



Information for Grant Recipients



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1. About this guidance

This Guidance provides information about the roles and responsibilities of grant recipients who have received grant funding for a Regional Employment Trials (RET) Activity.

This Guidance is not a standalone document and readers should also refer to the Regional Employment Trials Grant Opportunity Guidelines, their Grant Agreement, and any other reference material provided by either the Department of Education, Skills and Employment (the Department) or the Department of Industry, Science, Energy and Resources (AusIndustry).

Work health and safety is a fundamental requirement of the RET program and should be considered in accordance with the Government's Roadmap to a COVIDSafe Australia and the 3-step framework. A safe system of work must be in place at all times when unemployed people participate in Activities. Work health and safety risks need to be assessed at the outset when contemplating whether a RET Activity is suitable and monitored throughout the RET Activity to ensure ongoing safety for all participants.

It is important that Grant Recipients and Partnering Providers follow each step of the 3-step framework as states and territories implement changes based on their COVID-19 conditions when considering Risk Assessments.

A COVIDSafe plan for workplaces and premises is particularly important. The National COVID-19 Coordination Commission's advice on CovidSafe plans should be considered and Safe Work Australia guidance material can be found on their website at this link safeworkaustralia.gov.au/covid-19-information-workplaces

Grant recipients should also obtain their own legal and financial advice, where required.

2. Roles

2.1 What is my role as a grant recipient?

As a RET grant recipient, your role is to deliver your approved RET Activity in accordance with your Grant Agreement, including (but not limited to):

- providing supervision for all participants
- ensuring that a safe system of work is in place
- recording and reporting attendance
- reporting any incidents as soon as possible (and, in all cases, within 24 hours) to the:
 - a) Partnering Provider for participants on an employment services provider caseload (who will manage notification to any relevant providers); or
 - b) the Department at AssistanceProgramIncidents@dese.gov.au for any incidents involving a Volunteer Unemployed Participant (participants who are not registered with an employment services provider)
- performing a risk assessment on and registering eligible Volunteer Unemployed Participants
- reporting as required to AusIndustry and the Department
- working with AusIndustry and the Department's representatives.

2.2 Role of AusIndustry

The Department of Industry, Science, Energy and Resources is responsible for administering the grant on behalf of the Department, through AusIndustry.

AusIndustry manages the grant, including monitoring progress and making grant payments. This includes inspecting the records that grant recipients are required to keep under the Grant Agreement.

For all information on your obligations relating to the grant, refer to:

- your Grant Agreement
- the Regional Employment Trials Grant Opportunity Guidelines
- this Information document
- any additional information provided to you by the Department or AusIndustry. For more information, visit:
 - [Business.gov.au](https://www.business.gov.au)
 - [employment.gov.au/ret](https://www.employment.gov.au/ret)

2.3 Role of the Department

The Department manages the RET program and:

- contracts employment services providers (providers) and Employment Facilitators who take part in the program
- manages project activity schedules, including the creation of the RET Activity ID in ESSWeb once the grant recipient has sent the completed activity schedule template to RET@dese.gov.au
- monitors the participation of providers and participants
- manages issues that may arise in the delivery of RET Activities, in particular those relating to the involvement of participants and providers.

More information on employment services and related services can be found at [employment.gov.au/employment](https://www.employment.gov.au/employment).

2.4 Role of the Employment Facilitator

The Employment Facilitator plays a key role in the ongoing oversight and reporting of progress of your RET Activity to the Department.

They will be able to assist you in promoting the opportunity to providers where relevant, and referring Volunteer Unemployed Participants to your RET Activity, if required.

2.5 Role of the Provider

The Department contracts providers to manage its employment services programs. There are two types of provider involved in the RET program, the Partnering Provider/s (associated with your grant application), and any other provider who refers a job seeker to your RET Activity.

Partnering Providers

When you developed your project proposal, you were required to partner with at least one provider in your region and nominate a single provider to be your Partnering Provider. The role of the Partnering Provider includes:

- participating in the development phase of RET Activities
- conducting a work health and safety risk assessment of the RET Activity prior to the execution of the grant agreement and as required throughout the RET Activity
- distributing necessary information in a timely fashion to you and all providers with a job seeker placed in a RET Activity
- working with Employment Facilitators to help ensure that the RET Activity meets the needs of job seekers in the region
- collaborating with other participating providers including managing job seeker referral numbers.

