

Purpose

This submission aims to provide an overview of the context of TAC and WorkSafe Victoria and address key areas of the New Disability Employment Services discussion paper that are most relevant to the TAC and/or WorkSafe. The submission offers shared learnings and specific ideas in response to the discussion paper based on known synergies across government departments.

Key Messages

1. The TAC and WorkSafe Victoria support the Australian Government's commitment to improving employment outcomes for people with disability
2. The TAC and WorkSafe welcome the opportunity to work collaboratively and align with the Department of Social Services (DSS) in the development of the new Disability Employment Services
3. The TAC is developing an *Enterprise Work Strategy* as part of the *TAC 2020 Strategy* which will focus on all TAC clients maximising participation in work
4. The TAC is currently reviewing our current Vocational Services framework as part of an *Enterprise Work Strategy* which will focus on all TAC clients with and without a permanent disability
5. There are specific areas of the Disability Employment Services (DES) discussion paper where the TAC and WorkSafe can share their learnings and successes with DSS to assist in informing the new DES service model.
6. There has been significant investment in research in relation to improving employment outcomes for injured people. There is an opportunity for sharing of information to benefit all people with disability.

1. Overview

The Transport Accident Commission (TAC) and WorkSafe Victoria are Victorian government owned statutory authorities.

The TAC and WorkSafe are signatories to *The Health Benefits of Good Work consensus statement* published by the Royal Australasian College of Physicians (RACP) and the Australasian Faculty of Occupational & Environmental Medicine (AFOEM) in 2011. The consensus statement is an initiative based on Australian and international evidence that good work is beneficial to people's health and wellbeing. As a signatory, the TAC and WorkSafe are committed to promoting

awareness of the health benefits of good work as well as advocating for continuous improvement in public policy around work and health.

In recent years the TAC and WorkSafe have led the delivery of a number of initiatives and innovations designed to foster greater outcomes, safety, choice and control for its clients living with a permanent disability. In part this approach has been driven out of a necessity to ensure TAC and WorkSafe clients have access to the same quality community based supports, services and regulatory safeguards as their non-compensable peers; this is not always possible due to their compensation status.

The TAC and WorkSafe support the Australian government's commitment to improving employment outcomes for people with disability and welcome the opportunity to work collaboratively in the development of a New Disability Employment Services framework, that will support the employment outcomes and equality of service provided to all people with disabilities regardless of the funding source.

1.1 The TAC

The TAC is responsible for funding treatment and supports for people injured as a result of a transport accident as well as actively campaigning to reduce incidence of road trauma in Victoria. The TAC's activities are governed by the *Transport Accident Act 1986*.

Each year TAC accepts around 16,000 new claims from people who have been injured as a result of transport accidents in Victoria. Within 12 months approximately 80% of these people have their lives back on track and no longer require support. Around 20% of these clients require ongoing support to help increase their independence and quality of life. Many face challenges in returning to or engaging in employment and, this is often due to barriers related to disability.

The TAC is responsible for funding lifelong and 'reasonable' disability supports for the severely injured client group¹ with services purchased directly from both private and not-for-profit disability providers. Many of the providers supporting TAC and WorkSafe clients are registered with the Victorian Department of Health and Human Services (DHHS) and/or the National Disability Insurance Agency (NDIA) and, are subsequently impacted by the national disability reform currently underway.

The TAC holds contracts with 11 vocational service providers, two of which are also registered DES providers: Advanced Personnel Management (APM) and the ORS Group. Both service TAC clients across Victoria and interstate.

1.2 TAC 2020 Strategy

The TAC has launched its 2020 strategy which will drive two strategic outcomes: *Getting client's lives back on track*, with a key focus on increasing independence and economic participation and *Towards Zero*, a vision for a future free of deaths

¹ Severe injury is generally described as moderate to severe brain injury or permanent spinal cord injury resulting in paraplegia or tetraplegia

and serious injuries on Victorian roads. TAC 2020 is an ambitious program that includes a new vision, mission and values and builds on work achieved to date.

1.3 TAC Enterprise Work Strategy

As part of the 2020 strategy the TAC is specifically focusing on an *Enterprise Work Strategy* that encompasses supporting clients at all levels of injury or disability to achieve their maximal participation in work. The development of this strategy is currently underway and includes the re-design of the Vocational services framework, with a completion timeframe in the latter part of 2017.

