

## **New DES 2016 discussion paper response**

Thank you for the opportunity to provide input into the new DES 2018.

The responses presented here are derived from initial data as part of stage 1 of an ARC linkage research study on Seamless Journeys to Work for Young People with Physical / Neurological Disabilities.

Stage 1 of the study takes a deeper look at Disability Employment Services (DES) and intersecting systems to understand policy and program influences on the transition to work for young adults with disabilities generally.

The aim was to identify not just what the policy and program rules say about transition and young people with disabilities, but importantly, how implementing organisations (e.g. service providers) experience, understand and practice the policy and program logic as well as the potential implications and conflicts that exist with regard to supporting young people with disabilities in their pathways to employment. The data consists of in-depth interviews with 22 participants (from organisations - DES providers and peak body/systematic advocacy organisation), as well as the publicly available submissions to the Australian Government's 2015 discussion paper on DES reform.

As the study's focus is on young people with disabilities, the responses will focus on the questions on ESL (discussion point 15). However, study participants also highlighted broader consideration regarding policy/program aspect of DES, and these will be discussed where appropriate.

If you have further question please feel free to contact us on Professor Greg Marston- [g.marston@uq.edu.au](mailto:g.marston@uq.edu.au) and Dr Lisa Stafford [lisa.stafford@uq.edu.au](mailto:lisa.stafford@uq.edu.au) School of Social Science, The University of Queensland.

### **Context of our Response: Young people with disabilities and Transition**

Transition itself is varied and complex. Young people now days encounter more diverse, lengthier and complex education to work pathways in advance industrial societies (Furlong & Cartmel, 1997). These pathways are more fragmented and unpredictable, and have a greater emphasis on post-secondary education (McDonald, Grant-Smith & Marston, SI forthcoming). All the while underemployment and over-employment is intensifying in Australia. These complexities means it is likely that some young people will experience difficulties in their transition to work. Young people with disabilities, are one such group identified at risk of experiencing difficulties in their pathway due to a multitude of barriers (see reference list).

### ***Discussion Point 15: Determining Eligibility and Employment Outcomes for ESLs***

#### **1. *Who should be able to qualify under revised assessment criteria for ESL?***

All young people with a disability (regardless of level of impairment) in secondary school who wish to seek help with pre-employment and/or employment support should be allowed to access DES ESL. There are many scenarios in how ESL can support young people. The key is recognising the variability through flexible, individualised approach.

*No, so we start - ideally I probably want to start earlier, but around that year 10 where we start to do some - getting employers in, or doing a work employed ability skills, or something that the network will decide to kind of build some of that understanding of work. Then looking at work experience, and then moving on to school-based apprenticeships, but not all move on to school-based. Some, it's just about getting that exposure through work experience, and a range of things. Focusing on their studies and then moving to open employment at a later date, I guess everyone's pathway's a little bit different and that's the point. – research participant #8 – manager*

Shifting eligibility back to pre-2012 days would be welcome by study participants involved with ESL, though safeguarding is important. Some felt specialist providers or having designated transition staff who understand the sensitivity of balancing education and employment was critically important.

While eligibility widening will be beneficially to young people excluded currently from accessing ESL, broader changes are also needed. These changes include: the *timing of the intervention* - earlier intervention with students (last year is too late) and widening of services to build employment expectations and employability skills while at school. The restrictions to these practices introduced in 2012 were reported to have had impact on practices and outcomes. For example:

*...one of the big differences over the last few years is, they actually stopped people coming onboard from year 10 and 11. It's now only year 12s in DES....Yeah, the ESLs. That's made a huge difference, especially to us and the success of the kids because that made a huge difference when you could work with them in year 10, year 11 and progress them through proper apprenticeships and traineeships....Huge difference. That's affecting kids all over the place because of that.” – Senior participant #17 – Manager*

*The hindrance is the criteria that the Federal Government sets for them to be deemed an eligible or early school leaver. We used to do fantastic work of working in with the schools while the kids were still at work even prior, before them coming on to DES. But I think from a cost perspective because those kids automatically defaulted in the policy system to a level two funded client with an eight hour benchmark, and from macroeconomics the government that was a way to save money. So they shut that eligibility down.” - Research participant #10 – Manager*

Whilst the reform paper 2016, acknowledges its restriction to students, the proposals only mentions the potential to expand eligibility to include more student but only in year 12, not earlier to avoid “taking over responsibility” from the states. This *responsibility resisting* cannot continue – it perpetuates fragment services and gaps which hinder the education-employment pathways for young people. Dual servicing is essential; no one person or system can be solely responsible for transition.

