



Australian Government

Guideline:

Servicing Participants with Challenging Behaviours Guideline

This Guideline provides information for Providers (jobactive Providers, NEST Providers, ParentsNext Providers, New Enterprise Incentive Scheme (NEIS) Providers, Harvest Trail Services (HTS) Providers and Transition to Work (TtW) Providers) on the servicing of Participants with challenging behaviours. It also sets out requirements and provides information for lodging Incident Reports in the Department's IT Systems, as well as information for NEIS Providers and HTS Providers that use manual/paper based processes.

The aim of the policy is to give Providers guidance on how to continue delivering services to Participants with challenging behaviours without risking their staff, Participants or property, while ensuring that Participants meet their Mutual Obligation Requirements and remain connected with services. This Guideline also assists Providers to identify and report challenging behaviours that Participants display.

Providers need to adapt the strategies that are outlined in this guideline to suit their particular circumstances. This Guideline should supplement, not replace, existing internal operational policies and procedures. Providers are responsible for informing themselves of their legal obligations and ensuring compliance with obligations.

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Policy changes:

Nil

Wording changes:

Throughout – updating ParentsNext Deed 2018-2021 to ParentsNext Deed 2018-2024

Document Change History:

A full document history is available at [Provider Portal](#)

Related documents and references:

jobactive Guidelines:

- [How people access NEIS and participate in NEIS Training Guideline](#)
- [Support NEIS Participants to start and run their small business Guideline](#)
- [jobactive Period of Service, Suspensions and Exits Guideline](#)
- [Privacy Guideline](#)
- [Temporary site closures - Advice for Providers](#)

Transition to work Guidelines:

- [TtW Participant Service Period, Suspensions and Exits Guidelines](#)
- [TtW Job Plan Guideline](#)
- [Temporary site closures - Advice for Providers](#)
- [Privacy Guideline](#)
- [Eligibility, Referral, Commencement and Caseload Guideline](#)

ParentsNext Guidelines:

- [ParentsNext Transfers and Exits Guideline](#)
- [Exemptions and Suspensions Guideline](#)
- [Privacy Guideline](#)
- [Temporary site closures - Advice for Providers](#)

New Employment Services Trial Guidelines:

- [NEST- Job Plan and Mutual Obligation Requirements Guideline](#)
 - [NEST Defined Periods, Suspensions and Exits Guideline](#)
 - [Privacy Guideline](#)
 - [Public Interest Certificates – Releasing Protected Information to a third party \(including police\)](#)
- Harvest Trail Services**
- [Delivering Harvest Trail Services Guidelines](#)

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1. Definition of Terms

The term 'Deed' refers to any of the following deeds under which a Provider delivers services:

- New Employment Services Trial Deed 2019-2022
- jobactive Deed 2015–2022
- Transition to Work Deed 2016–2022
- ParentsNext Deed 2018-2024

In this Guideline all capitalised terms have the same meaning as in the relevant Deed(s).

In this document, 'must' means that compliance is mandatory and 'should' means that compliance represents best practice for Providers.

A 'Participant' has the same meaning as an Eligible Job Seeker, Stream Participant, Participant or Transition to Work Participant, and ParentsNext Participant.

2. Recognising challenging behaviour

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/or 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 Provider's premises, use of 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.

3. Managing the challenging behaviour incident

General considerations

The Department of Education, Skills and Employment (the Department) acknowledges that the safety of Providers and Participants is a priority and that Providers have a wide variety of expertise and arrangements in place to address challenging behaviours. Strategies will differ between Providers and their sites. Participants' circumstances differ and there may be a number and range of factors that contribute to incidences of challenging behaviour.

When Providers are dealing with a case of challenging behaviour, they may wish to apply a Managed Service Plan (see [Managed Service Plans \(MSPs\)](#)).

Consideration of the contributing factors/barriers need to be explored before Providers consider applying servicing restrictions through a Managed Service Plan.

