



**Australian Federation of  
Disability Organisations**

**Submission to the**

# **National Disability Employment Strategy**

**June 11, 2021**

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# About AFDO

Since 2003, the Australian Federation of Disability Organisations (AFDO), a Disabled Peoples Organisation (DPO) and Disability Representative Organisation (DRO), has been the recognised national peak organisation in the disability sector, along with its disability specific members, representing people with disability. AFDO's mission is to champion the rights of people with disability in Australia and support them to participate fully in Australian life.

Our member organisations represent disability specific communities with a total reach of over 3.8 million Australians.

AFDO continues to provide a strong, trusted, independent voice for the disability sector on national policy, inquiries, submissions, systemic advocacy and advisory on government initiatives with the Federal and State/Territory governments.

We work to develop a community where people with disability can participate in all aspects of social, economic, political and cultural life. This includes genuine participation in mainstream community life, the development of respectful and valued relationships, social and economic participation, and the opportunity to contribute as valued citizens.

## Our vision

That all people with disabilities must be involved equally in all aspects of social, economic, political and cultural life.

## Our mission

Using the strength of our membership-based organisations to harness the collective power of uniting people with disability to change society into a community where everyone is equal.

## Our strategic objectives

To represent the united voice of our members and people with disability in national initiatives and policy debate.

To enhance the profile, respect and reputation for AFDO through our members.

To build the capacity and sustainability of AFDO and our members.

To foster strong collaboration and engagement between our members and stakeholders.

To enhance AFDO's connection and influence in international disability initiatives, particularly in the Asia Pacific region, through policy, advocacy and engagement.

# Our members

## Full members:

- Autism Aspergers Advocacy Australia
- Blind Citizens Australia
- Brain Injury Australia
- Deaf Australia
- Deafblind Australia
- Deafness Forum of Australia
- Down Syndrome Australia
- Disability Advocacy Network Australia
- Disability Justice Australia
- Disability Resources Centre
- Enhanced Lifestyles
- National Mental Health Consumer and Carer Forum (NMHCCF)
- People with Disability WA
- People with Disabilities ACT
- Polio Australia
- Physical Disability Australia
- Women with Disabilities Victoria
- Women with Disabilities ACT

## Associate members:

- AED Legal Centre
- All Means All
- Aspergers Victoria
- Disability Advocacy and Complaints Service of South Australia (DACSSA)
- Disability Law Queensland
- Leadership Plus
- National Organisation for Fetal Alcohol Spectrum Disorder (NOFASD)
- YDAS – Youth Disability Advocacy Service



# Introduction

As has been acknowledged in the United Nations Convention on the Rights of Persons with Disabilities (UNCRPD), the ability to engage in meaningful employment is critical to living a full life and engaging wholly with one's community. In Australia, people with disability are frequently denied this fundamental human right, existing in a state of "entrenched exclusion"<sup>1</sup> that suppresses their true potential.

Inequitable employment participation continues to be one of the most significant issues compromising the life outcomes of people with disability in Australia. Only one in two people with disability (53%) participate in the workforce compared to more than 80% without disability.<sup>2</sup> Labour force participation rates for people with disability have not changed in more than a decade despite numerous attempts at reform.<sup>3</sup> AFDO acknowledges the commitment and investment of the Commonwealth to act; however, program outcomes generally remain low and are unlikely to address the employment participation needs of people with disability to the required level.

To change the story of disability to one of employment participation and prosperity, we need a high performing support system that enables people with disability to gain meaningful and sustainable work. This submission will address each of the four sections outlined in the Consultation Paper to illustrate how such a system may function.

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<sup>1</sup> Murfitt et al. 2018

<sup>2</sup> AFDO 2017

<sup>3</sup> AFDO 2017

# Lifting employer engagement, capability, and demand

Providing employers with the tools and abilities to confidently hire, support, and develop more people with disability.