**Afterschool job support.** In DES policy, there is resistance to supporting young people with after-school job provision. This is despite the international literature clearly identifying that having an after school job while at school significantly aided young people’s employment success. The need to support young people with after-school work was further supported by study participants, for example:

*But there's a number of people in the sector have said that people with disabilities are disadvantaged and you really need to - it's from that early intervention perspective - give them every opportunity that they can to get support, to do things like part time and casual work alongside their peers without disabilities. Just to try and give them a bit of a leg up and help them perhaps to compete a little bit more on a level playing field while they're still at school. Just to get that early work experience and begin their world or their career - enter the world of work and begin their working career while they're at school, as most kids do who don't have disabilities. It's just trying to open up opportunities for them, and access to the supports earlier than currently available. Research participant #1 – Policy/Project Officer*

After-school job placement should be considered as a realistic age appropriate employment outcome.

The study also found that DES needs to adopt a much more holistic understanding of the complex and lengthier transition pathways for young people. If a *return to education* happens in ESL, this should be viewed positively not negatively. Providers shouldn't be negatively rated for this outcome. This shift between systems during transition is a natural occurrence.

*Yeah. I think it's - even if halfway through, they transition back to full education, great. Because whenever I took an ESL on and still do, for me, education's the most important thing - to get that. When I was a transition officer, they'd come in, hate school, want to leave. I'd be working hard to just find them a job to keep them occupied, so they didn't leave school. It was just look, try, don't leave. Let's try this. So yeah, the ability to go back if they decide that education is the right thing and there's no penalty for them, whatever program's been supporting them. Because that's that in and out that screws your data or screws your performance, not your data. Research participant P14 – Senior Manager*

Other suggestions to enhance support for young people in secondary school to employment transition included:

- building work attitude and expectation early with schools, individuals and families;
- supporting localized partnership models to facilitate appropriate school-based traineeships/apprenticeships
- work immersion programs to build a career outlook.
- specific transition specialists in DES (“like the old days”) who understand the complex intersection between the systems and transition itself.

### **Beyond ESL - Specialized support for young people outside of ESL**

Within the current model, there is no real acknowledgement of, and specialist support for, young people in accessing employment support outside of ESL – It is either ESL or mainstream DES. Three issues have been identified with this narrow approach from the analysis:

- **Recent School Leavers (RSLs)** (18-21 year olds) who didn't go through, or were not eligible for ESL are having their transitional needs processed/supported in DES with no age adjustment. Study participants spoke about the significant gap in support and the inappropriate assessment/entry process for the recent school leavers.

*because there was a big gap, those ones that have left school, those 18 to 20 year olds.... Yeah. There's a huge gap there, because if someone's - if they've not been picked up at school, once they - we try and pick them up at school, because once they get in that system, it is a nightmare to try and get them out that cycle. Once they go to Centrelink, they get the compliance and, oh, it actually makes it a lot harder than it does at school. You've got more resources while they're at school. Once they get out of school and they're going on to - say they're going on to DSP or Newstart or whatever, it starts to get more difficult.... Yeah, they're under obligation when they access the funding generally. They generally go from level 2 to level 1. I don't know why. It's harder to get the funding as well. Research participant #16 - Senior Manager*

- **Restrictions** in supporting young people in tertiary education - employment pathway which can impact on their employability and graduate prospects.

The tertiary education - employment pathway has becoming a significant pathway for many young people (e.g. Furlong & Cartmel 1997; McDonald et al – editorial; Punch et al 2004), as there is a higher demand for tertiary education within the modern post-industrial workforce (Punch et al 2004). Despite this, DES providers cannot engage with students with disabilities until they have completed /exited their tertiary course (this is both TAFE and University). Study participants who had experience in this pathway (either as a student with disability themselves, or from a provider's perspective) felt that the DES program rule is negatively impacting on creating a seamless tertiary to employment pathway for young people, their "employability" and graduate prospects. For example:

*Yeah, like another one, a big one for uni students especially, or any longer vet course, where they need to do a prac placement. Certainly from our end we've found that people don't - either don't get a lot out of their prac placement, because it wasn't very accessible or there were a lot of things they couldn't do. ... But as you're probably aware, DES providers can't get involved with people doing study, until they've actually finished their course. But it would have been great, and this is something that we used to do in the old days. Where we could actually work with people while they were still at university, liaise with the uni around their prac requirements and find a host employer that met their disability related requirements as well as the requirements of their study. I think there's a real - an opportunity to work together that is lost. Because by the time someone's been out of uni for six or 12 months and has had no luck finding a job on their own. They're also on the cusp of missing out on some of the graduate programs that would have been great for them to get involved in. Yeah, so there's again just a bit of a lost opportunity there, where DES could get involved a little bit earlier. Get to know the person and get through all the paperwork and all the crap that you have to do, before you really get to know the person and know what it is that they want. research participant # 5 –Manager*

- **No career development and career transition support** for people post placement. Like the reform findings, there was support by study participant's for a greater focus on long-term career planning and capacity building.

