



**Australian Government**

Guideline:

# New Employment Services Trial (NEST)- Managing National Work Experience Programme Activities

This guideline is for Trial Providers, and unless otherwise stated, applies only to Enhanced Services Participants.

The National Work Experience Programme (NWEPP) provides eligible Participants with the opportunity to undertake real life work experience placements. It helps people to gain experience and confidence, while demonstrating their skills to potential employers.

Under the NWEPP, Trial Providers may Provide or Broker up to a maximum of four (4) weeks of unpaid work experience.

Before starting an NWEPP Activity, the Trial Provider, Activity Host Organisation and Participant must agree to the terms of the NWEPP Activity and sign a Work Experience Activity Agreement. The Trial Provider is also required to complete a risk assessment for each Participant and NWEPP Activity. The relevant Provider is responsible for determining a person's eligibility for Direct Registration and registering that person for Services.

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Changes from the previous version (Version 2.0)

**Policy changes:**

Nil.

**Wording changes:**

Pg 12 – Clarified the expected content in a Job Seeker Work Plan to reflect the Work Experience Activity Agreement template.

Pg 14, 15 – Clarified that Providers must arrange an incentive payment recovery through their Account Manager if a host organisation does not want to receive the incentive payment, and retain evidence of this.

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## 1. The National Work Experience Programme

The NWEPP provides Participants with an opportunity to undertake real life unpaid work experience, gain confidence and demonstrate their skills to potential employers. NWEPP Activities give Participants the opportunity to undertake productive work experience and make a real contribution to Activity Host Organisations.

Under the NWEPP, Trial Providers may provide or Broker up to a maximum of four (4) weeks of unpaid work experience.

NWEPP Activities can occur in for-profit, not-for-profit organisations and Government organisations (collectively referred to as Activity Host Organisations).

An NWEPP Activity is not employment, training, an apprenticeship, or other similar scheme.

(Deed references: Clause 109)

### Likelihood of a paid Employment outcome

NWEPP Activities should have a likelihood of an outcome of paid Employment at the completion of the NWEPP Activity. However, an NWEPP Activity can be utilised as an effective tool to assist Participants to build skills and gain valuable experience in a workplace without there being a guaranteed paid position with that Activity Host Organisation at the end of the placement.

Similarly, there is no obligation for Activity Host Organisations to hire the Participant at the completion of an NWEPP Activity however, where they decide the Participant is a good fit, the Activity Host Organisation may be eligible for a wage subsidy if they subsequently employ the Participant.

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## 2. Allocation of Digital Participants

Digital Participants will predominantly self-service via a digital employment services platform, though may occasionally be in need of additional support—such as to undertake a NWEPP Activity. The Department's Contact Centre may Allocate Digital Participants to Trial Providers to provide, Broker, Purchase or arrange an appropriate NWEPP Activity as necessary, where the Trial Provider has indicated they have NWEPP Activities available, or are willing to find/facilitate a NWEPP Activity for Digital Participants.

Digital Participants will not form part of the Trial Provider's Caseload. The management of the Digital Participant's Job Plan and Mutual Obligation Requirements (including in respect of the Targeted Compliance Framework) will remain the responsibility of the Digital Participant and the Contact Centre.

Further detail regarding the process for notifying the Contact Centre of available NWEPP Activities or the Trial Provider's willingness to find/facilitate NWEPP Activities for Allocated Digital Participants, and the requirements for referral and commencement of allocated Digital Participants will be made available at a later date following further consultation with Trial Providers.

(Deed references: Clause 83)

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### 3. Overview

NWEP Activities:

- are voluntary
- can be undertaken for a maximum of 25 hours per week for up to four (4) weeks
- must not exceed a maximum of eight (8) hours per day
- must not include participation on a public holiday
- may provide productive rather than observational unpaid work experience
- are not Employment, and do not, in themselves, entail creating an Employment arrangement
- must not be approved if an Activity Host Organisation has downsized its workforce in the previous 12 months (i.e. through redundancies or terminations) and the proposed NWEP Activity involves the same tasks as those performed by the employees made redundant
- must not be used as a stop-gap measure while an Activity Host Organisation is undertaking recruitment exercises, or as a way of meeting ad-hoc needs in lieu of creating paid Employment opportunities
- must not, in whole, or part, involve work which would have been undertaken by a paid worker if the NWEP Activity had not taken place
- must not involve undertaking tasks for a family member or spouse, or for the Participant's own organisation
- must be ended where the Activity Host Organisation offers a paid employment position to the Participant
- should be of a shorter duration (e.g. less than two weeks) if the Employment opportunity is short term (i.e. less than six months)
- must be ended if an organisation downsizes its workforce at the time of hosting an NWEP Activity
- must not involve income or funds from gambling deemed to be inappropriate by the Department of Education, Skills and Employment (the Department).

Activity Host Organisations may choose to offer a paid employment position to the Participant at any time during the NWEP Activity. If this happens, the Activity Host Organisation or Participant should contact the Trial Provider to end the Work Experience Activity Agreement.

