Experience, the EST Provider must ensure that:

- a high level of Supervision with regard to the health, welfare and safety of each Participant and members of the public is maintained
- the Host Organisation is satisfied it has sufficient and up-to-date insurance that covers any risk associated with the Industry Awareness Experience including any risks specifically identified in the relevant risk assessment in relation to the Industry Awareness Experience
- it has insurance for any motor vehicle or other mode of transport used by their organisation to transport Participants to and from the Industry Awareness Experience, as required by the Deed
- each Participant is aware of the process to lodge a Complaint or voice safety concerns about the Industry Awareness Experience.

(Deed references: Clauses 3, 5)

Conducting and Maintaining Risk Assessments for Industry Awareness Experiences

**Work Health & Safety content:** A risk assessment must be undertaken for each Industry Awareness Experience. To do this the EST Provider must:

- ensure the risk assessment of the Industry Awareness Experience is completed by a Competent Person
- identify any training required to ensure each Participant can undertake the Industry Awareness Experience safely
• ensure appropriate facilities (including toilets and access to drinking water) will be available to all Participants for the duration of the Industry Awareness Experience

• identify any specific equipment, clothing or materials that are required for Participants to take part safely in the Industry Awareness Experience and ensure that these materials are available to Participants

• ensure the Host Organisation is advised it must immediately notify the EST Provider of any proposed or actual changes to the activities or tasks being undertaken by Participants in a Hosted Industry Awareness Experience

• satisfy itself that:
  ▪ any required actions identified in the risk assessment have been undertaken—if any required actions have not been undertaken, ensure that all such actions are undertaken prior to the Industry Awareness Experience
  ▪ there have been no significant changes in relation to the Industry Awareness Experience, including work health and safety issues, since the date of the risk assessment—if there have been changes, review and revise the risk assessment and take all appropriate action to address any changes.

The Department’s personal accident insurance and public and product(s) liability insurance covers Participants taking part in Courses including any Industry Awareness Experiences. However, these policies have exclusions. For further information on the insurance policies, EST Providers should refer to the Insurance Reader’s Guide.

**Documentary evidence:** EST Providers must retain a copy of the risk assessment for any Industry Awareness Experience that includes the details specified in section 9. **Summary of required Documentary Evidence.**

EST Providers must retain evidence of training, qualification and/or experience of their Competent Person(s).

(Deed references: Clauses 5)

**Supervision and checks**

EST Providers are expected to supply appropriately qualified Supervisors or Personnel to deliver the Courses and Industry Awareness Experiences and provide Supervision.

If the Course or Industry Awareness Experience has Vulnerable People or Children present, including Participants under 18 years, then Supervision must be continuous over the entire duration of the Course or Industry Awareness Experience.

EST Providers must ensure all of the required checks have been undertaken in relation to the relevant Supervisor(s) or Personnel and Participants taking part in a Course or Industry Awareness Experience.

(Deed references: Clauses 3, 5, 24)
3. New Employment Services Trial

From 1 July 2019, the Department is trialling a new approach to employment services in two Employment Regions (Adelaide South in South Australia and Mid North Coast in New South Wales). The NEST will provide digital and face-to-face service options based on job seeker need.

New job seekers with less complex requirements will self-service online ('Digital Participants') under the Digital First and Digital Plus streams (collectively 'Digital Servicing'). The Department’s Contact Centre will assist these job seekers where necessary, such as making Referrals to EST.

The most disadvantaged job seekers will receive Enhanced Services delivered through NEST providers. Enhanced Services will deliver an individualised service to help prepare and support job seekers into work.

A mixture of Participants from both Digital and Enhanced Services may be Referred to a Course.

Working with Digital Participants

After four months in Digital Servicing, job seekers are required to undertake an Employment Preparation Activity. Eligible job seekers under 25 are expected to meet this requirement by undertaking EST, but may choose to undertake an alternative activity.

The Department’s Contact Centre will refer eligible Digital Participants to Courses.

