

## About Workways

Workways is a charitable organisation established in for the principal purpose of promoting the relief of poverty, distress, misfortune, or disability of individuals who suffer from long-term unemployment and other significant social disadvantages by providing programs to assist them to obtain and retain employment or to proceed to further education and / or training. Workways Australia Ltd is committed to building and supporting a diverse and inclusive community that reflects the principles of equal opportunity and social justice.

Workways provides both types of Federally contracted Disability Employment Services (DES) programs across 50 locations across Eastern Australia.

- **Disability Management Services** – is for people with a disability, illness or injury who need the help of an employment service but do not expect to need long term support in the workplace.
- **Employment Support Service** – is for people with a permanent disability and an assessed need for longer term, regular, ongoing support in the workplace.

We:

- Build relationships with Disability Services organisations, communities and individuals to better understand their needs and expectations.
- Build respect for people living with a disability into the culture of Workways.
- Ensure employment and participation opportunities exist for people with a disability within Workways and in our local communities.
- Create connections to local employment and training opportunities for people with a disability.

Workways welcomes the opportunity to provide feedback on Department Social Services (the Department) Consultation Paper “Shaping Your New Disability Employment Support Program”. Workways have read the Consultation Paper in conjunction with the mid-term review completed by Boston Consulting Group released in 2021 and the references supplied by the Department.

Workways agrees with the Department that aspects of the 2018 – 2023 Disability Employment Service has been positive, including Participants’ improved access to choose and control their Employment Service Provider. It is however, Workways’ opinion that significant changes are vital to see a significant improvement to the currently unacceptable low levels of people with a disability participating in sustainable employment in Australia, “48% of working-age (aged 15–64) people with disability are employed, compared with 80% without disability” (Australian Institute of Health and Welfare, 2020).

Workways would welcome any opportunity to work with the Department Social Services in the coming year to build an inclusive, efficient and beneficial program for Participants, Employers, Community Stakeholders, Providers and the Department.

## **1. Who should be able to access a specialist disability employment program?**

### **1.1 Who should be able to access disability employment support program**

### **1.2 Should a future disability employment support program include employment pathways such as casual and part time employment, community engagement, voluntary work and short-term unpaid work experience**

### **1.3 How can a future disability employment program better align with other programs such as NESM and CDP?**

### **1.4 What is the role of the NDIS in supporting employment pathways, and how can this complement a future disability employment support program?**

1.1 Workways believe that Participants with both short-term and long-term disabilities should be considered eligible for Disability Employment Services (DES), as per the Disability Discrimination Act definition for disability. An example of where this is not working in the current model is people diagnosed with degenerative conditions such as Multiple Sclerosis, Parkinson's or Spinal Muscular Atrophy. They are often not eligible or have access to DES until their symptoms have significantly progressed or they are almost completely incapacitated. Studies show that early interventions and stable employment can stave off further symptoms or disease progression. By automatic access to DES, people with the degenerative diseases can be supported into employment and supported to sustain their employment even when disease progression occurs.

1.2 Workways agree that as the Australian labour market evolves with ever increasing casualised, part-time and self-employment opportunities can often suit those with a disability that these should be included in the future DES program. Workways feel the Department should consider the option of Progression Outcomes, similar to the newly introduced Progress Outcome in the New Employment Services Model (NESM), to recognise Participant and Provider progression towards employment – this could include engagement in community and voluntary work, improved social outcomes, and access to programs such as Career Transition Assistance (CTA), Employment Skills Training (EST) and other complementary programs, that DES Participants currently are not eligible for.

1.3 Similar to Community Development Program being redesigned with Indigenous participation centred to the new program, the Department should consider inviting people with lived experience into the planning process of designing the program. Whilst Workways believe that a consistent Employer experience would be helpful across all Employment programs, including documentary evidence requirements and wage subsidy applications, Workways believe the customer experience should be tailored to people living with a disability. As DES does not sit under the Department of Education, Skills and Employment, the program does not need to mirror jobactive/NESM, including Mutual Obligation Requirements and the Targeted Compliance Framework.

1.4 Workways believe people who are linked with NDIS should have automatic access to DES. They have already been assessed to eligibility for NDIS and yet they need to go through another assessment for DES servicing. (This is further discussed in the next questions). As per the Boston Consulting Group (BCG) Mid

Term DES Review Recommendations 60 and 61: “The Department should explore opportunities to work with the NDIA to develop a participant-centred approach to support people with disability into employment”, and “The Department should consider the role of the DES program within Government’s broader strategy for disability and employment services when designing the future DES program” (BCG, 2020).

