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This response paper has been specifically written to address the key discussion points addressed in the DES Reform Discussion paper of 2016.

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INTRODUCTION

Ostara Australia is a Disability Employment Services (DES) provider, operating in Queensland, New South Wales, Australian Capital Territory and Victoria delivering services under both Disability Management Services (DMS) and Employment Support Services (ESS). Formed in 2001 by a group of specialist mental health service providers, Ostara Australia became the largest DES provider in Australia specialising in the support of participant's experiencing Mental Illness. Today, Ostara Australia continues to deliver quality and effective disability employment services across its member network.

Ostara Australia provides a holistic approach to address the vocational and non-vocational barriers faced by disadvantaged Participants. Services we deliver are personalised to meet the individual needs of the participant, whilst working in collaboration with community organisations to transition people with disability and mental illness into sustainable and meaningful work.

We are proud to have matched over 1,500 participants with employers over the past year – creating more diverse and inclusive workplaces.

DES REFORM

DISCUSSION POINT 1: More Choice for Participants

1. What, if any, restrictions should there be (for example, region or distance) on participants choosing to attend a provider?
2. How often should participants be allowed to voluntarily transfer or switch providers?
3. What should be the basis of referral by Centrelink for participants who do not choose a provider?

Ostara Australia agrees that participants should be provided with more choice over the providers that they choose to receive services from. Participants should be able to choose the location and distance of the service provider without restrictions, as long as they can reasonably attend appointments or have easy access to the DES provider. Implications of this, is where a participant resides outside the ESA of a provider, the provider cannot provide servicing outside the boundaries such as necessary employment support. Where participants are able to exercise choice over the provider in which they choose to receive services from, DES providers should be given the opportunity to deliver effective mobile services to those participants outside their ESAs.

Participants should be able to voluntarily transfers and a maximum amount should be placed per Period of Service rather than per year. Ostara Australia believes that transfers should be done in negotiation between the participant and the gaining provider to ensure that a smooth transition between the services and the participant continues to work towards their employment goals. By providing participants with the option to just transfer voluntarily, places risks that those participants who are unwilling to work will use the transfer to 'provider of choice' frequently to avoid their Mutual Obligation Requirements. It takes time to develop a good and consistent working relationship with participants. Having no real framework on voluntarily moving to a provider of their choice can delay participants achieving sustainable employment.

Ostara Australia also recommends that the Department place appropriate measures to protect DES providers and their staff from aggressive job seekers that may use the

system to transfer between providers. The department should allow DES providers not to accept job seekers who may pose a potential threat to staff and other clients.¹

Allowing participant choice to be exercised purely based on star rating performance of a provider is not always a good indicator of quality services. DES providers are currently restricted to provide flexible and individualised services due to contract restraints and the department prescribing how employment outcomes are to be achieved. This is not conducive without sufficient understanding of the different types of disability or knowledge of the individual need.²

DISCUSSION POINT 2: Provider/Participant contacts

1. Should face-to-face requirements remain as part of the DES service delivery?
2. How often should participants and providers be required to meet, either face-to-face or by other means?

Ostara Australia believes that engagement with participants is the key to employment success. Contact appointments can remain in DES set at a minimum number. However, DES providers should be allowed the flexible to use various modes of contacts which include video conferencing and other means, in particular where there are circumstances that are preventing the participant to physically engage with a provider.

Ostara Australia also encourages the Department to consider job seeker participation in the DES program in a different format. Rather than prescribing the minimum number of contacts that a DES provider should see a participant, Ostara Australia suggests a minimum number of participation hours be introduced per quarter. DES is a capacity building program where it encourages job seekers to develop their capacity to work independently at their Benchmark Hours. Benchmark Hours are determined by the ESA/JCA based on the interventions that a job seeker may need to enable them to work at the required hours. Where 'participation hours' are introduced this can better encourage a job seeker to independently choose job searching activities that will meet their individual needs to gain sustainable employment and also encourage engagement with a DES provider. Participation Hours should resemble and reflect participants Benchmark Hours. Participation Hours can include a number of activities that can encourage engagement in job searching activities such as:

¹ APESAA Final Report, 2012, DEEWR

² Beyond the Stars: A new performance management approach for disability employment services; May 2016, Neville, Ann & Long, Brendan