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Despite being an essential element in the disability employment equation, the voices of employers are conspicuously absent across the research literature, both in Australia and internationally.<sup>4</sup> This lack of attention to demand-side forces is particularly evident in the case of small to medium employers (SMOs). While larger employers with dedicated human resources teams have made progress in developing disability employment initiatives, the voices of SMOs are largely missing from the conversation.<sup>5</sup> Research suggests that in addition to lacking the HR capabilities of their larger cousins, SMOs are largely unaware of the supports available to them, and even if they are, lack the capacity to navigate the complex and ever-changing matrix of services available.<sup>6</sup> Furthermore, SMOs harbour anxieties regarding perceived safety, legal, and cost issues, despite all available evidence to the contrary.<sup>7</sup> This is particularly concerning given that SMOs employ over 90% of Australians.<sup>8</sup> The Australian government acknowledged this precise phenomenon in its 2010-2013 review of Disability Employment Services (DES), conceding that while 75% of employers who accessed DES described the service as 'good' or 'very good', only 52% of employers sampled were previously aware of DES, and only 3% had used its services in the preceding 12 months.<sup>9</sup>

Further research has concluded that in place of formal disability awareness training, SMOs would prefer to build their disability confidence through working with "trusted brokers".<sup>10</sup> AFDO has delivered its own such brokerage service, the Business Inclusion & Diversity Services (BIDS), formerly the Disability Field Officer (DFO) Service, since 2015, with the support of over 20 local, state, and national organisations, including WorkSafe Victoria, Geelong Chamber of Commerce, and our research partner Deakin University. The service focuses on understanding SMOs and assisting them in building their disability confidence to become more welcoming, inclusive, and accessible places of employment. It supports employers to make the most of the talents that people with disability can bring to their workplace, which in turn aids in improving attitudes towards people with disability in Australia. In addition, BIDS provides information and mentoring services that enable businesses to modify their premises, operations, and policies, allowing them to be more inclusive and supportive of all employees.

In providing BIDS, we focus on four key areas to improve SMOs' internal policies, practices, and service delivery. These include:

1. Improving organisational disability awareness, including exploring unconscious bias, and breaking down barriers to create a more welcoming culture for staff and customers.
2. Managing and retaining existing staff through improving human resources policies and practices, including the issues of disclosure and providing reasonable adjustments.

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<sup>4</sup> Murfitt et al. 2018; Waterhouse et al. 2010A

<sup>5</sup> Murfitt et al. 2018; Gustafsson et al. 2013; Waterhouse et al. 2010B

<sup>6</sup> Murfitt et al. 2018; Gustafsson et al. 2013; Waterhouse et al. 2010B

<sup>7</sup> Graham et al. 2002; Australian Safety & Compensation Commission 2007; Hernandez & McDonald 2010

<sup>8</sup> Murfitt et al. 2021; GROW 2014; Waterhouse et al. 2010A

<sup>9</sup> DSS 2014

<sup>10</sup> Murfitt et al. 2018; Waterhouse et al. 2010B

3. Improving the accessibility of both SMOs' premises and the manner in which they conduct business through a disability-friendly premises review and information provision.
4. Increasing employer confidence to hire and retain people with disability who are a good fit for their particular business, enabling them to tap into the broadest talent pool when recruiting.

BIDS also provides a comprehensive recommendations document and access to an 'Employer Toolkit', which includes information and resources on a range of areas to continue to assist on their journey to gaining disability confidence. In addition, BIDS offer a series of targeted workshops delivered inhouse by an AFDO consultant with lived experience of disability, covering a range of topics including disability awareness, communication, language and social media, accessibility, and improving workforce practices.