## 2 How can we simplify entry to the Disability Employment Support Model?

- 2.1 How can the assessment process be improved to connect people with disability to the right employment services?
- 2.2 What should be considered during the assessment process when determining support required to help a person reach their work potential?
- 2.3 How can the assessment process stream an individual with disability toward the right type of employment support, depending on need and goal?
- 2.4 Are there different assessments needed at different stages of an individual's work journey, as they prepare for work, find and maintain employment, and progress their career?

2.1 People who are linked with NDIS should have automatic access to DES. They have already been assessed to eligibility for NDIS and yet they need to go through another assessment for DES servicing. At the moment people under NDIS need to undergo not only an assessment to access DES, in some circumstances need to also get a medical clearance confirming they can work 8 hours so that the ESAt can have this for the assessment result. Whilst this is a long and convoluted process within itself, many people with a disability do not have an advocate that can assist when dealing with multiple staff at Services Australia and EsAt Assessors who are not qualified to assess employment benchmarks for all disabilities (for example, speech pathologists determining the benchmark for a person with significant mental health and/or physical disabilities), making the process confusing and overwhelming. Often the person is still with a jobactive provider and is expected to complete mutual obligation at the same time as being assessed for DES.

- Workways suggest automatic access to DES if a person has already been approved for the NDIS.
- Workways suggest simplifying the DES/DSP/ESAt application process
- Workways suggests each person who is applying for DES/DSP be provided with a 'case manager' from Services Australia who can be a sole point of contact for the process
- Workways believes the current Direct Registration Process is fairly simple and empowers the Participant throughout the registration process.
- Workways agrees with Recommendation 25 in the Mid Term Review, "The Department should conduct a detailed review of ESAts, assessing their accuracy, identifying opportunities for process improvement, and identifying options for reducing incentive misalignment."

2.2, 2.3 As with all Disability Services the person with a disability should be central to the assessment. Identifying the person's strengths, talents, capabilities, previous employment history, voluntary history, support networks and the support they would like to receive should be paramount to assessing a person's ability to participate in the workforce. There are many different career assessments that have been tried and tested across the world that can be incorporated with the ESAt process to be more aspirational.

2.4 Workways would suggest that whilst different assessments timed with a Participant's progress could be beneficial, it should not be a compulsory requirement as part of the new DES model. Giving Providers freedom to assess Participants based on their experience and unique Service Delivery Model is less burdensome on Providers and Participants and will provide more opportunities for Participants to choose their pathways to employment or how they sustain their employment.

### **3 What employment services and supports would most help people with a disability?**

**3.1 What has been your experience of receiving employment support from a DES or other employment services provider? What was good about the support? What improvements would you recommend?**

**3.2 What type of services and support would best help a person with disability find and keep a suitable job, and progress their career? Who should provide this support?**

**3.3 What education and training opportunities help people with disability overcome the entry barriers to employment?**

**3.4 How can people receiving disability employment services also be supported to address other barriers to employment (eg. Health service, housing assistance)**

**3.5 What employment support do mature age people with disability need to successfully gain or retain employment, or transition into new employment or a new career?**

3.1 Not Applicable

3.2 DES and NDIS can work together to assist Participants find suitable employment and progress their career. Ongoing Support (OGS) and Work Assist can be an excellent tool to support people with a disability in their employment sustainability and career progression, however the administration and rigidity of OGS frameworks can mean Participants do not get the support they need as it does not fall into the OGS guidelines. Workways suggests expanding OGS and Work Assist frameworks to permit Providers innovate their service to Participants and support them in career progression, movement to other jobs, and take advantage of professional development opportunities.

3.3 Workways feel that rather than focusing on what the person with a disability must do (whilst acknowledging training and education can reduce the barriers to employment), the Department should consider exploring education and training opportunities that could be made available to employers to understand what a person with a disability can bring to their workplace. At times the most significant barrier is Employers who are not willing to take on people without any experience or will need extra training or assistance. An example of this is the current shortage of hospitality workers in Australia. Although many Employment Service Providers pay and support Participants to complete hospitality/barista/customer service training, employers are reticent to put on new employees who cannot demonstrate extensive experience. Providers endeavor to use tools such as Internships and Work Experience, however employers are not willing to train inexperienced but well-trained staff.

3.4 Currently the DES Performance Framework is heavily based on speed to placement and outcome. This can encourage Providers to find short term solutions or sideline Participant issues in favour of focusing only on employment. With a Performance Framework shifted in focus to progression this could allow Providers to spend more time on engaging with community providers to assist Participants with issues such as homelessness, health and other non-vocational barriers. DES Providers could be measured on the community relationships and the supports/referrals to services.

