# Bravo Consulting Response to supported employment discussion paper.

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# What will the supported employment landscape look like at full scheme roll out of the NDIS?

In consultation with supported employees, their families and carers, employers, advocates and other interested stakeholders, the Government will consider policy options to underpin a strong future for supported employment, guided by the following foundational principles:

* **An ‘employment first’ approach** **for all NDIS participants of working age** – strengthening employment outcomes for people with disability, with support from their families and carers, educators and NDIS Local Area Coordinators and planners, so that employment opportunities are available through a range of pathways which suit their working preferences.
* **A diversity of employers providing employment supports** – building market capacity for new employers in the market offering labour-hire, social enterprise cooperatives and other diverse employment models.
* **Strong and viable disability enterprises** – with ADE transition and reform supported through sustainable NDIS funding in participant plans and pricing controls for employment supports.
* **Employees and employers have certainty about industrial wage setting** – resolution of matters before the Fair Work Commission provides confidence to ADE businesses and new employers in the market when accessing available industrial provisions designed to promote the employment of people with disability.
1. ***Are there other principles, which should guide the Government’s policy direction for supported employment?***

There is a new Second principle required– employment first but based on choice – ie their interests as well as abilities TO suit workplace preferences. Choice exists between open or supported work but ALSO around what type of work their interested in, which is often an important process itself narrowing down to what work is interesting – often through a combination with work tasting types, work experience and then trying a work situation. This process is often called career counselling or guidance , and is also called the “Discovery” process from the American customised employment model.

NDIA participants tend to fall into two groups:-

1. young ones transitioning to employment, and
2. people who have worked, often acquiring their disability later.

Also as noted in the DET commission PWC report “Career and Skills Pathways” June 2017 for all people, with or without disabilities.

A study run out of NDIA Geelong 2015 trialled career guidance for NDIA participants. It showed both groups need the Discovery/Career guidance process linking interests and abilities to begin developing a career/work/life plan. But then the group needs differ. Those the under 25 years old, often without steady previous work experience need the work tasters / experience, building on school career/work learning, currently through a SLES program but in future this would need to be done during the schooling phase. Whereas the older group, with work experience, often need support in areas of confidence, and how to look for work , whether voluntary, part-time or full-time.

Almost all felt they had a better understanding of their possible career/work plan (whether self employment or employment) including how to move towards it - whether through an education stage, through business support or how a DES might help them find employment etc.

In the DES Reform package from 1st July 2018, they talk about more involvement of employers in providing more employment for people with disabilities. The employment is very important but in terms of creating a learning curve for employers. It could be employers doing talks at local ADE’s or schools, providing site visits for ADE’s/schools, and providing work experience for ADE’s/schools and if all this improves linkages/communications, it may lead to employment opportunities.

## Strategies to support employment participation for people with disability

### What employee experiences may look like in the future

At full scheme NDIS, participants who are in supported employment are both a consumer of employment-related supports and an employee of a business. However, the NDIS also allows participants of the scheme ‘choice and control’ over who they work for, and which employer best supports them to reach their maximum potential in work. Where ADEs continue to operate a similar model, supported employees may continue to access those supports from their employers. However, in an emerging market, it is also likely that some employees will choose to access their supports from other providers.

In the early stages of NDIS transition, employee experiences have included:

* current ADE employees who choose to remain in their current employment
* current ADE employees who transition to new employment opportunities (either supported employment or open employment), because of their preference or because the ADE no longer provides employment supports in the NDIS
* current ADE employees who transition to non-employment options
* NDIS participants who are not currently employed and have approached the NDIS for employment supports, and
* a modest number of ADE employees have commenced in DES and participate concurrently in both programs.

### Challenges in getting there

How people with disability understand and are best able to exercise choice and control is a key challenge for the NDIS. Understanding the intersections between the employment relationship and the consumer relationship is crucial.

While ADEs actively support and promote employee transition to open employment, the number of supported employees that move into open employment is small. The number of supported employees that remain after moving into open employment is smaller still.

Allowing flexible complementary servicing between DES and ADEs has provided some employees with the security of maintaining ADE employment while they look for open employment. To ensure participation in DES is appropriate, ADE employees must meet the usual eligibility requirements for DES including having an Employment Services Assessment (ESAt) or Job Capacity Assessment (JCA) which confirms they have the capacity to work for at least eight hours per week in open employment with support from a DES provider. The take-up of complementary servicing has been modest, suggesting work could be done to better promote or target this option more effectively for eligible supported employees.

Work could also be done to look at transitional options to support participants who may not be DES eligible but would like support to explore open employment options.