Where your RET Activity involves job seekers, Partnering Providers will have the first opportunity to place job seekers into the RET Activity they are connected to.

Either in advance of the RET Activity commencing or following its commencement, the Partnering Provider will consider if the RET Activity should be shared with other providers in the RET region, taking into account the number of participants required, and where appropriate, will do so.

Providers

Participating providers include jobactive, ParentsNext and Transition to Work providers with a site in a RET region. RET Activities offer these providers the opportunity to improve their local connections and create pathways to employment for job seekers on their caseload.

Provider responsibilities (including a Partnering Provider where they place a participant into your activity) include:

- placing and commencing job seekers in a RET Activity
- ensuring job seekers have adequate equipment, clothing, materials and all things necessary for participation in RET Activities
- monitoring placements
- following up non-attendance of participants on their caseload
- managing the replacement of job seekers who do not attend.

You can find out who and where the providers are in your area at jobsearch.gov.au/serviceproviders.

2.6 Role of the Participant

A primary goal of the RET program is to help unemployed people prepare for and find work. All participants are responsible for attending at the appropriate time and participating in the RET Activity. They will be required to do any training needed for the RET Activity, including work health and safety training, and behave appropriately and in accordance with safety requirements.

While participating in RET Activities, participants on income support continue to be paid income support and receive assistance from their provider. They may also attend job interviews or take up a casual, part-time or full-time job. As gaining employment is their most important goal, participants are expected to attend job interviews or job placements as a higher priority to their attendance at a RET Activity, but they are required to notify their Supervisor as soon as they can.

Participants should generally be available to attend your RET Activity for the hours designated for the activity. However, where a participant is not able to attend for the required number of hours during the times designated, you should accommodate the participant's available hours, where possible. You should advise the Partnering Provider that the participant is not suitable for the RET Activity if this is not possible.

3. RET Activity

3.1 Risk Assessment

Once your proposal has been approved, and before your RET Activity can commence, the Partnering Provider will need to conduct a work health and safety risk assessment of the RET Activity as outlined in section 6.2.

Grant Recipients **must** only operate face-to-face activities where it is permissible by relevant state or territory governments. As restrictions may differ across Australia, Grant Recipients should be aware at a local level where restrictions apply to their activity locations and conduct face-to-face activities accordingly. For example, Grant Recipients should:

- be aware of vulnerable cohorts such as those who are immunocompromised
- encourage the use of face masks or coverings
- ensure individuals who have COVID-19-like symptoms or have been advised by health authorities, to self-isolate.

3.2 Activity Schedule template

You will be sent an Activity Schedule template by AusIndustry. Please complete and send the Activity Schedule to RET@dese.gov.au for the Department to action **prior to the commencement of activities that involve participants in your RET Activity.**

A risk assessment of the RET Activity must be completed by the Partnering Provider before completing the Activity Schedule.

The Activity Schedule needs to provide details of the RET Activity, including but not limited to:

- the location/s the participants will be attending for the duration of their participation in the RET Activity
- dates
- start and finish times
- break/s
- number of participants
- supervisor/s details
- confirmation of the risk assessment report submission date.

If any information is missing from the Activity Schedule provided, or the Department requires further clarification on any information included, the Department will contact you to ensure the correct information is added for the RET Activity in the Department's IT System.

The Department will create RET Activities in the Activity Management component of the Department's IT System, ESSWeb.

The Department will notify the Partnering Provider and you of the Activity ID. The Partnering Provider will then be able to start referring Caseload Participants to the RET Activity. The Partnering Provider can share the Activity ID with other participating providers to refer their Caseload Participants, as required.

3.3 How are participants referred to my activity?

There are two types of participants who are able to take part in a RET Activity:

- those on a jobactive, ParentsNext or Transition to Work caseload (Caseload Participants)
- those who are Volunteer Unemployed Participants not on a Provider's caseload (Volunteer Unemployed Participants).

