**Submission: A Strong Future for Supported Employment**

**Introduction:**

My 47-year-old son who has significant intellectual disabilities combined with anxiety and depression and a personality disorder, lives at home with me in his separate dependent relative cottage.

He was born in Alice Springs and has lived here for almost all his life.

I have been involved in establishing services to support him and others like him in Central Australia for 40+ years and have held positions on boards and committees to that effect throughout that time.

However, I write today from an independent perspective (not as a representative of any organisation) to offer general support to those with intellectual disabilities or cognitive impairment, particularly those who live outside the main Australian population centres.

I appreciate the opportunity to do so.

The value of work in our society cannot be over-estimated. Those with intellectual or other disabilities who do not experience the privilege of being part of the work force are destined to remain in a subordinate child-like state on the edge of ‘normal’ society for the duration of their lives – never to be considered ‘fully mature responsible adults,’ as my son puts it.

In Australia today, having the opportunity to participate in work and being paid for it does indeed remain a privilege accessible to relatively few, and equitable access is not promoted as a right for all as should be the case under the UN Convention on the Rights of Persons with Disabilities. As the DSS statistics reflect, people who have an intellectual disability often miss out, being only 4% of DES participants and, although ~ 75% of ADE participants have an intellectual disability, the actual number of ADE participants represents just a small proportion of those with intellectual disability who may wish to participate in supported employment were it accessible to them.

I am grateful that my son has had the opportunity to work in an ADE and also (for a period) in the open workforce. Along with others, I have worked very hard to enable this to happen. It has not been easy in the past and certainly remains challenging today.

Unfortunately, there are many people with cognitive and other disabilities in Central Australia and other parts of rural, regional and remote Australia for whom it is considered ‘normal’ to not even be considered for supported or other work opportunities.

The funding model which established Disability Business Enterprises, then later, Australian Disability Enterprises (ADEs) in the noughties forced service providers to strive to develop commercially viable businesses. This had the impact of moving the primary focus to business sustainability - away from the holistic personal development and social integration of the individuals supported and so important for those with intellectual disability.

And, not surprisingly, the time-limited workplace support offered with the introduction of Disability Employment Services (DES) has had little impact on open employment for people with intellectual disability. The type and duration of supervision and support required for people with intellectual disability is often poorly understood and underestimated. Impaired ability for abstract reasoning and logical thinking has a significant impact upon a person’s interpretation of, and response to the novel situations that constantly occur in any ‘open’ situation, leading to unsuccessful long term employment.

**Importance of Employment:**

I have responded to your Discussion Questions and would like to draw the following concepts to your particular attention. These thoughts are expanded in the section responses.

* keep in mind people outside of the big cities and from different cultural backgrounds (Aboriginal in particular) and consider how they might have realistic opportunities to experience vocational training, supported and open employment.  And how small isolated ADEs might realistically be financially viable!

Key Issues to consider are:

Accessibility:

Rural, regional, remote

Cultural differences

Lack of schooling

Expectations from end of school

Eligibility - restrictions

Continuity:

There is a need for greater flexibility in funding conditions to enable rural, regional, remote people to participate in supported employment as and where they can.

Many workers from rural and remote areas have difficulty in meeting minimum requirements of 8 hours work per week on an ongoing basis; absent workers are ‘suspended’; repeatedly re-commencing assessment at pre-DMI level

Delays in completing assessment or when DMI levels have not been assessed lead to the ADE receiving a low employment maintenance fee (or no fee) despite workers in this situation often requiring more intensive support.

Work-based personal assistance seems to focus on physical/hygiene support – need to give consideration to 1-1 support needed for workers with complex psycho-social conditions which often accompany intellectual disability.

Financial Viability of ADEs:

Commercial reality in smaller remote communities – many small businesses went to the wall during the GFC and others are struggling to be sustainable with the move over the past decade to internet shopping.

Limited income-generating opportunities; competition for these in small communities.

The worthy goal to transition out the most productive workers to open employment has a negative impact on productivity of the remaining workforce and needs to be compensated. Instead of being penalised, the ADE should be rewarded for supporting the worker to reach this stage.

Funds needed to ensure ADEs have continuing access to business improvement advice.