Many TAC clients are unable to return to their pre-accident occupation and require significant pre-vocational support. While the TAC has particular strengths in early assessment, vocational guidance and investment in re-training, there is an opportunity to improve in this area and work collaboratively across government and jurisdictions in Australia to ensure that all clients with disability receive adequate support in this area.

The *Enterprise Work Strategy* will also explore opportunities to support informal supports e.g. family, friends, carers to increase their economic and social participation as a client's independence is increased through the TAC Independence Model.

1.4 WorkSafe Victoria

WorkSafe is responsible for working with the community to deliver outstanding workplace safety and return to work, together with insurance protection. WorkSafe is currently developing its next long-term strategy and a key consideration is how WorkSafe makes it easy for injured workers to receive services, information and the support they require to recover and return to work at the right time.

Each year WorkSafe receives around 25,500 new claims from people who have been injured at work. Just over 58% of these people are off work for more than two weeks and just 5% exceed two years of absence from work (some 1300 workers).

WorkSafe Victoria has 32 occupational rehabilitation providers registered to support injured workers to return to work. Several of these providers are also DES providers.

Whilst WorkSafe provides scheme administration services, TAC is the appointed agent for WorkSafe for the delivery of care to the most severely injured workers who require customised and highly specialised support. This is to ensure the most seriously injured workers benefit from the specialist service expertise of the TAC.

2.0 Research

The TAC and WorkSafe have invested significantly in research to gain insight into the ways in which clients can optimise their outcomes in areas including active citizenship and economic participation.

The TAC has been a major contributor to establishing the State of Victoria as the national centre of excellence in neurotrauma research, investing over \$80m in this area between 2005 and 2015.

The TAC and WorkSafe have commissioned the Institute for Safety, Compensation and Recovery Research (ISCRR) to perform research on many aspects of Vocational and Occupational Rehabilitation. The TAC has most recently commissioned ISCRR to perform a state analysis and international evidence review looking at current and emerging models, approaches and interventions used by organisations to support optimal employment outcomes including vocational frameworks. This will help to inform the *Enterprise Work Strategy*.

WorkSafe has commissioned research into long term outcomes for injured workers. The research has two components. The first is a survey regarding claims and return to work experiences to gain an understanding of key issues faced by injured workers at different times in the process. The second is a subsequent longitudinal study to better understand the health, social and economic outcomes for injured workers, depending on their type of injury or age. The collection of information from injured workers has commenced recently and results will be used to develop future programs.

3.0 Increasing participant choice and control

The TAC strongly supports reform that enables participants to self-determine and self-direct the supports they receive. Systems and processes which place participants at the centre of service delivery, supported by informed decision making and increased capacity building is a crucial step towards realising the benefits of the DES model.

Similarly, congruent with a consumer driven market, ensuring providers are required to respond to participant choice and control will be important to safeguard against the practice of selecting those clients who are perceived as 'easier' to work.

Ensuring access to capacity building platforms, such as peer support/user led organisations, will be crucial to enable individuals to genuinely exercise choice and control in the services they receive. It will be important to consider how participants are supported to build their capacity and expectations.

Similarly, ensuring access to a pathway of online resources, for example, Apps, portals and websites support will be a vital component of the capacity building approach. The TAC are currently reviewing the suite of supports within the user-led market and online resources to ensure increased access for its clients. Additionally, TAC will provide more information about provider options to allow greater choice of providers.

The following provides an overview of key strategic approaches and initiatives TAC has introduced in order to facilitate greater choice and control for its clients:

3.1 TAC Individualised Funding Model: Increasing Control for TAC Clients

In response to strong evidence base that demonstrates increased individual choice and control results in better client outcomes and, in line with national policy reform, in 2004 the TAC introduced the Self-Purchasing model, enabling TAC clients to self-manage and self-direct their disability funding and supports.

A redesign of the model commenced in 2014 and following an extensive co-design process with TAC clients and service providers the freshly branded Individualised Funding (IF) model was introduced by the TAC.

A key driver of the IF model is to facilitate increased choice, control and flexibility for TAC clients, enabling them to progress to a space where they are actively self-directing and self-determining the support and care they receive.

The TAC has sought to adopt a non-prescriptive approach relating to the supports clients can purchase. In the formulation of the IF model, TAC drew on the considerable international/national evidence that indicates the majority of individuals using self-purchasing models consistently demonstrate a 'value for money' and non-fraudulent approach.