*Again for young people, I think one of the really big, well one of the big issues in DES is this notion that once people have been placed in to a job, that that is where our assistance ends. .... But even if the person stays in the DES program, and after the first year decides, look that was great to start with, but I'm really not enjoying it and I think I'd like to try something else. The DES provider that they're connected with, can't assess them to find another job. So there's no provision in DES for even career transition, not necessarily even career development. But just helping them find another job while they're still employed. research participant # 5 –Manager*

Accounts from some participants in this study also point to the need for a **widening approach to transition within disability employment services**. This is to ensure all young people with disabilities, anywhere in their pathway, can received a balance of education /learning and future preparation information and support to help set them up to make informed choices and enhance their employability.

## 2. **How could the level of disadvantage and work capacity be assessed for secondary school students?**

The **entry pathway to ESL** as it stands should continue. This process was felt by study participants involved in ESL, to be an easy non-daunting process for young people and their families. This process was reported as a positive stress-free experience.

*So in the DES field, the transition - obviously in the DES program, we have the early school leavers section of our program. That works quite well from I think the participant's point of view, so the early school leaver, because there's none of that Centrelink, ESA referral system. So therefore, they're not going through to some scary allied health person, no offence...in Centrelink. They're not having to reveal too much. So we can bring the ESLs onto the program, I think quite easily. Research participant #P14 Senior Manager*

**Recent school leavers** (RSLs). There needs to be another assessment pathway for young people who have not come through ESL component of the program, but are young people in transition – that is RSLs. As discussed above, they are currently subjected to an adult assessment of work capacity to determine their mutual obligation. This is not felt to be appropriate for young people.

### **Assessing level of disadvantage**

This is still deficit based approach, and is still subjective as it is dependent on weightings of disadvantaged determined by others - dictating who is more disadvantage over another.

### **Alterative thinking – interactional, need-based, goal orientated assessment**

Some participants suggested taking a more interactional strengths approach. This approach is more in line with UNCRPD (2006) and Australia's National Disability Strategy ethos and principles. By adopting an interactional approach - you identify what people's needs/level of

support are by understanding intersection between person (function/level of impairments/agency) and situational/ environmental factors (barrier/facilitator) and what a person identifies as they are needing help with to achieve their goals.

Any model/approach for new DES, MUST BE determined with the young people and their families, peak orgs, people with experience in transition and employment.

### ***What's needed in the New Des Moving Forward for Young People***

Moving forward, there are philosophical and operational changes needed in DES to help make the transition between education and employment more seamless for young people. These included:

- Recognising that young people's transitions takes time – its more diverse, lengthy and complex in post-industrial economy
- Allow permeable pathways between education and employment to recognise that young people are at different points in the journey and don't penalize for movement between systems.
- No exclusion of who can access employment support through DES
- DHS Assessment based more on individualized goal orientated interactional model that captures complexity of needs to ensure appropriate level and type of support as well as be age appropriate. An example is the World Health Organisation International Classification of Functioning, Disability and Health (ICF), where the ICF-child and youth version (ICF-CY) was introduced in 2007 to recognise the different life domains, needs and circumstances.
- Allowing services to help raise expectations early on with schools, individuals and families to build expectation and intrinsic motivation. Showing open employment is possible for people with a disability early is critical to which pathway is decided.
- Support quality and various work experiences along with paid after-school job while at school (balance approach) to help enhance employability and build a career focus.
- Support Individualised tailored approaches- e.g. customized jobs, social enterprises, localized partnerships models to support employment success.
- Foster peer group support and sharing of success stories (not just on gov website – needs to have authenticity).

Ultimately at policy/programmatic level, to improve employability of young people with disabilities requires a client driven holistic approach to supporting young people in their complex, diverse and lengthy education-employment pathways. As it stands the transition to employment as defined in DES is too narrow and restrictive, and essentially it is not capitalising on the opportunities, knowledge and practices that are shown to enhance young people with disabilities in their pathways to employment and their employability.