NWEP Activities are voluntary and Participants, Activity Host Organisations and Trial Providers can end the NWEP Activity at any time if they determine the NWEP Activity is no longer suitable. If the Participant, Activity Host Organisation or Trial Provider wants to end the NWEP Activity, they should notify the other parties by the next business day.

The Department may also direct the Trial Provider to terminate the NWEP Activity at any time for any reason deemed appropriate by the Department.

(Deed references: Clause 109)

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## 4. Eligibility

To be eligible to participate in the NWEP a Participant must be:

- aged 17 years or over
- registered with Enhanced Services.
- receiving an income support payment such as JobSeeker Payment, Youth Allowance (other) or Parenting Payment
- subject to Mutual Obligation Requirements

A Participant must not have been previously employed by, or have previously undertaken an NWEP placement or PaTH Internship with the Activity Host Organisation, unless the Trial Provider determines that the previous placement, internship or employment was in a substantially different role to the proposed NWEP placement or the placement would benefit the Participant's employment prospects.

Trial Providers must confirm each Participant is eligible to participate in an NWEP Activity before entering into a Work Experience Activity Agreement.

Participants can undertake an NWEP Activity at any time during their servicing where a Trial Provider feels it will assist them in gaining skills and/or finding a job.

To be eligible to host an NWEP Placement, Activity Host Organisations must not:

- have engaged in illegal operations or promote or condone any form of unlawful conduct
- be associated with the sex industry
- be the Trial Provider of the Participant, which means a Trial Provider cannot host a Participant from their own caseload
  - however the Trial Provider's Related Entities may be eligible to host NWEP placements. A Related Entity means those parts of the Trial Provider, other than the part that delivers Employment Services under the New Employment Services Trial Deed or any other employment services Deeds. A Related Entity can share the same ABN as the Trial Provider.
  - the Trial Provider is required to seek the Department's agreement to hosting their Participant in a related entity by sending a written request to the Account Manager
- promote or condone gambling that the Department deems inappropriate
- promote or condone any form of violence, self-harm or suicide
- promote or condone any form of discrimination, including on the grounds of race, ethnic group, language, sex, religion or disability
- provide any other service that is likely to bring the Participant, the Trial Provider or the Department into disrepute.

(Deed references: Clause 109)

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## 5. The NWEP, Job Plans and Progress Fees

NWEP Activities must only be included in a Participant's Job Plan as a voluntary item.

Trial Providers must record a Participant's attendance at their NWEF Activity and record the hours completed by the Participant in an NWEF Activity at the conclusion of each month.

See [Job Plan and Mutual Obligation Requirements Guideline](#) for further information regarding recording a Participant's hours of participation.

Participation in the NWEF may contribute towards the Progress Fee for eligible Enhanced Services Participants. For more information about which activities contribute towards the Progress Fee, please see the [Payment Guideline](#).



**Documentary evidence:** Trial Providers **must** retain evidence (either hard copy or soft copy) of timesheets or other records of attendance. Where Activity attendance information has been recorded by the Participant, entered by the Activity Host Organisation into the Supervisor App or directly into the Department's IT System, offline records are not required to be kept.

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## 6. The Approved Program of Work Supplement

In addition to their income support payment, eligible Participants who participate in an NWEF Activity will receive an Approved Program of Work Supplement (APWS) of \$20.80 per fortnight during participation in the activity, to assist with the costs of participation.

Trial Providers should ensure Participants have been correctly referred to and commenced in an NWEF Activity in the Department's IT System (ESS Web) to trigger the payment of the supplement to the Participant.

Note: The Department of Social Services advises that previous recipients of the Wife Pension who are receiving the transitional rate of JobSeeker Payment are not eligible for the APWS, as they are already receiving a higher rate of JobSeeker Payment.

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## 7. Work Health and Safety, Supervision and Insurance Coverage

### NWEF Activities and the Fair Work Act

NWEF is an Approved Program of Work under Social Security Law which means that Participants undertaking NWEF Activities are not considered employees of the Activity Host Organisation under the Fair Work Act 2009.

Trial Providers must ensure that each NWEF Activity:

- is not an Employment relationship under the relevant Commonwealth, state or territory legislation
  - Participants on income support will undertake National Work Experience Programme placements as an Approved Program of Work under Social Security Legislation. This means that, for the purposes of the Fair Work Act 2009, a Participant is not an employee while undertaking a placement
- meets Commonwealth, state or territory legislation including work, health and safety laws and anti-discrimination laws

- has an NWEP Work Experience Activity Agreement (available from the Provider Portal) and risk assessment completed before the NWEP Activity commences.

(Deed references: Clause 113, 105, 109)

### Ensuring Work Health and Safety measures are in place



**Work Health and Safety content:** Participants undertaking an NWEP Activity must have or must be provided with the appropriate knowledge and skills to safely perform the tasks required in their NWEP Activity, prior to being required, under supervision, to undertake the tasks.

The Provider must ensure that the Activity Host Organisation has a safe system of work in place for the NWEP Activity in accordance with:

- work health and safety requirements under the relevant state or territory legislation
- obligations relating to work health and safety under clause 113 of the New Employment Services Trial Deed.