- Provider appointments
- Counselling
- Vocational or non-vocational education/training
- Work experience activities
- And much more

DISCUSSION POINT 3: Job Plans

1. Should Job Plans have minimum requirements beyond what is necessary for mutual obligation requirements? Or should this be determined between each participant and their provider?
2. How can we ensure that participants are actively involved in the development of their Job Plans, or will the ability of participants to change providers if unsatisfied be sufficient?
3. How should providers be held accountable to ensure activities in the Job Plan are undertaken and supports are delivered? Will the ability of participants to change providers if unsatisfied be sufficient?

Job Plans came into effect from 1 July 2015 when much of the delegated authority to ensure participants comply with their Mutual Obligation Requirements has been transferred to employment providers. The current Job Plan Guidelines are very prescriptive and providers are required to ensure activities address barriers to employment rather than provide a real career path. In addition, the Job Plans contains no provision to demonstrate a participant's career goal rather all participants primary goal is to gain and sustain employment. The current Job Plan contradicts the requirements of the National Standards and as a DES provider we are required to ensure individual employment goals are recorded to meet the certification requirements against the National Standards. This too often creates administrative burden on staff and participants themselves are often confused to their requirements.

Ostara Australia recommends that job plans under the new DES model sits outside the Department's centralised system and focuses on career planning. For participants to achieve sustainable employment, options should be provided to them to identify their interests, strengths, skills and preferences, exploring life, employment and learning options and ensure that the activities best fits with their personal circumstances. An approach such as this can encourage more choice and control over the options that are available to an individual, work within an individual's strengths rather than focusing on

their barriers and effectively comply with Social Security requirements as participants may be more engaged to look for work.

The current Job Plan requirements, guidelines and performance measures focus too much in ensuring that participants meet their mutual obligations requirements as prescribed by the department, offering little flexibility to engage with services and attract high levels of customer satisfaction.³

DES core objective is to develop the capacity of individuals to gain and sustain employment, however, the tools provided to providers to enable this limits any ability to develop an individual's capacity for employment.

DISCUSSION POINT 4: Better information for participants

1. What information should be available to participants, providers and employers?
2. Should there be mechanisms to ensure no false or misleading claims are made against DES providers?
3. Should the Department facilitate access to information on accessible and user friendly platforms, or should this be purely market led (with providers offering such information on platforms of their own choosing)?

Ostara Australia agrees that there needs to be better information available for participants, employers and including DES Providers. Ostara Australia suggests the following:

- The Government should promote DES services better to employers, including the business benefits of diversity in the workplace, assistance that can be received from DES providers and other government funded services that can benefit and support employer business operations when hiring an employee with a disability. In addition, it should also support employer disability confidence in the workplace to help dispel any negative myths when hiring a person with a disability in the workplace.
- The government should consider platforms to combine all information about services that participants can receive from a DES Provider. Currently there is a platform mainly targeted for jobactive services, however there is no functionality available for DES recipients. The platform should also provide detailed information

³ <http://careers.vic.gov.au/exploration/a-fair-workplace>

of what services participants can expect to receive but also their responsibility and obligations of participating in a DES services so that they are adequately informed about the program itself. Presently there is a job access website providing most of this information, the Department can consider to better enhance the current facilitate and promote this service nationally to create awareness amongst participants, providers and employers.

- A consumer satisfaction rating is also welcomed for participants and also employers to make informed decisions about which provider they wish to participate with. Employers should also be given an opportunity to rate a DES provider in their capabilities in providing effective recruitment services. For example, Trip Advisor has been an effective system for many years for travellers to make informed choices about various holiday and hospitality services they wish to receive by reading reviews and ratings from other travellers who have had firsthand experience. Ostara Australia also recommends that a consumer driven satisfaction rating should also be considered in the performance framework as a source of delivering quality services rather than just basing performance on employment outcomes. This may encourage the DES industry to deliver better and more innovative services and results and encourage better compliance with the program. However, consumer driven satisfaction model does need to be regulated so it does not allow false or misleading information, in particular where it provides a platform for participants to vent their frustration as they may not have been compliant. At present, a large amount of employers have never heard of DES, mainly the larger employers where DES providers generally find difficult to engage with as they use the services of private recruiters or who may not be disability confident within their business processes.
- DES providers should also be promoting their own services within communities. The department should consider providing an initial 'fund' to assist the smaller providers to develop resources to promote their services in particular those providers who do not wish to become a national organisation and prefer to deliver DES on a smaller scale. An analogy of this is McDonalds versus a smaller gourmet but yet profitable burger shop.