To date, significant improvements have been noted in all of the TAC corporate measures as a result of the introduction of IF. Clients report a greater sense of control and autonomy over their lives. Financial outcomes have also been compelling; there has been a 15% reduction in projected spend for those individuals utilising IF.

A key strategic priority for TAC 2020 involves further transforming the IF model to maximise participation, build the capacity of TAC clients to self-manage and self-determine and facilitate a greater level of choice and control so our clients can achieve their life back on track goals.

3.2 TAC Independence Model:

Increasing independence and participation for TAC Clients

In 2011, the TAC implemented the Independence Model, a person centred approach to enable clients/injured workers to identify goals that are meaningful to them and which provide opportunity to maximise independence in all areas of their life.

The Independence Model was introduced in response to a need to re-evaluate the way in which the TAC supported those severely injured in a transport accident. A range of philosophies and theoretical frameworks were considered when developing the Independence Model, including the Disability Planning Principles within the Disability Act (Section 52).

The overall aim of the Independence Model is to improve quality of service and to holistically support those with a severe injury to achieve:

- Maximal independence
- Increase participation levels in work, community and family life
- Achieve enhanced wellbeing.

The TAC facilitates face to face planning meetings with each client and, where appropriate, their support team, to develop their Independence Plan (IP) and to align funded support to the client's independence goals.

The Independence plan explores life areas based on International Classification of Functioning, Disability and Health (ICF) in the key domains of:

- ❖ Home Living
- ❖ Education
- ❖ Vocation
- ❖ Recreation/Leisure
- ❖ Living Independence
- ❖ Community Independence

An evaluation of the Independence Model in 2015 found that the planning and underpinning service offerings of the model represents international best practice. It was also found that TAC staff reported face to face contact as one of the top 3 positive impacts of the Independence Plan and is an essential component of developing a plan and understanding the needs of client, their family and providers.

Recent research completed also found that clients believe face to face meetings are critical and explicitly demonstrate to them their importance as individuals and the efforts that will be made to ensure they maximise their independence.

The Independence Model has delivered the following outcomes:

- Increased number of client independence and quality of life outcomes through the measurement of Goal Attainment Scales (GAS) and Maximal Independence achieved in Life areas including vocational outcomes
- Higher level of client experience through client satisfaction surveys
- Stable financial sustainability for the TAC scheme
- A fundamental shift in how TAC delivers services to severely injured clients.

The Independence Model is now successfully embedded into the way in which the TAC supports clients and manages services for those with a severe injury.

3.3 TAC Provider Strategy and Provider registration: Increasing Choice for TAC Clients

In 2012 TAC and WorkSafe embarked upon the *Provider Strategy*, the purpose of this strategy was to expand the suite of services available to TAC and WorkSafe clients. This was in response to limited service options, due primarily to TAC and WorkSafe client's compensation status resulting in limited access to mainstream services and supports.

Following a comprehensive environmental scan a suite of best practice, contemporary disability service options were implemented delivered by providers from across different sectors. Services were selected based on their focus on delivering high quality independence based outcomes and placing individuals at the centre of the support they received.

Key learnings from this time include diversifying beyond traditional disability provider cohorts, to consider the value add of new players expanding into the disability market e.g. Community Managed Mental Health providers, Aged Care.

Initially, uptake of new service options was gradual and key learnings include ensuring comprehensive supports and information for key stakeholders involved in the client's pathway of support e.g. referral sources, to support the uptake of service options and informed decision making by the client.

In 2014 TAC and WorkSafe commenced its provider registration requirement process, *Independently Reviewed against Quality Standards (IRQS)*, the intended outcome of which was greater client access to providers aligned with best practice service provision. A key focus of the registration process was the reduction of red tape, aligning wherever possible with existing industry standards, providing these were upheld as best practice.

IRQS was developed to ensure TAC and WorkSafe remained as flexible and as agile as possible, leveraging innovative service options as they emerge to ensure client choice and access is not impacted because of regulatory processes.

While IRQS has focused on disability support providers to date and has not yet extended to DES providers, key learnings from this process are easily translatable and include: ensuring a response to varying degrees of provider readiness, adopting a collaborative approach and actively working alongside some providers to support them to meet the new, consumer driven and outcomes focused requirements, over a 12 – 18 month period.