Are there opportunities for Australian and state governments to contract out entire job lots to ADEs in rural, regional and remote areas? What government work could be contracted out?

* In addition to the benefits to the supported worker, many other beneficial community personal emotional, social, financial well-being factors accrue from having people with disabilities working in either supported or open employment:

Family respite, forward opportunities; family members able to engage in paid employment; less dependence on welfare system

Community support and acceptance – increased opportunities for further integration into ‘normal’ community activities

Social advantages where people are gainfully occupied – not left to get into trouble, be exploited, lose social and other skills, etc.

Maintaining structure, routine and learning environment – all suddenly discontinued when the individual leaves school if left at home or in supported accommodation to just be minded, cared for or ‘do the colouring in.’

It has been repeatedly demonstrated that even people with quite high levels of disability and dysfunction are able to achieve much more than was ever considered possible for them, given the appropriate environment and support.

* However, the current system has a narrow focus on production/work, compartmentalising work from other aspects of everyday life; a holistic approach is more effective in improving independent living skills and independence of persons with intellectual disability. Remember also that learning is a life-long process. This applies equally to people with intellectual disability. The following are some of the beneficial outcomes obtained through participation in an ADE. These outcomes should be valued and acknowledged.

Whole person development, personal development, social acceptance, community integration

Increase in skills, meaningful participation in work activities, development of work behaviours, decrease in behaviours of concern, increase in self-confidence, more self-reliant, decrease in amount of supervision and support required to perform tasks, ability to sequentially complete all tasks to manufacture product. Ability to fault find with product / work completed and make corrections. Interpersonal interactions with colleagues, supervisors, customers, etc.

Ability to provide and receive feedback, make and receive complaints,

Fun, enjoyment whilst learning and developing

* Unrealistic Expectations regarding Transition to Open Employment: There are many reasons why transition to open employment may not be an option, either temporarily or permanently, for some people with disability. Not the least of these is the lack of available, suitable employment.

Inability to transition to open employment should not be seen as failure; neither should be transitioning back to supported employment.

Further, it is quite unrealistic to expect that a limited support plan will be adequate and able to be withdrawn for a person with DMI L3 or above, even when that person is able to be placed in open employment.

# **Have your say on the guiding principles**

1. ***Are there other principles, which should guide the Government’s policy direction for supported employment?***

Each of the foundational principles is eminently desirable.

It is pleasing to see among them the introduction of an ‘employment first’ approach for all NDIS participants of working age.

However, the challenge will be matching the rhetoric and the reality.

It will be excessively disappointing if the existing regulations which discriminate against people **living in rural, regional and remote Australia** are allowed to continue in the new model. Eg currently people are disadvantaged in being able to attend an ADE if

* For whatever reason, they are unable to attend for a minimum of 8 hours per week
* They reside in a cross-border location where the ADE they could attend is not in their home state but much closer to their homes. This is an issue for people just south of the NT border with South Australia and those living west of the NT border with WA.
* They are absent for prolonged periods – such as going out bush with family; decamping following ‘sorry business’, or being ill or in hospital for prolonged stays due to complex medical conditions.
* They are assessed at DMI level 4 or above. ie. the initial resource investment required to transform them into ‘productive workers’ is more likely to see them be streamed into a day activity program than a work program.

This fails to recognise that learning is a life-long process; the neural pathways for some school leavers with intellectual disability are still developing; and that how others perceive us and what they expect of us play an important part in shaping how we behave and what we achieve – including if we have intellectual disability. Given the right opportunity, environment and support, many people with intellectual disabilities have achieved far more than was ever thought possible.

Similarly, the ADE is disadvantaged when an individual’s DMI assessment is constantly interrupted by ‘suspensions’ due to inability to maintain work continuity for reasons such as those previously outlined. The DMI classification remains indefinitely at level 1 (the lowest paid) despite the resource requirement being much more intensive when the worker is able to be present. Additionally, the ADE is unable to maintain funding for a placement although it is known that an absent worker will eventually return. The staff still needs to be retained. The overheads remain the same whether the worker is present or absent.

Conducting a successful commercial business is a further problem for ADEs in regional, rural and remote communities. Difficulty in, and high costs of recruiting, retaining and educating staff; small local markets, high freight and transport costs for raw materials or finished products; competition from large stores, internet sales and prisoners sentenced to a job programs – the list goes on. Many of these challenges are the same for the small businesses in these communities with notable vacancies among previously thriving commercial centres which have not yet recovered from the GFC.