You will need to advise your Partnering Provider when you have enough participants to run your RET Activity, and when you need to replace participants who have stopped attending.

3.3.1 Referral of Caseload Participants

The relevant provider will refer the participant to your RET Activity based on the information provided to the Department when your RET Activity is approved.

This may happen at the beginning of your RET Activity, or on an ongoing basis during the RET Activity (where the RET Activity allows). Providers may also replace participants when someone finds a job or ceases to meet their attendance requirements.

Your Partnering Provider will advise you of the details of each participant referred to your RET Activity.

3.3.2 Referral of Volunteer Unemployed Participants

Volunteer Unemployed Participants may be referred to you by the Employment Facilitator, or directly contact you about your RET Activity.

The participation of Volunteer Unemployed Participants is at your discretion and should be discussed with your Partnering Provider/s prior to your Grant Application submission.

3.4 What are the Grant Recipient's responsibilities in relation to participants in a RET Activity?

Your main role in relation to participants is to:

- deliver services as agreed in your Grant Agreement
- provide a suitable and safe activity
- provide adequate and appropriate supervision
- provide appropriate experiences that will help participants become more employable
- monitor and report participant attendance
- perform a risk assessment for and registration of any Volunteer Unemployed Participants, and ensure any relevant checks (such as Police Checks) are completed before they commence

- manage the participation of Volunteer Unemployed Participants in face-to-face activities, including maintaining records
- ensure a COVID-19 safe plan is in place
- ensure there is adequate insurance in place to cover participants and the RET Activity
- adhere to any other requirements in this document.

4. Managing Participants

4.1 Registering Caseload Participants

For participants referred to you by a provider, the provider will manage the required job seeker risk assessments and any checks. There is no need for you to complete a registration form for participants on a jobactive, ParentsNext or Transition to Work caseload.

4.2 Registering Volunteer Unemployed Participants

For Volunteer Unemployed Participants you will need to have:

- completed a risk assessment of the participant (see Section 6.3)
- any relevant checks undertaken, where required, as defined in your Grant Agreement
- completed a registration form - available from business.gov.au. This includes a Privacy Declaration form that allows the Department to collect, use and share the participant's information with authorised entities.

You must not allow a Volunteer Unemployed Participant to be involved in the RET Activity:

- (a) if any relevant legislation provide or mean that the Volunteer Unemployed Participant must not be allowed to be so involved or placed; or
- (b) if:
 - (i) a relevant check shows that they have been convicted of a crime and a reasonable person would consider that the conviction means that the person would pose a risk to other persons involved in the RET Activity; or
 - (ii) there is otherwise a reasonably foreseeable risk that the person may cause loss or harm to other persons involved in the RET Activity,
- (c) unless you have put in place reasonable measures to remove or substantially reduce that risk.

All registration forms must be completed and signed before the participant can take part in any RET Activity and emailed to RET@dese.gov.au within 48 hours of commencement of the participant in the RET Activity.

4.3 Activity attendance records

You are responsible for recording attendance of participants during a RET Activity. This can be recorded in a number of ways including:

- recording Caseload Participants' attendance electronically using the Department's Supervisor App
- manual timesheets (template available at employment.gov.au/ret for Caseload Participants and Volunteer Unemployed Participants
- Caseload Participants self-reporting using their Job Seeker App or their MyGov dashboard.

Attendance records must indicate if a participant did or did not attend on a given day, including their hours of attendance.

4.3.1 Recording attendance via the Supervisor App

Information on how to use the Supervisor App, including setting up an account and marking attendance, is available on [youtube](#). If you have been identified as an Activity Supervisor, your details have been recorded and you will receive an eCitizen account activation email and SMS with an activation code. If you are not the correct contact, please let the Department know as soon as possible at RET@dese.gov.au. If you do not wish to use the Supervisor App, a sample timesheet template has been provided on [business.gov.au](#), or you may use your own timesheet as long as it includes the information in the template provided.

You will be able to use the Supervisor App to record attendance or non-attendance. You can also use the Supervisor App to update a record to 'Did Not Attend' where a Caseload Participant has recorded their attendance but then leaves the RET Activity prior to its conclusion. Note that while some Supervisor App guidance material refers to the use of QR Codes and passcodes, this functionality is not relevant for RET Activities and RET Activity Supervisors do not receive them.

