



DISABILITY

Official **Adviser** to the NSW Government

Department of Social Services
Disability Employment Services Reform

Via <https://engage.dss.gov.au/disability-employment-services-reform/disability-employment-services-reform-make-a-submission/>

Dear Sir/Madam

On behalf of the Disability Council NSW, I am writing to respond to Department of Social Services' (DSS) call for submissions on Disability Employment Services (DES) reform.

About the Disability Council NSW

The Disability Council NSW (the Council) is established under the *Disability Inclusion Act 2014* (NSW). The Council's main responsibilities under the Act are to:

- Monitor the implementation of Government policy;
- Advise the Minister on emerging issues relating to people with disability, and about the content and implementation of the State Disability Inclusion Plan and disability inclusion action plans;
- Advise public authorities about the content and implementation of disability inclusion action plans;
- Promote the inclusion of people with disability in the community and promote community awareness of matters concerning the interests of people with disability and their families;
- Consult with similar councils and bodies, and people with disability; and
- Conduct research about matters relating to people with disability.

The Council is funded by the NSW Government through the NSW Department of Family and Community Services (FACS) and is supported by a secretariat team within FACS.

Introduction

The Council welcomes the opportunity to make a submission to the DSS regarding the Disability Employment Services (DES) discussion paper (the Paper). Employment is a key area of focus for the Council, and we recognise the important role of DES in improving the participation of people with disability in Australia.

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The Council generally supports the Paper's aim to create a more client-focused DES system.

However, the Council recommends that:

- the new model engages people with disability throughout the support cycle
- assessment processes should be transparent
- resources, information and support services should be available at all stages to job seekers
- there should be clear processes for review in case of disagreement.

The Council's more specific comments are below, organised under chapter headings from the Paper.

Improving Participant Choice and Control

The Council strongly supports the proposal that participants should have greater choice of providers and should be able to change providers if they are unhappy with the service provided. DESs should also maintain strong linkages with mainstream employment providers so that participants can consider this option as well.

It is important that participants have access to information to assist with their choice of provider. This should include qualitative information about what to expect from a provider (ie what constitutes a good service) and information on the experience of other participants.

Where people do not wish to choose a particular provider, the proposal that people are referred to services with good results in gaining and maintaining employment for participants is supported. In doing so, it is important to consider the individual needs of the participant in the referral to match the capabilities of the provider to the specific needs of the individual. For example, a provider with very good placement outcomes overall may not achieve the same results for a specific group.

It is Council's view that the Job Plan should be more holistic and flexible and grounded in person-centred principles. Participants need to know what to do in the event of a complaint or dispute, and the obligations on both parties need to be clear.

Driving Competition and Contestability in the Delivery of DES

In the experience of the Council, increasing competition does not, in itself, necessarily assist people with disability who have complex support needs to gain and stay in employment. For example, improving market access and removing market share restrictions may unintentionally result in a market dominated by a few large providers. There is a risk that this could result in standardised operations, which may conflict with the principles underlying the new model.

Further, the 'market' as defined by the new model will need to be tested against the full spectrum of service provision. There is currently little support or incentive for employment services to take on and assist people with disability in or exiting the criminal justice system. For example, providers working with prisoners may not be viable if fees received are not adequately aligned with the work undertaken, when people exiting the system move out of the area and gain employment via a different provider. In such a scenario, the organisation initially working with offenders should be funded in a way that allows it to remain viable.

The Council shares the Paper's concern of market failure in regional Australia under a new DES. A new model needs to ensure that there are enough incentives for providers to operation in the regions, and DSS needs to reserve the right and mechanism to intervene where failure occurs.

Aligning Incentives to Support Better Outcomes

The Council supports in principle the case for change and the need to incentivise high performance among service providers. However, there is little information available on how provider performance will be measured under the new model. It is important to clarify what a highly performing provider looks like, given the kind of changes that a new DES system is seeking to bring about. For instance, if based on narrow performance indicators alone, a provider who has been focussing on high turnover of easy to place job seekers, while doing little to support the most vulnerable, may fit the definition of a high performing provider. It is noted that the Discussion Paper outlines approaches to improve the alignment of financial incentives to the barriers experienced by a participant. This will need careful monitoring to ensure that there are no unintended consequences.

Measures of performance therefore need to be carefully constructed and incorporate user satisfaction and experience in addition to performance data. Client experience can be collected in various ways– including testimonials, anonymous surveys or a tripadvisor-type of public review.

The Council agrees in principle that the funding model must provide the right incentives for providers to work with all participants gain employment. The Council notes that there will be ongoing work on the ratio between types of fees and the risk-adjusted funding model; and looks forward to being kept informed on its developments.

The proposed expansion of DES support for students in their final year of school is supported. While this development is welcome, the Council's view is that the outcome of such work could be improved even further if the DES engages states schools to begin the program as early as possible – for example, in Year 9.

Improved Gateway and Assessment Process

The Council agrees with the need to improve the gateway and assessment processes. Such processes need to be holistic, transparent and tailored to the person concerned; consistent with the Government's approach in the NDIS. The proposed review could also consider models in other countries such as New Zealand.

The Council looks forward to being kept informed on the outcomes of the subsequent review.

Assisting Participants in the Workplace

'Jobs in Jeopardy' is a negative label for job seekers who have complex needs, and it would be preferable to have the name of the program changed. Similarly, the levels of support could be re-classified in positive terms, such as Gold, Silver and Bronze rather than high or medium support.

Casualisation and structural changes to the Australian economy means that workers – particularly younger people - are expected to changes jobs more frequently in varying industries. As such, traditional supports such as a yearly skills review may be insufficient. It may be worthwhile to provide more frequent reviews or explore alternative forms of support, such as assisting people with disability to develop entrepreneurial skills.

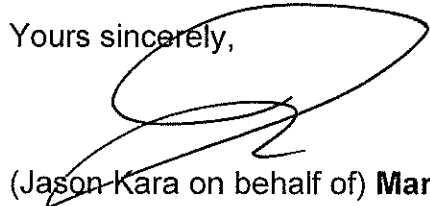
In exploring these alternatives, the Council notes there are opportunities for DES to work together with other organisations. Seniors groups utilise retirees to provide mentoring services, while gender equality organisations have been very effective in in campaigning for equal rights and pay at the workplace.

Building Employer Demand

The Council supports in principle the initiatives aimed at better engaging employers. Such initiatives should not be confined only to disability employment service providers, but also be targeted at mainstream recruiters. Any awareness initiatives should ideally focus on the positives, celebrating success, innovation and best practice rather than focussing on deficits.

The Council notes that the Australian Government could offer a diverse range of assistance for employers to employ and retain people with disability, such as tax breaks or concessions.

Yours sincerely,



(Jason Kara on behalf of) **Mark Tonga**
Chair, Disability Council NSW

14 December 2016