These challenges make it very difficult to build strong and viable disability enterprises anywhere other than in cities with large permanent catchment populations and ready markets.

**Recommendations:**

1. Recognise that ‘one size does not fit all’. The current ADE funding model effectively excludes many Australians from the opportunity to be part of the workforce.

Adjust the funding model to ensure that people with intellectual or other disabilities who live in rural, regional and remote Australia have equitable access to opportunities for supported employment and support for employment.

This would include

* funding for the additional support necessary to accommodate cultural, language and educational differences
* accommodating casual, short term, sporadic and intermittent participation in an ADE whilst people from remote areas are in town for respite, health or other personal reasons. Linked with . . . . . .
* . . . . .‘hub and spoke’ models to enable a regionally-based ADE to support work activities for people with disabilities in smaller communities and supported outreach work placements for individuals
* flexible cross-border arrangements which support access for individuals
	+ funding for specific focussed specialist support for individuals and groups with complex behavioural conditions arising from a combination of cognitive impairment / mental illness, brain damage and foetal alcohol syndrome.
1. Adjust the primary focus for ADEs to be that of supporting the personal growth and opportunity for each person with a disability (rather than the commercial growth and profitability of the organisation).

Value the importance to the individual, family and community of facilitating the personal growth and development of each person through a structured work environment. A structured approach including ‘work’ which is valued by society promotes self-discipline and self-worth and provides the conduit to enable people to grow and develop beyond all expectations.

This may not lead to open employment and independent living but it will almost certainly have an impact upon the safety of the individual and the community, with subsequent reductions in other government expenses such as health, hospital, policing, and welfare.

Personal discipline and social integration in addition to the sense of place, purpose, respect and value experienced by the supported worker and afforded to him by his community are real outcomes from ADEs and should be valued above commercial profit margins.

The funding model should be adjusted to reflect this.

1. Accept the reality that
	* open employment will not be achievable for all participants for many reasons, not all of which relate to the skills and work behaviours of the individuals with disabilities, and
	* many ADEs will not achieve commercial viability through the sale of the products their workers create. There need to be other income-generating options to support ADEs.

Note also that frequent opportunities arise where supported workers could be productively engaged in valued community activities on a ‘volunteer’ basis - strengthening their skills, improving the social fabric of the community, increasing self-esteem and promoting community acceptance.

However, the focus on commercial viability mitigates against volunteer activity to the detriment of supported workers and their communities.

# **Have your say - Discussion questions**

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

Good outcomes for a supported employee include achieving appropriate workplace behaviours such as (where possible) independent travel to and from work; regular attendance; time keeping; appropriate interpersonal interactions with colleagues, supervisors and customers; knowing how to react to unexpected situations and emergencies; competent use of equipment; ability to complete the tasks required of the job; knowing limitations and how/when to ask for assistance; personal confidence, and job satisfaction.

Achievement of these qualities should be measured on an individual basis from baseline and ongoing assessments with personal development being the primary focus.

Achievement and long-term maintenance of open employment are secondary measures of success.

1. ***What do supported employees most value about working in an ADE?***

Structure, certainty, respect, being valued and praised for a job well done, sense of purpose, keeping the customers happy, being ‘normal’ – ‘I have a job; I’m a xx worker’.

1. ***Why do most supported employees transition back to supported employment from open employment?***

Inadequate, insufficient and/or inappropriate support. Poor acceptance by some in the open workforce. Fear of being judged, rejected, ridiculed. Failure to appreciate the complexities of intellectual disability, in particular, and the need for continual interpretation of the environment and how to react.

1. ***How can more supported employees be provided the opportunity to choose open employment?***

The majority of supported employees in ADEs have significant intellectual disabilities, often combined with other serious conditions. There is a general lack of understanding in the community (including among politicians and policy-makers) that leads to unrealistic expectations about the type and extent of ongoing support required to help people with significant intellectual disabilities interpret and understand even very minor variations in routine or environment.