## General Responses

### Reducing administration burden

In 2016, the issues of red-tape and administrative burden has again been identified as needing to be resolved in the new DES to commence in 2018. Reducing red table and administration burden would be welcomed by study participants. The influence of managerialism and neoliberalism on program logics and rules where felt to be effecting service delivery, and has so for some time.

we're finding that it's taking away from the business of the day and the grassroots stuff,.. – Research participant#11 – CEO/Director

This impacted was articulated through providers accounts of the level of administration and compliance based activities expected of service providers that had increased overtime, whilst government funding has not been increased inline with CPI. What is clear from the study participants who are providers of DES is that providers need to be funded in line with more appropriate fiscal models e.g. adjusted annually according to CPI.

*...in the five years before that you lost your flexibility through bureaucracy and then in the next five to 10 years you lost your viability through lack of CPI or any sort of growth. –research participant #15 – CEO/Director*

They need less compliance and more flexibility in supporting young people address various barriers and build skills to enhance their employability. At the same time, providers need to be funded appropriately to provide these pre-employment supports or purchase specialist supports.

*...you need that flexibility to be able to just support them with their barriers and their health, as well as support them in the employment side of it but also support us to sort of continue operating. –research participant #21 – Manager*

*There's no flexibility, so if I was going to say at a program level, what you would need is a person-centred approach, and not just lip service to that. But a real dinky-di person-centred approach.... – research participant #1 – policy/project officer*

### 52-week sustainability indicator

The introduction of the 52 week sustainability indicator has in some ways promoted longer-term thinking about employment and careers with providers. The problem, however, there is no financial incentive attached to this outcomes for provider or individuals. There was support for this being a funded outcome.

*But I think the 52 weeks thing is probably another positive feature or strength of DES, perhaps in relation to jobactive, because it has a longer term focus and a longer time horizon and more focused on sustainable jobs than jobactive. But we would argue that you're expecting people to - you're expecting providers to get people into jobs for 52 weeks. Well, you should be paying them to...P2 – policy/project officer*

*Then we've got a 52-week that's a performance tick but not a financial. All of these are financial. This is some financial in here. But mainly, this is the biggest area of*

*your performance, is basically get someone in a job and get them to six months. Then you get a 52-week indicator that we know it's sustainable. Clearly, the Department is saying, alright DES you're crap. You've done a reasonable job over the years but you can't get them long term. So we want to measure you. We're not actually crap. The system's crap and I'll tell you why..P 14 – Senior Manager*

*Yeah and look I don't mind under that model if some of the outcome payments were extended there, okay, this is the quality. If there is a greater time lag, you know, instead of a 52 week bonus we'll push that out. That would maybe help in terms of the funding model and would be fair as long as it was loaded up a bit at the front and there was some sort of quality controls around the percentage that do make it through. #20 CEO/Director*

However, there needs to be an adjustment built in for people with more complex unstable conditions. Because the 52 week sustainability indicator is used as part of the star rating determinant, some study participants felt the rating can be impacted because regression is applied.

*I think that they built in the 52 week sustainability indicator, so if someone's episodic and the chances of them not having an episode over a year, the KPIs to me are flawed. I don't mind them because it gives you direct measures, but they apply regression to them. So you could be performing at the highest level, but then an algorithm's applied that changes your rating when you could practically look at it and go they're one of the highest performing most supportive, look at how long their job seekers have been in jobs. – P22 –Senior Manager*

### **Performance measures in general**

Moving forward, many study participants felt that as part of the reform there was an opportunity to rethink how employment is actually measured. This included: the process of getting a job, the long term focus on career, and the value of other forms of employment such as social enterprises and self-employment. Suggestions by some participants included:

- Review and revise performance assessment. This was in terms of suggesting a move to performance benchmarks and a paradigm shift in outcome calculations.
- Need for a long term career thinking. Ways perhaps to encourage this is through incentives and career development. Need to avoid rewarding just job placement.
- Measuring quality should be a factor. The quality framework is positive as it is and should be linked to star ratings. Client satisfaction is an important measure to capture.
- Potential different measure for young people in transition.