3.5 Workways suggest mature age people linked with DES should be able to access complementary programs such as Career Transition Assistance.

- 4 What employment services and supports would most help young people?**
  - 4.1 What support do young people with disability need to successfully move out of education into suitable employment?**
  - 4.2 What best practices from existing DES or other employment programs help young people with disability find and maintain a job?**
  - 4.3 Should there be assistance to prepare young people to think about work much earlier than after they leave school?**
  - 4.4 How can disability employment services work better with the education system to enhance employment prospects to young people?**

Workways suggest the Department to explore opportunities for collaboration between Transition to Work (TtW) and DES services. Could DES and TtW Providers work closer with schools/education to transition from school to employment service provider?

- 5 What support do employers need to attract, employ and retain people with disability?**
  - 5.1 What are the most important things that can be done to build an employer's confidence to employ a person with disability**
  - 5.2 What services and supports does a disability employment support service need to offer employers to enable them to recruit people with disability, maintain their employment and promote career growth?**
  - 5.3 What are examples of good practice employer engagement and employer-led initiatives that have shown to improve employment outcomes for people with disability? How could these be scaled in the disability employment program?**
  - 5.4 What other information, services and supports do employers need to support employees with disability?**

In Workways' experience, our local employers use our service as a "Human Resources Help Desk" they need to be able to ask questions without judgement or fear of recrimination – being told to go to Fair Work or ATO doesn't work for smaller/local employers. Understanding a disability and knowing how it will impact (both positively and negatively) on a workplace can be challenging for small to medium organisations. DES Providers need the time to work with businesses to develop Disability Action Plans, long term recruitment plans.

Workways would support Government input and advocacy into Australia's largest employing organisations such as Woolworths, Coles, McDonalds, to increase incentives for working with Employment Service Providers and increasing their number of employees with a disability.

As discussed earlier, alignment with other Employment Service programs for documentary evidence requirements and making them less burdensome would also encourage Employers to work with DES Providers. Workways agree with BCG, "The Department should prioritise plans to integrate assurance activities with Single Touch Payroll, to reduce burden of demonstrating employment. Any such assessment may usefully be conducted with the involvement of DESE, to assess value of rolling out across DES and jobactive." (BCG, 2020)

Documentary Evidence for Outcomes just in the last 12 months has changed significantly three times, this can be incredibly frustrating for staff, Employers and Participants. Access for wage subsidies for employers is also burdensome due to the number of rules and documentary evidence requirements. All subsidies available have different eligibility rules and different documentary evidence requirements which is a headache for employers in particular where they hire multiple Participants.

Education and training for employers on the benefits and sustainability a person with a disability can bring to a workplace would be beneficial. As per the BCG report, Recommendation 31, "Once targeted messages are identified, the Department should design specific communication campaigns that target employers and promote the hiring of people with a disability.

An example of Demand Led employer collaboration initiatives shown to have success is the NSW and Social Ventures developed initiative, "Employer Demand-Led High Growth Jobs Talented Candidates". It was designed to improve Employers capacity to employ people with a disability. Six of the eight employers found



they developed greater awareness of the diversity, skill level and talent of people with disability, and improved their systems and processes to recruit and retain people with disability. Workways believe that an initiative like this, with a wraparound framework from DES and community providers, based on growth markets could be successful.



## **6 How do we best tailor mutual obligation requirements to increase the likelihood of people with disability finding work in the future?**

### **6.1 What specific assistance or flexibilities would better support people with disability to meet their mutual obligation requirements?**

### **6.2 How should a future program consider other forms of participation and engagement, such as voluntary work and community engagement**

6.1 Numerous studies demonstrate that mutual obligations are not effectual at rapidly moving people into employment. Compliance frameworks puts Participants at odds with Service Australia and DES providers. A St Vincent De Paul study found that “those individuals with the greatest barriers to employment felt the system was least helpful. People with substantial barriers to employment, as well as other difficulties in their lives, were so engaged in meeting their requirements, that these seemed to have replaced actual job search activities” (St. Vincent De Paul, 2015).

The Targeted Compliance Framework is confusing for Services Australia, Participants and DES Providers to navigate and meet. Workways suggests simplifying the Targeted Compliance Framework (TCF) and streamlining the ESS Web to ensure the system administration is easy and efficient. Workways also feel that the TCF’s default setting of stopping a benefit isn’t conducive to DES Providers and Participants working well together.

