



New Disability Employment Services from 2018 Response to the Discussion Paper

Victorian Deaf Society trading as SensWide Employment

Background

SensWide Employment has been delivering disability employment services to job seekers with a disability for close to 25 years. With a primary focus on people that are deaf or hard of hearing, we have expanded over the years into new specialist cohorts, including 2x LGBTIQ contracts and a successful generalist service. We also run an unofficial IPS model (mental health service for job seekers with complex needs) though one of our sites.

Our 23 years of disability employment experience reflects a desire by Deaf job seekers to be serviced by a DES provider that understands their culturally and linguistically diverse needs. This includes service delivery in their first language, Auslan, and the knowledge and ability to overcome communication obstacles in the workplace after placement.

Similarly, LGBTIQ (lesbian, gay, bisexual, transgender, intersex and queer) identified job seekers with a disability have been drawn to this unique program that not only provides a safe and respectful environment, but allows and encourages them to bring their whole self to work, a first for many. This program is attracting many new job seekers outside of the labour market.

Position

SensWide Employment supports the notion of choice and control for every participant, and is therefore pleased to see this philosophy being considered for the new DES model.

Realistic choice and control, however difficult to co-design into the new DES program, will become the driver of the most suitable outcomes for the participants, the government and society as a whole.

Therefore, the integrity of the 30-years old program needs to be balanced and protected, as DES, for all of its shortcomings, is a vital service to build the social and economic capacity of people with a disability.

A mature, robust and adequately resourced disability employment support program is an essential for the success of the *National Disability Strategy 2010-2020*,

a blueprint that reinforces the need for better access to jobs for people with disability, along with improved skills and training development.

A new DES model, when fully realised as a sustainable and financially viable choice and control program, will bring improved economic and social outcomes as desired by stakeholders and government.

Responses to Discussion Points

The following statements in this response paper will highlight the potential impacts of the foreshadowed DES model on a small, highly specialised DES provider such as the Victorian Deaf Society, and the potential for financial sustainability.

Discussion Point 1: More Choice for Participants

What, if any, restrictions should there be (for example, region or distance) on participants choosing to attend a provider? Vicdeaf supports any loosening of restrictive boundaries that increases the choice of the participants. Job seekers seeking a service suitable to their needs should have full freedom to choose.

How often should participants be allowed to voluntarily transfer or switch providers? The proposed changes of 3 in the first year and 2 in the second will hamper improvements in the servicing of participants with engagement issues. Participants should be able to choose providers, but not “doctor shop” to avoid participation requirements. A transfer could be approved after an independent ESAT that examines the issue and makes the decision.

What should be the basis of referral by Centrelink for participants who do not choose a provider? For simplicity, participants are geomapped with a provider closest to their home or transport. Those eligible for a specialist provider should be encouraged to make an informed decision.

Discussion Point 2: Provider/Participant Contacts

Should face-to-face requirements remain as part of the DES service delivery? Innovative technologies already in place need to be implemented as viable and cost effective solutions for service delivery. Deaf people in particular, are currently using many forms of video technology to communicate with broader services and agencies.

How often should participants and providers be required to meet, either face-to-face or by other means? The proposed new model with more weighting on outcomes, should provide greater flexibility to service participants on an as required basis. The amount of servicing will reflect the commitment and desire to achieve an outcome.

Discussion Point 3: Job Plans

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? Job Plans should be used to capture the goals and aspirations of the participant, and the planned input of the provider. There should be minimal requirements on either the participants or providers. The outcomes will determine the effectiveness of the Job Plan.

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? Participants should have the choice to be engaged or not with their Job Plan, as the case may be. A signed off, regular review (3 monthly) will suffice. Many participants are more interested in a job, than a Job Plan.

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? Providers should have robust complaint processes that are monitored and measured by their quality systems. Self-regulation is sufficient. Accountability will be reflected through outcomes achieved.

Discussion Point 4: Better Information for Participants

What information should be available to participants, providers and employers? Aside from commercial in confidence business information, everyone should have access to as much information as possible. This will drive transparency and therefore better choice and control.

Should there be mechanisms to ensure no false or misleading claims are made against DES providers? The DES panel could have a function of monitoring the sector and ensuring commercial integrity.