EST Providers must record attendance for Digital Participants every day. There is no difference in the servicing requirements and expectations for Digital Participants undertaking EST, with the following exceptions:

- the Assessment only needs to be issued to the Participant (not the Contact Centre)
- EST Providers are not required to advise the Contact Centre of any attendance issues providing they are using the supervisor app to record attendance.

However, where a Digital Participant has failed to attend by day three of the Course, the EST Provider must inform the Contact Centre so alternative servicing can be arranged.

Working with NEST Providers

NEST providers will continue to refer eligible job seekers on their caseloads to Courses using the same processes as jobactive providers. EST Providers operating in the NEST Employment Regions should maintain their relationships with NEST providers to facilitate Referrals and support Participant attendance.
4. Designing the Course Schedule

Working with Employment Services Providers, Employers, Host Organisations and Industry Groups

EST Providers must develop good working relationships with Employment Services Providers, Employers, Host Organisations and industry groups in its Employment Region(s) to:

- ensure the successful implementation of EST
- help young Prospective Participants to Commence and complete the Course(s)
- plan ahead so that there are a suitable number of Courses available for young people to participate in without unreasonable delay
- plan ahead so, where required, suitable Industry Awareness Experiences are available to meet the interests of a wide variety of young people
- prepare Participants for Employment or work experience opportunities on completion of a Course (for example PaTH Internships)
- help meet the needs of Employers and Host Organisations
- provide all information requested by each Employment Services Provider, and do so within a reasonable timeframe
- identify best practice in the delivery of EST.

(Deed reference: Clause 1)

Setting up a Course in the Department’s IT Systems

EST Providers must record each Course in the Department’s IT Systems to facilitate Referrals of Prospective Participants and Payments. To minimise any administrative burden, EST Providers should only create a Course they intend to run.

EST Providers should enter the details of each Course they will deliver into the Department’s IT System no later than 10 Business Days before the Course is scheduled to Commence, to allow sufficient time to obtain Referrals, or reschedule if required.

(Deed reference: Clause 9)

Information that must be entered

System Step: When setting up Courses in the Activity Management screen of the Department’s IT Systems, EST Providers must ensure the Course details are correct and meet the requirements set out in the Deed, such as:

- the scheduled start date must be the same as the first session date
- the scheduled Course hours must equal 75 hours over three or five weeks, either as: 25 hours per week for three weeks or 15 hours per week for five weeks
- confirming ‘evidence is required’ to support recording of attendance at the Course
- a Supervisor must be linked to the Course
- the location of the Course must be within the correct contracted Employment Region.
Courses with an industry specialisation must be clearly identified in the Course title.

Refer to ESS Web System Help > Employability Skills Training > Activities for information on how to enter a Course in the Activity Management screen of the Department’s IT Systems.

Changes to the Course

EST Providers can change the scheduled dates, times and location of their approved Courses in the Department’s IT Systems, however, these changes must be made no later than six Business Days before the scheduled start date of the Course. Any changes must be made in the Activity Management component of the Department’s IT Systems. The Department’s IT Systems will then generate a notification for each Employment Services Provider, or the Contact Centre if relevant, that has Referred a Prospective Participant to the Course so they can contact them and update their Activity Schedule.

Refer to ESS Web System Help > Employability Skills Training > Activities for information on updating Course details in the Activity Management component of the Department’s IT Systems.

(Deed reference: Clauses 9)

Withdrawing a Course

If an EST provider has incorrectly created a Course in the Department’s IT Systems, they can withdraw the Course provided no Prospective Participants are Referred to the Course.

If the EST Provider is unable to deliver the Course and there are Prospective Participants Referred to the Course, the EST Provider must contact all relevant Employment Services Providers, and the Contact Centre in relation to Digital Participants, so the Prospective Participants can be advised of the changes and be withdrawn from the Course.

Refer to ESS Web System Help > Employability Skills Training > Activities for information on how to withdraw a Course in the Activity Management component of the Department’s IT Systems.

5. Filling Courses

Working with Employment Services Providers

EST Providers must actively work with Employment Services Providers to:

- promote their Courses, including ones that are tailored for specific cohorts (for example, Indigenous or culturally and linguistically diverse young people)
- ensure Prospective Participants are Referred to suitable Courses and if relevant, the industry specialisation that aligns with their aspirations.

