

Submission to the Workforce Australia Inquiry: Pre-Employment Programs and ParentsNext

DECEMBER 2022

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FIGHTING INEQUALITY IN AUSTRALIA

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About Per Capita

Per Capita is an independent public policy think tank. We work to build a new vision for Australia based on fairness, shared prosperity and social justice.

Our office is located on the stolen lands of the Wurundjeri people of the Kulin Nations, which were never ceded. We strongly support the Uluru Statement from the Heart and the call for a First Nations Voice to Parliament.

Per Capita's research and policy prescriptions are rigorous, evidence-based and long-term in outlook. All our publications and activities are intended to deepen political, social and economic democracy, and we are focused on challenges for the next generations rather than the next election cycle.

Our approach to public policy

Per Capita's approach to public policy challenges the dominant narrative that disadvantage arises from personal fault or failure by pointing out the policy choices that have deepened inequality and proposing alternative choices that will lessen it.

Our policy analysis and recommended solutions seek to recognise the challenges, and work within the complex economic, political and social conditions, of our age, such as:

- The impact of rapid climate change and extreme weather events;
- Growing economic inequality, with increasing returns to capital and a decline in returns to labour;
- The growing difficulty of accessing good jobs, adequate income support and secure housing; and
- The negative effects of privatisation and the deliberate shrinking of essential public services.

In doing so, we strive to incorporate new thinking in social science and economics, innovative ways of working with data, and effective evaluation tools to measure outcomes. We also engage actively with organisations across society, including the union movement, civil society, the community sector, academia, business, government and the public service, and social change movements.

In all our work, we seek to understand and highlight the experiences of those who bear the brunt of the effects of policy choices that exacerbate inequality, including underpaid and exploited workers, people who can't get a decent job, women, First Nations people, members of the LGBTQ+ community, people with disability and their carers, migrants and

refugees, and others who are marginalised by our economic and social structures and denied their fair share of power and resources.

We live and work in hope and solidarity

The democracy Per Capita works for is one that shares its knowledge, wealth and power, to ensure all its citizens can live meaningful and fulfilling lives, able to take care of each other and of our shared planet.

About the author

Dr May Lam has worked in policy, research and strategy in the education, employment and training fields for 30 years. She worked for 14 years at the peak body Jobs Australia, where she was Policy Manager and Deputy CEO, and for a year as a senior policy advisor at the National Employment Services Association. She has held roles at the Brotherhood of St Laurence, Jesuit Social Services, Social Traders, and worked also for Ingeus in the UK, a private provider of employment services, and on secondment to the UK Department of Work and Pensions. Her policy discussion paper called *Choice and voice in welfare reform* (2008) discussed what we can learn from people compelled to participate in government-funded employment programs.

Acknowledgements

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This submission is also informed by presentations and discussion at the Social Security Research Policy and Practice Network Workshop, 'Rethinking Welfare and Conditionality', held at Melbourne University on November 28, 2022.

Executive Summary and Recommendations

Per Capita welcomes the opportunity to provide a submission to the Select Committee on Workforce Australia Employment Services. This submission focuses on pre-employment programs, and specifically examines the role of ParentsNext in providing early intervention services to disadvantaged parents as part of the employment services system.

The submission considers the introduction of ParentsNext in light of the government's 25-year-old activation policy, which has also governed the design, contracting and delivery of other pre-employment and employment programs, including Workforce Australia. Our historical overview explains how both in its premise and in practice ParentsNext is a failed program. Our February submission to the Workforce Australia inquiry will recommend a fairer and more integrated employment service system that can better serve all people whose life transitions and challenges take them in and out of the search for work.

In this submission we conclude that ParentsNext is overweighted towards compulsory attendance and participation. It is too focused on managing parents' behaviour and time use, and it assigns to a complex web of government agents and information system processes the power to cause uncertainty, stress and harm, by suspending payments for non-attendance backed up by the risk of payment cancellation. The activities the program proposes and includes in participants' plans are too limited and are driven more by mutual obligation requirements than by an effective strategy to encourage and enable preparation for employment.

Ninety-five percent of Parent Payment Single recipients are women.¹ It is single *mothers* who typically face multiple challenges raising children on their own. That means the timing and nature of work planning should open up improved life chances and possibilities, not add to the burden of those who already bear the disproportionate workload of raising children.

While we believe that parents of young children face multiple challenges, and that compliance rules and sanctions have been applied punitively to date, Per Capita does not believe that ParentsNext should become entirely voluntary. Rather, we propose that applicants for the program be required to attend an introduction to a better service, after which participation is voluntary. We also propose a more flexible and iterative approach to follow up before any suspension is applied. This approach would avoid the stress and

¹ Department of Social Security demographics by gender, downloaded June 2022.

harms of the current Targeted Compliance Framework, and clearly, the program would need a significant re-brand built on genuine improvement to communicate this reformed approach.²

Compulsory initial appointments to provide information to parents, as well as to learn from them about their goals and needs for support, is an important way to advance their human right to get paid employment, one that can coexist with their right to social security payments while they raise small children.

Finally, the government has not learned nearly enough from people registered in ParentsNext and other pre-employment programs, to discover which aspects of the service are working, not working, or would work better for them, if available. There are immense opportunities to consult community groups and registered participants, to understand and respond to parents' goals and aspirations, their lived experience, and how services can best work for them.

The need to understand and address the continuing structural obstacles that parents of young children face in realistically considering their employment options is clear. Childcare, transport, and child-friendly employers and jobs remain the most stubborn obstacles to parents' joining – or re-joining – the workforce.

Recommendations

Recommendation 1

For people on Parenting Payment whose youngest child is at school or has turned four, ParentsNext should be trialled as a voluntary program, except for mandated introductory and after that regular appointments, one or two per year, to enable providers to:

- offer information about services and supports available;
- collect assessment information about parents' plans and goals, preferences for any voluntary future contact and communications channels, and interest in subscribing to information and offers; and
- collect information to support the design and provision of services and activities relevant to future work and learning options for parents, including childcare and transport needs

² This has been recommended by the National Council for Single Mothers and their Children in their submissions to the .House Select Committee on Workforce Australia Employment Services 2022.