1. ***What is a ‘good’ participation outcome for a supported employee and how can good outcomes be measured?***

***The key outcomes should be social and economic participation and community inclusion. Involvement through a mix of ADE work or open work, community service involvement. The mix should lead to an enjoyable and meaningful life. Developing the individuals advocacy and living skills and social and economic capabilities.***

***It could also be measured on outputs, as well, eg having developed a career plan or not, how many employer talks attended, employer site visits made or even how much work experience.***

***Measurement of these outcomes, requires individual assessment of the capabilities.***

1. ***What do supported employees most value about working in an ADE? In my view , it’s the social involvement and regular commitment.***
2. ***Why do most supported employees transition back to supported employment from open employment? Unfortunately, if you have experienced a safe, supportive environment , its very difficult to move to a more challenging open employment environment, even if its trying to be supportive. So any bad experience in open employment may lead the individual to want to go back to the more supportive, if not “coddling” environment of the old ADE concept. As well as reconnect with a regular routine , whether linking with process or friends.***

***If the ADE can become a mixed employers of PWD and non PWD, the environment better reflects open employment, so transition to real open employment will be easier.***

1. ***How can more supported employees be provided the opportunity to choose open employment? Change ADEs to mixed employers, maybe, as in US, towards a social enterprise. Get rid of the subsidised work support payment system. Get more interaction with local employers, to help individuals gently understand more about employment, with a real aim for transition.***

***Promote the fact that time in the ADE , is a temporary learning and development phase towards open employment.***

1. ***Why is participant access to concurrent DES and ADE support services so low?ADE’s are trying to run a business, so low turnover of staff is preferred. As the employees , often need longer for training, the preferred business approach would be to minimise staff turnover. As the ADE , is not provided additional funding to incentivise staff turnover or getting people into open employment, it hasn’t happened.***
2. ***What is the role a supported employer can play in building employee capacity for transition to open employment? Significant, by trying to create a normal supportive open employment environment. AND getting more involvement of employers with ADE’s interms of talks, site visits and work experience.***
3. ***What will attract NDIS participants to employment opportunities in the future? A fair few NDIA participants want to work, especially if people in their support team talk up the value of work in terms of social contribution, enjoyment and empowerment. So the question becomes how to help people towards work – paid or not, self employed or employed.***

## Strategies to support employer/providers to offer effective employment opportunities

### What employer/provider experiences may look like in the future

In the future there will continue to be opportunities for current ADEs and new NDIS sector market entrants to employ people with disability and/or offer the supports that enable them to participate in employment.

ADE experience in the NDIS to date shows that not all ADEs will choose to operate as they have done in the past.

### ADE Reform

Some ADEs have accessed funds to seek business improvement advice, including advice on how to reform their businesses. For example, some ADEs have created labour-hire arrangements where groups of supported employees are placed in other commercial businesses.

In a growing market, there are also opportunities for ADEs to leverage procurement opportunities, and with uncapped places, expand or change their business model.

Some ADEs have taken the opportunity to capitalise on marketing to offer
non-employment supports and attract associated funding available through the NDIS, allowing continued support to NDIS participants and ongoing business viability.

There is also opportunity for ADEs to specialise as providers of employment supports for people with disability, as supported employees are ‘placed’ in other commercial businesses.

Some ADEs have accessed funds to assist in making independent business decisions to exit the employment market and close their businesses. New providers of employment and employment supports

It is expected market forces will provide opportunities for new, viable organisations to develop and offer supports, with participants accessing sustainable NDIS funding for employment supports.

Options to encourage new providers or start-ups offering these supports, and testing of innovative employment models, could be considered by Government for future development.

### Challenges in getting there - existing employers and providers

ADEs continue to face a range of challenges relating to wage pressures, declining industries, locational economic factors and small profit margins.

Strategies have been implemented in the past to encourage ADEs to reform their business models and address other viability challenges, with mixed success. Any future support would need to be carefully developed to provide a clear pathway for transformation, over a defined period, and tied to future DES or NDIS funding models.

The experience of social enterprises and other entities established to support people with disability at work, could inform future possible strategies. Government investment, or industry adjustment, could be targeted to capitalise on successful models, which provide good outcomes for supported employees.

Wage supplementation has been made available for ADEs that choose to transition to a productivity-based wage assessment tool, being the Supported Wage System (SWS) or varied SWS, once in effect. However, use of the supplementation has been limited and wage uncertainty continues to undermine ADE confidence and business planning.

Consideration is being given to whether pricing controls for ‘employment supports’ for existing supported employees and new market entrants will be needed, and how providers can navigate the NDIS and DES funding system when supporting participants who choose to transition between supported and open employment.