This must be done before the NWEP Work Experience Activity Agreement has been signed and the NWEP Activity commences.

Further Information on Activity Work Health and Safety requirements are available in the [Activity Management Guideline](#).

(Deed references: Clauses: 71, 109 and 113)

### Documenting and managing risks



**Work Health and Safety content:** The Trial Provider must ensure a Competent Person conducts and documents a risk assessment before an NWEP Activity commences. If the Trial Provider does not itself have a Competent Person, it must engage a Competent Person for this purpose.

A 'Competent Person' is a person who has acquired through training, qualifications or experience the knowledge and skills to carry out specific work health and safety tasks (refer to the Safe Work Australia Website

<https://www.safeworkaustralia.gov.au/doc/model-work-health-and-safety-act>

The risk assessment will:

- identify potential risks and hazards associated with the tasks that will be undertaken during the NWEP Activity
- identify if the NWEP Activity is suitable for the relevant Participant(s) including identifying any risks that may arise from a Participant's personal circumstances.

When identifying and assessing risks, the Trial Provider should consider the following factors for each NWEP Activity:

- the level of supervision to be provided to each Participant
- the nature of the tasks to be undertaken
- the Activity Host Organisation's existing work health and safety practices
- the Participant's personal circumstances (that is, their working capabilities, any health or other personal issues and their level of experience)

- the environment in which the NWEP Activity will take place, including whether the NWEP Activity:
  - is in a non-public area (such as a private residence)
  - is with a sole trader (such as a butcher or hairdresser who operates from a small shop or private residence)

For example, an NWEP Activity may be with a sole tradesperson who works from a private residence often without other people around. The Trial Provider will need to consider the risks of this NWEP Activity and may consider a Participant under 18 unsuitable or require a Working with Children or Working with Vulnerable People check on the sole trader as a risk mitigation before the Participant can commence.

- involves working alone with another person or for significant periods in non-public areas
  - is subject to alternative hours of work (for example, early starts or night work)
  - involves working in a labour hire environment in one or more different workplaces
  - involves travelling to and from the NWEP Activity and travelling during the NWEP Activity
- whether a site visit is required to identify or mitigate risks
  - any equipment or support the Participant may require.

The Trial Provider and Activity Host Organisation must determine and implement appropriate methods to mitigate the identified risks after conducting the risk assessment. Trial Providers must review risks regularly and take appropriate action on those risks where required.

Where a risk assessment identifies significant work health and safety concerns that cannot be mitigated to create a safe working environment and/or cannot be adequately managed by the Trial Provider and/or the Activity Host Organisation, the NWEP Activity must not proceed.



**Documentary evidence:** Trial Providers have the discretion to determine how they document risk assessments for NWEP Activities.

Depending on the nature of the NWEP Activity and the individual circumstances and characteristics of the Participant in question, this does not necessarily mean a long, complex process (see Attachment A of this Guideline).

The Department has developed a risk assessment template (available on the Provider Portal and at Attachment B of this Guideline). While it is **mandatory** for Trial Providers to undertake and document a risk assessment prior to an NWEP Activity commencing, the use of the Department's template is not mandatory.



**Documentary evidence:** Trial Providers must retain Records of each risk assessment and any action taken in accordance with each risk assessment. The Trial Provider should also keep documentation, for example a register, of their Competent Person(s) including their name and a description of the training, qualification or experience of the Competent Person. The Trial Provider must provide these Records to the Department on request.



Further Information on Activity risk assessment requirements are available in the [Activity Management Guideline](#).

(Deed references: Clauses 8, 113)

## Supervision requirements



**Work Health and Safety content:** Trial Providers must ensure that the Activity Host Organisation maintains a high level of supervision to help the Participant learn the requirements of the workplace, and ensure the health, welfare and safety of each Participant and members of the public.

There must be a higher level of Supervision where contact with children, the elderly, or other people from vulnerable groups are involved.

Supervisors should provide guidance and support for the Participant in the workplace. This includes, but is not limited to:

- teaching the Participant the skills required to complete the activities
- adapting the activities and teaching methods to the Participant's circumstances
- ensuring the Participant understands what is required of them, enabling them to perform tasks safely.

The level of supervision should be appropriate to the requirements of the NWEP Activity and should consider:

- the complexity of the activities being performed
- the risk of harm to the Participant and others.

The Trial Provider must ensure:

- the Activity Host Organisation provides an appropriate Supervisor for each Participant
- the Supervisor has a high level of skills or knowledge relevant to the activities the Participant will complete
- the Activity Host Organisation provides continuous supervision over the entire duration of the work shift where the activities involve children, the elderly or otherwise vulnerable people

Trial Providers must check if the nature of the NWEP Activity requires Participants and/or Supervisors to have checks as per the relevant Deed.

The Trial Provider must ensure the Activity Host Organisation and Supervisor understands their requirements to supervise a Participant at all times during the NWEP Activity.