Examples of factors Providers could consider include the following:

- Any Participant history, for example; a death in the family, carer's responsibilities, mental illness (past or present) and drug or alcohol dependencies (past or present).
- Whether the Participant has disclosed information or displays/has previously displayed behaviour that may warrant:
 - a referral for a Job Seeker Classification Instrument (JSCI) Change of Circumstances Reassessment (CoCR) or an Employment Services Assessment (ESAt); or
 - a review conducted by Services Australia to ensure the Participant is on the appropriate payment type.

If Providers are unable to conduct a CoCR or make a referral for an ESAt, they should discuss the issue with their Account Manager.

ParentsNext Participants are responsible for the behavior of their children when attending appointments or activities for the ParentsNext program.

(Deed references: NEST Deed 2019-2022 Clause 79, jobactive Deed 2015–2022, Clause 72 and, Part C – New Enterprise Incentive Scheme, Clause 80, Transition to Work Deed 2016-2022, Clause 72, Harvest Trail Services Deed 2019-2023 Clause 73)

Completing a compulsory incident management plan

Providers must have an incident management plan in place that outlines the organisation's approach to managing situations where Participants display challenging behaviours, or where staff identify that a situation has the potential to result in this behaviour.

Where challenging behaviour is observed, Providers should consider whether police involvement is required and are encouraged to contact police if they believe it is necessary.

Temporary site closures

Where Providers experience incidents involving Participants with violent, aggressive or threatening behaviours, they may elect to temporarily close the affected site until the situation is resolved or until they are satisfied that the threat no longer exists.

The duration of closures will be determined on a case by case basis. Where sites are closed for an extended period, with interruptions to a Provider's ability to service Participants, alternative servicing arrangements, as outlined in the Temporary Site Closures - Advice for Providers may be required.

Where sites are closed with interruption to servicing Participants, at a minimum, Providers must:

- Notify their Account Manager as soon as practical (within 24 hours) following the decision to temporarily close a site.
 - This notification may initially be either over the phone or by email but must be followed by formal written advice (within 24 hours).
 - This advice must also include details of any alternative servicing arrangements that have been put in place.
- Provide ongoing advice to their Account Manager regarding the situation, including estimations of when sites will reopen, and any mitigation strategies that have been required.
- Notify their local Services Australia/Centrelink office as soon as possible after the incident if the Provider feels there is a threat to Services Australia, otherwise within 24 hours.



System step: NEST Providers, jobactive, ParentsNext, TtW, NEIS and HTS Providers must record all incidents where a Participant exhibits challenging behaviour, including where it has resulted in a site closure in the incident report screen in the Department's IT Systems. (see [Completing incident reports](#))

(Deed references: NEST Deed 2019-2022. Clause 71.6, jobactive Deed 2015-2022, Clause 69.6, ParentsNext Deed 2018-2024 Clause 60.5 and Transition to Work Deed 2016-2022 Clause 69.6)

Note: Under the *Freedom of Information Act 1982*, a person has the right (with limited exceptions) to access information or documents held by the Department or the Departments' contracted service Providers.

Immediate notification requirement

Where an incident has occurred and the Provider has reason to believe that the Participant who is displaying threatening, aggressive or violent behaviour poses an imminent threat to another individual/organisation, they should immediately contact the police and advise them of the situation, noting Public Interest Certificate (PIC)/Class PIC requirements (see '[Disclosing personal information](#)').

Where a Participant has made threats towards Services Australia staff or Centrelink Offices, it is essential that these threats are escalated immediately to keep staff and other Services Australia customers safe. In the first instance, Providers should attempt to call the [Centrelink Service Centre](#) (the office closest to the Provider's location or the location of a threat) to advise them of the risk.

If Providers are unable to contact the local Centrelink Office or are not sure who to call, they should phone the Services Australia Security Hotline on 1800 046 021. This hotline is managed by Services Australia Regional Security Advisers and is operational nationally between 7.00 am and 7.00 pm. The Regional Security Advisers will ensure that the issue is escalated appropriately.

