

Disability Employment Australia

trading as



Response
to the
Productivity Commissions
Draft Report:
Disability Care & Support

April 2011

About this Submission

ACE National Network Inc (ACE) welcomes the opportunity to respond to the draft report produced by the Productivity Commission in relation to the current inquiry into a National Disability Insurance Scheme.

As with the initial submission, ACE will not seek to respond to all points made in the draft report – but will again focus on the issues directly related to employment opportunities for people with disability and the specialist employment services that support them.

It is important for us to acknowledge the overarching support we have for the implementation of a National Disability Insurance Scheme as outlined in the draft report – and the difference it will make to the lives of not only those with the most significant impairment, but individuals with disability across the continuum.

About ACE

ACE is the peak industry body for Australia's Disability Employment Services (DES).

ACE exists to represent the interests of our members at a national level to government and other stakeholders. We advise, lobby, advocate, provide training, information, events and promote the sector.

We have a particular focus on:

- government policy in relation to disability employment;
- issues impacting on the viability of the industry;
- barriers to workforce participation for people with disability; *and*
- better ways to get people with disability real jobs

In terms of the wider community, ACE identifies opportunities to get a “better deal” for people with disability participating in the workforce and educates the public about issues related to disability employment.

DES providers are funded by the Department of Education, Employment and Workplace Relations (DEEWR) to deliver a range of disability employment services to jobseekers with disabilities. They provide proactive, specialised, flexible and sustained support to people with disability through an articulated set of client focused and tailored interventions.

These services to jobseekers with disabilities include;

- Vocational guidance and support
- An active, individualised approach to jobsearch
- Support in managing whole-of-life issues before and after starting work
- On-the-job support to assist to establish people in the job and additional ongoing support to maintain that job in the longer term – a key defining aspect of the program
- Off-site support for those who do not disclose their disability

They also provide a range of services to employers including;

- Recruitment and selection assistance
- On-the-job training with new employees
- Technical assistance with job redesign and workplace adjustments
- Information about available government programs or funding
- Follow-up and back-up support
- Re-training of employees should they move from one duty to another or if a new skill is required
- Advice and training to co-workers about issues related to employing people with disability

The Disability Employment Services are an integral part of a continuum of support and services necessary to ensure that people with disability are able to play active, integrated and valued roles in the Australian community.

There are currently over 220 DES organisations spanning approximately 1999 sites across Australia.

Key Messages

- ACE welcomes the move to a model of care based on lifetime need rather than crisis intervention, and supports the proposed three tiered model for the NDIS as outlined in the draft report
- We welcome the acknowledgement that Employment is a critical component of the lifecycle of the individual with disability
- Disability Employment Services should remain a complementary program to NDIS packages as outlined in the draft report
- The quality of the NDIS assessment and its ability to be cognisant of employment and the supports available will be vital to lifetime planning for individuals
- Encapsulating specialist employment programs such as Australian Disability Enterprises (ADE's) under the NDIS umbrella offers a significant opportunity to redefine the role of such programs to develop capability and aid transition to open employment opportunities

Eligibility and Defining Disability

As mentioned in the introduction – we will not seek to respond to all aspects of the report, but will focus particularly on those aspects that impact on open employment for people with disability. However ACE believes it is important to make a statement in relation to the eligibility criteria outlined in the report. We would like to see the report move away from using diagnosis to determine eligibility – but rather look at the disability that occurs as a result of that diagnosis and the disabling impact on an individual's ability to fully participate in the community to assess the need and eligibility for a package of support.

Disability Employment Services – a Complimentary Program

From our reading of the draft report and interpretations of presentations we have seen since its release by the Commissioners, we believe that the model proposed places DES as a complimentary program sitting outside the funding of the NDIS, which is our preferred position. As we outlined in our initial submission - it is important to recognise what supports and infrastructure *are already in place* to support the increased participation of people with disability in the workforce. The ACE position continues to be that the building blocks of a really good system are in place in many ways, but better co-ordination of supports across the life course is required.

It is important to recognise that the DES program as it exists serves two equally important customers – the individual with disability seeking employment and the employer seeking to employ. While we see the clear benefit that the NDIS will be focussed on providing access to the additional supports an individual needs to reduce or eliminate their barriers to full community participation, situating DES as a complementary program will ensure that it remains a vital and specialised service to increasing workforce participation through facilitating and supporting the connection of people with disability and potential employers. Much of this critical work is done

with employers without a particular individual in mind – rather as advocacy work which while focussed on the business proposition – is sowing the seeds to grow more disability confident employers and communities.

Additionally, the breadth and degree of disability currently being addressed by DES falls significantly beyond the eligibility criteria of that proposed by the Commission as being eligible for a care and support package under the NDIS. To our minds, it makes sense that the DES continue to be funded federally as they are, ensuring that all individuals with disability who want assistance to gain and maintain employment can access them. The NDIS however, will allow barriers outside the scope of DES to be supported for those eligible to access a care and support package – ensuring the potential for full participation.