DISCUSSION POINT 5: Participant controlled funding

1. There is considerable literature and experience in participant controlled funding in personal care. Is there any evidence of the effectiveness of participant control of third party funding in employment services?
2. In such a model, how much funding, if any, should be quarantined for job seekers to use through an account, how should this funding be made available to participants, and how could there be simple clarity as to what costs are to be met from participant controlled funds versus provider controlled funds?
3. What principles should guide the appropriate expenditure of any individualised funding?
4. What restrictions should apply to the use of the funds by participants?
5. How can participants who are unwilling or unable to use individualised funding be supported during the decision making process?
6. What restrictions should apply to the expenditure of the funds on services from a participant's provider or an associated organisation?

Ostara Australia strongly disagrees to a job seeker account model similar to JN/JSA/joabactive. Evidence suggests that a job seeker account model is too prescribed, too administrative and does not best represent as a model to enable a person with a disability to enter sustainable employment.

Where Participant controlled funding is to be integrated into DES, Ostara Australia recommends that the Department do trials over a three year period to work towards introducing such a model. At present, there is very little evidence to suggest that such a model will be effective in a disability employment setting. It is clear from the Youth Mental Health Trials that the Career Account did not lead to sustainable outcomes compared to the group who did not participate in the trial. Although the trial itself had its limitations, the Department should use the findings of this trial to improve on potentially testing the model over a longer period of time with wider range of DES participant cohort group.

When considering future participant controlled funding, the Department needs to consider the individual needs of participants to get into employment and sustain a job. Needs of participants extends further than receiving training or counselling. The funding needs to consider a participants 'whole of life experience' to gain and maintain

employment which includes their well-being, accessibility to fresh food and including yoga classes that supports their mental, physical and emotional state to remain in a job.

For example, Ostara Australia has purchased assistance for a participant to gain access to a swimming pool. The client was able to use a local swimming pool to improve their physical strength which significantly improved their back condition to be able to work effectively. It reduced the need for the participant to consume pain medication and they were able to maintain sustainable employment as there was a significant improvement in both physical and emotional well-being which is an important factor to sustaining a job.

DISCUSSION POINT 6: Entering the DES Market

1. How often should the Panel be open to entry by new providers?
2. How often should panellists be reviewed and what criteria should they be reviewed against?
3. What should the basic criteria be for joining the Panel?
4. How much time do providers need before entering into a market to set up their operations?
5. In order to supply DES in a specific ESA what should the requirements be for:
 - a) A minimum caseload?
 - b) ESA coverage?

Ostara Australia recommends that the Panel should be opened and reviewed every 18 months and new Panel members can have an opportunity to enter new ESAs. Ostara Australia believes 18 months should provide sufficient time to allow providers to perform and review their servicing arrangements to deliver effective services to participants.

Ostara Australia believes that a number of aspects should be considered when reviewing panellists. These include:

- Performance against the Star Ratings
- Customer satisfaction
- Compliance against the Deed
- Compliance against the National Standards

Where a new provider seeks to join a Panel, Ostara Australia believes the above criteria should be considered in addition to:

- Ability for a new provider to efficiently transition with minimal disruption
- Be able to provide services complimentary to the existing ESA arrangements to ensure continued consumer choice
- A need for more providers in the existing labour market region

To ensure that providers are provided with an opportunity to be successful in delivering effective services, a minimum caseload must be considered. Participants under the new arrangements will already have the choice and control to transfer providers if they are unsatisfied with servicing arrangements. Providers being given a minimum caseload should be adequate enough both financially but also be given the opportunity to succeed in an ESA. This will also ensure market stability and possibly prevent market failure in given ESAs.

