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Disability Employment Framework.

**Submission to the Australian Federal Government Taskforce consultation
into the Disability Employment System, 2015.**

**Submission prepared by Peter Smith
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Submitted electronically, July 2015.

What is the purpose of the Disability Employment Service program?

Any review of the current program needs to start with defining what the program is about. At present the program suffers in that it is presented as a person-centred program to support people with disability enter the workforce, yet when examined against accepted definitions of person-centred practices, the program fails to satisfy even the most generous definitions of person-centred practice, as illustrated by the following comments.

Amado and McBride (2002) developed a framework for human services that propose to provide long term support for people with disabilities should support

- *People to discover and move toward a more desirable future.*
- *Protect and promote five valued experiences: sharing ordinary community places and activities, contribution, expanding relationships, being treated with respect and having a valued social role, and choice.*
- *Offer needed help in ways that support and strengthen community competence.*

Stirk and Sanderson (2012) noted that person-centred practice is a philosophy of practice that goes to the heart of the culture of a service organisation. Schalock and Verdugo (2012) made the point that individuals receiving services will have their own unique view of what a person-centred service is.

Collectively, these positions highlight the difficulties that the current program has in relation to being person-centred. It fails due to not having a clear vision and guidelines that allows service providers to alter their culture to reflect the notion that a person-centred practice is defined by the unique method that it delivers individualised service to a person with a disability.

The program of the future must clearly articulate to service users and staff what a person-centred program is, how it will operate, what the program can and will do, have sufficient flexibility to meet client expectations and provide a framework that allows staff to operate in a truly person-centred way.

There is a view that the current program is simply a compliance-based employment program that pays no regard to individual difference and is simply designed to reward service providers for how quickly they place clients into any type of employment without any regard to the clients' wishes. In that sense it is simply an extension of the current Job Active practice. Certainly, the absence of any measure of client satisfaction and appropriateness of employment in measuring the success of outcomes for service providers supports this view.

Work or Employment?

The program needs a clear definition of whether it is a work program or an employment program. Most employment programs within Australia operate from the Organisation for Economic Co-operation and Development (OECD)/

International Labour Organisation (ILO) definition of employment, that is simply stated as anyone employed for one hour or more per week is classified as being in employment.

Smith (2015) made the following observations regarding employment;

“This definition implies employment is undertaken with the expectation of an exchange of labour for financial return. However what is not clear is the notion that “work”, a term interchanged with employment and considered the same, may have a different meaning. For instance, many people undertake work of a volunteer nature with no expectation of remuneration. This would not be classified in the strictest sense as employment, but it does provide a return to the individual and society what could be defined as social capital, along with intrinsic benefits such as social inclusion and ideals around social justice.

In that sense meaningful employment should encapsulate personal values if it assists an individual to achieve their personal ambitions, supported by notions of personal health, security, well-being, self-image and self actualisation. It raises the question as to whether we have a clear definition of what is employment and what is work? Do we have an effective measure of employment or work that actually measures the benefit of employment or work for an individual other than simple financial gain?”

One possible lens to examine future disability employment programs may exist within Schmid’s Transitional Labour Market (TLM) model that takes a different view. Schmid (1995) proposed that our view of employment and in particular full employment, should change to reflect a more sustainable view of employment, including domestic and voluntary work. He pointed out that people are always in transition that also includes training or the accumulation of competencies during these transitions. In this sense, unemployment can be viewed as another career transition to be managed.

Measuring Outcomes.

The current model utilizes measures such as speed to commencement, weeks in employment marked by 13, 26 and 52 weeks as some of its effectiveness measures that are used to calculate remuneration or reward to service providers. This leads to the potential for only those most able to work being fully supported in this process by service providers. Allied with this, employment benchmarks of job capacity measured in hours being used as a guide to employment possibilities highlight the flawed nature of the program. Anyone familiar with Marc Gold’s work in the seventies would be familiar with the notion that present

capacity is not a useful guide to employment capacity. There are a number of local examples such as Parmenter's school work experience program (T.R. Parmenter 2015, pers. comm., 1st July) in Sydney in the seventies that highlight the universality of employment success being tied to appropriate supports, not intellectual capacity.