Lifetime Care and the Three Tiered Approach

ACE agrees with the Productivity Commissions findings in relation to the downfalls within the current system. Not only is it inherently underfunded, fragmented and difficult to navigate – but most importantly it is focussed on crisis intervention rather than a holistic approach to the lifetime needs of the individual with disability.

The proposed model for the NDIS represents a significant opportunity to move away from a predominantly deficits based model of service provision towards a more person centred lifetime management approach which would see investment in capability and development, rather than a reaction to here and now need as is the primary function of services currently.

As we mentioned in our initial response to the inquiry, we believe that it is critical from an employment perspective to ensure that individuals with disability are supported to manage the cost of participation and the barriers that disability presents to full participation.

Individuals with complex needs require a variety of services which address those needs in a coherent way, and without adverse effects in the way these services

interact with each other. Appropriate access to services relating to for example housing, transport and education are often a precursor to being able to successfully explore the options of employment. Without access to such services, or when access is difficult or complex in itself as is currently the case; the cost of participating (both financially and personally) often becomes too great, and as a result individuals withdraw (often not by choice) from participation.

The NDIS as outlined would provide an environment where costs of participation are addressed by a singular system which meets the individuals care and support needs and coordinates packages of care services to meet those precursory barriers to employment, and could effectively increase rates of workforce engagement for people with disability through the reduction in disincentives and increased supports to meet whole of life needs.

Additionally, the three tiered approach to the NDIS and the roles that each tier could encompass presents a real opportunity to address the non structural barriers to employment that people with disabilities face – such as attitudes, misconceptions and stigmatisation – and go a significant way to supporting on a broader scale the local work DES does currently at a local level through working with employers and community to increase disability awareness and confidence.

By utilising the NDIS and more significantly the Agency to raise disability awareness, break down barriers via promotion, research and information sharing – we could make significant broad headway towards a more inclusive and disability confident workforce within Australia.

Assessment

Much of the assessment that occurs in disability services currently is entrenched in a deficit model – show us (the assessors) how much you are incapable of and we will then provide assistance. ACE believes that this must change if we are going to move towards an inclusive community where people with disability are able to

participate fully alongside their non disabled peers. It will be important that at all levels of assessment – decisions and judgements are made that support development and capability building towards life goals – a model of investment in human capital. As a result, we believe that there is a significant window of opportunity to develop an employment related assessment tool that is evidence based, valid and reliable to be administered by the NDIA to replace the current Employment Services Assessment Tool.

As outlined on page 17 of the reports overview the NDIA would through tiers 2 and 3 assess the individuals need for supports required both from inside and outside the NDIS. By implementing an assessment process which utilises the above mentioned employment related assessment tool to assess all individuals wanting assistance to gain and maintain employment lead to a greater quality of assessment and access to the right services and supports, first time around as often as possible.

From the perspective of employment it will be vital to ensure that those conducting the assessment – particularly in an environment where the lifetime needs of a participant are considered, are cognisant of the role and importance of employment in an individual's life plan and that assessments are conducted from a capability development standpoint.

It will also be critical to ensure that assessors are well connected to all services that are available to provide support to individuals with disability and that there is a centralised, efficient and up to date information portal available to ensure connections to services and supports can be made quickly and seamlessly.

Transition to Employment Opportunities

ACE has a specific interest in respect to the proposal of encompassing specialist employment programs such as Australian Disability Enterprises (ADE's) and the currently state funded Transition to Work/Employment programs into the NDIS funded services.

In relation to ADE's – we believe this is a distinct opportunity to reshape the current program to ensure that they act as a more transitional model for training and capability building for people with disability – offering the development of transferrable skills within the work environment, rather than becoming an environment where many individuals become parked in segregated employment settings.