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)? Aside from Jobaccess which is a fair and equitable platform, other information should be market led. However, it is now timely that investment in a national disability employment campaign occurs in line with the new DES roll out.

Discussion Point 5: Participant Controlled Funding

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? The trial highlighted in the paper noted no improvements with a participant directed account. Job outcomes are directly

linked to quality of service delivered, which includes addressing barriers with internal, or externally purchased interventions. This works well in the current DES model where. Quarantining funds to an individual will not bring about the desired improvements in outcomes, but will stifle opportunities to cross-subsidies increased spends on a needy participant.

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? Funds should not be quarantined for job seekers to use through an account unless empirical data gathered through extensive research can prove otherwise. The risk to the program are too high and outcomes unknown.

What principles should guide the appropriate expenditure of any individualised funding? Funds should not be quarantined for job seekers to use through an account unless empirical data gathered through extensive research can prove otherwise. The risk to the program are too high and outcomes unknown.

What restrictions should apply to the use of the funds by participants? Funds should not be quarantined for job seekers to use through an account unless empirical data gathered through extensive research can prove otherwise. The risk to the program are too high and outcomes unknown.

How can participants who are unwilling or unable to use individualised funding be supported during the decision making process? Funds should not be quarantined for job seekers to use through an account unless empirical data gathered through extensive research can prove otherwise. The risk to the program are too high and outcomes unknown.

What restrictions should apply to the expenditure of the funds on services from a participant's provider or an associated organisation? Funds should not be quarantined for job seekers to use through an account unless empirical data gathered through extensive research can prove otherwise. The risk to the program are too high and outcomes unknown.

Discussion Point 6: Entering the DES Market

How often should the Panel be open to entry by new providers? New entrants to a Panel should have to meet a regime of governance, quality and financial requirements to be considered. However, they should not be overly restrictive to suffocate innovation, like startups, for example.

How often should panelists be reviewed and what criteria should they be reviewed against? The Panelists should be reviewed annually against a Panel agreed set of

criteria.

Discussion Point 7: A Single DES Contract

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

To be a truly open market there needs to be fewer restrictions and less red-tape to allow for greater innovation and increased outcomes. Combing the streams is a welcome solution.

Discussion Point 8: Removing Market Share Restrictions

What mechanisms should be adopted to ensure universal coverage in an ESA while maintaining a competitive marketplace? The market should be allowed to determine the extent to which coverage is required. A truly competitive market should provide suitable coverage of a region.

How should provider diversity be maintained to ensure participants have adequate choice of provider? Again, a truly competitive market should provide suitable diversity of a region.

Discussion Point 9: ESAs

Should there be ESAs, if so, how many ESAs should there be? There should not be ESAs. Panelists should be free to trade in any areas.

Should the number of ESAs be reduced if market share is removed? There should not be ESAs, but a free and open marketplace.

Discussion Point 11: Ratio between service fees and outcome fees

What should the ratio between service fees and outcome fees be and why? The DES program is inherently expensive with an increasingly complex cohort of participants joining, and expecting to join the program. Service fees are necessary to fund the capacity building and interventions required to increase the job readiness of many DES participants. Without a fair and balanced approach to DES funding, the program will be placed at risk of failure, or at best, the rise of new sharp practices (outcome focused), including creaming easier to place participants. This may occur, despite the risk-adjust payments, due to a need for sustainability.

Discussion Point 12: 4-week and 52-week Outcome Payments

What should constitute an employment outcome under DES in a modern Australian economy? A relaxation of the current rules is needed to better reflect the contemporary Australian workforce. With the ongoing casualisation of the labour

market, outcomes under the current rules will become increasingly more difficult into the future. Therefore, a redefining of an “outcome” needs to occur to better reflect:

- Irregular casual jobs
- Contracted, short-term work
- Self-employment
- Seasonal work
- Volunteer work (for some participants).

Greater consideration should also be given to participants with episodic conditions that impacts their ability to work regularly and consistently. Breaks in employment longer than 4 weeks should be acceptable with a medical certificate.

How should the DES funding model incorporate the growing number of short term jobs available in the economy? Short term jobs should have a compounding effect with a realistic period between jobs. The system of anchoring and unanchoring needs to be reformatted to reflect a person centered approach.