Recommendation 2

Parents required to attend a mandatory introduction meeting should be offered flexible timing for appointments, and assistance for travel and childcare. Payment should not be suspended for non-attendance at the agreed meeting time until at least a week has passed, and three attempts have been made to make contact to arrange another time, or other evidence-informed modification along those lines.

Recommendation 3 – if Recommendation 1 is not adopted

The Department of Employment and Workplace Relations should investigate and analyse the points at which providers of ParentsNext have a conflict of interest in granting exemptions from participation requirements, recording participation failures, and assessing whether there is a *Valid Reason* that can lift or prevent the suspension of payment. It should also analyse and report on how providers vary in use of this discretion.

Critically, DEWR should consider alternatives to ensure a procedurally fairer and more transparent system that separates providers' roles in providing services from exercising discretion over exemptions and compliance failures.

Recommendation 4

DEWR should develop a research and evaluation agenda for the ParentsNext program, which includes input by community representatives and prospective ParentsNext participants, and use this research to inform program design, services and supports. Research should include evaluation of modified attendance requirements, assuming this proposed reform is adopted.

Recommendation 5

The Department should undertake a broader evaluation of pre-employment programs, which must include input by community sector representative groups and by employers. The scope of this evaluation should include:

- Participant profile analysis, including compliance and sanctions by activity types to which participants have been referred;
- How participants perceive the value of various complementary and pre-employment programs, and the extent to which pre-employment activities are generic in nature or have local jobs and employers in their line of sight;
- The conditions needed that enable pre-employment preparation and employment, such as travel, childcare, and digital access, and whether funding and services exist and can be accessed; and

- The extent to which pre-employment activities include information about pay and workplace rights, and the financial implications of paid work scenarios.

Recommendation 6

DEWR should analyse the ways in which providers refer registered participants to federal- and state-funded pre-employment and other complementary programs that these same providers or related entities deliver. The analysis should also examine referrals ex-house, and more broadly, maps and gaps for local services and how well these are coordinated, known, and used.

Recommendation 7

Jobs and Skills Australia should include in its agenda for workforce planning a more systematic way to work with industry/employers to identify the kinds of policies and funding incentives that would remove structural obstacles to employment participation for sole parents, especially job hours that relate to childcare responsibilities and access to affordable childcare.

The rise of activation policy: spending on employment programs to save on welfare

Per Capita believes that every Australian has the right to work, with decent pay and conditions. Being in work connects people to each other and to society and is typically associated with better mental health.³ The nation's employment services system is, therefore, an essential pillar both of social welfare and economic productivity, set on the foundation of a social security system that provides income support.

Per Capita's submission to the Employment White Paper explained how the Australian policy goal of full employment came to be abandoned. The Keynesian idea that unemployment is caused by insufficient demand in the economy to cause *involuntary* unemployment was replaced by the politically convenient shift during the 1990s to frame responsibility for being unemployed to qualities held by unemployed people in themselves, being insufficiently skilled, uncompetitive as job applicants, or otherwise unready to work in Australia's restructured economy. This deficiency of employability went along with the characterisation of people on unemployment payments as being at risk of becoming – or actively choosing to become – a 'dole bludger'.⁴

In 1997, the Commonwealth Employment Service (CES) was wound up and employment services outsourced. The policy narrative underlying service specifications for providers was the need to 'activate' the unemployed caseload to look for work, thereby avoiding the risk that they would become dependent on income support payments in the long term.⁵ In line for activation over the next two decades were people on the Disability Pension, reassessed to determine their capacity for paid work and moved over to the unemployment benefit, with new requirements for mandated job search. Next were people in Australia's remote regions, around 80 per cent of them Indigenous, compelled to put in 25 mandated attendance hours per week as a condition of getting payment.⁶

³ H Wilson and D Finch, Unemployment and mental health, The Health Foundation, 2021.

⁴ Emma Dawson and Matthew Lloyd-Cape, 'Full Employment in 21st Century Australia: A lode star policy in an age of uncertainty', Per Capita, November 2022.

⁵ See, for example, David Grubb, 'Activating job seekers: How Australia does it', David Grubb, OECD, 2012.

⁶ This was 10 hours a week more than their non-remote counterparts. The introduction of activation-focused programs has more than once been rushed, without reference to a good evidence base. A 2017 Australian National Audit Office review found that the Community Development Program, which brought in tougher rules for mandated participation did not take sufficient account of what had been learned from the implementation of its precursor, the Remote Jobs and Communities Program. Similarly, ParentsNext went to

Parents on Parent Payment have been the latest group to be activated, with the national rollout of the program in July 2018, after reducing to age 8 the condition of eligibility for Parent Payment Single in 2006.⁷

Behind the introduction of ParentsNext was its cost-saving premise. Per Capita has argued that the neoliberal rationale for ‘welfare reform’ has been linked to the aim of reducing the costs of social expenditure.⁸ In 2016 the government published PriceWaterhouseCoopers actuarial projections, which found that 4,370 single parents on welfare payments could be expected to spend 45 years on income support at a total cost to the taxpayer of \$2.4 billion.⁹

Unemployment benefits have been kept deliberately low over the past 30 years, dropping from around 50% of the minimum wage 30 years ago to around 40% today,¹⁰ and they are much lower compared with pension payments that also are not activity-tested – a way to maintain incentives to get paid work.¹¹ At the same time, employment service providers have been funded to focus largely on remedying each individual’s human capital deficit: their motivation to apply for jobs; an understanding of what employers are looking for (employability skills); good work habits and routines. A significantly privatised vocational

a tendering process for national rollout in 2017, before evaluation of its pilot phase was available.

⁷ P Peter Yeend, ‘Abolition of ‘saved’ Parenting Payment arrangements’, Budget Review 2012–13 Index, Parliamentary Library, 2012.

⁸ John Falzon, ‘We’ve Got Your Back: Building a Framework that Protects us from Precarity’, Per Capita, December 2020.