For example, if an NWEP Activity is with a labour hire company, the labour hire company is considered to be the Activity Host Organisation. The labour hire company must supervise the Participant at all times across all locations and sites.

Trial Providers must ensure that all Supervisors of Participants undertaking NWEP Activities meet the requirements of the New Employment Services Trial Deed.

Further Information on Activity Supervision requirements are available in the [Activity Management Guideline](#).

(Deed references: Clause 114)

## Insurance

Participants undertaking an NWEF Activity are not employees of the Activity Host Organisation and are therefore not eligible for Workers' Compensation.

The Department of Education, Skills and Employment purchases personal accident insurance and combined public and/or product liability insurance to cover Participants undertaking Activities, including NWEF Activities (for example, travel to and from the NWEF Activity).

Trial Providers should note the Department's policies have exclusions.

See the [Insurance Reader's Guide](#) as relevant for exclusions and reporting requirements (available on the Provider Portal).

Trial Providers can still deliver NWEF Activities where activities are excluded under the Department's insurance policies, if alternative insurance is in place. If this occurs, Trial Providers can decide to purchase alternative insurance which must be in place before the Participant can start the NWEF Activity.

As an alternative to purchasing insurance, the Trial Provider could consider amending the activities in the proposed NWEF Activity so no part of it would be excluded under the Department's insurance coverage.

See [Employment Fund General Account Guideline](#) for information regarding purchasing additional insurance for Enhanced Services Participants.

(Deed references: Clauses 44, 113.5)

## Managing incidents that occur on NWEF Activities



**Work Health and Safety content:** If a Participant or member of the public is injured during an NWEF Activity, the Trial Provider should, first and foremost, encourage the injured person to seek appropriate medical attention or call emergency services depending on the nature of the incident.

### When must an Incident be reported?

The Trial Provider must notify the Department, as outlined in the [Insurance Reader's Guide](#), within 24 hours, and as soon as possible, of any incident and/or near miss during the Activity, including those that result in accident, injury or death of:

- any Participant (including where the incident occurred while the Participant was travelling to or from an Activity)
- any personnel involved in the delivery or supervision of the Activity
- members of the general public.

### All Incidents – both Personal Accident and Public and Products Liability

**Documentary evidence:** Trial Providers must advise the Department of any incident that occurs in the method outlined in the Insurance Reader's Guide, giving full details of the incident (irrespective of whether a claim is being made at the time). Forms for Activity Host Organisations to notify providers of WHS Incidents are

available on the Insurance page of the Provider Portal. Forms for providers to complete to notify the Department of any public and products liability incidents are also available on the Insurance page of the Provider Portal.

- A *WHS Employment Assistance Program Incident Report* must be completed by the Activity Host Organisation when an incident involves a Participant's accident, injury or death and submitted as outlined in the [Insurance Readers Guide](#).
- A *public and products liability claim form/incident report* is used when a third party alleges a Participant has been negligent and caused accident, injury or death, or property damage.

The incident report must identify if the incident was caused by an instance of misconduct by a Participant. Misconduct is defined as being something that would, if the Participant was a paid employee, normally result in the paid employee being terminated from paid employment. Any misconduct by Participants may require the Trial Provider to lodge a Non-compliance Report.

It is important that Participants have access to reporting mechanisms in the event they wish to report an incident, lodge a complaint or provide positive/constructive feedback confidentially. The Trial Provider needs to ensure that there is an internal, impartial and easily accessible complaints mechanism that can be used by Participants regardless of the nature of the complaint.

For further information in relation to the process for reporting incidents and completing incident forms refer to the [Insurance Readers Guide](#).

#### Incident Recording Requirements in ESS



**System step:** The Trial Provider must complete the 'Job Seeker - WHS Incident' screen in ESS Web, giving full details of the incident (irrespective of whether a claim is being made at the time).

Following submission, the Trial Provider will receive confirmation of successful submission of the incident and a copy of the information will be sent to:

- The Work for the Dole branch, and
- The relevant Account Manager

The Trial Provider is able to report any instances of misconduct or threatening behaviour on the 'Participant Incident Report' screen of ESS Web, whether or not the incident is associated with a police report.

For further information on the incident reporting process, see the Insurance Reader's Guide, [Activity Management Guideline](#) and [Servicing Individuals with Challenging Behaviour Guideline](#).

(Deed references: Clauses 71.6-71.7, 113.6-113.8)

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## 8. Preparing for the NWEP Activity

### Work Experience Activity Agreement

Before starting an NWEP Activity, the Trial Provider, Activity Host Organisation and Participant must agree to the terms of the NWEP Activity and sign a Work Experience Activity Agreement.

The Trial Provider should confirm that the Participant has not been previously employed by, or undertaken previous NWEP placements or PaTH internships with, the Activity Host Organisation. If the Trial Provider determines that the Participant's previous placement, internship or employment with the Activity Host Organisation was in a substantially different role to the proposed NWEP placement, the Trial Provider may elect to proceed with the NWEP placement if the placement would benefit the Participant's employment prospects.



**Work Health and Safety content:** The Trial Provider is also required to complete a risk assessment for each Participant and NWEP Activity.