Long term employment success is conditional on a number of factors, including access to education or vocational training, work experience and necessary supports in the workplace that promote workplace stability.

The Australian Bureau of Statistics (2012) noted,

Access to education is important in helping individuals to reach their full potential, while access to employment is essential in achieving greater economic independence and inclusion. (Source: ABS (2015) *Disability, Ageing and Carers, Australia: Summary of Findings 2012*, cat. no.4430.0)

Whilst not discounting the necessity to manage scarce funding, the current outcome measures simply are a reflection of neoliberal economic philosophy that pervades policy development in some countries, notably the USA, Australia and the United Kingdom. In response to this brand of economic policy development, in 1997 a number of European countries began the development of Social Quality Theory. Beck (1998) defined Social Quality as;

the extent to which people are able to participate in the social, economic life and development of their communities under conditions which enhance their wellbeing and individual potential (p.3)

This definition or approach is much closer to our understanding of person-centred practice and provides a potential guide to the development of more appropriate outcome measures. In 2001, nine EU member states commissioned work on the application of Social Quality Theory to Employment. The outcome of this work; "Flexicurity and Security in Employment" was published in 2002. It also included nine reports specific to those commissioning countries that included amongst them the UK and Germany. Social Quality Theory and its growing evidence base would be a good starting point for developing new outcome measures.

Of the number of recurring themes that exist within current person-centred employment research is that of social inclusion and support to reduce barriers to entry into employment. These particular themes had previously been the focus of the Personal Support Program (PSP), a program within mainstream employment services that operated until the late 2000's that sought to address clients with significant barriers to employment through a holistic approach to employment. I note that in recent years this type of program has surfaced in recommendations for improvements to Disability Employment Service (DES), most recently in submissions by the Brotherhood of St. Laurence.

Clearly, it is becoming apparent that future outcome measures should also include the client perspective and measure success in terms of real community inclusion, not simply an increase in the number of people with disabilities in some type of employment. In a sense, our current outcome measure reflects the outdated view of people with a disability being seen in public is equated with community inclusion.

The National Disability Insurance Scheme (NDIS) – the Catalyst for Change?

The advent of the National Disability Insurance Scheme brings with it significant disruption to our historical view of service delivery to people with a disability. It also provides an ideal opportunity for a complete paradigm shift in how services are delivered and who delivers what.

The employment component of the NDIS is based on the notion that anyone with an employment benchmark of eight hours or less is eligible for services within the NDIS framework. Over that then you need to look to the current DES system. However, what is the difference between someone with an eight hour benchmark and someone with nine hours? Is there some magical lift in capacity that is simply separated by one minute? Clearly these are arbitrary and somewhat subjective in nature. Anyone familiar with Gardner's (1983) work on multiple intelligences would be well aware that intelligence or ability is situation-specific with any one of us displaying some type of inability or disability based on our knowledge, physical capacity, education and supports. As an exaggerated example, I know little about quantum physics and would appear to be an intellectually disabled, if I was required to explain or undertake that type of high level mathematical work.

The current processes for supporting someone with a disability into employment is quite frankly convoluted and serves only the interests of the providers. We have a mishmash of transition to work programs, open employment programs, sheltered workshops (ADE's), local learning networks and a whole range of hybrids that serve only small sections of the community. All have one thing in common; they refer to themselves as customized employment services, when in reality they are not. The misuse of the term is something that they have in common with the misused person-centred practice term. Many of these services view themselves as an end in themselves, when in reality a true person-centred service would be a well defined transition service that offered appropriate training, work experience, multiple exit points and ongoing support in the workplace to both the person with a disability and the employer.