4.3.2 Caseload Participants self-reporting attendance

Caseload Participants may be able to self-report using the Job Seeker App or via MyGov on their Dashboard to record their attendance.

If the provider determines a Caseload Participant is capable of taking personal responsibility for recording their own attendance, they will be required to record their attendance.

Some Caseload Participants may come to you for assistance if they are unable to record their attendance for any reason. In these instances, you are requested to use the Supervisor App or a manual timesheet to record the Caseload Participant's attendance.

Caseload Participant timesheets must be completed and sent to your Partnering Provider at the end of each week.

Volunteer Unemployed Participants

For Volunteer Unemployed Participants, manual timesheets must be completed and sent at the end of each week to RET@dese.gov.au.

4.4 Replacing participants

Where a participant is not attending their RET Activity, you will need to advise the Partnering Provider, who will seek to replace that participant, including through negotiation with other providers in the RET region, where required.

4.5 Do I have to take on participants referred by a provider?

You do not have to accept a Caseload Participant referred by a provider if you do not consider them appropriate for your RET Activity. You can also stop the participation of a participant in your activity at any time, where there is a reasonable reason for doing so. However, you must advise your Partnering Provider of your decision and the reason for making that decision. This will help the Partnering Provider in referring a replacement and in servicing the former participant.

4.6 Dealing with participants with challenging behaviour

A key purpose of RET is to help participants become more employable. Some participants will need more assistance and support to learn basic job skills, such as attendance and punctuality, the ability to take direction and getting along with other participants.

Where a RET participant displays behaviours that are considered to be challenging, you should:

- take appropriate steps to manage the situation
- advise the Partnering Provider and seek their advice on your options for dealing with this behaviour.

Where the behaviour being demonstrated is a threat to the safety of people in the location, the relevant authorities and your Partnering Provider should be contacted immediately. You must refer any requests made by the relevant authorities for the personal information of Caseload Participants (such as contact details) to your Partnering Provider, who will follow the required process for disclosing this protected information.

For Volunteer Unemployed Participants, you will need to consider each request individually in deciding whether disclosure to relevant authorities is permitted under the *Privacy Act 1988*. Further guidance on when disclosure is permitted is contained in the Australian Privacy Principles guidelines issued by the Australian Information Commissioner, which can be found at: oaic.gov.au

Further information about managing participants with challenging behaviours can be found at **Appendix A**.

5. Supervision

5.1 Supervision arrangements

As set out in your Grant Agreement, you must ensure that adequate and appropriate supervision is provided to all participants during a RET Activity.

For the duration of the RET Activity supervisors need to:

- be fit and proper persons to be involved in the activities
- have a high level of skill/knowledge, training or experience in:
 - a) the part of the RET Activity in which they are engaged, and
 - b) working with, training and supervising persons in such activities
- have relevant work health and safety training
- have passed relevant checks (such as Police or Working with Vulnerable People) and met any additional statutory requirements before being given responsibility for supervising participants.

There must be continuous supervision where contact with children, the elderly, or other people from vulnerable groups is involved.

5.2 Role of the supervisor

The role of the supervisor is critical to the success of a RET Activity. Supervisors are responsible for making sure participants feel accepted within the organisation during the RET Activity and managing the overall running of the RET Activity (in collaboration with the Partnering Provider). Some of the key responsibilities of the supervisor include (but are not limited to):

- making sure there is a safe system of work in place for the overall RET Activity and the health and safety of participants
- helping participants develop skills employers are looking for
- providing a supportive environment for participants and helping them to build relationships with other people within the organisation
- having good lines of communication for participants to give and receive feedback
- encouraging and recognising participants' contribution to the organisation
- assisting the participants to connect with the community
- acting as an employment referee where relevant.

5.3 What do grant recipients do if the supervisor for the RET Activity changes?

If there are any changes in the supervisor arrangements (for example a new supervisor is introduced or a supervisor is away) during the RET Activity, you need to notify your Partnering Provider as soon as possible. Any new arrangement will need to meet the supervision requirements. If you cannot meet the agreed minimum required supervision requirements, the RET Activity cannot go ahead. If a different supervisor needs access to the Supervisor App, you need to email a request to RET@dese.gov.au.