The Work Experience Activity Agreement outlines the terms and conditions of the NWEP Activity and ensures that all three parties understand their rights and obligations. It includes:

- details of the proposed NWEP Activity and its associated tasks
- the Participants' needs and capabilities
- details of the Supervision being provided
- details of how the Participant's attendance will be reported.

The Work Experience Activity Agreement includes a Job Seeker Work Plan which should be agreed between the Participant, Activity Host Organisation and Trial Provider and completed before the Work Experience Activity Agreement is signed.

The Job Seeker Work Plan forms an important part of the Work Experience Activity Agreement as it should:

- describe in detail the tasks the job seeker will undertake during the NWEP Activity
- identify any work restrictions the job seeker may have as well as any safety equipment or training that will be provided
- include details of supervision to be provided, and
- include an acknowledgement that the Job Seeker Work Plan does not contravene any state or territory legislative requirements.

The Work Experience Activity Agreement template can be found on the Provider Portal. This template must be used for any NWEP Activities.

(Deed references: Clauses 105.5, 109.4)

## Updating the Job Plan

NWEP Activities must be included in a Participant's Job Plan as a voluntary item. Trial Providers must update the Job Plan with the NWEP Activity and provide the updated Job Plan to the Participant for their agreement prior to the commencement of the NWEP Activity.

See [Job Plan and Mutual Obligation Requirements Guideline](#) for further information regarding Job Plan requirements.



**Documentary evidence:** Trial Providers must identify and create all of their NWEP Activities in the Activity Management component of the Department's IT system.

Trial Providers place a Participant's details against an NWEP Activity when the Participant is referred to the NWEP Activity. Trial Providers must also include the Activity Host Organisation's details when setting up NWEP Activities.

This will give each NWEP Activity a unique Activity ID and assist Trial Providers in identifying and managing a Participant's NWEP Activity.

Where there are multiple Participants undertaking NWEP Activities for the same Activity Host Organisation, Trial Providers should create a single NWEP Activity record and place the Participants with the same Activity Host Organisation into that single NWEP Activity.

A separate NWEP Activity should be created for each unique NWEP Activity that is being undertaken by a Trial Provider's Participants. An NWEP Activity is considered unique where the tasks being undertaken are not the same as an existing NWEP Activity, or are undertaken under different circumstances.

(Deed references: Clause 97)

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## 9. Managing the NWEP Activity

The Trial Provider should remain in contact with the Activity Host Organisation and Participant to ensure:

- they are aware of any changes in circumstances affecting the NWEP Activity
- the Participant is attending their NWEP Activity and meeting the needs of the Activity Host Organisation and their expectations of the NWEP Activity.

The Trial Provider should discuss the preferred contact method and frequency of contact with the Participant and Activity Host Organisation to avoid disruption to the NWEP Activity. The frequency of contact should be appropriate to the length of the NWEP Activity.

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## 10. Employment Fund

Some costs associated with NWEP placements may be reimbursed through the Employment Fund category 'Work Experience' and subcategory 'Non Work for the Dole activity'. See the [Using the Employment Fund General Account Guideline](#) for further information.

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## 11. Incentive and Completion Payments

From 1 July 2018, Activity Host Organisations are eligible for a one-off, upfront Incentive Payment of \$300 (GST inclusive) per commenced NWEP Activity placement to assist with the cost of hosting an NWEP Activity. Commonwealth Government Agencies that host NWEP Activities are not eligible to receive this Incentive Payment.

Trial Providers are eligible for a \$400 (GST inclusive) Completion Payment per completed NWEP Activity placement of at least two (2) weeks.

### Incentive Payments

Trial Providers must ensure the Participant has been correctly referred to and commenced in an NWEP Activity to be eligible for the Incentive Payment.

Trial Providers must confirm with the Activity Host Organisation that the Participant has commenced in the NWEP Activity. This should happen on the NWEP Activity start date but no later than five (5) business days after the NWEP Activity start date. When confirming that the Participant has commenced the NWEP Activity, Trial Providers should also request an invoice from the Activity Host Organisation in order to pay the \$300 (GST inclusive) Incentive Payment to the Activity Host Organisation.

The \$300 (GST inclusive) Incentive Payment is automatically paid to the Trial Provider when the Participant commences in the placement.

The Trial Provider must pay the Incentive Payment to the Activity Host Organisation from their own funds within five (5) business days of receiving the invoice from the Activity Host Organisation, unless otherwise agreed by the Activity Host Organisation.

The Trial Provider must pay the Incentive Payment once only for each Participant commenced in the NWEP Activity with that Activity Host Organisation.

Incentive Payments cannot be lodged or withdrawn manually. Where the Trial Provider receives an Incentive Payment in error—such as where the Participant did not commence in the activity—the Trial Provider must either change the NWEP Placement status to 'created in error' to trigger an automatic payment recovery, or contact their Account Manager to arrange a manual payment recovery.