⁹ ‘Australian Priority Investment Approach to Welfare’, Department of Social Services, 2016’. This was based on actuarial modelling led by PriceWaterhouseCoopers. This modelling was cited in the Department of Jobs and Small Business’, *ParentsNext Evaluation Report*, 2018. ‘The estimated projected expenditure on future lifetime welfare payments for all people in Australia who received Parenting Payment during the period studied in the evaluation is around \$191 billion’.

Of interest therefore is PWC’s submission in 2017 to the House of Representatives Select Committee on Intergenerational Welfare Dependence, which explains that subsequent analysis from its earlier work for government showed that despite the odds [of intergenerational welfare dependence] 40 per cent of 22-year-olds who had very high parental welfare dependence up to age 15 *were not on income support* (around 21,500 people). PWC proposes exploring whether this is due to their location, their economic opportunities, or community programs, and suggests investigating whether linked experiences of housing, health or community supports might account for these outcomes.

¹⁰ This analysis by Peter Whiteford, Peter Whiteford, Crawford School of Public Policy, Australian National University, appears in various publications.

¹¹ Pension payments such as the Age Pension, Parent Payment, and Disability Pension are indexed to wages, whereas the unemployment benefit payment, is indexed for inflation. The spike in unemployment arising from the COVID pandemic in 2020, and the timely increase of , while welcome, reinforced the distinction between those unemployed through ‘no fault of their own’, and the rest.

education and training market has supplied lower-level VET qualifications to job seekers, and complementary language or literacy programs such as Adult Migrant Education or Skills for Education and Employment have added to the activities intended to put people on job pathways. Work for the Dole and Employability Skills Training are other mainstays to fill up the activity hours required.

As the social and employment services 'industry' got under way, employment services had the effect of *personalising* to each person their individual responsibility for being unemployed. Where 'intensive case management' did not result in employment, it would be time for Work for the Dole, to 'give back to the community', and 'build work habits'. The discourse, terminology and administrative practices of the government focused on labour *supply*; at best, someone in need of re-training or more confident self-presentation in a job interview, at worst, a work avoider. All this distracted attention from the problem of labour *demand*.

Research commissioned by the Department of Employment and Workplace Relations in 2001 illustrates dramatically the focus on work avoidance. Based on focus groups then interviews with 3,500 unemployed people, the research analysed two dimensions of employment motivation and job scope openness. It identified eight job seeker segments, only one of which, the Drivers, was active and eager to find work. Others were characterised as Selectives, Struggling, Dependent, Drifting, Cruising, Disempowered, Withdrawn. The government dropped its intended program of further research along these lines after welfare organisations objected, pointing out that the sample included lone parents and people with disability.

Though this is 20 years ago now, it characterises the concept of 'activation' that illustrates the paradigmatic account of unemployment being a matter of personal choice rather than the consequence of economic or even local labour market conditions.¹² One of the most fervent advocates of welfare reform, the then Employment Minister Mal Brough, explained in 2005 how the Coalition government would deal with this 'problem':

There will be a lot more activity required by both the Job Network members and hence the unemployed, so there'll be no rest, if you like. It's

¹² Data on local labour market conditions were included in regression analysis for star ratings to report on providers' comparative performance in the Job Network and subsequent programs, but this kind of calibration was never applied to the job application numbers expected of job seekers according to the labour markets where they lived.

*activity, activity, activity, and we know that leads to jobs, and it also messes around these people who say 'No, I just like the lifestyle of being unemployed.'*¹³

That same logic is realised, albeit in more refined administrative language, in the Targeted Compliance Framework that exists today. Guidelines for this set the tone and standards for behaviour management, advising providers what to do when people 'commit Mutual Obligation Failures' [emphasis added]. This includes the advice that: Behaviours that may be considered misconduct which prevent the purpose of the requirement from being met include being disingenuous, disruptive, or disengaged, [at a Provider Appointment, Third Party Appointment, activity or job interview].¹⁴

In the light of this putative 'choice' to evade mutual obligations it is instructive to consider the legitimate reasons for which people referred to ParentsNext were granted a wide range of exemptions in the 10-month period ending in August 2019. A total 37,373 exemptions granted to the cumulative caseload of nearly 78,000 in this period were for (in descending order): having more than four or more children; experiencing temporary confinement due to pregnancy of birth of a child; temporary medical incapacity; major personal crisis; domestic violence/ relationship breakdown; caring responsibilities.¹⁵ Many of these reasons for inability to participate in ParentsNext are gender-determined, and they also illustrate the priority and practical difficulties of managing life and responsibility for others.

Even though the impact of COVID-19 reminded the nation that unemployment can be involuntary, this has not, post-lockdown, changed the broad thrust of activation policy. And with messages coming from government for decades now about people avoiding work to stay on welfare, it is not hard to see why employers have avoided going to employment services to find their staff.¹⁶

¹³ Mal Brough, then employment minister, 2002, cited in Australian Broadcasting Corporation Radio National programme 'Out of Work, Out of Sight', 13th February 2005

¹⁴ Targeted Compliance Framework Guidelines for jobactive and ParentsNext

¹⁵ Question on notice no 97, Evidence to Senate Standing Committee on Education and Employment, Parliament of Australia, Canberra, 20 February 2019, (Rachel Siewert)

¹⁶ *I want to work*, Employment Services 2020 Report, 2020, p. 59. This is based on a survey of employers' recruitment experiences. The report also summarised what employers most want: a shortlist of suitable candidates, the right person for the job, one person to deal with, less useless applications, less red tape.