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? Although this will have an impact on front end cash flow, it will ensure job placements are realistic, reduce contrived job placements and mean they will have a greater potential to be ongoing.

How should job seekers be supported in the period between the 26-week outcome and the 52-week outcome? There is a robust model in Ongoing Support that allows flexibility based on the needs of the participant and the employer. If embraced with conviction and authenticity, in our experience this system is proven to work well in maintaining (and creating new) jobs. Ongoing Support is extremely beneficial in engaging employers with DES over a long period.

What level of payment should be attached to the 52-week outcome while keeping total DES expenditure within the current funding envelope? Converting the 52-week indicator into an outcome may require the need for documentary evidence for a further 26-week period. This is a substantial new administration burden for the participant, the provider and employer. The recommendation would be without the need for weekly documentary evidence, as currently stands. The level of payment could reflect the KPI weighting attached to the outcome.

Discussion Point 13: Service Fees

How should service fees work in the context of a funding model with risk- adjusted outcome fees? This is a new and complex model that is heavily reliant on the ESAt, which is acknowledged as a flawed system and will not be reviewed until 2019. This poses potential issues that may have considerable impacts on funding available to

providers.

Discussion Point 14: Pro-rata service and outcome fees

How should pro-rata service and outcome fees be calculated? This is a fair and expected change to the program. Pro-rated fees could work on a week by week basic (5 business day cycle).

How should pro-rata fees apply in the event that a provider ceases to be a member of the Panel? Recoveries could occur as the participants transition to a new provider, as with current Business Reallocation rules.

Discussion Point 15: Determining Eligibility and Employment Outcomes for ESLs (eligible school leavers)

Who should be able to qualify under revised assessment criteria for ESL? Any and every student that meets the age and disability criteria, and needs assistance looking for work, should qualify for support, regardless of school year. This is an important change that is extremely overdue and a shortcoming of the current DES model.

How could the level of disadvantage and work capacity be assessed for secondary school students? Implement a new assessment tool that engages the school, family and GPs and allied health practitioners delivered in a safe and support environment.

Discussion Point 16: Improving the Gateway

How can gateway arrangements be improved to enable a better connection to employment services for people with disability? A new assessment tool needs to be designed that is fair, timely, available, transparent and thorough. The current ESAt/JCA is a broken tool that rarely reflects the barriers, needs and interventions required for a participant to obtain work. It is viewed as mostly unhelpful in the job seeking process. The gateway needs to be welcoming, and encourages all people seeking assistance to be able to obtain the help they require.

Discussion Point 17: Assessments Review

What other aspects of ESAts/JCAs should be examined in the review?

Should there be:

- a. greater separation of ESAts and provider's own assessments, with ESAts focused on eligibility, work capacity and appropriate referral within DES and not extending to suggested interventions? Yes.
- 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? [No](#).

Discussion Point 18: Ongoing Support

Should the fee-for-service funding model specify minimum contacts and hours of support? [This change will again increase the administration burden of the provider and is not necessary.](#)

What minimum servicing requirements should there be for each level of support? The level of support should be on an as needs basis, and not be pre-determined.

Discussion Point 19: Job-in-Jeopardy

How can we better define when someone's employment is considered to be at risk due to their disability? The process needs to be simple, respectful and unobtrusive. The current structure discourages participants to seek support and alienates employers from engaging with a DES to resolve workplace issues. A more streamlined model would enable participants to engage much quicker and for short periods of time, therefore achieving positive outcomes quicker.

How can we increase employer awareness of JiJ? JiJ could play a role in the national DEES media campaign.

What is a more appropriate name for Job-in-Jeopardy? [*Work Supports*](#)

If a JiJ participant chooses not to disclose their disability to an employer, how should providers assist them in the workforce? [In a similar manner to servicing a participant that does not want to disclose.](#) This is not an issue for an experienced practitioner.

Discussion Point 20: Transition Issues

How can we ensure that DES providers continue to provide quality services to participants towards the end of the current contracts? Historically the transition period from one Deed to another has been messy and clumsy for the participants and employers. Exiting providers are hampered by staff reductions and office windups, new providers have the opposite issues and the participants are caught in the middle of a bureaucratic tangle. A solution could involve a cross over margin of 6 months, so providers of the new contract can be currently established and ready to receive the transition participants.