**Please note:** While State, Territory and Local Government Agency Host Organisations **are** eligible to receive the \$300 Incentive Payment, Commonwealth Government Agencies are **not**. If the Trial Provider has received a \$300 incentive payment for a NWEP commencement with a Commonwealth Government Agency Host Organisation, the Trial Provider **must not** pass this Incentive Payment onto the Host Organisation, and **must** contact their Account Manager to arrange for a recovery to be made.

**Please note:** If a Host Organisation advises they do not wish to receive the \$300 Incentive Payment, providers **must** contact their Account Manager to arrange for a recovery to be made.

(Deed reference: Clauses 109.5-109.6)



**System step:** Trial Providers can search for and identify auto lodged (or claimed) Incentive Payments via the Payment Search screen in ESS Web.



**Documentary evidence:** While the Incentive Payment is paid automatically, Trial Providers must retain documentary evidence that the NWEPA Activity commenced. This can be written correspondence from the Activity Host Organisation such as a letter, email or file note from the Trial Provider to confirm their discussion and the commencement of the Participant with the Activity Host Organisation.



Trial Providers must also retain evidence of the Incentive Payment being paid from the Trial Provider to the Activity Host Organisation. This may include a record of transaction (bank statement or a record of transaction from the Trial Provider's financial system, a tax invoice with receipt from the Activity Host Organisation or a remittance advice.



Trial Providers must also retain evidence from the Host Organisation stating they do not wish to receive the \$300 Incentive payment.



**Documentary evidence:** All documentary evidence must include the following information:

- an NWEPA Activity ID
- Activity Host Organisation name and ABN
- Payment amount
- Date the payment was made to the Activity Host Organisation

## Completion Payments

A \$400 (GST inclusive) Completion Payment can be claimed by Trial Providers once the Participant has completed at least two weeks of an NWEPA Activity.

The Completion Payment is not payable if the Participant fails to complete at least two weeks of their NWEPA Activity.

The Completion Payment can only be claimed once for each Participant who completes at least two weeks of the NWEPA Activity with that Activity Host Organisation.

NWEPA Completion Payments are made available when a Participant has reached the minimum required days (i.e. two weeks). In order to claim the Outcome Payment, Trial Providers must acknowledge/confirm that the Participant has completed the minimum required days in the NWEPA Activity.

Trial Providers are not entitled to receive an Outcome Payment if the Participant exited the NWEPA Activity earlier than two weeks. Where the Trial Provider receives a Completion Payment in error, the Trial Provider must either change the NWEPA Placement status to 'created in error' to trigger an automatic payment recovery, or contact the Department to arrange a manual payment recovery.

(Deed references: Clause 144)



**System step:** Trial Providers can claim a \$400 (GST inclusive) Completion Payment for each Participant who completed at least two weeks of an NWEF Activity.



**System step:** Trial Providers must make a claim for Completion Payments through ESS Web.



**System step:** Completion Payments will be available once the Participant has completed a minimum of two weeks in an NWEF Activity. Available Completion Payments will be listed under Payments/Available Payments/NWEF Completion Payments in ESS Web.



**Documentary evidence:** Before claiming the NWEF Completion Payment, Trial Providers must confirm that that Participant completed at least two weeks of the NWEF Activity. Trial Providers should retain documentary evidence that the Participant completed at least two weeks of the NWEF Activity. This can be written correspondence from the Activity Host Organisation such as a letter, email or file note from the Trial Provider to confirm a discussion with the Participant or the Activity Host Organisation.

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## 12. Misuse of the program

Activity Host Organisations or Trial Providers identified as misusing the NWEF may be excluded from future participation in the program. Trial Providers who become aware that the Activity Host Organisation is potentially misusing the NWEF should inform the Department no later than the close of business on the next business day. Trial Providers can inform the Department by:

- contacting their Contract or Account Manager
- calling the Contact Centre on 1800 805 260 (free call from land line)
- submitting confidential feedback through the Department of Education, Skills and Employment [website](#).



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## Attachment A – Work Health and Safety (WHS) Risk Assessments for NWEF Activities

Trial Providers must ensure that all NWEF Activities have a safe system of work in place so that the overall risk to the Participant is low.

Depending on the nature of the NWEF Activity and the Participant affected, this does not necessarily mean a long, complex process involving lots of paperwork.

The Trial Provider must ensure a Competent Person conducts and documents a risk assessment before an NWEF Activity commences. If the Trial Provider does not itself have a Competent Person, it must engage a Competent Person for this purpose.

### 1. Assessing risk

Subject to the minimum requirements specified in the New Employment Services Trial Deed and any Guidelines, the approach to the risk assessment can reflect the relative risk of the workplace environment and the Participant participating. For example, a highly detailed risk assessment may be necessary for a higher risk workplace or where a Participant has pre-existing conditions, but a short risk assessment may be all that is necessary for a low risk workplace with a Participant that has no pre-existing conditions.

#### Understanding the Participant

- Consider and understand the Participants circumstances and capabilities, including any pre-existing conditions that could introduce or increase risks for Participants undertaking an NWEF Activity. For example, is the Participant under 18 years of age, does the Participant have physical injuries, or do they suffer from pre-existing conditions.