TAC and WorkSafe employ an active provider engagement approach, undertaking face to face meetings with both existing providers and those emerging into the disability space who are identified as delivering innovative services aligned with contemporary disability practice. Ensuring TAC IRQS provider registration process is agile enough to accommodate these new and emerging services has been a crucial consideration of this process.

4.0 Driving greater competition and contestability in DES

The TAC considers healthy competition between providers as an area that should influence providers to improve their service and innovate. The TAC is aware that the current TAC vocational services framework does not currently support this and will consider options to ensure that service is of the highest quality and service providers continue to innovate to meet the variety of needs of TAC clients. TAC will also develop a framework with a more flexible procurement arrangement and simplified contract arrangements.

A key learning in the contract management of the vocational service providers in this context is the value of a solid partnership with the provider that includes information sharing and transparency. A strong understanding by the provider of the needs of TAC clients, TAC values and the TAC 2020 Strategy has proven to encourage innovation and diversity in service provision.

Another key learning for the TAC in procuring vocational services is the need for diversity in the types of services provided to support TAC clients, to improve and optimise their economic participation. TAC clients often present with a range of support needs at different stages of the pathway towards employment, and it is not possible for one type of service provider to address all areas.

There are instances where one client may have barriers to employment such as mental health or low motivation, another client may need significant support to be work ready, while another may need support with finding the most suitable job. The TAC is currently looking at best practice intervention for different needs and/or barriers that optimise employment outcomes. This is being undertaken through recently commissioned research which will inform the trajectory of potential intervention.

WorkSafe Victoria currently uses a star rating system, as part of a provider performance management framework where OR provider sustainable 13 week return to work (RTW) outcomes are measured. Providers are given a star rating based on their performance against the scheme. Individual provider star ratings and actual RTW outcomes are shared with our agents on a quarterly basis with the aim to provide feedback and drive positive sharing of ideas and behaviours.

5.0 Aligning Incentives to support better outcomes

Like the DSS, the TAC is also considering how best to incentivise vocational providers in order to deliver optimal outcomes for all clients and will be drawing on best practice models through recent research commissioned. There is a risk if incentives are not aligned across government programs that provider behaviour may favour clients/participants from certain programs, disadvantaging people with disability.

No matter the funding source or jurisdiction in which they sit, a person with disability should be able to access the right support to enable and empower them to achieve their maximal economic participation.

The TAC welcomes the opportunity to collaborate with the DSS to ensure an aligned approach in incentivising providers. Further, this approach should drive behaviour that promotes equality of access to servicing, both in quality and coverage across the country.

The current TAC funding structure for vocational providers is a combination of fixed fee and fee for service with the addition of incentives supporting outcomes.

To establish appropriate levels of servicing that meet a client's specific needs, a client with severe injury will develop their Independence goals sometimes with the support of a TAC staff member, normally at face-to-face visits, which are then incorporated into the client's Independence Plan. Services are aligned to the client's goals and specific actions of the provider. This allows for greater tailoring of the service to the goal. This approach could be considered to ensure DES participants are receiving the right service level and type they require.

Implementing different ways of improving sustainability of employment is essential. Employment sustainability is also a live issue for TAC clients, with varied and complex reasons. Suitable job-fit and a supportive employer play a significant role in the sustainability of employment, however it is also influenced by a client's injury severity, pre-injury education, pre-injury occupation and, other demographics and attributes.

The TAC is currently considering how best to incentivise and support clients to optimise their economic participation. Client focus groups are planned to explore this in more detail.

The TAC currently reimburses a client directly for training or pays the education facility directly. While the vocational provider may provide recommendations for the training to be funded, the payment is not in the control of the vocational provider. It is expected that incentives for clients will support them to overcome the logistical challenges of returning to work, such as transportation.

6.0 Improving the gateway and assessment process for DES participants

As highlighted in the discussion paper, some DES participants will also be NDIA participants. It is important to note that many TAC clients are also likely to be serviced by DES or Jobactive providers where they are no longer in receipt of TAC income, and may be in receipt of Disability Support Pension (DSP) or other Centrelink benefits. This may also be the case with other Compensation Third Party insurers across the country, for example, the National Injury Insurance Scheme.

Collaboration is vital across all programs to ensure eligibility and support is dovetailed. This may necessitate the need for greater information sharing to ensure our mutual clients/participants are able to navigate the system, enabling them to access timely support to optimise their vocational outcomes. TAC would welcome the opportunity to further explore this collaborative approach.