The value of both work *and* the safety net

There is ample evidence that substantial numbers of people on the broader employment services caseload need and want to work - or get more work than they already have, when they aren't earning enough to get off income support payments (meaning they can still have mutual obligation requirements). The Department of Employment and Workplace Relations reported to the House Select Committee on Workforce Australia Employment Services in November 2022 that it estimated around 100,000 people on the transferred caseload from jobactive to Workforce Australia had current or recent employment but were not earning enough income to get off unemployment benefits.¹⁷

The need to combine the two income sources needs a great deal more analysis. It raises questions about how the nature of labour demand, increasingly more precarious,¹⁸ interacts with choices and trade-offs for people on income support payments, with incentives to earn some income to supplement benefits and the disincentives of effective marginal tax rates and possible mutual obligations arising from being on a part-payment from Centrelink. Other factors come into play, like maintaining the certainty of a safety net payment, and continued eligibility for things like travel concessions, healthcare card, and Commonwealth Rent Assistance. The Senate Select Committee that investigated job precarity was sufficiently concerned about its impact on involuntary unemployment – and increasingly, *under*-employment - to recommend in its March 2022 report that the Australian Government “commits to providing an adequate financial and social safety net for all, including by ensuring that the JobSeeker payment is sufficient.”¹⁹

People on Parent Payment Single are likely to be especially concerned about maintaining their safety net, but this does not mean they are unwilling to prepare for employment. The evidence for this can be found in two sources of information yielded by Questions on notice in Senate Estimates (which ought not to be the only way that important data about a significant program are shared by government.) The first evidence is that the top five activities recorded in the Job Plans of 37,373 ParentsNext participants over a nine-month period to August 2019 were, in order: part-time or full-time study; paid work; work

¹⁷ Evidence to House Select Committee on Workforce Australia Employment Services, Parliament of Australia, Canberra, 3 November 2022, p14.

¹⁸ Matthew Lloyd-Cape, 'Slack in the system: the economic cost of under-employment', Per Capita Discussion Paper, 2020, describes the growing crisis of underemployment in Australia, its causes and costs.

¹⁹ Senate Select Committee, Parliament of Australia, Inquiry into Job Security (Final Report, March 2022).

preparation; and after that, activities for health maintenance and parenting skills.²⁰

The second source of evidence is the types of complaints registered by ParentsNext participants over 10 months in 2019. The major complaint, well ahead of the others, was about 'Inadequate, unsuitable, or poor-quality training offered by the Provider' (185 registered complaints). Many other complaints were about: 'Inappropriate or inadequate service' (157); 'Dissatisfied with Employment Consultant allocated by Provider' (90); 'Unprofessional behaviour by Provider' (87); Provider not honouring obligations' (32); and 'Inadequate access to Facilities' (28).²¹

These kinds of complaints about service quality indicate a lively engagement with what the service could and should offer, and they far outnumbered the sum of all complaints made about the Targeted Compliance Framework (108 in total). That last figure needs to be read with caution, however, since participants may well believe that a system that can sanction then for 'misconduct' (a word that appears 40 times in the Targeted Compliance Framework Guidelines) might be a system that knows whether they are making calls to the Customer Service Line to make a complaint, whatever assurances are given out in the literature about the process.

²⁰ Question on notice no 97, Evidence to Senate Standing Committee on Education and Employment, Parliament of Australia, Canberra, 20 February 2019, (Rachel Siewert) Response to Question on notice for a nine month period ending in August 2019 based on a total of 37,373 participants.

²¹ Question on notice no 94, Evidence to Senate Standing Committee on Education and Employment, Parliament of Australia, Canberra, 23 October 2019. (Rachel Siewert)

ParentsNext Impact evaluation: too late, too little, looking at the wrong things

While the government evaluation of the ParentsNext pilot program defended its value and impact, backing the decision already taken by the government to roll it out nationally from July 2018,²² it is clear from testimony and submissions to the Community Affairs References Committee and the Parliamentary Committee on Human Rights that people compulsorily referred to ParentsNext have experienced more material and psychological harm than they have benefited from the program.²³ Recognising the risk of these harms, and after delivering ParentsNext during its pilot phase, then as part of the national rollout from 2018 to 2021, the Brotherhood of St Laurence withdrew from the program, due to concerns about the Targeted Compliance Framework.

The Australian Human Rights Commission (AHRC) pointed out in its 2019 submission to the Community Affairs References Committee that the negative impacts of ParentsNext outweigh its benefits, noting that between April 2016 and January 2018, of the 22,000 participants then in the ParentsNext program, around only 2 per cent left after finding stable employment. By contrast, 22% of participants had at least one compliance report and 9.1% of participants were suspended from income support.²⁴

National data on health and wellbeing show that over a quarter (28.7%) of people living in one parent family households with dependent children had a 12-month anxiety disorder in 2020-2021.²⁵ Compulsory ongoing attendance takes away not just the time diverted away from parenting, but incurs unknown personal costs, not investigated in the ParentsNext evaluation, of the impact of compliance and sanctions on quality of life and wellbeing in general.

Despite adjustments to allow more time before automatic suspensions are applied, the punishment for not attending ongoing mandated activity requirements is clearly disproportionate to the intended benefits of the program. Various submissions to two

²² Department of Jobs and Small Business, *ParentsNext Evaluation Report*, 2018.

²³ Submissions to the Parliamentary Joint Committee on Human Rights' Inquiry into ParentsNext: examination of Social Security (Parenting payment participation requirements – class of persons) Instrument, 2021; and submissions to the Senate Community Affairs References Committee's Inquiry into ParentsNext, its trial and subsequent broader rollout, 2019.

²⁴ Australian Human Rights Commission submission to the Human Rights Committee Inquiry into ParentsNext, 2021.

²⁵ Australian Bureau of Statistics, National study of mental health and wellbeing, reference period 2020-2021, released 22 July 2022.

inquiries have shown how the application – or merely the threat – of those penalties has added stress and hardship to the parents of young children it was meant to help. This is not a way to encourage them to see the value of employment and feel well supported to prepare for it.

In 2017 the Department of Jobs and Small Business evaluation of ParentsNext did not appear to be willing to apply any lessons it could have readily picked up from community stakeholders, or parents themselves in the program. This evaluation manifested several methodological failures and an obvious determination to justify taking the program from pilot phase to national rollout. The AHRC's careful analysis pointed out inadequacies around data sampling, transparency around research and survey design, and the way that qualitative interviews were reported. Yet the evaluation concluded that 'Feedback from both participants and providers was positive and this was supported by the qualitative and quantitative assessments utilised in this evaluation.'²⁶

A fairer approach: mandating first appointments to inform voluntary participation

Despite the many hazards and shortcomings of ParentsNext in its current form, Per Capita believes it is not only reasonable and fair, but the responsibility of government, to invite sole parents with small children to consider their options for pathways into work or learning, and – equally important – to learn from them about what is most needed and will most help along the way.