However, Ostara Australia does raise concerns about how DES providers will enter a market. What the department need to consider is to ensure that providers are not giving away excessive incentives to participants to join their services only for participants later to be dissatisfied. The department needs to consider past unintended consequences seen by Registered Training Organisations where iPads, laptops and other incentives were given to prospective students to sign up to courses only to incur large amount of debts. All providers have the best intention of the participants and other stakeholders to deliver quality and effective services to ensure sustainable employment outcomes are achieved with optimum customer satisfaction.

DISCUSSION POINT 7: A single DES Contract

1. Would all providers have the capacity to deliver DES-DMS, DES-ESS and Ongoing Support under the proposed simplified contract arrangements?

Ostara Australia agrees with the simplified contract arrangements. Ostara Australia also urges the Department to consider the changing Australian economy in particular with the employment of people with disability and mental illness. The labour market has seen rapid and significant changes, in particular to the introduction of technology

that has replaced many skilled workers. Many people with health issues or disability are far more likely to have dropped out of school due to the impacts of their health or disability. This has significantly disadvantaged job seekers with disability to enter the workforce as they lack the necessary skills requirements. Furthermore, when considering a DES Reform of this calibre, it is important to consider the people that are impacted by mental health. It is reported that disability policies are not well suited to deal with mental health problems or people that are suffering from mental illness.⁴

All DES providers are accredited against the National Standards to deliver DMS and/or ESS; it must be assumed that all DES providers will have the capacity to service all participants with disability and/or mental health issues.

DISCUSSION POINT 8: Removing market share restrictions

1. What mechanisms should be adopted to ensure universal coverage in an ESA while maintaining a competitive marketplace?
 2. How should provider diversity be maintained to ensure participants have adequate choice of provider?
- Ostara Australia supports that notion that all ESAs should adequately cover all geographical regions. However, some restrictions should apply to prevent smaller performing providers from being weeded out of which will limit participant choice over the services they wish to receive.
 - Each ESA should include a diverse mix of providers including specialist providers that are experienced in working with specific cohort groups to provide better choice of services that participants wish to receive. In addition, a mix of for profit and not for profit providers who deliver varying types of support should be included in each ESA to allow for increase consumer choice and control over the services that best meets their needs.

⁴ OECD: Sickness, disability and work: Breaking the barriers. http://www.keepeek.com/Digital-Asset-Management/ocd/social-issues-migration-health/sickness-disability-and-work-breaking-the-barriers/executive-summary-and-policy-conclusions_9789264088856-2-en#.WEeAHvI96Uk#page4

DISCUSSION POINT 9: ESAs

1. Should there be ESAs, if so, how many ESAs should there be?
2. Should the number of ESAs be reduced if market share is removed?

Retaining the current ESAs will eliminate disruption in servicing participants and employers in particular during transitioning into the new contract. Furthermore, performance will be more equitable and measurable for providers, in particular smaller providers who do not have the means to stretch themselves out into larger regions due to financial limitations.

DISCUSSION POINT 10: Preventing market failure

1. What specific circumstances should be recognised as market failure warranting intervention?
2. If market share is continued in some areas, how should the level of market share be determined?
3. What interventions should be used to address market failure and ensure service availability?

There can be a number of circumstances that can warrant intervention where market failure is recognised. Ostara Australia has identified some of the following circumstances:

- A significant reduction of referrals or caseload to a DES service which can indicate an increase in competition or a reduction of quality services being delivered
- A significant number of lower performing providers which can indicate downward trends in local labour markets and economic factors in a region
- The number of providers withdrawing from delivering services in particular ESAs due to financial viability of a region.

The discussion paper clearly outlines that metropolitan areas can sustain more competitive market compared to the regional areas. The Government needs to consider and perhaps provide appropriate funding to providers in regional areas that will enable them to promote jobs and growth in those regions to support sustainable

employment opportunities for those local communities. This can help minimise risk of market failure and also support providers to deliver services in those regions more effectively.