# Have your say - Discussion questions

1. ***How are ADEs marketing their services to an expanded market of potential NDIS participants? Presumably, currently, the ADE’S look on NDIA participants as part of the pipeline of workers. If essentially, the NDIA funds all a persons support costs, but for reciprocity in the ADE being a preparer of the individual for open employment – it must receive money for transition outcomes. As you have said the ADE’s are changing their potential sources of money. From purely from services they sell to external customers to also support services, transition services as well as external services, and possibly labour hire services, as discussed.***

***The only key step for Government is providing transition outcome funding to incentivise people moving through to open employment. As well as setting a legal transition framework guideline for ADE service providers, a mini version of the DES contract.***

***10. What is the range of NDIS supports that ADEs currently offer? It could offer all the supports, and get paid. The NDIS should consider transition outcome payments , as per DES. They will need to link with DES anyway. DES may need extra incentives for finding employment for ex ADE clients. This would incentivise DES and ADE to work together.***

***11. What costs would be involved for ADEs that choose to:
a) reform to more open employment models? OE models without wage support would increase average wage costs, requiring more targeted selling at a higher price.***

 ***b) redevelop as service providers offering other NDIS supports? Change of business model, but clear income levels.***

 ***c) specialise in the provision of employment support as a
non-employer? As b)***

***12. Should the Government have a role in supporting new market entrants and start-ups in the short-term? Government needs to add incentive transition outcome payments to DES/ADE. This and the legal ADE provider framework will determine whether new entrants will enter.***

***13. What investment, or industry adjustment will promote viable expansion in the employer/provider market? Potentially, DES providers could buy out ADE’s, if the business plan stacked up. Gov’t start up support might be needed to assist the $ benefits v risk.***

***14. How could employer/providers share learnings of their success and failures within a competitive market? The peak body for DES/ADE could collect and share best practice based on anonymous sources.***

***15. How can wage supplementation be better targeted? Remove, as confuses market costs/income balance, as well as against UNCRPD.***

## Strategies to facilitate greater choice and control for NDIS participants

### Challenges in getting there

In the initial transition phase for existing supported employees that are eligible for the NDIS, participants’ employment supports are generally reflecting the supports they currently receive in their ADE, with funding mirroring case-based funding.

The NDIA has a market stewardship role to encourage providers to invest in delivering NDIS services including employment services. However, the NDIA does not find work for participants.

In order for businesses of all sizes and types to sustainably grow and innovate under the NDIS, and promote their services to existing and future NDIS participants, there needs to be clarity about market development.

Different planning approaches for various age cohorts may present opportunities for greater choice in employment to suit a range of working preferences and life stages.
For example, for younger people and those entering the workforce (including options available through School Leaver Employment Support (SLES)), for established or mature aged workers, and for employees transitioning to retirement.

# Have your say - Discussion questions

1. ***How can the NDIS enable an employment first approach in planning? All NDIA eligible participants should be offered career guidance, as this is more career/work/life counselling discussion to begin to think about what can make up an interesting life plan for you, matching and building on interests and strengths.***
2. ***How do current assessment processes drive the inclusion of employment supports in an NDIS participant’s plan?
a) Are existing employment assessment processes appropriate for NDIS participants? As a career counsellor, I am totally against the current insurance model for RTW, where a vocational assessment is done first, as this significantly limits aspirations that may change as you go through recovery. The first chat is around what do you like and enjoy doing, and possibly want to do. Where appropriate go through life to date, again things they liked or didn’t. Gradually, a picture appears and strengths can be identified. In this process, usually the condition issues become to clear, and then focus shifts on how to get round any blockers to moving towards the aspirational goals, which can be modified through this feedback loop. Equally, then its about finding employers or customers, who value your strengths.***
3. ***Are there different approaches to planning that could be explored for different groups of supported employees (e.g. younger workers, established workers, retirement transition)?***

***Absolutely, for each group there are some common traits, whether for supported or not.***

***For young workers – they often have to learn about the social elements of work, whereas more mature workers usually understand the social issues, but may need more time with technical skills.***

***The retirees often have issues around finding a routine, if work goes.***

 ***a) How could SLES better support school leavers to build skills and confidence in order to move from school to employment?The solution is more about pushing SLES concepts back into schools, as the earlier schools and parents* begin to develop *career/work/life concepts based on interests, the easier transition becomes. This then needs to be combined with more employer talks, visits, work tasters, work experience during YR 9-12, or earlier, see Victorian Careers Curriculum Framework. It’s the only way to begin to address “the soft bigotry of low expectations”***

1. ***What role could or should an NDIA Local Area Coordinator or planner have in linking participants to an employment opportunity? Promote career guidance, to work out what work they may want, before doing any linkage. This is historically been the problem with DES and its short term focus. The client has no interest, often, in the job, put forward by the DES.***
2. ***What role could or should NDIA market stewardship have in developing a market with a range of employment, other support, or participation options for existing supported employees? One of the roles, that NDIA could take is developing the involvement in ADE/schools by employers eg employer talks, employer site visits, and more around providing work tasters/experience. Involvement will help develop employer confidence, relationships etc which will help raise employer preparedness to consider offering employment.***

***NDIA setting up or setting the framework to ensure a market system that allows a NDIA participant , who wants to work, to understand their interests and strengths, explore the options and move towards an employment option that suits the individual.***