In the event of an emergency – call 000.

Disclosing personal information

Personal information, including sensitive information, should be handled carefully and afforded a greater level of protection from unnecessary disclosure to third parties. Before disclosing a Participant's personal information to a third party, Providers should refer to the Privacy Guidelines.

(Deed references: NEST Deed 2019-2022 Clause 37, jobactive Deed 2015-2022 Clause 35, ParentsNext Deed 2018-2024 Clause 29 and Transition to Work Deed 2016-2022 Clause 35)

Information held about Participants may be both personal information under the Privacy Act and protected information under social security law.

Disclosing protected information to a third party (including police) using a Public Interest Certificate (PIC)

Protected information is information about a person (including names and addresses) obtained under the social security law and held in the records of the Department or Services Australia.

Under the social security law, the Secretary of the Department may certify that it is necessary in the public interest to allow for the disclosure of protected information and may issue a Public Interest Certificate (PIC).

A PIC identifies the protected information to be disclosed; who it can be disclosed to and for what purpose; and who can disclose the information.

As a general rule, providers will need to approach the Department through their Account Manager to obtain a PIC from the Department to cover the release of protected information to a third party.

Class Public Interest Certificate (Class PIC)

The Secretary of the Department issued Social Security Administration - Class of Cases - Public Interest Certificate (No. 1) 2020 (Class PIC) which allows certain employment service provider employees to disclose protected information in certain circumstances without requesting the department to issue a specific PIC. The Class PIC takes effect from 1 February 2020.

Who can disclose information under the Class PIC?

Employees of organisations contracted by the Department to provide employment services; and who have completed the Department's Information Exchange and Privacy' online training can disclose protected information under the Class PIC in certain circumstances.

The Information Exchange and Privacy online training can be accessed through the [Department's Learning Centre](#).

When can the Class PIC be used (class of cases)?

A delegated person may disclose protected information under the Class PIC in cases resulting in, or requiring the involvement of, police, emergency services, health service providers, or child protection agencies where:

1. the person to whom the information relates (the relevant person) is:
 - is, or has been, serviced by a provider that is contracted by the Department to provide employment services; and
 - is unable, refuses, or is likely to refuse to provide the information to the police, emergency services, health service providers or child protection agencies; and
2. the police, emergency services, health service providers or child protection agencies cannot reasonably obtain the relevant person's information from another source because disclosure of the relevant person's information is necessary:
 - to prevent, or lessen, a threat to the life, health or welfare of a person (Threats); or
 - because an offence or threatened offence has occurred against an officer (which includes provider's staff), or against Commonwealth property (Offences against the Commonwealth); or
 - because an offence or threatened offence has occurred in premises occupied by a Provider (offences in provider Premises).

To exercise delegation in accordance with the Class PIC, a delegated person will have to determine whether a particular emergency situation/case in question falls within the above description before a protected information can be disclosed.

Further information about the circumstances protected information can be disclosed in accordance with the Class PIC can be found in the [Class PIC Factsheet](#).

4. Incident reporting and post incident servicing

As part of the Department's July 2019 IT system release, processes for incident reporting and post incident servicing arrangements have changed.

The changes aim to make Participants' experiences more consistent across agencies by aligning processes and terminology for managing challenging behaviour with those used by Services Australia. This is through the use of:

- an **Incident Severity Matrix** - this is an automated process which assigns a severity level to an incident. The matrix removes subjectivity when determining the severity of an incident based on key information about the incident. The matrix takes into account the importance of all incidents being considered in the context of 'organisational tolerance' not 'personal tolerance' and;
- **Managed Service Plans (MSPs)** – this process replaces the previous Case Management Plans (CMPs) and Restricted Servicing Arrangements (RSAs).

Completing incident reports

Incident reports are intended to record incidents, inform Providers and Services Australia frontline staff of the potential for further incidents, and to support compliance measures where appropriate.