DISCUSSION POINT 11: Ratio between service fees and outcome fees

1. What should the ratio between service fees and outcome fees be and why?

Establishing and maintaining relationships with DES clients takes time. Since the commencement of the DES contract March 2010, the government has transferred significant financial risk onto service providers, which has decreased funding per capita and meant that staff case loads increased providing less time to invest in job seekers to get them into sustainable employment.⁵ Whilst it can be argued that the proposed participant controlled funding will allow for employment related expenditure to assist participants into employment, the reduction of fees for DES providers will significantly put them at risk at not delivering quality services to job seekers. There is no evidence to suggest that higher outcomes will mitigate the risk of providers from ‘creaming’ or ‘parking’ job seekers. With participants being given the option and ability to transfer between providers, transferring those ‘hard to place’ or the ‘unmotivated’ job seekers to other service providers will not necessarily provide the opportunity for DES to deliver optimum services to be able to deliver quality employment outcomes.

⁵ Beyond the Stars: A new performance management approach for Disability Employment Services, Neville, Ann & Long, Brendon, NDS, May 2016

DISCUSSION POINT 12: 4-week and 52-week Outcome Payments

1. What should constitute an employment outcome under DES in a modern Australian economy?
2. How should the DES funding model incorporate the growing number of short term jobs available in the economy?
3. Should the new model replace the job placement fee with a 4-week outcome payment, and how many 4-week outcome payments should be available for each job seeker?
4. How should job seekers be supported in the period between the 26-week outcome and the 52-week outcome?
5. What level of payment should be attached to the 52-week outcome while keeping total DES expenditure within the current funding envelop?

DES Reform Discussion paper indicates that there has been a significant decrease in employment outcomes from March 2013 to June 2016. The Government need to consider while employment plays a big factor of social inclusion for people with disability, there is evidence that people with disability have lower rates of secondary and tertiary education which links to successful employment outcomes.⁶ As the Australian economy is moving towards a casualised labour market, it makes it more difficult for people with disability to attain ongoing and sustainable employment. The Government need to consider an approach of introducing a training/education outcome as an incentive to allow DES providers to develop the skill set of people with disability that will allow them a better opportunity to work in the open labour market. There are a number of reasons given for the low employment rates of people with disability which includes:⁷

- Low level of education and training,
- Declining demand of unskilled labour,
- Fear of losing benefits
- And more

⁶ Willing to Work Report, 2016:

https://www.humanrights.gov.au/sites/default/files/document/publication/WTW_2016_Full_Report_A_HRC_ac.pdf

⁷ Decent work for persons with disabilities: promoting rights in the global development agenda: International Labour Office, http://www.ilo.org/wcmsp5/groups/public/---ed_emp/---ifp_skills/documents/publication/wcms_430935.pdf

The Government should consider introducing appropriate incentives for DES providers that will allow people with disability and mental health issues to develop appropriate skills and capacity that will allow them to be competitive in the open labour market alongside people without disabilities. In particular, as the labour market is demanding a workforce to have a digital literacy, those individuals who are already removed from the labour market don't receive the same opportunities to develop the necessary skill sets required to obtain employment. More needs to be done, and the Government need to invest in the future workforce. Where people already removed from the labour market – recent changes to VET Fee Help further reduces the affordability to receive good education and training opportunities for disadvantaged people.

Ostara Australia agrees that support should continue between the 26 week and 52 week outcome. The support should be delivered in accordance to the individual need of the participant and where possible the employer themselves. The support should not only target the barriers to sustaining employment, but also developing a participant's capacity to upskill and remain competitive in the labour market.

DISCUSSION POINT 13: Service fees

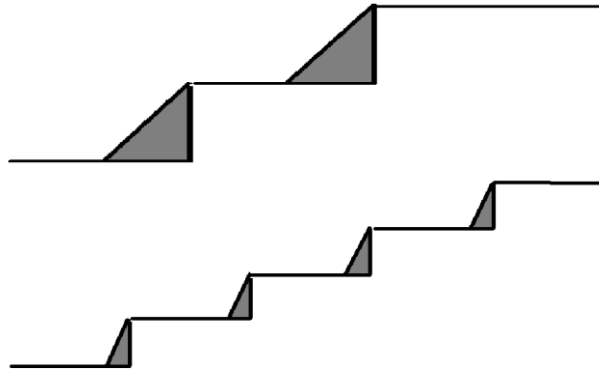
1. How should service fees work in the context of a funding model with risk adjusted outcome fees?