Example include:

*So the policy, we need in terms of the KPIs we have star ratings and payments. We need greater thought for well how do we get them - and you consider things like social inclusion. How do we refer them and the payments for a service at that period of time is very low. It's very weighted towards outcomes. look I understand government is looking for different solutions. They want better outcomes but you've got to understand the business. As I say if we took a bit more time in pre-employment and really had a look at the things that assist people to address their*



*barriers and their goals it can work. But in terms of the KPIs for contracts it's too short a time and there's not enough money for intervention there. It's probably an initial higher investment from government up front but the results would come. . .*  
#P20 CEO/Director

## **Regional Adjustments**

One of the gaps within the disability employment policy that is impeding people in regional areas, in particular, is the complex intersection with other social-spatial factors that can impact a person's employability.

What was noteworthy, is the clear inconsistency between employment services – DES and Jobactive, in responding to social-spatial disadvantages. Providers of both programs (Jobactive and DES) in the same regional area, experienced first-hand the illogical differences in the programs. That is Jobactive provides a regional loading to respond to the known social-spatial-economic issues encountered, but DES doesn't.

*Yeah, the regional and remote areas, yes. Now I know that in jobactive they've already introduced the 25 per cent loading on funding for some regions and the remote areas. But that doesn't exist in DES....it came in on 1 July last year jobactive - the regional loading. I'd say well it's just recognising the obvious. So why would that not then apply to the DES program? – research participant #18 – CEO/Director*

Addressing the regional barriers and establishing consistency across the employment programs is considered critically important moving forward.

## **Eligibility Criteria DES**

Some study participants noted that the tightening of eligibility for both dsp and des over the past years has resulted in an observed change of clients. There is a perceived reduction of people with intellectual and physical/neurological, particular those with more severe impairments in DES.

*- Yeah, I mean some will come through the Centrelink system and they need - I don't think they've got a choice whether they take them or not. But I mean you can see in the data that we focus a lot on intellectual disabilities, but that - the amount of young people, or people with intellectual disabilities within the DES system has really reduced overtime. Probably you would see physical as well. # 8 - Manager*

Some study participants felt people with significant impairments are being designed out of DES, that is: "the system will let people down - or potentially won't even let them in." (P1 – policy/project officer). This was understood through their observed absence, and raised concerns over quality and long term futures for these young people.

*Yeah, and I think it's kids with the more severe physical disabilities are the ones that are really being excluded from the current system. Yeah, and like I said we're just not seeing them. We're not seeing them here, I don't know whether X is maybe seeing more of them. – I mean I've worked with some people with very significant physically disabilities and dual disabilities. People who there's no way you would ever see in the DES now. I really just wonder what's happened to those people, where are they? hopefully they're not sitting at home doing nothing, and that there's somebody out there who's helping them work. # 5 –Manager*

## DHS Assessment

The review of the assessment would be strongly welcomed by study participants. There was significant concerns with the current assessment as is:

*The simplest things is that is just to make the eligibility and the assessment correct. It's just a hindered process..., because it just puts numbers back into systems and then reassessments and just churns things all over again. - P22 – Senior Manager*

Like the reform submission, study participants identified the following issues with the assessment:

- based on a deficit model
- assessment doesn't factor in age (no young person version)
- assessors often unsuitable
- inappropriate referrals
- work hours determination are hit and miss
- face to face assessment disappearing, worse in regional areas.

One or more of these issues encountered in the assessment process can have the potential to greatly influence attaining the employment outcome and meeting compulsory requirements.

*Mutual obligation review.* While not mention in the discussion paper, it would be timely to review the coercive approach to work for people with disabilities with mutual obligations. A more incentive approach was supported by some participants moving forward.

*Incentives* rather than punishment was felt to create a more positive outlook to work, with the potential of raising intrinsic motivation to enhance employability. However, people also need to be supported appropriately (whatever their work and non-work needs are) to enhance employment. This includes: responding to the complex intersection between education-education systems, socio-spatial and social-cultural enablers and barriers, as well as broader political-economy concerns. All of these factors influence a person's opportunities to develop employability and secure suitable employment.

*especially for young people, who need that encouragement and positive recognition. A big reward, like that would be a nice idea. That if somebody actually does a great job and finds themselves some work, that there's a little incentive. Rather than this if you don't do it, we'll cut your benefit off and you'll be homeless. – Participant 5-manager*

Many study participants were also displeased with government moving the monitoring of people's compliance to the responsibility of providers of employment services. This was felt to have created a conflictual relationship between provider and job seeker.

Moving forward, some study participants felt DHS-centrelink should take back any compliance checking/breaching of compulsory activity.

*Yeah, a job ready stage and the post-employment needs a whole system rework for compliance to take it away from - well not totally take it away I guess but there's got to be less reliance on us in terms of the employer relationship and also the Centrelink relationship....– research participant #15 - manager*

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