By recording incidents, staff are informed about the history of challenging behaviour and potential for further incidents. The record also assists with determining appropriate future servicing arrangements. Accurate recording of incidents will ensure that if the Participant is transferred to another site or Provider, the receiving site or Provider is aware of the challenging behaviours and can arrange to service the Participant accordingly.



System step: NEST Providers, jobactive, ParentsNext, and TtW, NEIS and HTS Providers must record all incidents where a Participant exhibits challenging behaviour in the incident report screen in the Department's IT system. Incidents should be recorded on the day the incident occurred or as soon as possible within 24 hours. Where it is not possible for the staff member who witnessed the incident to complete the incident report, another staff member should do so on their behalf. The Department's IT Systems allows an incident report to be backdated up to 14 calendar days.



System step: Based on information recorded in an incident report, the Incident Severity Matrix will automatically assign one of three severity levels:

- **Low Severity:** An incident of behaviour that is a low risk to the health and safety of staff, property and others. The Provider may issue a verbal warning or a warning letter.
- **Moderate Severity:** An incident which puts the health and safety of staff, property and others at risk. Incident requires follow-up and may require escalation. A Managed Service Plan should be considered.
- **Serious Severity:** An incident which places the health and safety of staff, property and others at serious risk. Incident requires follow-up and must be escalated to the Account Manager if there is a Temporary site closure (see Temporary Site Closures). A Managed Service Plan, including restrictions on access to services, is likely to be applied.



System step: Note: The above incident severity levels are the same for Services Australia and Provider lodged incidents. Providers can view, under the incident report screen, basic details of Services Australia lodged incident reports, including where an MSP was linked to an incident.



System step: An Incident Report Alert will appear in the top right hand corner of a Participant's record in the Department's IT Systems, where an incident report has been recorded against the Participant in the previous 24 months. The alert displays the number of active incident reports to provide a visual indicator of potential risk.



System step: Providers can view incident reports lodged prior to the Department's July 2019 IT system changes. As per previous processes, these will display as the following three levels in the Department's IT Systems:

- **ES Level 1—**No police involvement but incident was recorded to ascertain a pattern of behaviour.

- ES Level 2—Participant was not threatening, aggressive or violent (could include theft, inappropriate behaviour). Police may have been contacted and/or attended.
- ES Level 3—Participant has shown threatening, aggressive or violent behaviour or has threatened to harm themselves or others. Police may have attended.

Managed Service Plans (MSPs)

MSPs are plans Providers can put in place to tailor the way services are delivered to Participants who display challenging behaviours by;

- using [Service Strategies](#) to assist in addressing any barriers or personal circumstances, contributing to behaviour
- applying [Service Channel Restrictions](#) to assist in managing the impact of behaviour

MSPs prioritise the safety of staff and Participants while ensuring Participants stay connected to employment services to meet their Mutual Obligation Requirements.

An MSP can be applied at any time where it is considered by the Provider to be appropriate.

Note: All MSP arrangements must ensure that the Participant remains connected to employment services to meet their Mutual Obligations Requirements.

The Provider should ensure that the Participant understands the requirements of the MSP arrangements.

Note: Some programs have been designed around more intensive and shorter servicing periods and support for their Participants. Providers of programs other than jobactive should follow the relevant processes for their program. This may include referring Participants with longer-term MSPs back to jobactive.

Key steps before applying an MSP

Following an incident or change in behaviour, Providers should, where possible, discuss the Participant's behaviour with them and, where appropriate, warn them of the implications of that behaviour. This will ensure Participants are given the opportunity to;

- improve their behaviour, and
- disclose any contributing barriers or personal circumstances



System step: Warnings can be given verbally or in writing. Where a warning is given, it must be recorded on the Participant's record in Department's IT system, under the comments screen or in the free text section of an incident report where the warning was a result of an incident.