Risk Adjusted Funding makes sense for the reasons provided in the Discussion Paper. Ostara Australia's view is that the calibration of the funding level to the identified risk for each individual needs to be sensitive and flexible - while this will be more administratively intense for the DSS (and maybe DHS) this would help reduce two great problems in the sector - which is "parking" or "encouraging the moving on" of participants who are deemed to be "difficult" to another provider (which will be even easier in the future model).

To be clearer in the Table 3 on page 40, three funding levels are suggested (which is sense replay the three levels we have now of DMS and Level 1 and 2 of ESS). The steps between these levels are too big. When you have a big step the degree of difficulty of going up a step is increased. Thus there is always a group who within that step are "harder" and who could end up in the "too hard basket" for that step. If you imagine a set of steps think of this as the shadow area under the step. With more steps the shadow area decreases significantly (think of this as the angle of the shadow area below each step - see image below).

As an example (which is very unlikely to occur) if you had 100 steps (not unlike the % score in Star Ratings) then people could much more easily move along and the funding level be more precisely "calibrated" to their level of assessed risk.

If it was not possible for DSS to administratively accept such an individualised funding model (as is the case for the more individualised NDIS packages) then there should as a minimum be 5 levels (not unlike the Star Ratings).



DISCUSSION POINT 14: Pro-rata service and outcome fees

1. How should pro-rata and outcome fees be calculated?
2. How should pro-rata fees apply in the event that a provider ceases to be a member of the Panel?

Ostara Australia supports that service and outcome fees should be pro-rated. Ostara Australia recommends the following:

- Service fees to follow the participant and where the participants changes providers, the fees is to be calculated on the number of days spent at each provider
- Above principle should also apply for outcomes fees. The split will allow each provider to be adequately funded for the support and servicing provided to the participant by the number of days spent at each provider
- Where a service provider ceases operations in an area, the pro-rated fees should follow the participant to the new provider so that adequate delivery of service can continue for the individual participant.

DISCUSSION POINT 15: Determining eligibility and employment outcomes for ESLs

1. Who should be able to qualify under revised assessment criteria for ESL?
2. How could the level of disadvantage and work capacity be assessed for secondary school students?

Since DES Program commenced in March 2010 and the services became uncapped, there was an increase in Eligible School Leavers (ESL) seeking assistance to find a part time job whilst in school or alternatively post school options in the open labour market. In 2012, there was a significant shift in the ESL Guidelines as to the eligibility of ESLs seeking open employment options limited to only those students in their final year of school who attract education funding.

Ostara Australia recommends that all young people with disability seeking assistance to enter employment in the open labour market while in secondary schooling should have access to DES. There is much national and international research available suggesting that early intervention programs into open employment providing holistic support reduces long term reliance and dependence on welfare support where young people with disability have the opportunity to work whilst in secondary school. Young people with disability are more likely than their peers without disability to drop out of school and be socially isolated.⁸ This is further backed up for young people with mental illness who would not normally fit the Department eligibility criteria for ESL thus do not have the same opportunities to access open employment whilst completed secondary schooling.⁹

The Disability Discrimination Act (1992) provides a very clear definition of disability in the Australian context, yet many young people who are in secondary schooling who have disability or mental illness cannot access employment support as they are not considered 'unemployed' or eligible as ESL. As a result, this creates a high proportion of students at risk dropping out of school and not accessing the support of DES that will enable them to both work to gain financial independence and prevent social isolation while completing their year 12 studies. As part of the DES reform, the Department need to consider this an imperative to allow young people to access DES as an early intervention program to reduce future welfare dependence and increase the participation of employed people with disability. The Ticket to Work pilot reports

⁸ <http://www.tickettowork.org.au/research/study-shows-long-term-benefits-supporting-young-australians-disability-prepare-work/>

⁹ <http://www.tickettowork.org.au/wp-content/uploads/2014/06/tell-them-theyre-dreaming-Orygen-Youth-Health-Research-Centre.pdf>

that 86% of participants have been engaged in employment as a result of the early intervention program compared to 46% in a comparison group that have not been engaged.

DISCUSSION POINT 16: Improving the gateway

1. How can gateway arrangements be improved to enable a better connection to employment services for people with disability?