The most challenging aspect of this is to determine, and to justify based on evidence, what kind of mandating might be reasonable and effective, especially when the current landscape of stakeholder views is distributed towards two polarised viewpoints. One is that of government to date, confident that continuing mandated attendance requirements are warranted, that the Targeted Compliance Framework is fair, and that the program is getting its intended results.

At the other end are those who seek to make the program entirely voluntary, who are rightly disturbed by the points covered earlier about the demeaning presumptions of a compliance framework that seeks to activate attendance, manage behaviour and cause material and psychological harms through the threat or reality of payment suspension and cancellation.

²⁶ Department of Jobs and Small Business, *ParentsNext Evaluation Report*, 2018, p51.

Per Capita believes there is middle ground to explore and try here, and a way to apply more effectively the government's funding commitment to employment choices and outcomes for parents returning to the workforce. This would mean trying to understand what would work better, and that would include mandating the first engagement with information choices and options to consider. It would mean breaking down the different aspects of what 'compulsory' attendance means: the communications about it, its timing, the flexibility of its offer, and the checks and balances that could make it a fairer and more transparent system of compliance.

In the current environment, and with the risks that have been outlined here, we can understand why in Australia there is not yet evidence about what kinds of "middle ground" options for mandated attendance with more safeguards might be feasible. In the early 2000s, the Department for Work and Pensions in the UK undertook an admirably detailed series of evaluations to inform and learn from its trial and implementation of mandated Work-Focused Interviews for sole parents, conducted by the government's employment service, Jobcentre Plus.²⁷ We do not in Australia have that kind of nuanced research and development agenda (which by now, in any case, is one we could doubtless improve upon). But it is one example of the kinds of research possible when there is genuine inquiry into people's experience of any activation regime, in relation to the quality of what they are asked to attend. How *would* people engage with services, given more genuine choices, and more relevant service options that they had the ability to shape? Might there be different kinds of appeal to recognise for different groups of people? These kinds of questions and more point to the need for a more open-minded, evidence-based research and dialogue.

It is impossible to separate the intrinsic merit of what ParentsNext could offer from the contracting terms of providers, in particular the payments they qualify for and how these interact with their delegated role in exercising discretion over activity requirements, creating a conflict of interest. Providers currently have a financial incentive to maintain their 'active' caseload to the fullest extent possible, with \$600 each six months for each person participating in the program. Their payments are adjusted down for the period that a person is suspended from participation requirements, due to an exemption that the

²⁷ See, for example, Vicki Goodwin, 'The effects of benefit sanctions on lone parents' employment decisions and moves into employment', Research Report No 511, Department for Work and Pensions. The Nudge Unit established by the UK government has been established to explore factors of choice informing engagements with public services that recognise more than purely financial drivers.

provider has discretion to grant.

It is concerning, therefore, to note that the rates of exemption from participation requirements across the 10 Local Government Areas in the pilot phase ranged from 12 per cent to 36 per cent,²⁸ and that a significant proportion of exemptions refused by providers (83) between 2 July 2018 and 31 October 2019 were subsequently granted on appeal (34).²⁹

How can such variation be accounted for? In-depth research by O'Sullivan, McGann and Considine with frontline workers in the employment services system explains the ways that they have devised various workarounds within the complex rules of the system, which they describe as a 'Category Game'.³⁰ This reveals a logic of casework practice that spends significant administrative time applying program guidelines to apply exemptions from sanctions, or re-classifying people referred to their caseload in ways that can avoid financial loss for the provider, where possible, while at the same time sparing the employment advisor/caseworker from knowingly causing hardship through sanctions for people they know cannot meet their mutual obligations.

This O'Sullivan et al study was not based on ParentsNext, but it reveals a culture of gaming the system within the administration of its activation regime. Though this might work in favour of people referred, it reveals a more widespread problem that needs to be brought to light, not just for ParentsNext, but for all contracted services.

Recommendations about the Targeted Compliance Framework and conditionality

Assumptions and principles informing these recommendations are:

- The imperative to avoid material hardship, stress and harm to parents of young children;
- The need to respect that parenting is care work, the value of which should not be regarded as an unreasonable cost to the social security system;
- That personal choice and positive reasons to engage with high quality pre-employment

²⁸ This information was provided by the Department of Employment in 'Frequently Asked Questions: Request for Tender for ParentsNext 2018-2021', December 17, when prospective bidders for ParentsNext asked about expected caseload and business shares.

²⁹ Question on notice no 248, Evidence to Senate Standing Committee on Education and Employment, Parliament of Australia, Canberra, 20 February 2019, (Rachel Siewert).

³⁰ Siobhan O'Sullivan, Michael McGann, and Mark Considine, 'The Category Game and its impact on street-level bureaucrats and jobseekers: An Australian case study', *Social Policy and Society*, 18:4 631-645.

and employment services, rather than compliance and sanctions, are more effective;

- The legitimacy of requiring attendance for an introduction to employment services, to explain the services available, to assess and understand the support needs of parents looking at a return to work, and how and when to best communicate with them; and
- That policy for compliance options and impact will be evidence-informed and procedures will avoid a financial conflict of interest in the exercise of provider discretion over compliance requirements.

Recommendation 1

For people on Parenting Payment whose youngest child is at school or has turned four, ParentsNext should be trialled as a voluntary program, except for mandated introductory and after that annual appointments, one or two per year, to enable providers to:

- offer information about services and supports available
- collect assessment information about parents' plans and goals, preferences for any voluntary future contact and communications channels, and interest in subscribing to information and offers
- collect information to support the design and provision of services and activities relevant to future work and learning options for parents, including childcare and transport needs

Recommendation 2

Parents required to attend a mandatory introduction meeting should be offered flexible timing of appointments, and assistance for travel and childcare. Payment should not be suspended for non-attendance at the agreed meeting time until at least a week has passed, and three attempts have been made to make contact to arrange another time, or other evidence-informed modification along those lines.