1. ***Why is participant access to concurrent DES and ADE support services so low?***

Accessibility issues to these services either separately or concurrently remain barriers to many:

 Cultural, geographic, suitable accommodation to support access, transport

Policy, traditional and local factors inhibit participant access to concurrent DES and ADE support.

1. ***What is the role a supported employer can play in building employee capacity for transition to open employment?***

Prior to the introduction of DESs, ADEs played the predominant role in developing employee capacity, finding work experience and job placements and supporting their employment in the open workplace. This had many satisfactory aspects in terms of continuity and in-depth understanding of the employee, their learning patterns, issues, difficulties and strengths. Perhaps placement of a vocational advocate and support officer within the ADE could be more effective – the ADE and DES roles could be combined once more for better effect, particularly for workers with intellectual disability?

In any case, many workers with intellectual disability will require longer and stronger placement support than is currently able to be provided in the DES model.

1. ***What will attract NDIS participants to employment opportunities in the future?***

Availability of suitable positions that are within the capacity and interests of NDIS participants;

Stronger and longer support to be successful and accepted in the position;

Well-educated supervisors and mentors;

Work should be enjoyable; the individual should feel successful and that what they are doing is valued and worthwhile.

Manage the stress associated with factors like transport, bullying, uncertainty, etc.

Educate employers and the general community.

# Have your say - Discussion questions

***9. How are ADEs marketing their services to an expanded market of potential NDIS participants?***

All currently under consideration; still quite a lot of confusion of both participants and providers.

***10. What is the range of NDIS supports that ADEs currently offer?***

As above. Too early to tell.

***11. What costs would be involved for ADEs that choose to:
a) reform to more open employment models?***

 ***b) redevelop as service providers offering other NDIS supports?***

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

As above. Too early to tell. Teething problems with NDIS and costings/payments are cause for concern and need to be sorted. Many ADEs have a very small profit margin and would find it difficult to sustain early losses or carry unpaid accounts.

***12. Should the Government have a role in supporting new market entrants and start-ups in the short-term?***

It would seem preferable for Government to invest in supporting existing providers to transition to the new model at least for the first 10 years.

***13. What investment, or industry adjustment will promote viable expansion in the employer/provider market?***

A holistic approach is required to enable expansion in rural, regional and remote areas. This will include access to transport, accommodation and services for potential supported workers (and staff), as well as the development of viable products.

A more realistic assessment is needed to identify the actual input costs, the duration of support required, the viability of supported employment, the potential for supported open employment, etc.

Many communities are still recovering from the impact of the GFC and appropriate job opportunities may be scarce.

***14. How could employer/providers share learnings of their success and failures within a competitive market?***

Tricky. Good ideas are ‘stolen’ and the advantage and/or market is lost.

***15. How can wage supplementation be better targeted?***

Revision of remote area tax benefits or allowances could be useful in attracting and retaining staff – (high staff recruitment & turnover costs are very challenging).

Perhaps an short-term unpaid work experience or minimal training wage system could be introduced for beginning (unproductive) supported workers? The BSWAT experience shouts caution!!

# **Have your say - Discussion questions**

1. ***How can the NDIS enable an employment first approach in planning?***

This should be the philosophy and approach from early childhood; build in the expectation that upon leaving school, one goes to work. These are some of the options. What would you like to try; what will you work towards? Schools help to prepare children with significant disabilities for work, as it does other children.

Need to build similar expectations within the general community, including the value of people with a disability in the workforce and the community.

1. ***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?***

I have yet to experience these.

1. ***Are there different approaches to planning that could be explored for different groups of supported employees (e.g. younger workers, established workers, retirement transition)?
a) How could SLES better support school leavers to build skills and confidence in order to move from school to employment?***

See 16, above. Yes, different groups of supported employees will need different planning approaches and supported employment opportunities.

1. ***What role could or should an NDIA Local Area Coordinator or planner have in linking participants to an employment opportunity?***

I have yet to meet an NDIA LAC or planner, however, I expect that their role would include being knowledgeable about, and linking participants to employment options and opportunities.

1. ***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?***

I expect the market will develop where it is financially attractive to do so. Perhaps the best role for NDIA market stewardship will be to ensure that **all** Australians with a disability have access to an holistic range of employment, other support and participation options, including for supported and open employment – as close to their preferred places of residence as possible.