



DISABILITY EMPLOYMENT SERVICES THE PURCHASING PROCESS

The Australian Government's new, more effective employment services for job seekers with disability will commence from 1 March 2010.

Following an extensive review of the existing arrangements that support people with disability in open employment, the Government has replaced multiple existing programs with two clearly distinct programs.

This will cut red tape, free up more resources to assist people with disability and employers and make assessment and referral processes less complex.

- Disability Employment Services Program A is for job seekers with disability, injury or health condition who require the assistance of Disability Employment Services but are not expected to need long-term support in the workplace.
- Disability Employment Services Program B is for job seekers with permanent disability and with an assessed need for more long-term, regular support in the workplace.

The purchasing process

The selection of successful providers to deliver Disability Employment Services was a two part process.

An open tender was conducted by the Department of Education, Employment and Workplace Relations for:

- 45 percent of Disability Employment Services Program A services
- the National Panel of Assessors to deliver a range of assessment services to enhance the access of people with disability to employment and workplace productivity
- one provider for the National Disability Recruitment Coordinator to provide assistance to large employers to develop and implement disability employment strategies
- one provider to deliver the Jobaccess information and advice service which provides help and workplace solutions for people with disability and mental health conditions.

The remaining 55 per cent of the available Disability Employment Services Program A business was allocated to the Government owned provider, CRS Australia.

There was a high level of support for the tender. In all, 202 tenders were received with over 1 300 bids across the range of disability employment services.

In addition to CRS Australia, 65 organisations will provide Disability Employment Services Program A services. There will be 76 organisations that make up the National Panel of Assessors.

Disability Employment Services Program B services have been sourced from providers currently delivering Disability Employment Network services. This was conducted as an Invitation to Treat and will mean 209 organisations will deliver Disability Employment Services Program B services.

Why was an Invitation to Treat approach adopted for Disability Employment Services Program B?

An Invitation to Treat is inviting an offer from an organisation to deliver particular services.

The objective of the Invitation to Treat for Disability Employment Services Program B was to minimise disruption and uncertainty for participants and employers currently accessing services from Disability Employment Network providers. The Disability Employment Services Invitation to Treat gave all Disability Employment Network providers the opportunity to offer to deliver services from 1 March 2010 without the need to tender.

Probity and integrity

The entire purchasing process was overseen by an independent probity advisor, Clayton Utz.

What is the role of the probity advisor?

The concept of 'probity' in a purchasing process is essentially about fairness and impartiality. It is about ensuring that a purchasing process is conducted in an ethical, transparent and equitable way, that due process is followed (for example, that the procedures set out in the Request for Tender document for the assessment of tenders are followed in practice), and that every tenderer is given the opportunity to compete fairly.

The Department of Education, Employment and Workplace Relations appointed an independent, external Probity Advisor (Clayton Utz) to ensure this occurred for the purchasing of Disability Employment Services. Clayton Utz oversaw the Disability Employment Services Program A and Employer Incentives scheme tender and the Employment Services Program B Invitation to Treat.

The Probity Advisor independently reviewed all documents published in connection with the purchasing process, and also independently and objectively reviewed all actions taken by the Department in the purchasing process to date. The Probity Advisor has provided an interim sign off that in its view, all procurement decisions made by the Department have been in accordance with the Request for Tender, Invitation to Treat or other process documentation.

Assessment of tenders

The Department undertook a rigorous and comprehensive assessment of all submissions to select the best service providers for job seekers with disability, employers and the taxpayer.

The Disability Employment Services purchasing process was aimed at selecting the best providers.

Quality decision making

The Department's purchasing process for Disability Employment Services Program A included multiple levels of consideration and quality assurance:

1. a team of two experienced departmental staff undertook the initial tender assessment
2. senior Account Managers reviewed and moderated the assessment for consistency
3. a formal quality assurance process was overseen by legally qualified staff

4. State Executive undertook a further comparative and consistency check
5. the Department's Tender Review Committee (TRC) comprised of senior departmental officials reviewed each proposed business recommendation, and undertook a review across each ESA, State and nationally.

For Disability Employment Services Program B, existing Disability Employment Network providers were invited to advise whether they wished to offer to deliver services from 1 March 2010 in current locations at agreed business levels.

Arms length decision making

The selection of providers for Disability Employment Services Program A, Employer Incentives scheme and the consideration of Invitation to Treat responses was undertaken through processes conducted by the Department of Education, Employment and Workplace Relations. Decisions in these processes were made by the Department at arm's length from the Minister and Government.

Next steps

Current arrangements for participants will continue until 28 February 2010. Existing and new Disability Employment Services providers will now begin preparation to start delivering services from 1 March 2010.

The outcomes of the purchasing process may have resulted in a minority of job seekers having a different Disability Employment Service provider after 1 March 2010.

For further information, please go to workplace.gov.au/ESPurchasing.