6. Work Health and Safety

6.1 Work health and safety requirements

The health and safety of RET participants is a priority for the program. Your organisation has the same work health and safety responsibilities for participants as you do for your employees, volunteers or members of the public. When hosting a RET Activity, you must make sure that your workplace and the RET Activity being carried out meet all work health and safety obligations under relevant legislation and program requirements.

Refer to your Grant Agreement for your responsibilities relating to work health and safety.

6.2 Risk assessment of the RET Activity

Before a grant agreement can be executed for a RET Activity, the Partnering Provider must conduct a work health and safety risk assessment of the RET Activity. The risk assessment must be conducted by a Competent Person - that is a person who has gained through training, qualifications or experience, the knowledge and skills required to carry out risk assessments and other specific work health and safety tasks, as set out in the *Model Work Health and Safety (WHS) Act*. The Partnering Provider should notify you once the risk assessment is completed.

Should the RET Activity involve Volunteer Unemployed Participants, the risk assessment should also identify the Competent Person who will be undertaking the risk assessment.

If a risk assessment identifies significant work health and safety concerns that cannot be mitigated to create a safe working environment or cannot be adequately managed by you or the Partnering Provider, the RET Activity will not be considered suitable to go ahead.

Risk assessments must be kept up to date.

After the start of a RET Activity, you must immediately inform the Partnering Provider of any proposed or actual changes to the circumstances or tasks being undertaken as part of the RET Activity. This allows them to review and update the risk assessment and to ensure the RET Activity continues to be suitable for participants.

6.3 Risk assessment of the participant

6.3.1 Volunteer Unemployed Participants

A Competent Person must perform a participant risk assessment for any Volunteer Unemployed Participants who wish to participate in the activity.

This assessment should assess the participant's personal circumstances (that is, working capabilities, any health or other personal issues and level of experience) including against information in the Activity risk assessment to ensure that the RET placement is appropriate and safe before placing them onto the Activity.

The RET Registration Form for Volunteer Unemployed Participants will provide an opportunity for the participant to advise you of any relevant personal circumstances, however the Competent Person undertaking the participant risk assessment should make use of all available means to ensure the RET Activity is appropriate and safe for each Volunteer Unemployed Participant and not rely solely on the information provided in the registration form.

Where the participant is considered unsuitable for the RET Activity, they must not be registered for the activity. You must retain records of each participant's risk assessment and any action taken. You are required to provide these records to the Department on request.

6.3.2 Caseload Participants

The relevant provider will have a Competent Person undertake a participant risk assessment for each individual Caseload Participant before they can participate in a RET Activity.

Each Caseload Participant will be assessed by their provider against the RET Activity's risk assessment to ensure that the RET placement is appropriate and safe for the participant, while also taking into consideration any relevant circumstances, work restrictions and required checks.

6.4 Personal protective equipment

Where a Volunteer Unemployed Participant takes part in your RET Activity, it is your responsibility to ensure that they are equipped with all required Personal Protective Equipment (PPE) to participate safely.

Providers must ensure that each Caseload Participant is equipped with any clothing, materials or other PPE that is required to participate safely in the RET activity.

Risks to personal safety should be addressed and controlled as part of the risk assessment of the activity and risk assessment of the participant.

6.5 Can participants drive a vehicle at the RET Activity?

RET participants can only drive vehicles as part of a RET Activity if **all** of the following criteria are met.

- It is required for the participant's involvement in the activity.
- The vehicle is:
 - a) registered with the relevant state or territory authority, including any statutory Compulsory Third Party (CTP) insurance
 - b) adequately insured for third party personal injury and property damage
 - c) well maintained.
- The owner of the vehicle consents to the RET participant driving it (this is required for the Department's insurance to be valid).
- The RET participant is legally licensed to drive the type of vehicle being used in the RET Activity. This is required in order to meet the Department's and owner of the vehicle's insurance requirements.
- It is determined through the risk assessment of the participant that it is suitable for the participant to drive the vehicle.
- There is appropriate and adequate supervision.
- Appropriate work health and safety arrangements/training are put in place (for example, well displayed traffic management plans, clear arrangements/training on how vehicles are to be used).