When creating a Course in the Department’s IT Systems, EST Providers must include details of any pre-requisites for Prospective Participants Referred to the Course (for example, police checks, Working with Children and Vulnerable People checks, specific requirements for personal protective equipment). This will ensure that when
referring a Prospective Participant to a Course, the Employment Services Provider or Contact Centre can determine if the Course is suitable.

For jobactive Participants, Digital Plus and Enhanced Services Participants, Employment Services Providers and the Contact Centre have discretion to access the Employment Fund to cover the cost of some background checks if they are required before the Commencement of the Course. EST Providers must make clear in Course descriptions that these additional costs are essential elements of the Course it is offering. Digital First Participants are not eligible to receive funding from the Employment Fund.

EST Providers may choose to work with Employment Services Providers or the Contact Centre to offer additional content to enhance Participants’ employability as part of the Course, for example, industry specific training such as a White Card (construction) or a Responsible Service of Alcohol (hospitality). Employment services providers or the Contact Centre may consider factors such as linkages to opportunities to Employment, PaTH Internships or other work experience when agreeing to fund additional training content from the Employment Fund.

Participants must not be charged with any costs for their participation in any part of a Course.

EST Providers can access the telephone numbers and email addresses for the Contact Centre or the referring Employment Services Providers on the Activity Placement List in the Department’s IT Systems.

EST Participant contact details are also available to EST Providers on the Activity Placement List in the Department’s IT Systems. This information is limited to mobile phone numbers and email addresses where available, to support engagement with Participants before and during Courses to improve attendance.

EST Providers must work with Employers and industry groups to assist Employment Services Providers to identify PaTH Internship opportunities. For more information on PaTH Internships, refer to jobactive.gov.au/path.

(Deed reference: Clause 1)

Monitoring Referrals

Once the EST Provider has entered a Course into the Department’s IT Systems, Employment Services Providers and Contact Centre staff can search for and view the Course and create Referrals.

The Department’s IT Systems automatically counts the number of Prospective Participants Referred to each Course registered on the Department’s IT Systems, and displays a count of the remaining number of places in the Course.

EST Providers should closely monitor Referrals to their Course(s). If the Minimum Participant Number is not reached for a Course, the EST Provider must work with Employment Services Providers and the Contact Centre in the NEST Employment Regions, to reach the required Minimum Participant Number.

EST Providers have access to a number of Departmental reports which help identify potential job seekers for Courses. EST Providers should use these reports to better
target Employment Services Provider, and where relevant Contact Centre, conversations to maximise Course attendance numbers.

If the Course does not have sufficient Referrals to meet the Minimum Participant Number, and the EST Provider has worked with Employment Services Providers to increase Referrals but this has been unsuccessful, the EST Provider may seek the Department’s written approval to commence the Course with a lower Minimum Participant Number. In making such a request to the Department, EST Providers must be able to demonstrate that they allowed sufficient time to achieve Referrals to their Course, and that they worked with Employment Services Providers, and the Contact Centre where relevant, to attempt to meet the Minimum Participant Number.

If the Minimum Participant Number cannot be reached, the Course must be re-scheduled or withdrawn unless the Department has otherwise agreed to its commencement. Refer to ESS Web System Help > Employability Skills Training > Activities for information on how to re-schedule or withdraw a Course.

(Deed references: Clauses 1, 9)

**Confirming that the Course will commence**

Once Referrals have reached the Minimum Participant Number required for the Course, the EST Provider needs to certify that the Course will commence as scheduled in the Department’s IT Systems. Certification can occur up to 21 calendar days before the start date of the Course.

- **System step:** Move the slider beneath the certification statement to the right so that it reads ‘Agree’ to certify the Course will commence.

(Deed reference: Clause 9)

## 6. Managing the Course

### Commencing a Course

All Prospective Participants who have been Referred to the Course are listed on the Department’s supervisor app.