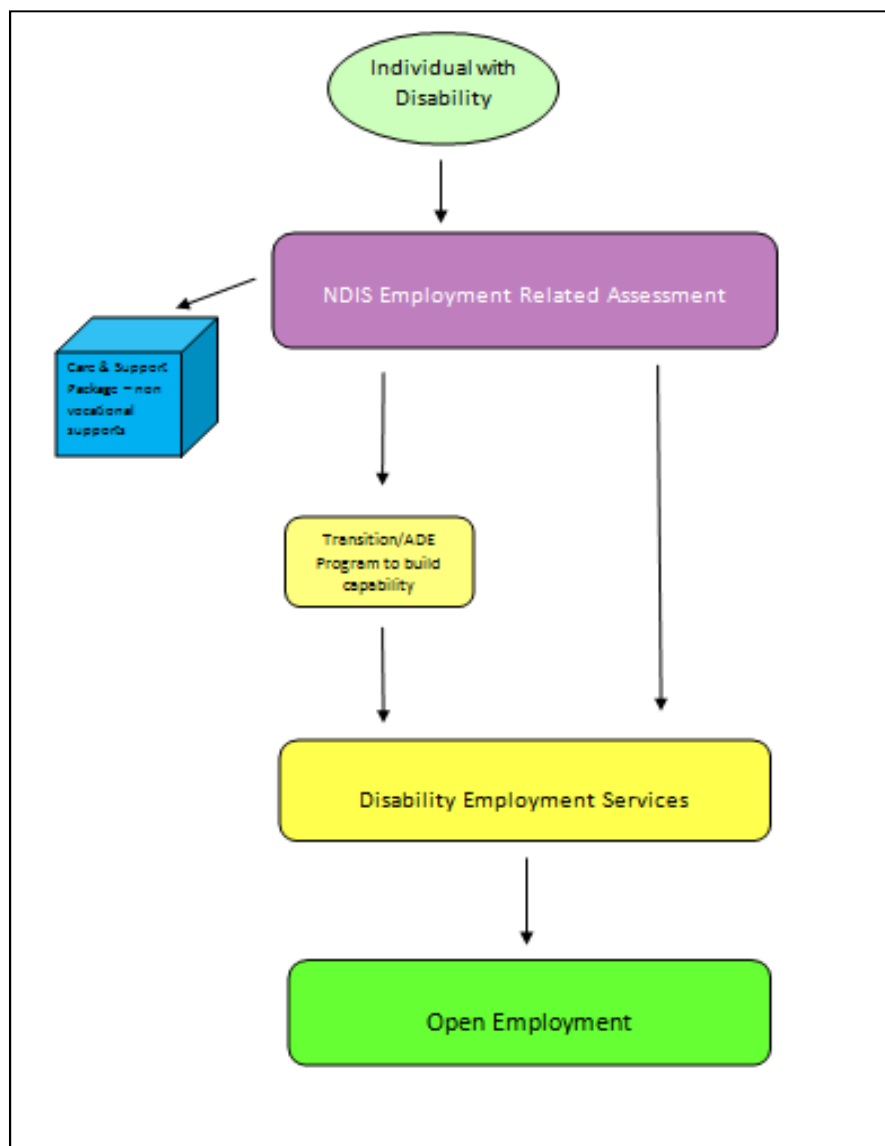
While we acknowledge that not all individuals who enter the ADE environment may look to transition out an open employment setting – it is still critical for these individuals to continue to grow and develop their capacity – something that does not necessarily happen in many of the current ADE's.

Additionally, moving the currently state funded transition to employment programs to a federal funding model will enable a consistent program of building skills and providing supports at critical transition points such as from school to work to be available nationally.

Under the current arrangements, access to transition to employment programs varies depending which state a person is based in. ACE believes that given DES services are provided at a national and consistent level – it makes good sense for the link between education and employment to operate in the same fashion.

Transition to Employment supports and ADE programs could act as a feeder program to DES for participants funded under the NDIS (see Figure 1) - allowing for more seamless transition at this critical juncture of an individual's life. This would prevent people from “falling through the cracks” as often happens in the current model as they would have adequate support out of the education setting, to build capability and transition to supports to find and maintain employment which meets individual goals.

Figure 1 – Pathways to Open Employment through Disability Employment Services



Additionally, a better structured transitional model with a focus on early intervention and capability development will ensure that we are skilling and fostering the potential of people with disability in the same way as their non disabled peers, and ensuring that we are growing a talent pool to meet the increasing needs of Australia's workforce and the employers with it.

Conclusion

While ACE is focussed on a small component of the NDIS – we provide our overarching support for the model and ideas outlined in the draft report.

It is important that every Australian is given the opportunity to reach their fullest potential and we believe that the implementation of such a scheme will provide a clear investment strategy in the development of individual capability for people with disabilities.

We congratulate the Commission on the draft report and look forward to seeing the final report and recommendations when released later in the year.

Appendix A:

How People with an NDIS package access Disability Employment Services

Disability Employment Services Program – not a care and support program – an complimentary program that is a dual focused = Two Customers – person with Disability and the Employer. A long term, relationship based program.

Fundamental premise: All people with a Disability have a manifest eligibility to access disability employment services to seek employment in the open market, regardless of cause or diagnosis.

DES is a federally funded national uncapped program offered consistently across Australia.

NDIS Process:

- NDIA assessment on employment capability in the context of whole of life requirements and based on an open employment first paradigm
- Person with disability accesses tier 2 and 3 in the context of their employment requirements, information and referral to local and/or specialist DES provider. Jobseeker would have choice of DES service they wish to register with and an improved ability to transfer if they are not satisfied with the service provision they are receiving.
- For tier 3 - brokerage/case management funding from the NDIS to assist with access to a federally funded DES where required. Also funds supports required to assist full participation – ie related to travel, technology, care requirements etc.
- Broker/case manager remains engaged as an advocate as required to ensure quality of service, achievement of outcomes etc in the context of the whole of life plan.
- DES services should be broadened beyond a one outcome only employment program to include career development, enabling people with disability to re-engage with DES if they wish to change jobs and/or employers, explore job advancement etc.
- Broker/case manager can be re-engaged as required throughout the individual's working life.

NIIS Process

- Individuals assessed under the NIIS would follow the above pathway – however consideration must be given to the impact of Section 23 recoveries under the Disability Services Act as currently applies.