Ostara Australia welcomes an overhaul of the assessment process for people with disability and mental illness to enter disability employment services. The current process is lengthy and confusing. Majority of cases sees lengthy time frames for participants to enter the program to seek assistance and eligibility for DES is determined by ESAt/JCA. There is also anecdotal evidence where individuals seek assistance with DES and have disability and mental illness being referred to JSA/jobactive providers as recommended by ESAt/JCA.

The process needs to be simplified and participants should have more choice and control over the services that they wish to receive. The process can be as simple as a potential participant presenting to DES to register for services with a medical certificate from a medical professional confirming that they have a disability, injury or mental health condition. This will prevent waiting periods of an available ESAt to determine eligibility and provide participants immediate access to seek employment assistance. In addition, the administrative burden on placed on an ESAt/JCA, the participant and the DES provider can be significantly reduced allowing more time to work with the participant, identify their individual needs and transition them into sustainable employment.

DISCUSSION POINT 17: Assessments Review

1. What other aspects of ESAt/JCAs should be examined in the review?
2. Should there be:
 - a) Greater separation of ESAts and provider's own assessments, with ESAs focused on eligibility, work capacity and appropriate referral within DES and not extending to suggested interventions? OR
 - b) Should ESAts be developed and extended to provide more and better information on which providers could base their assistance, with less need to perform their own assessments?
3. How should the revised assessment process fit with other options for DES reforms outlined in this Discussion Paper?

Ostara Australia welcomes the opportunity for further literature to be examined on suitable assessment tools to establish a participant's work capacity and the ability to work. Ostara Australia recommends that achieving quality and reliable assessments should not be conducted in a one hour appointment as seen in the current ESAt/JCA process that determines a participant's suitability for DES based on the evidence provided to an assessor at the time of the appointment. Ostara Australia also suggests to the department to examine the possibility of introducing a system similar to DPis that was used to assess a participant's capacity to work in the DEN contract. Assessing a participant's employment prospects takes time and many DES providers use their own assessment tools at the point of entry into the program to identify vocational and non-vocational interventions required by a participant to gain sustainable employment. For example, at Ostara Australia our Career Planners are the first point of contact for our participant's. Career Planners, who are also Allied Health Professionals, sees the participant over 4-5 appointments assessing their barriers to employment as well as developing career plans using an accredited career assessment tools. This process has proven to be effective to move participants into suitable employment as quite often barriers are identified as well as skills of a participant that is quite often missed during the ESAt process.

Perhaps the Department can consider a more strengths based approach on assessing needs and capabilities of a participant rather than a medical based model used to determine eligibility for a DES program that is designed based on biopsychosocial model to ensure sustainable employment outcomes.

DISCUSSION POINT 18: Ongoing Support

1. Should the fee for service funding model specify minimum contacts and hours of support?
 2. What minimum servicing requirements should there be for each level of support?
 3. How should payments be determined for each level of support?
- A fee for service funding model is not supported by Ostara Australia. This will significantly increase the administrative burden on having to record information to claim payments, which will detract from delivering quality services to people with disability who require assistance to maintain their employment
 - The funding required should be relevant to the level of need to the individual participant and should not specify the minimum number of contacts that a DES requires to deliver support. Supporting participants in their employment can vary depending on their disability and other circumstances that impact a participant's ability to sustain employment. A recent Ostara Australia case study, Kate who has an Intellectual Disability has been assessed as requiring High Support assistance by an OSA. It is difficult to maintain weekly contacts to support Kate in her employment as the assistance she requires varies. There were instances where support was delivered fortnightly and the level of OGS was dropped to Moderate, only to have an incident and other changes occur in the workplace where support was required to be delivered twice a week by Ostara Australia staff for an extended period of time. This is a common case study amongst participants. It is often difficult to predict sudden changes to a person's personal circumstances and workplace situations. In particular for those participants who have degenerative conditions and their support needs increase over time.
 - The Department need to recognise that OGS cannot necessary be delivered with a prescribed minimum number of contacts, rather the hours that is required to support a participant to maintain their employment. One contact can vary from 30 minutes of support being delivered to 4 hours of support being provided in a workplace at the one time. In the current model, the fees are the same whether a DES provider provides 4 or 15 hours of support per month.
 - Ostara Australia recommends continued funding. However ongoing payments should be relevant based on individual requirements as the amount of support each month can vary. Thus a fee for service would be administratively burdensome and a model commensurate of individual needs to be considered.