Although Providers are ‘encouraged to tailor’ Mutual Obligation requirements for Participant specific requirements, Providers are penalised or reprimanded for Job Plans not meeting the Department expectations. “Optimise compliance and administrative requirements to increase the share of time directly dedicated to assisting program participants.” (BCG, 2020)

6.2 Social isolation is an increasing issue for people living with a disability. By including voluntary and community work within the future program this could start to address this issue. As discussed earlier, this could be worked into Provider Measurements for community engagement, progression outcomes.

- 7 How can funding arrangements incentivise good work outcomes?**
  - 7.1 How does the future funding arrangements ensure services across a continuum of work readiness, placement and retention are tailored to the needs of the Participant?**
  - 7.2 What are the right pricing and funding arrangements, balancing provider viability with the cost of delivering high quality services to participants and employers?**
  - 7.3 How could the future funding model be adapted to recognise changes in the labour market and types of employment available in the modern Australian economy?**
  - 7.4 How can service quality and expertise be rewarded and balanced against quantity of outcomes?**
  - 7.5 How could funding arrangements for ongoing support be improved to ensure supports and services are tailored to the needs of the participant and Employer?**
  - 7.6 What do good providers currently do to support people with disability into work?**

Workways feel that the new Progression Payments included in the NESM payment model demonstrates the understanding that many Participants – especially Long Term Unemployed and those with a disability – may not move into employment quickly, however they are progressing towards being more employable or engaged.

Workways would support an expansion of the Ongoing Support Guidelines, as when Participants transition into employment, their original barriers and/or disability may not be the only issues that arise as a result of working. Ongoing Support would be a more supportive tool if plans could be tailored to the Employer as well as the Participant.

## **8 How do we drive high quality services and supports?**

### **8.1 How should an effective and efficient competitive provider market be structured and how should business be allocated**

### **8.2 How can the future program settings encourage and reward innovation and continuous improvement? What works well in the current program?**

Workways tend to agree with the BCG report, “Insufficiently flexible to allow innovation. Program rules limit providers’ ability to tailor their support or adapt their business models to the specific needs of individual participants. Employers and participants feel their individual needs are neglected” (BCG, 2020). Administration has significantly increased in the recent improvements in DES and other Employment Services making it difficult and not enticing to be innovative in approach. Many projects are difficult to implement due to time, administration and costs.

- 9 What arrangements should be in place for market regulation and quality assurance of services?**
  - 9.1 What legal model would be most appropriate to manage the terms and conditions of the agreement between Government and disability employment services providers?**
  - 9.2 What is needed to lift workforce capability and the quality of the workforce delivering disability employment services and supports for participants and employers?**
  - 9.3 Is there market need for specialist providers (disability/industry/age cohorts) that would increase employment opportunities?**

Workways believe introducing a qualifications framework or professional accreditation element into employment services would increase the capability of provider's workforce and ensure that a continuous improvement focus would be applied consistently across industry. Specialist providers would be suitable for servicing clients with very specialized needs, e.g. vision impairment but the introduction of industry specific providers would lead to increased confusion of participants and the potential reduction in provider diversity.

## 10 How do we measure success?

### 10.1 What will success look like for People with a disability, Community, Employers, Service Providers, Government?

#### People with a Disability

- A supportive and responsive program that is centred around them, their goals and aspirations.
- Opportunities to take up training, education and employment
- Tailored support to gain and sustain employment or education
- Transparency in Provider performance for choice and control

#### Community

- Better stakeholder engagement and referrals to support services
- An understanding of what DES is trying to achieve
- Collaboration with each other

#### Employers

- Tailored support for sustaining a person with a disability in ongoing employment
- An understanding of benefits to their business by employing someone with a disability
- Decrease in administration/requests for information

#### Providers

- Ability to innovate throughout the contract
- Progression Outcomes
- Viability
- Ability to collaborate with other providers without fear of business being unfairly compromised
- A clear and transparent performance framework
- Streamlining of program processes and procedures

#### Government

- Reduction in negative public perception
- Employers and Business 'on board' with DES
- Reduction in people with a disability unemployment rate
- Decrease in costs

Workways suggest that Performance Frameworks should include conformance to the Disability Service Standards, Participant and Employer feedback, and outcome rates. Workways agree with the BCG report, that the Performance Framework has “Excessive complexity and lack of clarity. Stakeholders believe DES program processes, information, and incentive structures are not transparent. Providers and participants express confusion around features of program design, from star ratings to risk-adjusted funding tool updates...Improve the Department’s data collection and reporting, analytics capabilities and decision-making speed” (BCG, 2020).