To date, the BIDS program has worked closely with 112 businesses in the Greater Geelong region, and in its final evaluation was shown to have generated more than 127 employment pathways, including open employment, internships, traineeships, job carving, and work experience opportunities.<sup>11</sup> Key results of the final evaluation include:

- 63% of businesses in the pre-and post-surveys reported they were employing people with disability at the end of their DFO Service compared to 25% at the start of their DFO Service;
- 80% of these businesses also said there may be an opportunity to employ people with disability in the next 12 months compared to 50% at the start of the DFO Service;
- 75% of businesses reported they planned to implement or had implemented at least one DFO employment pathway intervention for the employment of people with disability.<sup>12</sup>

The success of BIDS demonstrates the effectiveness and potential of disability brokerage services in improving the disability confidence of SMOs and encouraging them to recruit and retain people with disability as employees.

#### **Recommendations:**

- Develop a national employer research program in conjunction with representative bodies from all levels of public and private sectors to identify attitudes, barriers, and requirements.
- Identify and review successful programs, such as AFDOs Business Inclusion and Diversity Service (BIDS, that assist employers, particularly small to medium business, to employ people with disability with a view to developing best practice guidelines and mechanisms for national delivery.
- In conjunction with business peaks, disability employment services, and disability advocacy organisations knowledgeable in disability employment programs, develop integrated models for people with disability who need specialist and ongoing support to be successful in the open labour market.
- Set up a market driven approach based on the NDIS with a funding package allocated to people with disability to purchase employment related supports. Supporting and encouraging all businesses to become disability confident.

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<sup>11</sup> Murfitt et al. 2020

<sup>12</sup> Murfitt et al. 2020, p. 33

- Adopting macro approaches to address the employment of people with disability, such as a disability employment strategy and targets in all public sector departments to increase employment and show leadership.
- Developing clear benchmarks, goals, resources, and accountabilities to close the employment gap experienced by people with disability.
- Systemically addressing the concerns of business that relate to workplace health and safety including insurances, industrial relations, and disability discrimination.
- Expanding BIDS and similar disability brokerage services with SMOs across Australia.



# Building employment skills, experience, and confidence of young people with disability

Ensuring young people with disability are supported to obtain meaningful work and careers of their choice.

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The transition period between education and work is a crucial moment for all young people, and particularly so for young people with disabilities. At present, around 13% of Australian children under the age of 18 are registered as having a disability.<sup>13</sup> In recent years, in line with the requirements of the Disability Discrimination Act 1992 and the United Nations Convention on the Rights of Persons with Disabilities (UNCRPD), educational practices have shifted from segregated, institutionalised settings as the norm to the inclusion of students with disability in mainstream schooling.

However, despite these gains in identifying and mainstreaming students with disability, significant problems remain. Many children with disability continue to be sequestered in segregated schools and/or classes. While there has been an increase in participation in local schools, the increase in segregated classes and schools has been greater.<sup>14</sup> New segregated educational facilities continue to be built, committing governments to funding two separate systems now and into the future. This is despite the wealth of evidence that demonstrates the social and academic benefits of inclusive education, which extend beyond children with disability to all children educated in an inclusive classroom.<sup>15</sup> One common assumption is that higher teacher-child ratios, as well as having teachers trained in special education, results in better academic outcomes in segregated schools or classes. On the contrary, research demonstrates that children with disability who are included in mainstream educational settings demonstrate better academic and vocational outcomes when compared with children who are educated in segregated settings.<sup>16</sup>

Despite the abundance of research demonstrating the benefits of inclusion, pedagogical practices on the ground continue to lag behind. Students with disability are less likely to complete secondary and tertiary education than students without disability. Students in mainstream schools still experience major difficulties in basic aspects of school life such as socialising, understanding their work, and gaining physical access to their school's grounds and equipment.<sup>17</sup> If these issues continue to remain unaddressed, there is a significant risk of returning to the era of special schools as 'dumping grounds' for students with disability, in direct contravention of the UNCRPD to which Australia is signatory. Moreover, without access to an adequate and equitable education, students with disability face a much higher risk of long-term unemployment and social exclusion.<sup>18</sup>

AFDO believe that a strong school-to-work system of support is one of the most effective strategies to address the low labour force participation rate of people with disability. The success of this strategy is dependent upon the ability to work across and within multiple sectors and

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<sup>13</sup> AFDO 2017

<sup>14</sup> AFDO 2017

<sup>15</sup> AFDO 2017

<sup>16</sup> AFDO 2017

<sup>17</sup> AFDO 2017

<sup>18</sup> AFDO 2017

jurisdictions, spanning a range of issues including income support, disability, health, employment, and education and training portfolios.