Commencement Payments are made based on the Minimum Participant Number at the time the Course is certified as commencing. Additional Commencement Payments are made following Commencement of Participants (above the Minimum Participant Number) as recorded in either the Department’s supervisor app, or by the Participant (where they are able to record their own attendance).

No additional Commencement Payment can be made if the attendance records are not submitted. For further information, see *Recording Attendance* (below) and section 7. *Claiming Payments*.

If a Prospective Participant does not attend and Commence the Course within the first three days of the Course, the EST Provider must notify the referring Employment Services Provider or Contact Centre and request the Prospective Participant’s Referral be ended.
Unless agreed in writing by the Department, the Provider must not cancel a Course that has commenced, regardless of attendance rates. This is intended to protect Participants from disengagement, particularly where multiple Participants are impacted. EST Providers must submit any requests to cancel a Course that has commenced in writing to their contract manager.

The Department may at any time direct the EST Provider to create and commence a Course. This is to ensure there are sufficient opportunities for job seekers where there may be insufficient servicing. It is expected this clause would be enacted in exceptional circumstances and the Department will work with EST Providers, Employment Services Providers, and the Contact Centre where relevant, to ensure the Course has sufficient Referrals.

EST Providers must not allow a Prospective Participant to Commence in a Course where:

- a Prospective Participant has been Referred by the Provider’s Own Organisation or Related Entity
- a Prospective Participant seeks to commence after the third day of the Course
- the EST Provider’s Service Delivery Plan is not yet approved
- fewer than the Minimum Participant Number were Referred to the Course, and the Department did not grant prior written approval that the Course could commence
- the Course does not meet the requirements of the Deed, these Guidelines and the EST Provider’s Service Delivery Plan with regard to Course content, duration and mode of delivery.

(Deed reference: Clause 1.2, 9)

Recording attendance

While Participants are generally expected to report their own attendance, EST Providers must also use the Department’s supervisor app to record all attendance. To ensure appropriate attendance results are recorded for each Participant, the EST Provider must:

- provide a daily QR code or pass code to each Participant in attendance so they can report their own attendance. Where the day’s session will run for more than four hours a second QR code or pass code must also be provided to attendees.
- record the attendance result (Yes or No) in the Department’s supervisor app on the same day as the attendance.

No back-dating of attendance is possible. Recording non-attendance in the supervisor app is particularly important where a Prospective Participant does not commence the Course, as this will be the trigger to initiate contact between the Prospective Participant and their Employment Services Provider, or the Contact Centre if they are a Digital Participant.

Failure to record attendance may result in a Participant’s payment being suspended. If an EST Provider cannot record a Participant’s attendance in the supervisor app on the same day due to a system outage, the Provider should record attendance manually. If the Participant also cannot record their own attendance, the Participant
must be advised to contact their Employment Services Provider or the Contact Centre if they are a Digital Participant.

In order to avoid compliance action, Participants need to contact their Employment Services Provider, or Contact Centre if a Digital Participant, for approval before any absence. The EST Provider should remind Participants of this at their first attendance at a Course.

For further information on personal responsibility and recording and reporting own attendance, refer to the Targeted Compliance Framework: Mutual Obligation Failures Guideline.

(Deed reference: Clause 15)

Substituting Participants

If a Participant Commences the Course but subsequently drops out before the third day of the Course, a substitute Referral can be Referred to the Course. The new Prospective Participant can only Commence within the first three days of the Course.

If substitution occurs, and the Course has Commenced the Maximum Participant Number, EST Providers do not receive any additional Commencement Payment or Completion Payment for substituted Participants. A maximum of 20 Commencement Payments and 20 Completion Payments are payable for a Course.

(Deed references: Clauses 12, 16)

Exit of a Participant

Reasons a Participant may Exit a Course include:

- the Participant voluntarily withdraws from the Course
- the Participant starts employment
- the EST Provider is proposing that the Participant be Exited from the Course.