The Department's Personal Accident Insurance does not cover motor vehicles and property damage arising out of ownership, possession or use of the vehicle by the owner. These must be covered by the vehicle owner's registration, CTP and insurance.

It is important to note that part of the requirements for the RET participant commencing driving as part of the RET Activity includes valid registration, insurance and CTP of the vehicle. The Group Personal Accident policy will cover a participant should they be injured in a vehicle accident on a RET Activity. Depending on where the vehicle is registered/insured the participant may also be covered under the applicable statutory scheme covering vehicle accidents.

In the event that a RET participant has an accident and causes third party bodily injury and/or property damage whilst driving the vehicle during the RET Activity, this should be covered by the insurance arranged by the owner of the vehicle and their insurer.

6.6 COVID-19 safe plans

Grant Recipients **must** have in place COVID-19 safe plans created in accordance with the requirements specified by the relevant state or territory health authority before starting or recommencing activities. These plans should identify the procedures that the Grant Recipient has in place or will implement that ensure Volunteer Unemployed Participants are supported.

Grant Recipients **must** ensure activity supervisors and participants follow their COVID-19 safe plans and incorporate different and emerging circumstances surrounding an activity, location, or region.

Grant Recipients **must** also ensure each relevant activity host organisation has a COVID-19 safe plan, in accordance with the requirements specified by the relevant state and territory government, in place for each activity which involves face-to-face participation prior to placing any participant into that activity.

Safe environments

Grant Recipients should consult guidance and information published by Safe Work Australia and the relevant work health and safety regulator to determine if they have established a safe environment for the activity.

More Information

For more information on your local COVID-19 advice, safe practices and workplace principles, please visit australia.gov.au, safeworkaustralia.gov.au, and your relevant state or territory health authority information.

Links to enforceable government health and emergency directions and COVID-19 safe plans are available from Safe Work Australia at safeworkaustralia.gov.au/covid-19-information-workplaces/other-resources/covid-19-public-health-directions-and-covidsafe.

Please forward all other queries to RET@dese.gov.au.

6.7 What to do if there is an accident or incident on the RET Activity?

You must notify the Partnering Provider for Caseload Participants, or the Department at AssistanceProgramIncidents@dese.gov.au for Volunteer Unemployed Participants, in writing as soon as possible (and, in all cases, within 24 hours) of:

- any accident, injury or death occurring during, or as a result of, the RET Activity, including in relation to a participant or a member of the public
- any incident which relates to a work, health and safety issue, including 'near misses'
- any notifiable incidents reported to the regulator
- any proposed or actual changes to:
 - a) the RET Activity; or
 - b) the tasks being undertaken by a participant; or
 - c) the circumstances in which such tasks are undertaken; and

all notices and correspondence issued to you by any person under work health and safety laws, supplying full copies to the Partnering Provider.

To notify the appropriate entity you must complete a WHS Employment Assistance Program Incident Report form, available from your Partnering Provider and:

If the incident involves a:	Then you must immediately notify the:
Caseload Participant	Partnering Provider by submitting the completed form to them.
Volunteer Unemployed Participant	The Department by submitting the form to AssistanceProgramIncidents@dese.gov.au

You must also cooperate with any investigation undertaken by the Partnering Provider, participating provider or the Department concerning any work health and safety issues outlined above.

It is the responsibility of the Partnering Provider to notify the relevant provider for participants on other provider's caseloads.

It is your responsibility to ensure that you are aware of and understand the relevant work health and safety laws that apply to your RET Activity, including what incidents are notifiable to the relevant state or territory work health and safety regulator.

For further information regarding notifiable incidents in your jurisdiction, contact your work health and safety regulator. Contact details are available at safeworkaustralia.gov.au/about-us/contact.

6.7.1 Steps to take if a participant is injured at the RET Activity

In addition to reporting the incident as outlined above, if any RET participant is injured at the RET Activity you must:

- take all reasonable steps to remove any risk of further harm to the participant or anyone else
- provide assistance to them and where appropriate notify any emergency services
- tell or help the RET participant to seek medical advice from a registered medical practitioner as soon as possible after sustaining an injury
- immediately record all details (no matter how trivial it may seem at the time) of the incident including location, time and any witnesses
- immediately notify the relevant Partnering Provider for Caseload Participants
- advise your own insurer as appropriate.