Recommendation 3 – if Recommendation 2 is not adopted

The Department of Employment and Workplace Relations should investigate and analyse the points at which providers of ParentsNext have a conflict of interest in granting exemptions from participation requirements, recording participation failures, and assessing whether there is a *Valid Reason* that can lift or prevent the suspension of payment. It should also analyse and report on how providers vary in use of this discretion.

Critically, DEWR should consider alternatives to ensure a procedurally fairer and more transparent system that separates providers' roles in providing services from exercising discretion over exemptions and compliance failures

Government's mutual obligation to job seekers is to measure what matters

On the first day of the Inquiry into Workforce Australia, the First Assistant Secretary responsible for Evidence and Assurance in the DEWR revealed, disturbingly, that:

Once somebody leaves our system after six months, we don't track them, apart from some surveys that we undertake—post-placement kinds of surveys... We're not able to better understand that person or that individual's circumstances; what industry they are in 12 months down the track; and whether or not the training that they received, either by a provider or that they decided to undertake themselves, was relevant to the job that they find themselves in.³¹

Yet this is the system that has commissioned billions of dollars' worth of employment services for 25 years, as noted earlier: pre-employment supports; Employability Skills Training; pre-accredited training; job search training; non-vocational training; coaching and supports; Work for the Dole; pathways into VET, apprenticeships, and traineeships, and various wage subsidies for employers.

At the same time – and of no less value and importance because it is not valued in dollar terms – people reliant on social security payments have put in millions of hours of human resource – at the risk of losing those payments – attending interviews to make plans to apply for jobs, get some training, show up, and do the reporting. Some of this has generated results, but for whom, when and how, has not been well-researched, especially from the perspectives of people with most skin in the game: unemployed people, and the employers who could hire them.

Though intended as a *pre-employment* program, ParentsNext was introduced into this wider culture of the employment services system. In considering ParentsNext in this submission, along with other pre-employment programs, we are even further back from learning, as the DEWR First Assistant Secretary pointed out, the outcomes for each individual, their circumstances, and how well 'the job they [will eventually] find themselves in' suits them.

The best indicator of success and performance of the employment services system, including its pre-employment programs, should be the quality of the job matches

³¹ Evidence to House Select Committee on Workforce Australia Employment Services, Parliament of Australia, Canberra, 3 November 2022, p14.

ultimately achieved. This would be best evaluated by the person looking for work and their employer. Longer term, job retention and progression are recognised generally as strong indicators of success, though these outcomes are obviously also dependent on the impact of effective marginal tax rates on earned income declared to Centrelink, and fair rates of pay. They are not the only performance measures: job quality is important, and there is, increasingly, strong evidence that job factors such as cultural respect and safety, or access to child-friendly work hours, can be important factors of outcome for people looking for work.³²

These lenses are missing from our current program evaluations. How well prepared and well-matched are the people who need and want work, and the employers looking for staff – the two parties our employment services should exist primarily to serve? The government’s review of jobactive shows that these are the two groups *least* well-served by the system.³³

Another notable absence in the Australian government’s evaluation agenda for employment services is a more independent, honest and nuanced investigation of the positive and negative impacts of compliance and conditionality regimes, not just as they are experienced by people referred to pre-employment and employment programs but by the frontline staff who interface with those people referred.

The analysis that follows illustrates how in Australia, policy and programs have unreasonably been tilted towards the needs of government and the provider industry, at the expense of its two most important stakeholders: people looking for employment and the employers who need workers.

³² A good example of work that could generate more relevant performance measures grounded in the lived experience of both people looking for work and employers is the 'Making the Match' project conducted by the City of Greater Dandenong Community Revitalisation team, with South East Business Networks and The Australian Centre for Social Innovation. City of Greater Dandenong, *Making the Match: Understanding and addressing barriers to accessing employment supports and employment in the Greater Dandenong area*, March 2021.

³³ *I want to work*, Employment Services 2020 Report, 2020.

Recommendations to improve services based on relevant information and the right data

Assumptions and principles that inform the recommendation to create a more evidence-based service for ParentsNext, are:

- Without the administrative burden, psychological stress, and loss of trust caused by the Targeted Compliance Framework, providers will have more time and energy to provide services to parents who engage voluntarily and have capacity to benefit from the program.
- More useful information should be collected about the services that are working, aspirations for employment or existing/previous employment that might be resumed or extended, practical obstacles to it, needs to be met to achieve individual goals, and existing supports valued by ParentsNext participants.
- Material obstacles such as access to local transport and childcare need to be understood and addressed as part of program supports,³⁴ as will the need to check parents' understanding of the impact on Parenting Payment of earned income and the net cost-benefit of working
- Outcomes definitions for the program and feedback from program participants are best referenced to their own goals and aspirations, not success measures defined by others.

Recommendation 4

DEWR should develop a research and evaluation agenda for the ParentsNext program, informed and advised by community representatives and prospective ParentsNext participants, and use this to inform program design, services and supports to be provided. Research should include evaluation of modified attendance requirements, assuming this proposed reform is adopted.

³⁴ Refer to the Appendix, which recommends mapping and meeting childcare and transport needs as an important condition of a reformed employment services system.

Employment services market design in its current form is not fit for purpose

ParentsNext shares with other DEWR-contracted employment services the risk of providers using discretionary powers of compliance reporting to achieve financial/ business goals for their organisation.

Since employment services were contracted out in 1997, provider organisations have sought to expand and grow their operations by bidding for each of the waves of contracting, not just the main programs such as Workforce Australia, Disability Employment Services, Transition to Work and ParentsNext, but a range of the complementary programs such as Employability Skills Training. They can also develop other services chargeable to discretionary spend funds like the ParentsNext Participation Fund that is available for drawdown; such in-house services could be, for example, things like job coaching and mentoring, careers counselling, or pre-accredited training programs.