The separation of the various disability employment services based on an arbitrary assessment of capacity is a barrier to employment that can be easily eliminated by developing a service model that is connected, that does not exit clients based on a funding model or nominal hours / capacity criteria; or worse based on which government department has oversight of the service. The advent of the NDIS is the perfect opportunity to develop an integrated service model that affords maximum client choice, eliminates costly bureaucratic duplication

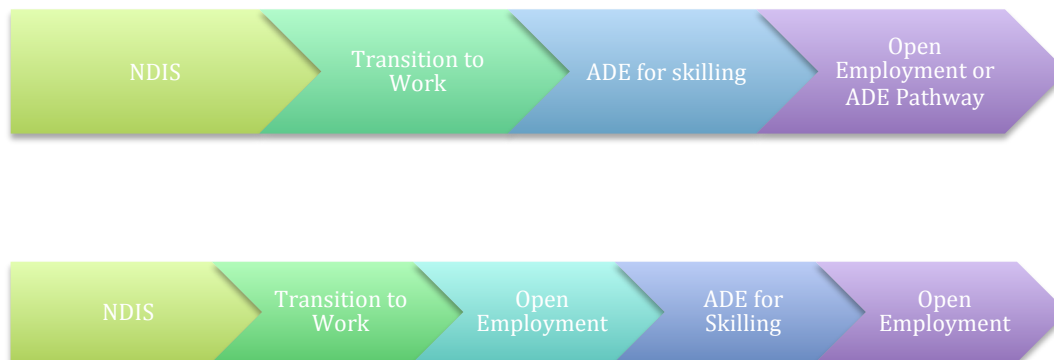
and by extension reduces the cost base and increases the opportunity for successful long term employment through maximising customized employment practices.

Disability Employment Services and Australian Disability Enterprise's - Time for a Paradigm Change.

At present there is little overlap or connection between Disability Employment Service (DES) – Employment Support Service (ESS) and Australian Disability Enterprises (ADE), yet they seek to achieve the same outcome, that is employment opportunities for people with disabilities. Both have issues around wages subsidies, job capacity, employment supports etc. Both profess to provide training opportunities to enhance employability, yet in truth they have little similarity. DES – ESS professes to be an open employment system, whilst despite the name change from sheltered workshops to ADE's, it is essentially a work enclave with little opportunity to enter the open employment market in reality.

In a truly person-centred system, DES – ESS, ADE's and Transition to Work programs would be linked as a continuum of training, work experience, ADE work and open employment.

Taking some influence from TLM models, clients could move between open employment and ADE's for further up skilling as they advance and need new skills to progress in the open employment market.



Clients would be free to enter open employment by choice through a transition to work program and then DES or through the ADE route. At anytime if participants in open employment required up skilling this can take place either with the employer or in an appropriate ADE. This would afford the opportunity for ADE's to restructure into proper training organisations that also provide work experience, along with employment opportunities for those participants who chose a particular ADE work site as an end in itself. Should clients of open employment find themselves unemployed, then it may be possible for them to re-enter the ADE framework for further skill development. Both ADE's and DES –

ESS should be structured to provide customized employment opportunities that lead to self or open employment, a model that works well overseas (Wyoming Workability Project) and with the addition of the NEIS program to employment services, one that's time has come.

Any period of unemployment should be viewed as an opportunity for up-skilling and resetting the client's focus, as per the TLM model.

With ADE's free to establish themselves as bona-fide training organisations with a direct link to employment opportunities, then it will be possible eliminate the current practices of employment service organisations exploiting the training system through placing clients in meaningless training programs with affiliates, with no real employment outcome as a goal and directly link training to employment outcomes. The only beneficiaries of the current system are those employment providers who either own training organisations or have symbiotic relationships. There is considerable evidence around the pointlessness of placing clients in courses where there is no real demand or the course is inappropriate for the participant.

There is of course the third pathway, which is via the existing NDIS registered employment specialists. These individual non aligned providers should be a pathway to customized employment through assessment, skilling and employment support. They may of course link with organisations that provide employment support services. Participants purchasing services via this pathway will also have the opportunity to have the same transitions as any other participant within the employment system.



Employers, the National Disability Recruitment Coordinator and Big Business.

Much has been made over the years about reasons why business should employ people with a disability. In tandem with a variety of disability awareness programs, the government currently or has run initiatives in relation to the benefits of employing older people, young people, indigenous people, people with a disability and other marginalised groups.