Before Providers decide whether to apply an MSP, the timeframe and type of MSP, they must take into account:

- the severity of the behaviour and/or incident(s);
- any contributing factors including barriers or personal circumstances;
- the time needed to address issues (e.g. Participant may only require a short 'cooling off' period); and

- the importance of ensuring Participants remain connected to employment services. (see [‘General Considerations’](#))

Types of MSPs

There are two types of MSP:

Reactive – following a challenging behaviour incident (an MSP becomes reactive once it is linked to an incident report in the Departments IT system).

Proactive – where there has not been an incident but the Provider assesses a change in a Participant behaviour and has identified barriers or personal circumstances that may increase the risk of an incident.

An example of a Proactive MSP might be where a Participant has presented to a Provider site intoxicated on a number of occasions, without causing any incident. While an incident has not occurred, the Provider might assess that there is a risk of one occurring in the future and, as such, may put a Proactive MSP in place.

MSP timeframes

When applying an MSP, Providers should consider a timeframe that is appropriate to the severity of the Participant’s behaviour and/or incident(s). For example:

An MSP for a short period e.g. 1 to 10 business days can be used:

- as an immediate response following an incident to provide a ‘cooling off’ period, or
- to allow providers time to further consider contributing personal factors (see ‘General Considerations’) or any other circumstances on the day e.g.; physical environment, staffing etc.
- to allow Providers time to determine if a longer-term MSP is necessary and communicate with the Participant.

An MSP for a longer period e.g. 11 Business Days up to 12 months, allows time for the Provider to assist participants in addressing any barriers or personal circumstances, provide support and manage interactions between the Provider and the Participant to ensure the safety of all involved.

Servicing Strategies

The types of Servicing Strategies used are at the discretion of the Provider and should, where possible, be discussed with the participant prior to being put in place. This is to ensure strategies are appropriate to the circumstances and proportionate to the behaviour or risk.

Providers can put in place the following Servicing Strategies:

Strategy	Description
Anger Management Counselling	This can include general counselling
ESAt/JCA	Referral for an ESAt/JCA can identify whether a change in services is necessary such as a different stream or program (not automated in the system)
Financial Planning	Referral to assistance with financial planning
Housing/Accommodation	Referral for housing/accommodation assistance

Legal Aid	Referral to legal aid
Welfare Agency	Referral to a welfare agency including but, not limited to, drug and alcohol counselling, grief counselling, social or community program/course or Family Relationship counselling.

Internal referral

As part of the MSP, Providers should consider whether the Participant would benefit from other **internal** services they might offer such as counselling. They should also check with the Participant to see if their circumstances have changed and if appropriate, conduct a JSCI Change of Circumstances Reassessment (CoCR).

External referral

As part of the MSP, Providers should consider whether the Participant would benefit from other **external** services. This could include referral for an ESAT to ensure the Participant has been appropriately streamed or referral to a range of services, including but not limited to, counselling services (if not available internally), housing assistance, crisis assistance, drug and alcohol rehabilitation or legal aid.

If Providers are unable to conduct a JSCI CoCR or a make a referral for an ESAT, they should discuss this with their Account Manager.

Service Channel Restrictions

The partial or full restriction of one or more service channels assists Providers in managing the impact of challenging behaviours by enabling them to limit a person’s contact with them.

Service channel restrictions are:

Type	Effect
Face-to-face - full restriction	Participant cannot attend, in person, a site where the Provider delivers services.
Face-to-face - partial restriction	There are limitations on how, when and where the Participant may access face-to-face services. For example, Participant is directed to attend the site at a particular time on a particular day.
Telephone - full restriction	Participant cannot contact the Provider by telephone.
Telephone - partial restriction	There are limitations on how and when the Participant is able to telephone the Provider. For example, Participant is directed to call One Main Contact (OMC) only. (See ‘One Main Contact (OMC)’).
Writing - full restriction	Participant cannot contact the Provider through any written or digital channel.
Writing - partial restriction	There are limitations on how the Participant is able to write to the Provider. For example:

Type	Effect
	<ul style="list-style-type: none"> • Participant is directed to write to a single specific address; or • Participant is directed to write to their OMC only.