- Skill development is essential to participants who are working and receiving OGS. DES providers should be given more flexibility in enabling participants to change jobs, skill training and other support mechanisms to maintain their employment.
- Ostara Australia also recommends where participants exit as an independent worker, they should be able to continue to access OGS for a fee for service basis if their employment is at risk or require extra support within a 12 month period of exiting DES. This will provide necessary interventions to employed participants to prevent them from losing their jobs and churning back into a welfare cycle.
- Ostara Australia supports the minimum working hours required for a participant to work to be exited as an independent worker. However, the department need to consider the fluctuations of the labour market where hours of work provided to a participant is beyond their control and the implications this may have on DES providers to continue to deliver OGS to help participants increase their hours in their current employment.

DISCUSSION POINT 19: Job in Jeopardy

1. How can we better define when someone's employment is considered to be at risk due to their disability?
2. How can we increase employer awareness on JIJ?
3. Does the current fee structure reflect the services being provided and outcomes being achieved?
4. What is a more appropriate name for JIJ?
5. If a JIJ participant chooses not to disclose their disability to their employer, how should providers assist them in the workforce?
6. Should the JIJ service be integrated with Ongoing Support?

Ostara Australia believes that the JIJ program has a lot of merit and should continue operating in DES. Ostara Australia had been marketing the program to employers and even renaming the program to Job Retention Program – a name that is more relatable and understandable to employers. Despite the best efforts to promote the service to employers, the program has had many implications. The implications include:

- Employers have raised concerns about the repercussions of signing a document confirming that their employee's employment may be at risk due to their disability, injury or health conditions. The concerns were viewed as being discriminatory and their employees may consider a litigation case as a result of using JIJ.

- The documentary evidence requirement to gather the prescribed evidence is a lengthy and confusing process. In particular employees with a disability needing immediate assistance need to take time off employment to gather current medical evidence to confirm their disability, injury or health condition and explain how their job is at risk as a result of their disability. This creates much anxiety with potential participants and much view taking time off to gather the medical evidence may put their job further at risk.
- Employees with disability are concerned that they may be treated differently and unfairly in the workplace by accessing JiJ program.
- Currently DES providers need to assess whether the JiJ participant may require further assistance for OGS post the outcome which is difficult to assess from the onset of the program. Ostara Australia believes where adequate support is provided during JiJ servicing, the need for further OGS will not be necessary. This creates huge implications in gathering evidence required to determine this future support need.

Ostara Australia recommends that the Department consider changing the name of Job in Jeopardy to a program name more suitable for employers and employees to identify with such as Job Retention Service.

Ostara Australia supports that JiJ should remain as a separate program within DES and a service that is specifically accessible for employers and employed people with disability.

Where a JiJ Participant chooses not to disclose their disability to their employer, this choice should be respected. DES providers can still provide the necessary support to the participant without the intervention of the employer.

DISCUSSION POINT 20: Transition issues

1. How can we ensure that DES providers continue to provide quality services to participants towards the end of the current contracts?

Ostara Australia agrees that minimal disruption to participants should occur during the period of transition. Ostara Australia suggests for the following points to be considered:

- The Department to provide adequate information to participants about the new DES services in 2018. Information should be provided well in advance so that participants have ample time to absorb the changes and understand how new

servicing arrangements can impact them. In addition, participants can be provided with choice to which service they wish to receive services from and make the transition into the new contract.

- For providers that are not continuing in the new contract should be provided with the option of an early exit to allow participants time to settle with their new chosen provider and ease into the new contract arrangements
- The Department should allow a transitional period for all providers to adequately settle into the new servicing arrangements. Ostara Australia recommends a 6 month staged transition to be able to manage participant expectations and ensure that there is minimal disruption. This will also allow any new servicing arrangements to be tested adequately and DES staff to settle into the new contracting arrangements without extensive confusion about contractual obligations. The department need to consider and implement an effective transition process and ensure that Panel Members a degree of certainty in key important aspects of the reformed DES.