In essence there is an awareness program covering most eligible people in Australia. What this reveals is that employers do not employ because of fuzzy reasons based on any of the above groups. In reality, there is no imperative to employ anyone from any group other than are they the right person for the job and do I need to actually employ someone? Notions around employing people with a disability will increase sales via increased patronage by people with a disability; whilst noble sounding simply fails the commonsense test. People with

disabilities, like everyone in the community eat, work, shop where it is convenient and cost competitive. If the deciding factor was people who have similar issues to me, then by now we would have shops specific to that market. Granted we have specialist shops, but I can't recall seeing the old person supermarket, the disabled persons supermarket. The Ministry of Economic Development, Employment and Infrastructure in Ontario Canada, noted that customers with disabilities have the same preferences, perceptions, attitudes, habits, and needs as customers without disabilities, and they are looking for the same quality of products and services.

Over the past years there have been considerable sums spent on disability awareness programs, and along with the NDIS campaign, by now there will not be to many businesses not aware of disability. Yet despite this, there is no evidence of an uptake in employment for people with disabilities. What is needed is an approach that highlights the success stories of people with disabilities in employment that can counter some of the entrenched views held by society about the employment capability of people with disabilities.

Recent efforts by local councils in the east of Melbourne, which culminated in a business breakfast for employers to raise disability awareness and employment opportunities produced little in the way of employment other than the councils choosing to focus on their own employment practices. A success in itself, but not a great deal of interest from the wider community.

The National Disability Recruitment Coordinator (NDRC), which focuses on large business, is an interesting program, but it is questionable if large business actually needs assistance to employ people of any group, given the amount of human resource assets available to manage staff. When you examine the role and activities that the NDRC undertake, it is clear that much of what they do replicates services that already exist within the community. This service would be better focused at educating the business community about the business case for employing people with a disability, not the social case. Business is in business to make money, not provide welfare services.

The role of big business in employing disadvantaged people is questionable. Many groups have proposed quotas as solutions to the appalling low levels of employment by people with a disability, but until such time as government employment practices provide opportunities for people with disabilities, then it is unlikely that this is the pathway to success. Given the limited success the government has had in convincing business to employ other target groups in the community, then this will prove an exercise in feeling good rather than one that produces concrete results. The funding would be better spent at the ground level targeting skills and work experience programs that assist someone with a disability to acquire skills desired by employers.

Wage Subsidies, Disability Support Pension, Accommodation Funding and Wage Adjustments.

Ultimately the point of any government investment should be a reduction in government outlays over the long term. Granted people with a disability may require support for considerable lengths of time, possibly even a lifetime, there is no reason why overall outlays can not reduce on a per capita basis.

All programs that provide financial supports should ultimately lead to an increased personal exertion income by the person with a disability. By extension, this should result in increased tax receipts to offset some of the government support available to the individual. In the past one of the barriers for people to employment has been the notion that if they fall out of employment they would be without access to the disability support pension (DSP). Whilst some of this pressure has now been relieved, it may be appropriate to consider the notion that the DSP should be combined with actual earned income at a level to ensure that the person in receipt of it actually receives a combined income equal to the notional award wage for that work.

This simplifies the current dual system that exists within open employment and ADE's and eliminates the need for wage subsidies to be paid to employers. It also gives the government greater oversight on income and disability support pensions, along with easing the transitions between employment and unemployment and the possibility of retreating into poverty whilst waiting for the support payments system to catch up. Wages paid by employers would be based on assessment and agreed by all parties, with appropriate oversights in place. I might add that there are numerous examples of people with disabilities being employed on the same wages as able bodied people and in many cases outperforming their able bodied colleagues.

Summary.

Whilst there is much that is right and wrong with our current practices, the creation of the NDIS provides a once in a generation opportunity to shift entrenched views and practices and create a system that is rich in opportunity, focused on the person with a disability and throws out the old ways of doing things. There is an opportunity to create a cost effective system of disability employment services that meet the needs of the individual and governments desire to reduce outlays. It will only be achieved by taking a bold approach that eschews the status quo of providers dictating outcomes, using scarce resources to inflate their bottom line and paying lip service to real outcomes. It will take a bold resourceful enlightened government to achieve real employment outcomes for people with disabilities.

In essence nothing less than a true holistic approach to employment possibilities for people with a disability.

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