#### Working with the Activity Host Organisation

- Agree the tasks that will be undertaken by the Participant and the workplace environment.
- Gain an understanding of whether the Activity Host Organisation has paid employees or other volunteers that undertake the same tasks that the Participant will be undertaking and how the Activity Host Organisations ensures their safety.
- Determine whether the Activity Host Organisation has a systemic approach to managing WHS. In particular, whether it has written WHS policies and procedures developed in consultation with its workers.
- Consider the Activity Host Organisation's WHS history and how it complies with relevant WHS laws.
- Work with the Activity Host Organisation to identify the hazards and risks, and the controls in place to mitigate the risks for the NWEF Activity and Participant participating. In working with the Host Organisation, Trial Providers may like to:
  - Consider whether the Activity Host Organisation has an up-to-date risk assessment available (noting the need to review and be satisfied the pre-existing risk assessment is satisfactory for the workplace, and that the individual Participant circumstances are taken into account).

## 2. Writing it down

- The Trial Provider has discretion in determining how the risk assessment is documented by the Competent Person.
- Trial Providers must retain records of each risk assessment and any action taken in accordance with each risk assessment.
- Trial Providers must provide the record of the risk assessment to the Department on request.
- An indicative example is provided at the end of this guide of how a Competent Person might record a risk assessment for a low risk scenario for a Participant in an NWEPA Activity.

## 3. Don't just 'set and forget'

- Controlling WHS hazards and risks is an ongoing process that needs to take account of changes in the NWEPA Activity and Participants progress at the activity. If there are changes, the risk assessment needs to be reviewed and updated.
- A good ongoing relationship with Activity Host Organisations provides the opportunity to discuss any changes and monitor the NWEPA Activity risks.

## 4. Additional resources

- [Safe Work Australia](#) leads the development of national policy to improve work health and safety.
- The Safe Work Australia fact sheet on [Managing Risks to Health and Safety at the Workplace](#) is available online.
- For WHS information relevant to each state or territory see:
  - For Australian Capital Territory visit [www.worksafe.act.gov.au/health\\_safety](http://www.worksafe.act.gov.au/health_safety)
  - For New South Wales visit [www.safework.nsw.gov.au/](http://www.safework.nsw.gov.au/)
  - For Northern Territory visit [www.worksafe.nt.gov.au/Pages/default.aspx](http://www.worksafe.nt.gov.au/Pages/default.aspx)
  - For Queensland visit [www.worksafe.qld.gov.au/](http://www.worksafe.qld.gov.au/)
  - For South Australia visit [www.safework.sa.gov.au/](http://www.safework.sa.gov.au/)
  - For Tasmania visit [www.worksafe.tas.gov.au/](http://www.worksafe.tas.gov.au/)
  - For Victoria visit [www.worksafe.vic.gov.au/](http://www.worksafe.vic.gov.au/)
  - For Western Australia visit [www.commerce.wa.gov.au/WorkSafe/](http://www.commerce.wa.gov.au/WorkSafe/)

### Writing it down: An example of a risk assessment record for NWEP Activities

The following is not intended to be used as a template – rather it provides an indicative example of how a Competent Person might document an NWEP Activity risk assessment in the case where they assess a scenario as low risk for a Participant.

NWEP Activity ID: 12341234

Proposed date of NWEP Activity: 1 January 2017 to 28 January 2017

#### Description of NWEP Activity

City Office is in a workplace of a large organisation with a systematic approach to managing WHS: in particular, it has written WHS policies and procedures developed in consultation with its workers. This includes policies and procedures dealing with hazards associated with tasks of the NWEP Activity.

The duties of the NWEP Activity include telephone duties, word processing and general office administration which I consider low risk.

#### Assessment

- I have gathered all relevant WHS information about the proposed NWEP Activity and assess it to be low risk. To determine this, I have taken the following factors into consideration:
  - The duties of the Participant are telephone work and word processing
  - The Activity Host Organisation has an acceptable WHS management system in place and has a good safety culture. This includes:
    - The Activity Host Organisation conducts induction training sessions (which include WHS) for all employees and will provide the same training to the Participant. This includes procedures for reporting WHS issues (including incidents), office ergonomics and emergency procedures.
    - From my dealings with the Activity Host Organisation I am confident that the organisation has safe work practices and procedures and is reviewed regularly.
    - The Activity Host Organisation has a WHS committee that meets regularly with worker representatives
    - The Participant will be supervised by an experienced office manager.
    - The NWEP Activity does not involve the Activity Host Organisation or the Trial Provider transporting the Participant.
  - The Trial Provider will contact the Activity Host Organisation once the Participant commences in the NWEP Activity to discuss any changes and monitor the NWEP Activity's risks. If there are any changes, the risk assessment for this NWEP Activity will be reviewed and updated to reflect those changes.
  - Alex Jones is 25 years old and has no disclosed personal circumstances, limited to his capacity or pre-existing conditions that would affect him undertaking this NWEP Activity.
  - I have discussed the task associated with the NWEP Activity with Alex.
  - Alex advised that he has no personal circumstances, limits to his capacity or pre-existing conditions that would affect him undertaking the tasks.
  - I have therefore determined that this is a suitable NWEP Activity for Alex to participate in.
  - I have advised Alex that the office will provide him with induction training.
  - I have explained to Alex that if he has any WHS concerns he should discuss them with his supervisor in the first instance and if they are not resolved to his satisfaction, he should contact me.