7.0 Assistance in the workplace

The TAC *Enterprise Work Strategy* aims to improve employment outcomes and economic participation for all TAC clients. To do this, a key part of the strategy will be the engagement and support of employers to ensure they have the confidence, skills and financial ability to employ people who have suffered a traumatic injury and/or may have an ongoing disability.

When the DSS consider the incentives developed for employers, alignment with all other jurisdictions is necessary to ensure people with a disability are not disadvantaged due to the funding source available to them. The TAC welcomes the opportunity to align with the DSS in this area. This also includes specific considerations, such as workplace modifications and adjustments, wage subsidies, other financial and non-financial incentives.

The current TAC vocational framework does not have a minimum number of contacts or hours of support in the post placement support phase. Contact is expected to be tailored to the individual and where required TAC can request details of intervention provided.

8.0 Building Employer Demand

8.1 Employer Incentives

The TAC has identified 'support of employers' as a key enabler to promote sustainable employment options for TAC clients. The TAC has an existing employer incentive package which will be reviewed and re-developed as part of the *Enterprise Work Strategy*. Financial and non-financial options will be explored.

In continued efforts to reduce the barriers to employment, WorkSafe has recently made changes to the services offered to injured workers seeking new employment. Prior to these changes, return to work outcomes for those receiving 'New Employer Services' (NES) have been generally low with consistently fewer than 20% of workers achieving a sustained placement.

However since 'streaming' NES services from 1st July 2015, services are tailored to better align with a worker's degree of capacity. Red-tape around enrolling injured workers in training courses has also been reduced.

While it is too early to see the full benefits of these changes, NES outcomes have already improved, rising to 22% by July 2016. WorkSafe do however know that earlier servicing impacts more positively on successful return to work outcomes. Therefore, to further support workers seeking new employment, WorkSafe is encouraging earlier consideration of options for 'sustainable employment' and, introducing improved new employment incentives.

The *WorkSafe Incentive Scheme for Employers (WISE)*, introduced in 1993, is a financial incentive to a new employer for providing ongoing employment of 15 hours or more a week to an injured worker. WorkSafe recently implemented changes to the WISE scheme to increase employment outcomes. The percentage of wage replacement increased and is provided over a shorter period to improve attraction to prospective employers, thereby improving the economic participation of those workers who may be impacted by injury, illness or disability.

WorkSafe also offer workers a one off payment to help overcome any incidental barriers to commencing work after a new job offer has been accepted, e.g. temporary transport, appropriate attire, etc.

There is currently a misalignment of incentive programs for employers across funding bodies. This can serve as a negative influence in equality of employment and service provision for people with disabilities. A review of how employers are incentivised more broadly across all jurisdictions and/or funding bodies would be beneficial to understand the efficacy of such schemes and the opportunities for alignment.

8.2 Cultural change

As highlighted in the DES discussion paper, the number one barrier to employment for people with disability is the perceptions and misconceptions of employers and the broader community. To increase employer demand there is a need for significant cultural change within society, with a shift in attitudes and perceptions of disability, where acceptance, inclusion and greater economic participation is promoted. A broader response to disability is vital and, highlighted in the *National Disability Strategy*.

The TAC and WorkSafe support the DSS plan of trialling employer initiatives that will drive cultural change in businesses and the wider community. There is an opportunity to provide greater support to social enterprises, supported employment businesses, not-for-profits and like organisations, who already provide employment (paid and unpaid) for people with disability.

For businesses who don't actively employ people with disability, it is necessary to build confidence and equip business owners/ employers with the skills, knowledge,

capability and environment to enable them to employ and best support people with a disability to ensure sustainable employment.

9.0 Conclusion

The TAC and WorkSafe largely support the proposed changes proposed in the DES discussion paper.

As a funder of disability services for Victorians living with a permanent disability and a commitment and accountability to ensure TAC and WorkSafe clients receive individualised, quality and outcome focused disability services, the TAC and WorkSafe are well positioned to showcase learnings and successes that may assist in the further development of the New DES.

The TAC and WorkSafe welcome the opportunity to contribute to the further formulation of the Disability Employment Services, align wherever possible and, support the proposed service changes.

Strong partnerships between key authorities e.g. DSS, Department of Health and Human Services, NDIA, TAC and WorkSafe are also required to ensure consistency, alignment and unification.

TAC and WorkSafe welcome the opportunity to work closely with the government, business and community sectors and to participate in the broader systemic response to improving the employment outcomes for people with disability.