Building up the complementary program suite is an even more logical commercial response to the Points Based Activation System (PBAS). The PBAS has made the economy of trading in compliance requirements even more explicit: job seekers earn activation points, providers earn income. The 75 hours of Employability Skills Training that the government pays providers for ‘...can help you meet your mutual obligation requirements’, the DEWR webpage advises job seekers, though the compliance framework that dictates those arbitrary hours requirements suggests that the mutual value proposition here is really between the government and the provider.

The interdependence of providers’ profitability with the policy settings for compliance reporting can be readily observed during Requests for Tender, when caseload projections, expected business share, and projected activity exemption numbers are subject to intense scrutiny by providers.³⁵

In summary, the range of contracts now let for employment services have the potential to put providers into a conflict of interest in various ways. This can happen through:

- a. Rewarding providers with more fees when they activate more of their referred caseload. That can be achieved by limiting the number of participation exemptions granted, as noted earlier, by finding that reasons for non-attendance at activities/appointments are

³⁵ See, for example, RFT Q and A for ParentsNext

- not valid, or by assessing a person as 'capable' of attending activities and appointments and therefore able to get more demerit points for missing appointments or activities;
- b. Allowing providers to refer people to chargeable activities within their own organisation, or a related entity of the organisation, reinforced by discretionary powers, if a person objects, to find a person has been 'disruptive', 'disengaged', or even 'disingenuous';
 - c. Inadequately advising people of their rights or entitlements, for example, their rights to the Privacy Waiver,³⁶ or providing information about what supports could be accessed using the Participation Fund.³⁷

Providers' dual role in monitoring and reporting compliance while providing chargeable services that are compulsory for participants puts participants into a position where their complaints can go unheard, they cannot vote with their feet, and ultimately cannot play a role in shaping the employment services 'market' according to what would be most useful to them.

When policy becomes the proverbial 'tail wagging the dog' of the employment services system, there is less time and energy, and missed opportunities to consider services that would work better for both employers and people, to get to a quality job match for longer term results.

Per Capita will elaborate on those three themes more fully in our submission to the Committee's Inquiry next February.

Recommendations about pre-employment and complementary programs

Assumptions and principles that inform these recommendations (which include

³⁶ 'ParentsNext: Help or hindrance? Report on the results of a survey undertaken by the National Council of Single Mothers and their Children & the Council of Single Mothers and their Children, June 2019, p7.

³⁷ See data supplied in response to Question on notice no 249, Evidence to Senate Standing Committee on Education and Employment, Parliament of Australia, Canberra, 20 February 2019, (Rachel Siewert). This showed that the Participation Fund was significantly underutilised in terms of amounts spent, with only 5770 out of a total 58,131 participants accessing services and supports from the Participation Fund in the period between July 2018 and October 2019. This is poor, when the fund might have been able to provide funds for driving lessons, transport, medical expenses, accommodation, and support to participate in education and training. This underspend is perhaps due to the time and effort needed for providers to evidence and seek reimbursement from DEWR. At the other end, though, two providers in the same period referred 464 and 483 ParentsNext participants respectively to services provided by their own or a related entity, outstripping by at least 400 the number of all other providers' use of the capacity to refer internally. This is not to suggest that the services behind those high internal referrals were of no value, but to raise the question: How could we know?

recommendations for ParentsNext) are the need to:

- Avoid the risk of people churning through Employability Skills Training courses, pre-vocational courses, and activities like Work for the Dole, without active choice;
- Ensure that people are not referred to these courses and activities because they represent income for providers, or otherwise to uphold a business model for providers;
- Recognise that despite all the spending on pre-employment and employment programs, there are still gaps and traps, such as needs for travel assistance, costs of attendance at activities, training, or work, including childcare; and
- Inform the design and delivery future employment and pre-employment services based on participant-framed and focused feedback about the value and outcomes of those activities.

Recommendation 5

DEWR should undertake a broader evaluation of pre-employment programs, which must include input by community sector representative groups and by employers. The scope of this evaluation should include:

- Participant profile analysis, including compliance and sanctions by activity types to which participants have been referred;
- How participants perceive the value of various complementary and pre-employment programs, and the extent to which pre-employment activities are generic in nature or have local jobs and employers in their line of sight;
- The conditions needed that enable pre-employment preparation and employment, such as travel, childcare, and digital access, and whether funding and services exist and can be accessed; and
- The extent to which pre-employment activities include information about pay and workplace rights, and the financial implications of paid work scenarios.

Recommendation 6

DEWR should analyse the ways in which providers refer registered participants to federal-and state-funded pre-employment and other complementary programs that these same providers or related entities deliver. The analysis should also examine referrals ex-house, and more broadly, maps and gaps for local services and how well these are coordinated, known, and used.

A labour demand-side paradigm: Working with employers for more parent-friendly jobs

A significant opportunity cost of ParentsNext in its current form is the diversion of government's attention to strategies that could create jobs in the line of sight for parents that would have hours, conditions and financial rewards that could work for them.

This should happen at a systems-level, bringing together the intended functions of Jobs and Skills Australia for workforce and skills planning with the program and funding capacity of employment programs in DEWR. It would shift a supply-side focus on getting people 'activated', and ParentsNext type evaluations that can only show that the means justify the means, when there is doubtful or non-existent evidence that it is helping people to get employment. Rather, the government should put more resources into research and development, working with employers, whose current worker shortages create excellent conditions for incentives to participate.

There are some promising examples of research and practice work trialling, with good results, new ways of working with employers to shift their conventional recruitment norms and practices: these can inform the agenda for a strong demand-side focus for a reformed employment services system.³⁸

Recommendation 7

Jobs and Skills Australia should include in its agenda for workforce planning a more systematic way to work with industry/employers to identify the kinds of policies and funding incentives that would remove structural obstacles to employment participation for sole parents, in particular around job hours that relate to childcare responsibilities and access to affordable childcare.

³⁸ See, for example, the work of the Given the Chance, a social enterprise of the Brotherhood of St Laurence providing group training and not for profit labour hire services for employers; also Social Ventures Australia demonstration projects trialling new ways to broker introductions between candidates and employers.

Forthcoming submission on Workforce Australia and the employment services system.