At least one channel must be available, either fully or partially, to ensure the Participant remains connected to employment services.

[One Main Contact \(OMC\)](#)

As part of the MSP, a Provider may decide to restrict a Participant to One Main Contact (OMC) within the organisation.

- The OMC should be named in the MSP and the specific details of how the Participant should contact or work with their OMC should be clearly outlined.
- A back up OMC should also be assigned and named in the MSP in the event the OMC is unavailable.

[Approval to apply an MSP](#)

All MSPs require approval from a Site Manager or equivalent and must be recorded in the Departments IT System.

[Advising the Participant of MSP arrangements](#)

Participants must be notified of the Servicing Strategies and Service Channel Restriction/s in writing as soon as possible after the MSP arrangements have been approved. This notification should also advise the Participant that they can request the restriction/s be reviewed at any time.

Participants can be provided a letter:

- In person, if the Participant is on site,
- By postal delivery (Providers should consider registered post to ensure that they can confirm that the Participant has actually received the letter), or
- By email.

An example template of a letter that may be sent to a Participant is at [Attachment A](#) of this Guideline.

[Review of MSPs including Participant’s request for review/appeal](#)

Participants can have their MSP reviewed at any time or appeal the MSP when it is applied or reviewed. Participants can request a review by their Provider or contact the Department’s National Customer Service Line (NCSL) to discuss the servicing arrangements in the MSP.

Providers should review an MSP regularly (at a minimum, this will be required prior to it expiring) to assess any ongoing risk posed by the Participant. The review should also assess the suitability of transitioning the Participant back to standard service channels.

The Participant should be given the opportunity to participate in the review of the MSP.

As part of the review, Providers should work through the MSP with the Participant where possible and safe to do so. If an agreement cannot be reached, the Provider should contact their Account Manager.

Note: If a 12 month MSP expires, it will not be automatically renewed and the Participant will no longer have any restrictions in place.

Where necessary, Providers should discuss options with their Account Manager to either extend the MSP (if there is a continued threat to safety) or transition the Participant off the MSP.

The outcomes of a review may be to:

- end an MSP and return a Participant to standard service channels
- extend an MSP unchanged
- vary the MSP arrangements and set a new review date.

Additional reviews of an MSP can be initiated where Providers see fit, such as where a Participant's circumstances change, or there is a request from the Participant.



System step: The Department's IT Systems automatically populate review date/s depending on the length of the MSP. Providers can amend these dates at any time. A noticeboard message will display when a review is due.

Breach of MSP arrangements

It is considered a breach when Participants do not follow the servicing arrangements and service channel restrictions as set out in their MSP.

Where a Participant is in breach of the MSP, the Provider **must** lodge an incident report in the Department's IT Systems.

Note: If the Provider identifies that the Participant was not aware of the MSP or service channel restrictions (i.e. did not receive their letter) this should also be recorded.



System step: Where a Participant has an MSP in place, an MSP Alert will appear in the top right hand corner of a Participants record in the Department's IT Systems. The alert displays:

- Service Channels and the level of restrictions, in a traffic light format;
- if an OMC is in place; and
- if Servicing Strategies are in place.

Note: Where a Participant repeatedly continues to breach their MSP and/or continues to be a threat to staff, Providers should escalate the matter to their Account Manager. Where necessary Account Managers will refer cases to the relevant team in the National Office of the Department for review and assistance in managing the behaviour.

Servicing Participants post MSP

Providers should consider and record in the Participant's MSP how the Participant will be serviced after transitioning back to standard servicing, once the MSP and service channel restrictions have been lifted. Consideration should be given to what

ongoing measures will be implemented to ensure improved behaviour by the Participant.

Impacts to Transfers

Participants who have a current Provider lodged; Level 3 or Serious incident report and/or Reactive MSP, can only be transferred to another Provider with the involvement of the Department.

