



30 July 2021

Department of Social Services (DSS)
Disability Employment Services Branch

Attention:

Tarja Saastamoinen, Branch Manager, Disability Employment Services Branch, DSS
Justin Galke, Director, DES Program Management, Disability Employment Services Branch, DSS

**RE: 2021 FORMAL PERFORMANCE ASSESSMENT - INDUSTRY INFORMATION PAPER (IIP)_DRAFT
WITHOUT PREJUDICE**

Dear Ms Saastamoinen and Mr Galke,

Thank you for providing the opportunity to submit this response to the document titled **2021 Formal Performance Assessment - Industry Information Paper (IIP)_DRAFT without Prejudice**.

Jobs Australia is a national organisation that supports the largest network of Not for Profit Members who provide diverse employment services and pathways, education, training and skills development and community and social services.

We are also the Peak Body for Not for Profit Employment Service Providers including those organisations delivering employment pathways programs.

Jobs Australia continued to engage with Members who deliver the Disability Employment Services (DES) program throughout the first half of 2021 using group and individual discussions.

The Draft 2020 Formal Performance Assessment Industry Information Paper 2020 continues to inform debate and stimulate DES Member discussion. This is reflected in our response offered in the 2020 submission and is found in the appendix section of this paper.

The national impact of the COVID-19 pandemic on employers, DES participants and Providers continues to be understood. The COVID-19 effect should not be underestimated.

We recommend the Department of Social Security, through this industry paper and incumbent review consider and reflect the impact of COVID-19.



1. Improvement Timelines

Limited access to data since September 2020 has prevented Providers from understanding their performance in a timely manner.

The provision of assessment six or more months after the review period has ended, with a few short days to respond, is unworkable. The subsequent delay to the development of improvement strategies has been an ongoing concern for Providers.

Commentary has been provided and recommends allowing 12 months after the June star rating release to review and improve performance prior to the Providers' assessment.

Recommendation

That the release of performance evaluation and ratings results is provided no more than four weeks after the assessment period has closed.

Proposed time frame for the Provider response to the performance assessment be extended to 12 months to allow additional time to implement and demonstrate performance improvement measures. We recommend extending the closing date and time for mitigating circumstances submissions from 10 business days to 20 business days.

2. Mitigating Circumstances

The scope of the examples describing mitigating circumstances examples fails to recognise the full extent of what mitigating circumstances include.

The onus of having to demonstrate and prove the extent of Provider mitigating circumstances adds further burden to what is observed by some as a 'guilty until proven innocent' protocol.

Members feel the containment of a word limit in explaining root cause can be unreasonable, as it restricts their capacity to achieve a full and rounded explanation, leading to a balanced determination.

Recommendation

Members need to be able to properly account for queries and perceived errors and should be provided with 20 working days and a less than prescriptive word count for explanatory submissions.

3. Transparency of Methodology

Providers are concerned that their frequent requests for transparency of evaluative performance data including Star Ratings and methods is achieved.



Recommendation

Enhanced and transparent provision of methodology for greater understanding on how the data and assessment is fit for purpose

DES monthly reports to provide additional information and employment outcomes to assist providers implement necessary performance improvement measure (for example age, regional impact, disability cohorts etc).

5. Communications and Messaging

Providers recommend that the quality and frequency of DES messaging must be improved.

Recommendation

A complete review and restructuring of communications between DSS and Providers, including frequency, tone, content and target is completed in the very short term.

6. Right Fit for Risk

Providers understand that the Right Fit for Risk, Information Technology Accreditation process (RFFR) is DESE initiated.

Throughout this important program, Providers have felt vulnerable to DESE and observe an absence from DES.

Recommendation

Clarity on all aspects of the program to be provided by DES and where the Provider does not have a DESE contract includes DES specific time guidelines and time expectations.

Many learnings from the DESE program can be reviewed to lessen the impact on DES Providers.

Do not hesitate to contact me directly for further information in relation to the detail offered by way of this submission.

Sincerely

Debra Cerasa
Chief Executive Officer

cc; Richard Butler,
Policy Advisor, Jobs Australia



APPENDIX 1

Draft 2020 Formal Performance Assessment – Industry Information Paper

Jobs Australia Members identified two key areas they believe impacts their ability to perform and deliver results as required by the Department for the benefit of job seekers registered in the program.

- Several components of the 2020 Formal Performance Assessment Industry Information Paper are identified as unreasonable and are requested that they be reconsidered.
- There is Member disappointment that aspects of the Disability Employment Services Charter of Agreement Management (the Charter) and specifically paragraphs headed “A better way of working” and “Principles underpinning the Charter” appear to have been overlooked or no longer being applied.

Key issue	Explanation
Transparency of Star Ratings calculation and methodology	Members in consultation expressed significant concern that their requests for transparency of the Star Ratings are not fulfilled. Members refer to in the DES Star Ratings Methodology Advice V1.2 on pages 21 to 26 and confirm they do not have knowledge of the numerators and denominators used to calculate the result. Whilst the process for establishing Star Ratings is identified, the metrics sitting behind that process remains unknown.
Impact of the late provision of Star Ratings	Members in consultation continue to express significant concern that Star Ratings from an immediate past performance review period are critical in managing performance in the current performance review period. Some Members conclude that the continued late issue of Star Ratings is contrary to the spirit of the Charter. The June and September 2020 Star Ratings were released during December 2020. This significant delay unfairly prejudices providers.
Boston Consulting Group (BCG) Consultative Paper	Members in consultation observe that assurances to release the BCG Consultative Paper were provided. Members contributed time and effort to the consulting process and the BCG Paper. The shift in the decision to release the BCG Paper is perceived as not acting in a manner as described in the Charter.
Deadline for responses to the Draft, 2020 Formal Performance Assessment Industry Information Paper	Members in consultation express disappointment with the narrow window provided for responses to the Paper, noting that it was issued December 8, 2020 and initially with January 3, 2021, deadline for responses. It was noted that there was a one-week extension for submissions.



Key issue	Explanation
Inclusion of Employment Outcomes into the 2020 Performance Period Star Ratings	Members in consultation are deeply troubled that Employment Outcomes are not currently excluded from the 2020 Formal Performance Assessment Process. Members observe that throughout the period covered by the Performance Assessment, Mutual Obligations were suspended, Employment placements were unable to receive Post Placement Support and the payment of JobSeeker with COVID Supplement in many cases, exceeded income available from remaining in Employment. Members recommend the review of Employment Outcomes under the Star Ratings process is unwarranted and should not proceed.
Impact of the 2020 Suspension of Mutual Obligations, provision of JobSeeker with COVID Supplement, national unemployment as result of COVID Pandemic 2020 and 2021 Employment and other Outcomes	Members in consultation recommend that there is a 12 month suspension to the measurement of Employment Placement based Performance Reviews. This is because the 'shadow' or 'lag' impact from COVID will impact employment and employability of DES job seekers for at least 12 months. Members advise that post COVID, 2021 will not resemble pre COVID employment markets and conditions. There is a lack of acknowledgement by DSS of the significant operational issues, client profile and economic environment that service providers operated in and still do, due to COVID 19. The impact of the suspension of mutual obligations and thus being able to engage and place clients into employment has been and remains significant. The application of a 'business as usual' performance template for 12 months ending December 31, 2021, is not viewed favourably.

Jobs Australia DES Provider Members continue to strive for a positive, transparent, and collaborative working relationship with the Department. This effort continues through representation from Jobs Australia and directly with local contract managers.