- I have advised Alex that I am available to consult with him if he has any concerns and that I will contact him one week into his NWEPP Activity to ensure that he doesn't have any WHS concerns.

Competent Person declaration

I am a Competent Person; that is, I have acquired through training, qualification or experience the knowledge and skills to carry out specific work health and safety tasks, including risk assessments, and I have completed a risk assessment to the Activity Name, Activity ID and Participant/s above.

Signed by Competent Person	
Date	
Name of Competent Person	
Trial Provider name	

## Attachment B – Example Risk Assessment template for an NWEPA Activity

It is a requirement that a Competent Person must undertake and document a risk assessment.

Note: This Risk Assessment template should be used as a guide only. While it is mandatory to undertake a risk assessment the use of this template in documenting that risk assessment is not mandatory. Disclaimer: Notwithstanding any information provided on this template, Trial Providers must ensure that they, and any Activity Host Organisations, adhere to all obligations under the relevant Deeds and any relevant legislation. The risk assessment template should be read in conjunction with the relevant Deeds and Guidelines and any reference material issued by the Department under, or in connection with, the Deed.

Where the Competent Person does not have access to the relevant Participant and/or Activity information, sections one to four should be completed by the Trial Provider.

1. Activity details	
Activity Name	
Activity ID	
Activity Monitoring Plan	
Site Visit done? Yes / No	
Notes	
Brief Activity Description	

2. Participant Details		
Name		
Participant ID		
Participant information: (Additional information relevant to the Participant undertaking the Activity)		

3. Activity host organisation	
Activity Host Organisation Name	
Activity Host Organisation Responsibilities: (e.g. will the Activity Host Organisation be hosting this on site, are they providing the supervisors, what aspects of the activity are they organising?)	
Location of Activity	
Contact Person for this Activity	
Supervisor for this Activity (if different from above):	
Telephone	
Fax	

4. Activity Tasks	
<p><b><u>(A) Activity Tasks</u></b>  <i>For example building maintenance (e.g. Activity might be restoring a heritage building: Within this, a specific 'activity task' might be building maintenance, among others)</i></p>	
<p><b><u>(B) Core Duties (Related to the Activity Task)</u></b>  <i>For example: Moving Furniture                      Checking for plumbing leaks</i></p>	

Risk acceptability

Have you identified any risks that require mitigating/preventing actions?

Yes/No

If yes, please list these below in table A and B.

(A) Activity Risks		
Core Duties (related to specific Activity tasks)		
Task Risk (What risks are associated with the Core Task itself? - this includes Environmental Specific Risks (E)		
Cause (How might this happen?)		
Consequence		
Preventative Actions		
Key Responsibility (i.e. Trial Provider, Activity Host Organisation, Supervisor?)		

<b>(B) Risks to the Participant</b>		
Participant Name & Participant ID:		
Core Duties (These should reflect the Core Duties where you believe the Participant may be put at risk.)		
Participant Specific Risk (What risks are associated with the Participant?)		
Cause (How might this happen?)		
Consequence		
Preventative Actions		
Key Responsibility (i.e. Trial Provider, Activity Host Organisation, Supervisor?)		



Competent Person declaration

I am a Competent Person that is, I have acquired through training, qualification or experience the knowledge and skills to carry out specific work health and safety tasks, including risk assessments, and I have completed a risk assessment to the Activity Name, Activity ID and Participant/s above.

Name	
Signed	
Date	
Position	
Trial Provider name	

Explanatory Notes:

- (A) 'Activity Tasks' are the key tasks that will be undertaken during the course of the Activity.
- (B) 'Core Duties' are related to Activity Tasks and are generally a more specific breakdown of work a Participant will undertake.
- (C) 'Activity Risks' are risks related to Activity Tasks and Core Duties. These can be identified prior to having knowledge of the specific Participant who will be participating in the Activity.
- (D) 'Participant Specific Risks' are additional to standard risks and relate to specific Participants, once referred to an Activity. You may not have additional risks identified for all Participants (i.e. for some Participants, taking action on the standard identified risks will cover off the potential risks to them
- (E) 'Environmental Specific Risks' are risks specific to the environment the Activity is operating in.

All capitalised terms in this guideline have the same meaning as in New Employment Services Trial Deed 2019-2022

In this guideline, references to Trial Provider means a New Employment Services Trial Provider, and references to Participants means Enhanced or Supported Services Participants as defined in the Deed.

This Guideline is not a stand-alone document and does not contain the entirety of Trial Providers' obligations. It must be read in conjunction with the New Employment Services Trial Deed 2019-2022 Deed and any other relevant Guidelines or reference material issued by Department of Education, Skills and Employment under or in connection with any other Deeds.