If the EST Provider is proposing that the Participant be Exited from the Course, they must discuss this with the referring Employment Services Provider or inform the Contact Centre where it relates to a Digital Participant. The circumstances where this may occur include:

- the Participant’s attendance at the Course is unsatisfactory
- the EST Provider considers that the Participant is facing Non-vocational Barriers that need to be addressed before participating or continuing in EST Services
- the Participant has language or literacy issues that need to be addressed before their participation in the Course
- the Participant is displaying violent, threatening, aggressive or otherwise inappropriate behaviour.

The Department monitors the Referral and Exit data on each Course to ensure that EST Services are delivered in accordance with the Guideline. Engagement and retention of Participants in Courses is a key element in performance assessment, and the Department works closely with EST Providers and Employment Services providers to ensure strong retention and appropriate Referral practices.
Managing Participants with challenging behaviours

Challenging behaviour is any behaviour that a reasonable person would consider unacceptable or hostile and that creates an intimidating, frightening, threatening, offensive or physically dangerous situation in the workplace or other location.

Challenging behaviours may include but are not limited to:

- physical violence against any person—for example, hitting, kicking, punching, spitting on or throwing objects at a person
- acting in a way that would cause a person to have a reasonable belief that assault was intended
- adopting a physical position or state and/or producing an object that a reasonable person would consider constitutes a serious and imminent threat of physical violence
- oral or written (including email or communication through social media) threats, abuse or harassment, inappropriate touching and stalking of staff members
- damaging, defacing or destroying property intentionally or through inappropriate and aggressive behaviour such as throwing objects or punching and kicking property
- theft of property, illicit drug taking on EST Provider’s premises, use of EST Provider’s equipment and/or property for illegal purposes
- swearing, making offensive noises or gestures, inappropriate or suggestive comments, vilification
- threatening suicide; causing injury to oneself—for example, cutting
- any other behaviour that is deemed inappropriate and warrants an incident being recorded.

If a Participant is displaying challenging behaviours, the EST Provider must immediately report this to the Participant’s Employment Services Provider, or the Contact Centre, if it is a Digital Participant.

Reporting and Managing Incidents

If a Participant, Supervisor, Personnel or member of the public sustains an injury during a Course or any Industry Awareness Experience, the EST Provider must ensure that:

- their Personnel or the Supervisor encourages the injured person to seek appropriate medical attention or call emergency services depending on the nature of the incident
- they notify the Department and the Participant’s Employment Services Provider, or the Contact Centre if they are a Digital Participant, as soon as possible and on the same day the incident occurred, using the WHS Employment Assistance Program Incident Report available on the Provider Portal.
• they fully cooperate with the Department, the Employment Services Provider and the Department’s insurance broker in relation to any incident in accordance with the Deed and the Insurance Reader’s Guide.

For further information on the incident reporting process, see the Insurance Reader’s Guide.
(Deed reference: Clause 6)

Managing Complaints and feedback

In managing Complaints and feedback, EST Providers must comply with Clause 44 of the Deed and the Standards for Registered Training Organisations (RTOs) 2015, in particular, Standard 6.

EST Providers must also ensure that each Participant is aware of the process to lodge a Complaint or voice safety concerns about any part of the Services, including a Course or any Industry Awareness Experience.
(Deed reference: Clause 44)

7. Assessing Learning Outcomes

Making the Assessment

At the end of each Course, EST Providers must assess whether the Participants who Commenced the Course have achieved the required Learning Outcomes.

The EST Provider must conduct, and document, each Assessment in accordance with the following:

• for any units of competency that form part of the curriculum for either a Training Block 1 Course or a Training Block 2 Course, assess the Participant’s employability skills using Australian Skills Quality Authority (ASQA) approved assessment methods for each unit of competency

• for a Training Block 1 Course, Providers must assess the Participant’s employability skills against each of the 10 Core Skills for Work listed in the Core Skills for Work Developmental Framework 2013, and any other Learning Outcomes as specified in their Service Delivery Plan for that Course

• for a Training Block 2 Course, assess the Participant’s employability skills against each of the Learning Outcomes specified in their Service Delivery Plan for that Course. If undertaking the Course also resulted in the Participant achieving a certificate or statement of attainment, the EST Provider must refer to this achievement in the documented Assessment.