It is the responsibility of the Partnering Provider and provider/s for their Caseload Participants to:

- For Caseload Participants, it is the responsibility of the Partnering Provider to complete and submit the required incident report/claim form to the Department's insurance agent and the Department.
- For Volunteer Employee Participants, you must notify the Department by submitting a WHS Employment Assistance Program Incident Report form to AssistanceProgramIncidents@employment.gov.au

6.7.2 Steps to take if someone else is injured or property is damaged during a RET Activity

In addition to reporting the incident as outlined above, if someone else (other than a participant) is injured or their property is damaged during a RET Activity, you must:

- provide assistance to the injured person and where appropriate notify any emergency services
- take all reasonable steps, following an accident or loss, to protect any person or property from any further injury, loss or damage
- not admit liability, enter into discussions with third parties, or make any statement implying fault or accepting responsibility as you may prejudice your claim with the insurers whose responsibility it is to accept or reject liability
- immediately record all details (no matter how trivial it may seem at the time) of the incident (location/time), any third party who has or may have sustained injury, loss or damage, and any witnesses to the accident or loss
- immediately notify the Department by submitting a Public and Products Liability Claim Form/Incident Report to AssistanceProgramIncidents@dese.gov.au. The report/claim will be sent to the Department's insurance agent and broker.

6.8 Insurance

The Australian Government has purchased the following insurance to cover participants while they are undertaking RET Activities:

- group personal accident insurance for an injury or death that occurs during RET Activities, including any associated training, and travel to and from activities
- combined liability insurance which covers participants' liability arising out of their negligence that causes personal injury to third parties or damage to third parties' property.

The personal accident insurance policy is not a workers' compensation policy. Participants in RET Activities do not qualify for workers' compensation.

This insurance does not change the requirement for your organisation to have adequate and appropriate insurance to cover liability or risks associated with the RET Activity. You must be aware of what is covered by the Department's insurance to ensure your RET Activity and the participants are adequately covered. The Insurance Reader's Guide provides an explanation of what is covered and what are the major exclusions.

As per your Grant Agreement, as a minimum, you must ensure you have and maintain public liability insurance, with a limit of indemnity of at least \$10 million in respect of each and every occurrence that covers your liability and the liability of your officers, employees, representatives and agents (including to the participant(s) in respect of:

- loss of or damage to any real or personal property (including the property of a participant); and
- the bodily injury, disease or illness (including mental illness) or death of any person (including a participant),

arising out of, or in connection with, the performance of its Grant Agreement.

The provider must ensure any jobactive, ParentsNext or Transition to Work Caseload Participants they refer to your RET Activity are adequately insured. Where the provider decides to not purchase any required additional insurance, and the insurance coverage remains insufficient, the Caseload Participant must not be referred and commenced in the RET Activity.

It is your responsibility to ensure Volunteer Unemployed Participants not sufficiently covered by the Department's insurance, are adequately covered by your organisation's public liability insurance or additional insurance purchased by your organisation. If the insurance coverage remains insufficient, the participant must not commence in the RET Activity.

While public liability insurance is an eligible expense, additional insurance costs incurred by your organisation is considered an ineligible expense.

Insurance Documents

You should refer to the insurance documents below for further details and contact your Partnering Provider to obtain a copy.

- Insurance Readers Guide
- Participant Insurance Guide (you are responsible for directing all Volunteer Unemployed Participants to this document before they commence in a RET Activity)
- Insurance policy/schedule/certificates of currency documents
 - Group Personal Accident Insurance Policy for Job Seekers and Participants
 - Group Personal Accident Insurance Policy Schedule for Job Seekers and Participants

- Certificate of Currency: Group Personal Accident Insurance for Job Seekers and Participants
- Combined Liability Insurance Policy for Job Seekers and Participants
- Combined Liability Insurance Policy Schedule for Job Seekers and Participants
- Certificate of Currency: Combined Liability Insurance for Job Seekers and Participants
- Job Seeker Incident Reports/Claim Forms
 - WHS Employment Assistance Program Incident Report form
 - Public and Products Liability Claim Form/Incident Report

7. Concerns or complaints

7.1 Issues with the RET program and participants

For issues relating to Caseload Participants, contact your Partnering Provider.