One means through which people with disabilities find employment is Australian Disability Enterprises (ADEs). Congregate settings like ADEs segregate people with disability from the rest of the community, and as such are contrary to the objectives of the National Disability Insurance Scheme (NDIS) and its objective of 'full inclusion'. ADEs also contravene the DSA, which sought a change from 'closed settings' to integrated settings, and our international obligations under Article 27 of the UNCRPD.<sup>19</sup> Arguments have also been made by proponents of ADEs that promotion of open employment is often by people with a disability who have a much higher functional capacity than the 'real' people working in ADEs. Our members, representing hundreds of thousands of people with disability across Australia, include people with a range of disability and capacity, including people with intellectual disabilities who have and do work in ADEs. People in ADEs are not other people – *they are us too*.

Supported employment, also referred to as the 'place and train' model, is an emerging vocational rehabilitation model with a robust evidence base<sup>20</sup> that serves as an alternative to ADEs and congregate settings. Supported employment recognises the capacity of people with disability to work with the right ongoing supports in a variety of settings that include open (mainstream) employment, mobile crews, social enterprises, and small businesses. In contrast to these emerging best practice models, the Australian Government has failed to explore and develop evidence-based integrated supported employment models for people with disability who require specialist and ongoing support to be successful in the open labour market. In its place, Commonwealth policy has instead resulted in an increase of the number of people with disability in institutionalised and congregate settings over time. As has been previously addressed, these settings have been internationally recognised as incompatible with stated legislative objects of integration or full inclusion and misaligned with the rights of people with disability.<sup>21</sup>

The majority of ADE participants are people with intellectual and developmental disabilities (67.5%).<sup>22</sup> The most effective school to work pathway for people with intellectual and developmental disabilities, based on achieving open employment outcomes, is a school to work pathway that involves a presumption of work capacity; transition support that is focused primarily on work experience in the open labour market to address low expectations and other barriers to work; and seamless, concurrent linkages with skilled DES-ESS providers.

It is AFDO's view that we can do better than congregate settings for people with disability and aspire to employment outcomes for people with disability that are inclusive, integrated, and lead to an 'ordinary' life – outcomes consistent with the goals of the NDIS. At present, there is no clear vision for supported employment with binding goals and strategies to achieve inclusive open employment outcomes. Without a clear vision for the future of supported employment, any reform that is made will always be piecemeal; addressing siloed components of a problem or failing to work towards an overarching goal.

### **Recommendations:**

- Establish a cross-sector working group with representation from disability advocacy organisations organisations knowledgeable in disability employment programs, secondary

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<sup>19</sup> AFDO 2018

<sup>20</sup> Wehman et al. 2020

<sup>21</sup> UNHCHR 2012

<sup>22</sup> AIHW DSS 2015-2016

and tertiary education sectors, government, and training organisations to strategically address transition to work/further education for young people with disability.

- Develop evidence-based, integrated, supported employment models for people with disability who require specialist and ongoing support to be successful in the open labour market.
- Work with schools and service providers, including disability employment services to encourage and develop school-to-work pathways based on presumption of work capacity.

# Improving systems and services for jobseekers and employers:

Making it simpler for job seekers with disability and employers to navigate and utilise government services and driving better performance from service providers.

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Current labour market programs targeted at people with disability looking for work are failing to deliver effective, lasting employment outcomes, with only approximately one in four people with disability reaching an outcome rate of 26 weeks or greater.<sup>23</sup> Of employers who know about DES, only 3% use the services available.<sup>24</sup>

Changes to the eligibility rules for the Disability Support Pension (DSP) have forced some people with disability on to unemployment benefits with the stated aim of encouraging entry into paid employment. But without simultaneous investment in making the workplace structurally more accessible or increasing real job opportunities, these changes have only further contributed to the poverty and financial stress experienced by many people with disability. The focus of successive governments has been to treat the workforce participation of people with disability as a separate agenda to broader employment and workforce reform, rather than an essential component to redress skill shortages, increase productivity, contribute to economic growth, and lessen welfare dependency.