(Deed reference: Clause 16.4)

Providing Participants and Employment Services Providers with a copy of the Assessment

The EST Provider must provide the Participant with a copy of the Assessment.
The EST Provider must also provide a copy of the Assessment to the Participant’s Employment Services Provider, except where the Contact Centre made the Referral when the EST Provider need only provide the Assessment to the Participant.

(Deed reference: Clause 13)

**Documentary evidence:** EST Providers must retain a copy of each completed Assessment that includes the details specified in section 9. *Summary of required Documentary Evidence*, as well as evidence that the assessment was provided to the Participant and, unless the Participant is a Digital Participant, their referring Employment Services Provider.

(Deed references: Clauses 51, 52)

### 8. Claiming Payments

#### Commencement Payment

The Department will pay the EST Provider 70 per cent of the respective Fee per Participant on commencement of a Course, in accordance with the Deed and Guidelines.

Before receiving a Commencement Payment under the Deed, the EST Provider must have certified in the Department’s IT Systems that the Course has at least the Minimum Participant Number Referred and will commence on the date specified.

Where the number of Participants on the first day is less than the Minimum Participant Number, the Department pays the EST Provider the Commencement Payment based on the Minimum Participant Number for that Course.

**Example:**

A Course in a Non-regional Location has 12 Prospective Participants Referred in the Department’s IT Systems, so the EST Provider certifies that the Training will Commence in the Department’s IT Systems.

- On the first day of the Course, seven Participants are Commenced and their attendance is reported. A Commencement Payment is generated for the Minimum Participant Number for a Non-regional Location (10 Participants).
- On the second day of the Course, four more Participants are Commenced. The Department’s IT Systems automatically generate one more Commencement Payment.

If additional Participants Commence in the Course by day three, additional Commencement Payments are automatically generated, up to a maximum of 20 Commencement Payments.

**The System step:** the Department’s IT Systems will automatically calculate and pay Commencement Payments for Courses that have been certified to commence.

An EST Provider is not eligible to receive Commencement Payments in the following circumstances:

- a Course is delivered prior to approval of the EST Provider’s Service Delivery Plan
• fewer than the Minimum Participant Number were Referred to the Course, and the Department did not grant prior written approval that the Course could commence
• a Prospective Participant is substituted for an Exited Participant, and Commencement Payments have already been paid for the Maximum Participant Number
• the Course did not meet the requirements of the Deed, these Guidelines and the EST Provider’s Service Delivery Plan with regard to Course content, duration and mode of delivery
• a Prospective Participant has been Referred by the Provider’s Own Organisation or Related Entity
• a Prospective Participant is Commenced after the third day of the Course
• a job seeker is Commenced without a valid Referral.

(Deed references: Clauses 1, 16)

Completion Payment

The Department will pay the EST Provider 30 per cent of the respective Fee per Commenced Participant (excluding where a Commenced Participant Exits and has been replaced with a substituted Participant) at the completion of a Course in accordance with the Deed.

To be eligible for the Completion Payment the EST Provider must, prior to claiming the Payment:

• have delivered the Course and fully satisfied the requirements of the Deed and these Guidelines
• have recorded the daily attendance of each Participant using the Department’s supervisor app and provided the Participant with the required QR code(s) or pass code(s) for that session, and
• have completed an Assessment for each Participant and provided a copy of the Assessment to the Participant and their Employment Services Provider (except for Digital Participants as the Assessment is provided only to the Participant)
• hold the required Documentary Evidence (refer to Section 9).

Refer to ESS Web System Help > Employability Skills Training > Payments for information on how to claim Completion Payments.

(Deed reference: Clause 16)

9. Performance Management

Key Performance Indicators (KPIs)

EST Providers are assessed against the following KPIs:

KPI 1—Effectiveness. This KPI measures the improvement of employability skills of Participants and subsequent movement into work and employment opportunities including to PaTH Internships following participation in Courses and the extent to which these opportunities result in sustained employment for Participants.
KPI 2—Engagement and Efficiency. This KPI measures the attendance rate of Participants who Commence in a Course delivered by the EST Provider. The Provider is assessed on the retention of Participants for the duration of a Course.