Any Provider initiated request for a transfer must go through a Contract and/or Account Manager who can authorise the request. The only exception to this is a Transfer by Agreement where the relevant form is agreed to and signed by all parties, which can be submitted to the [Employment Systems Service Desk](#) for action. (For more information, refer to the [Transfers Guideline](#) and Knowledgebase articles KE2703 and KE2709)

Notification of Transfers

Providers will receive a noticeboard message in ESSWeb where a Participant had a Reactive MSP in place at the time of transfer.

For all transfers where a Serious or Level 3 incident report was in place at the time of the transfer the receiving Provider will be notified via email through their Account Manager.

Note: The transfer reason 'Transfer as a Result of a Serious Incident' can only be actioned by the Department.

Information Sharing between Providers and Services Australia

The Department is working to improve information sharing between Provider organisations and Services Australia, to ensure access to vital information relating to Incident Reports and MSPs.

Providers are encouraged to make connections with their local Services Australia offices and to contact their Contract and/or Account Managers, as necessary. This can better assist Providers and Services Australia in responding to incidents of challenging behaviour and managing post incident servicing of mutual Participants.

Transition to Work considerations for Group One and Group Three Participants

As Group One and Group Three Participants are on income support before implementing a service restriction for Group one and Group three Participants it is important to consider if the Participant can still meet their 25 hours per week (on average) participation requirement. This can be discussed with the Account Manager prior to implementing the service restriction.

Please refer to the Transition to Work [Eligibility, Referral, Commencement and Caseload Guideline](#) for more information on Group One, Group Two and Group Three Participants.

Transition to Work considerations for Group Two Participants

If, following an incident, a Group two Participant does not want to be Exited, the Provider should consider the appropriateness of continuing to service and assist the Participant. In this circumstance, the Provider should discuss the situation with the Account Manager and create an MSP. If the Provider and contract manager together determine it appropriate to Exit the Participant, then a Provider Exit can be performed.

Summary of required Documentary Evidence



System step: NEST Providers, jobactive, ParentsNext, NEIS, HTS and TtW Providers must use the Incident Report screen in the Department's IT Systems to record all instances where a Participant exhibits challenging behaviours.



System step: Any warnings given to a Participant must be recorded on the comments screen on the Participant's record in the Department's IT Systems.



System step: Providers must record all MSP arrangements and restriction/s that are put in place in the MSP screen on the Participant's record in the Department's IT Systems.

All capitalised terms in this Guideline have the same meaning as in the jobactive Deed 2015–2022, New Employment Services Trial Deed 2019-2022, ParentsNext Deed 2018-2024, and Transition to Work Deed 2016-2022 (the Deeds).

This Guideline is not a stand-alone document and does not contain the entirety of 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 Deeds.

Example Letter Template

Title

Name

Postal Address

Print Date

For Nominee: This is a copy of the letter we have sent to **Customer Full Name** for whom you are the nominee. | This letter provides information about **Customer Full Name** for whom you are the nominee.

Dear **Title and Surname**

We all deserve to feel safe and be treated with respect.

{Following our conversation on **DD Month YYYY**,} I am writing to you about your behaviour {at **Location Site** on **DD Month YYYY** and/or by phone on **DD Month YYYY** and/or by letter | email | online on **DD Month YYYY**}.

During this contact, you {Choose an item. and/or **Free Text: insert specific description of the behaviour**}.

Option 1 – (warning) In all contact with us, you should treat the public, our staff and other Participants with respect. If this behaviour continues, we will limit/further limit how you can contact our site. If you continue to cause staff or others to feel unsafe, we may contact the police.

Option 2 – (notifying a Participant of where an MSP has been put in place) In all contact with us, you should treat our staff and other Participants with respect. Due to your behaviour, we have limited/further limited how you can contact our site. Please find a copy of your Managed Service Plan attached to this letter. If you continue to cause staff or others to feel unsafe, or fail to follow the arrangements outlined in this plan, we may contact the police.