For all other issues, in the first instance discuss any concerns you may have regarding the RET program with your Employment Facilitator. You may also email any concerns to RET@dese.gov.au.

7.2 Issues with the operation of the RET grant

AusIndustry also has a complaints and feedback process. The complaint may be emailed to feedbackandcomplaints@industry.gov.au or posted to Complaints, CN Support Centre, Department of Industry, Science, Energy and Resources, GPO Box 2013, Canberra ACT 2601.

Appendix A. Guide to managing participants with challenging behaviours

The following information is not intended to be prescriptive in any way. It should supplement, not replace, existing internal operational policies and procedures. You need to apply strategies that suit your particular circumstances. You are responsible for informing yourself of your legal obligations and taking appropriate measures to comply with those obligations.

What is 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. These may include but are not limited to:

- physical violence against any person - for example, hitting, kicking, punching, spitting on or throwing objects at a person
- acting in a way that would cause a person to have a reasonable belief that assault was intended
- adopting a physical position or state and/or producing an object that a reasonable person would consider constitutes a serious and imminent threat of physical violence
- oral or written (including email or communication through social media) threats, abuse or harassment, inappropriate touching and stalking
- 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 the premises, use of the host organisation'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.

Incident management

Grant recipients may have a wide variety of expertise and arrangements to address challenging behaviours and these may differ according to location and circumstances. However, the following information may be useful to you in determining your arrangements.

It is useful to have an incident management plan in place that outlines the organisation's approach to managing situations of challenging behaviour or where a situation has potential to result in this behaviour.

Where an incident has occurred and you have reason to believe that the participant is displaying threatening, aggressive or violent behaviour or poses an imminent threat to another person or organisation, you should immediately call the relevant emergency service and the Partnering Provider. If it cannot be done immediately, it should be done within 24 hours.

You must refer any requests made by the relevant authorities for the personal information of Caseload Participants (such as contact details) to your Partnering Provider, who will follow the required process for disclosing this protected information. The Partnering Provider is required to lodge an incident report which will guide further action by providers or the Department (see section 6.6).

For Volunteer Unemployed Participants, you must record the details of any incidents of challenging behaviour and provide a report to the Partnering Provider. You must submit an incident report to the Department – see section 6.6 for details. You should consider any requests made by the relevant authorities for Volunteer Unemployed Participants personal information individually in deciding whether disclosure is permitted under the *Privacy Act 1988*. Further guidance on when disclosure is permitted is contained in the Australian Privacy Principles Guidelines issued by the Australian Information Commissioner, which can be found at <https://www.oaic.gov.au/agencies-and-organisations/app-guidelines/>

It should be noted that under the Freedom of Information Act 1982, a person has the right (with limited exceptions) to access information or documents held by the Department's contracted Employment Service Providers or the Department.

Case management of participants with challenging behaviours

Consistent with the internal operational policies and procedures of your organisation, warnings can or should be given to participants who show tendencies toward or display challenging behaviours so that they are aware of the consequences of this behaviour. Warnings may be verbal or in writing.

The Partnering Provider must be advised of any warnings given to a participant. The Partnering Provider (or the provider with whom the participant is registered) may discuss the management of the participant with you to determine the most appropriate steps.

For example, you and the Partnering Provider (or provider with whom the participant is registered) could create a case management plan for a participant who exhibits challenging behaviours. This should include a summary of the incident/challenging behaviour, a strategy to manage the challenging behaviour(s) and any servicing arrangements determined by the Partnering Provider or provider.

You can cease the participation of a participant however it is important to keep the Partnering Provider fully informed of your intentions and actions. Providers have contractual obligations to meet in delivering employment services to Caseload Participants and ensure their Mutual Obligation requirements continue to be met. It is therefore open to the Partnering Provider or relevant provider to withdraw a Caseload Participant from the RET Activity where they consider it appropriate.