KPI 3—Satisfaction and Service Quality. This KPI records the EST Provider’s compliance with the Deed, this Guideline and their performance against their approved Service Delivery Plan (included as a Schedule of the Deed).

EST Providers have access to a number of reports, which identify performance against the key performance indicators and where EST eligible job seekers are located. EST Providers should review these reports regularly to identify opportunities to maximise their performance.

Other factors in performance assessment

When assessing the EST Provider’s performance the Department may also take into account other factors, including but not limited to:

- any assurance activities undertaken by the Department, including breaches of the Deed or recoveries of payments, such as recoveries under Clauses 30 and 43
- the EST Provider’s performance in assisting Aboriginal and Torres Strait Islander Peoples
- the EST Provider’s performance in working collaboratively with Employment Services Providers and Host Organisations
- the EST Provider’s performance in building linkages with industry and Employers to understand and meet the skills needs of the local labour market
- the EST Provider’s compliance with this Deed and any representation made by the Provider in its Response
- any other information available to the Department, including Employment Services Provider feedback, feedback from Participants, Employers, Host Organisations, intelligence from the Department’s Employment Services Tip-off Line, ASQA and Services Australia.

Performance assessments

Performance assessments are conducted at least annually and at such other times as the Department determines. The Department may provide feedback to the EST Provider on the Department’s assessment of its performance in each location and Employment Region (or relevant part of an Employment Region) where the EST Provider delivers Services.
10. Summary of required Documentary Evidence

**Documentary Evidence:** EST Providers must retain the following Documentary Evidence in accordance with the Deed, and provide this to the Department when requested to do so:

- the risk assessment for any Industry Awareness Experience that details:
  - the name and ID of the Course, and the nature of the tasks to be undertaken in the Industry Awareness Experience
  - potential risks and hazards associated with the tasks to be undertaken, along with risk mitigation strategies, and any action taken in relation to the risk assessment
  - the risks for each individual Participant, taking into consideration any circumstances and work restrictions relevant to the Participant in regards to the Participant’s participation in the Industry Awareness Experience
  - if the Industry Awareness Experience will involve contact with Children or Vulnerable People, and whether relevant checks should be undertaken
  - the level of Supervision required
  - any training, including work health and safety training, required to ensure each Participant can undertake the Industry Awareness Experience safely
  - the availability of appropriate facilities (including access to drinking water and toilets) to Participants for the duration of the Industry Awareness Experience
  - the provision of any specific equipment, clothing or materials that are required for Participants to take part safely in the Industry Awareness Experience
  - the name and signature of the Competent Person who undertook the risk assessment, and the date it was undertaken

- evidence of training, qualification and/or experience of the EST Provider’s Competent Person(s)

- a copy of each Assessment completed by the EST Provider in accordance with the Deed and this Guideline that details:
  - the name and ID of the Course
  - the name of the Participant
  - the date of the Assessment
  - each Learning Outcome assessed, and the Participant’s assessment result for each
  - any units of competency achieved by the Participant

- evidence that the Provider has provided a copy of the Assessment to the Participant (for example an email to the Participant that includes the Assessment)
• unless the Participant is a Digital Participant, evidence that the EST Provider has provided a copy of the Assessment to the Participant’s Employment Services Provider (for example an email to the Participant’s Employment Services Provider that includes the Participant’s Assessment)

• copies of all certificates or statements of attainment for units of competency achieved by Participants

• evidence that the EST Provider has provided to the Participant a certificate or statement of attainment, as relevant, for units of competency that the Participant achieved.

(Deed references: Clauses 23, 30.4, 31)
All capitalised terms in this guideline have the same meaning as in the Employability Skills Training Services Panel Deed 2017–2022 (the Deed), except where stated otherwise.

This Guideline is not a stand-alone document and does not contain the entirety of Employability Skills Training Providers’ obligations. It must be read in conjunction with the Deed and any relevant Guidelines or reference material issued by Department of Education, Skills and Employment under or in connection with the Deed.