Our recommendations about ParentsNext and other pre-employment programs should be read in the context of Per Capita's analysis and recommendations about Workforce Australia, to be submitted to the Committee by 23 February 2023.

Those recommendations will in turn be guided by Per Capita's argument for wholesale reform of the employment services system. An outline of directions for this is included in the [Appendix](#). We are currently in dialogue with a range of organisations and individuals about those reform directions.

APPENDIX

The need for a reformed employment services system

This outlines Per Capita's work-in-progress on the features of a reformed employment services system, one that would reinstate core functions to a public employment service. They are ambitious proposals but arise from cumulative experience over nearly three decades of outsourced employment services that has shown the system is not working for the two key groups who have most stake in it: employers and people who are looking for work.

These recommended directions, still being developed by Per Capita, are based on the broad consensus that the current employment services 'market' has failed. Its multiple programs, while attempting to create specialised services for different cohorts – such as young people, people with disability, parents – has resulted in a system that is confusing, difficult to navigate and inefficient, because it has dispersed across multiple competing programs and providers the caseload of all unemployed people looking for work.

Employers are not looking for staff through the lens of 'cohort preferences', such as youth, people with disability, and so on. They are looking for the right staff. But in the current system, individual employers and individual job seekers are required to navigate their way to a job match on an ad hoc, self-help basis, unless they can be helped by intermediaries such as Group Training Organisations, place-based initiatives such as the Victorian Government funded Work and Learning Centres, or self-organising alliances such as Opportunity Wyndham. The need for these, and indeed, the introduction of by DESE of Local Employment Coordinators/Facilitators, has attempted to respond to the employment services system market failure.

The proposals here are based on the need to restore a strong and properly resourced public employment service, one with a clear mission to serve the public interest rather than being driven by the hope that a privatised, profit-driven model will somehow generate public value.

By resuming responsibility for the core functions of a national and local-level labour exchange, a public employment service would:

1. **Serve unemployed people better**, by creating better information, communications, and access to centralised and authoritative information about skills and jobs, and the design, delivery, and commissioning of the related specialist services and supports that address

specialist job seeker cohorts' needs, as well as specialist services and supports that address industry/employer groups' needs; and

2. **Serve employers better**, by enabling and supporting them to list vacancies, undertake workforce planning with better access to timely, local data and prospective workers, and plan to get the best use of – and value from – wage subsidies, apprenticeships, and traineeships.

Ultimately a system that better serves employers and earns their trust is a system that will enable greater access and a fairer go for the unemployed people who are looking for work. This system would not define and divide people into program categories based on a perceived deficit to be remedied, backed up by the 'activation' regime that will get them into paid work.

Instead, the system would be designed and delivered to serve its ultimate purpose: providing a high-quality service to help people match to jobs and skills pathways, recognising that a large proportion of the Australian population – especially in current labour market conditions – will transition in and out of work, across occupations and industries, and will in many cases make a living from a combination of income support and paid employment.

The following recommendations do not include the role of mutual obligation. Though in principle Per Capita believes that some form of mutual obligation is reasonable for people of working age who have work capacity – at least to learn about services and supports on offer – the terms of this need to be radically overhauled.

The discussion earlier in this paper on the specific case of ParentsNext illustrates Per Capita's view that mutual obligation policies and practices need to be trialled and learned from, and that while this happens, the system should not impose unnecessary stress and hardship.

Features of a reformed employment services system

1. An independent public employment service that offers walk-in open access to people looking for work or considering career and job choices, providing independent, authoritative, and timely information about locally available jobs and employers, along with information and advice about pay and award provisions and implications of earned income for Centrelink payments.
2. The rationalisation of differently contracted programs that have created multiple

competing providers in Workforce Australia and Disability Employment Services, dispersing caseloads into silos that are separately managed, inhibiting workforce planning, skills delivery, and effective job matching.

3. Contracts for licensed providers that provide pre-employment training and/or specialist case management supports, paid according to the actual costs of activities, whose design and delivery are informed by service users rather than by compliance requirements.
4. Employer recruitment and screening supports to be provided by the public employment service for entry level roles, or by contracted industry-specialists
5. Funding for multi-industry, multi-role pre-employment training models for apprenticeships/ traineeships, to ensure more informed industry/occupation choices and improve retention and completion.
6. An expansion of group training and not-for-profit labour hire models, to de-risk for employers the trialling and hiring of more diverse candidates than they would have considered. These might be industry-focused or cross-industry.
7. Wage subsidies that can be applied more flexibly, structured for employer incentives to hire diverse people who need more on-the-job training and supports.
8. Employer development support provided by the public employment service, to enable and advise on incentives for diversity hiring and job candidates with more upfront support needs; this includes support for employers to consider new ways to design jobs, recruit, and roster workers.
9. Community voluntary work hubs with physical infrastructure and skilled supervisors, and social and eco-entrepreneurs to enable and foster activities that create or otherwise coordinate a locally relevant mix of recycling/ upcycling/ mending/ re-sharing of food relief or surplus harvest, furniture, bikes, clothing, equipment.
10. Networked coordination of work experience and employment options in local social enterprises, not for profit organisations, and others that can offer meaningful volunteering, which might also lead to paid work as a pathway to other employment.
11. Development support for community-owned solutions, including worker cooperatives, for access to childcare, transport, broadband /computer access.
12. National and local independent advisory governance groups that include employers and intended beneficiaries from cohorts and communities, as well as delivery

organisations, to steer the work of the public employment service and other licensed and funded bodies.

13. A stronger role for the intended beneficiaries of the system; that is, people on income support and employers, in defining and monitoring outcomes, and a role in advising on funding priorities.
14. A reformed IT system interface with services users re-designed to realise more efficient and effective caseload overview, insights, and improved job matching strategies in the absence of provider competition, along with design functions that support the crowdsourcing of information about local employer and job seeker needs and suggested solutions.
15. Terms of contracting that require licensed providers to share information and be more transparent, about their cost models, caseload information, service and practice models and learning. This includes the sharing of any intellectual property generated through the contract.

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