If you would like to discuss/dispute this letter/Managed Service Plan further.

Call **First Name** on **Phone Number** (call charges may apply). If you leave a message, please tell us if your call is urgent and we will get back to you within three (3) business hours.

Someone to deal with us on your behalf.

You can authorise someone to act as a contact for you. This does not stop you from dealing directly with us, but can provide you with additional support if you require it.

Yours sincerely

If using name: **First Name and Last Name, Title**

If not using name: **Unique Position Title**

Attachment B - Glossary

FIELD	DESCRIPTION
Incident Report	
Type	The type of behaviour or action displayed during the incident
Assault – No weapon	An actual or attempted: <ul style="list-style-type: none"> physical attack (strike, touch, applies force) without a weapon either directly or indirectly upon another person
Assault – Weapon	Actual or attempted: <ul style="list-style-type: none"> physical attack (strike, touch, applies force) with a weapon, either directly or indirectly upon another person
Health and Safety	Any event where the person requires first aid or medical attention due to: <ul style="list-style-type: none"> physical or psychological injury, stress reaction illness, disease or exposure
Self-Harm	Any incident where a person causes or threatens deliberate injury to themselves
Property	Any incident where a person causes property damage to furniture or office equipment within the site.
Abuse	The use of language: <ul style="list-style-type: none"> to insult or cause offence including racially or religiously motivated abuse
Behaviour	Any incident where a customer acts in a counterproductive manner, including: <ul style="list-style-type: none"> offensive language gestures refusal to leave or disruptive on premises excessive contacts intimidation/coercion harassment and stalking
Nature of Incident	
Actual	When there is a factual occurrence
Threat – Provider	Is the expression of the intention to do something to the Provider
Threat - Other	Is the expression of the intention to do something to an 'other' person/organisation
Impact	
Impact Provider staff (with injury)	Where the Provider staff was physically or psychologically injured
Impact Provider other (with injury)	Where an 'other' person/organisation was physically or psychologically injured
Non compliance with restriction	Breach of existing service channel restrictions applied under an MSP
Site Closure	Where the incident warranted a Temporary Site Closure
None of the above	Other impacts not specified above
Incident Severity	
Low	An incident of behaviour which is of low risk to the health and safety of staff, property and others.

FIELD	DESCRIPTION
Moderate	An incident of behaviour which places the health and safety of staff, property and others at risk.
Serious	An incident of behaviour which places the health and safety of staff, property and others at serious risk.
Managed Service Plan (MSP)	
Type	The type of MSP in place
Proactive	Where there has not been an incident but the Participant has displayed behaviour which a Provider thinks may result in an incident. Eg. If Participant requires a cooling off period.
Reactive	Where there has been an incident or multiple incidents
Servicing Strategies	Actions/activities aimed to assist or improve behaviour
Anger Management Counselling	This can include general counselling
ESAt/JCA	Referral for an ESAt/JCA can identify whether a change in services is necessary such as a different stream or program (not automated in the system)
Financial Planning	Referral to assistance with financial planning
Housing/Accommodation	Referral for housing/accommodation assistance
Legal Aid	Referral to legal aid
Welfare Agency	Referral to a welfare agency including but, not limited to, drug and alcohol counselling, grief counselling, social or community program/course or Family Relationship counselling.
Service Channels and Restrictions	The channels in which a Participant is serviced and the levels of restriction
Face to Face	Any communication a Participant has with a Provider face to face
Telephone	Any communication a Participant has with a Provider over the telephone
Writing	Any communication a Participant has with a Provider in writing such as email or letter
Fully Restricted	The Participant is fully restricted from using a method of communication
Partially Restricted	The Participant is partially restricted from using a method of communication
Available	The method of communication is available to the Participant
Review	A review is to determine if strategies and/or service channel restrictions are appropriate and necessary or require updating