A much more rigorous and accountable employment support regime is desperately needed to promote greater opportunities for economic security for people with disabilities seeking paid work. With the unemployment rate almost double that of Australians without a disability (9.4% as compared to 4.9%) and Australia ranked 21 out of 29 as compared to other OECD countries, it is clear that current mechanisms are not working and that a new way forward is needed.<sup>25</sup>

There is also an expectation within the current system that people with disability will somehow “find their own way” through the complex and multilayered systems of welfare, education, vocational training, and disability employment programs into employment. While many people with disability have successfully navigated the system or have gained employment through their own efforts, the current system does not provide a continuum where all parts are intuitively connected.

AFDO is clear that any reform of the welfare system must be met with parallel systemic reforms which support real jobs for real wages in open employment. A reform to welfare without a focus on job creation and workforce participation disregards the intent of the NDIS and National Disability Strategy to enable people with disability to contribute as economic citizens.

## Recommendations:

- Encourage government and employer groups to include people with disability as a mainstream employment consideration, rather than as a segregated minority group.

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<sup>23</sup> AFDO 2017

<sup>24</sup> AFDO 2017

<sup>25</sup> AFDO 2017

- Form a coalition of specialist disability organisations to develop targeted and integrated communication strategies for government and employer groups to assist their interactions with people with disability.
- Establish an information hub (similar to the Carers Gateway) for people with disability to access information on, and strategies to engage with and navigate, government services and service provider offerings.

# Changing community attitudes

Changing people's perception and expectation about the capability of people with disability in the workplace.

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At the national level, there is a broad economic imperative to support people with disability into employment, with greater workforce participation being a key driving factor for economic growth and increased productivity. For employers, the 'business-case' for recruiting and retaining people with disability emphasises multiple benefits, including access to an increased talent pool; enhanced creativity and innovation; reduced absenteeism and longer tenure; and the ability to market to a more diverse customer base.<sup>26</sup>

Though this cost-benefit analysis is prominent in discussions of disability employment, recent research has brought into question its efficacy, recommending instead a discursive shift away from the economic argument and towards strategies that address the underlying and often unconscious biases and stereotypes that exist within organisational cultures and individuals themselves.<sup>27</sup> It is widely agreed that these negative and discriminatory attitudes present a key barrier to employment for people with disabilities;<sup>28</sup> maintaining the status quo of exclusion despite economic arguments to the contrary. These conscious and unconscious biases are at the core of employment exclusion, and it is unlikely that the employment prospects of people with disability will improve until these cultural and attitudinal challenges are addressed.

Encouragingly, research has suggested that the single most important factor influencing an employer's decision to hire people with disability are positive experiences and strong connections with people with disability and disability support networks.<sup>29</sup> Disability brokerage services like BIDS are one such avenue through which this contact could occur, enabling the transformation of community attitudes towards people of disability that is required to promote their full inclusion in all aspects of life.

## Recommendations:

- In collaboration with business and organisations that have successfully employed people with disability, develop and deliver a national awareness campaign aimed at changing attitudes by sharing diverse employment success stories.
- Work with business and employer peak bodies to encourage diverse and positive stories of employees with disability through those organisations' existing communication channels.
- Develop a 'bank' of positive stories in different formats and covering diverse capabilities of people with disability in employment for access by business and employer groups, media, and advocacy groups.

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<sup>26</sup> Murfitt et al. 2018; Mor Barak 2014

<sup>27</sup> Bartolotto et al. 2014

<sup>28</sup> Murfitt et al. 2018

<sup>29</sup> Murfitt et al. 2018

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