

Submission on a new Disability Employment Support Model

Submission by Uniting Vic.Tas, 1 February 2022

This submission is a response from Uniting Vic.Tas (Uniting) to the Australian Department of Social Services' consultation paper on a new disability employment support program, released on 5 November 2021.

We believe in a future where people with a disability are represented across the workforce and are supported to live their lives realising their dreams and their potential. We appreciate the opportunity to share our views about employment services for people with disability, based on our practice experience.

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Overview

Key points

- Uniting has delivered Disability Employment Services (DES) for over 20 years. Through our experience we have identified a range of challenges with the current model, and with recent changes that have been made to the program design. Our experience aligns with the challenges identified by the Boston Consulting Group's mid-term review of the program.
- Overall, our view is that the current DES model is not meeting consumer or provider needs. It is not reaching many people who need it, and for those it does reach, the rigid funding and reporting structure means supports are not able to be provided effectively to best meet their needs.
- There are considerable unintended consequences from the current compliance regime, with people who have greater need for support experiencing greater marginalisation. Through this regime, it is easier for providers and the system to focus on people who need less support and are more likely to be able to claim outcomes. There is therefore an incentive for some providers to focus on people who need less support, while those requiring greater support can be seen as 'less attractive'.
- Additionally, there is significant stress on providers and our workforce because of the program's administrative complexity and providers' dual role in delivering support and implementing mutual

obligations. This leads to burnout and high stress for individual practitioners and can be ethically challenging for non-profit organisations committed to supporting people experiencing disadvantage.

- We recommend any program redesign involves genuine co-design with people with disability and consultation with non-profit providers and employers. This will ensure it is best meeting stakeholder needs and able to deliver long-term outcomes for individuals and our community. Ensuring effective design that is relevant to consumer needs will also contribute to greater cost-efficiency for government over time.

Our experience

Uniting Vic.Tas (Uniting) is the community services organisation of the Uniting Church in Victoria and Tasmania. We have worked alongside local communities in both states since 1881. We work across the full spectrum of community services, intervening early to help people avoid crisis, as well as supporting those who live life at the margins.

We deliver a range of services to people with disability, including disability employment services and social enterprises, NDIS support coordination, and social inclusion and capacity building programs. We work with people with disability to provide support that fits each individual's needs and helps them fulfil their goals.

As of December 2021, in the 3.5 years the current funding round has been active, Uniting has had 1,527 DES referrals. From this, we have achieved 468 placements, with 244 of those lasting 3 months, 207 going on to 6 months, and 97 lasting 12 months in those job placements (assuming that some of those placements are still active, and yet to achieve these milestones).

Response to consultation questions

Access to disability employment support

Who should be able to access a disability employment support program?

Uniting's view is that anyone with a disability who requires support to find and maintain employment should be able to access that support, and that it should be sustained over time and appropriate to their needs. A future disability employment support program should be person-centred and flexible, and able to be responsive to individual consumers' needs and circumstances. This should recognise the diversity of people's aspirations around employment – including opportunities for casual and part-time employment, self-employment, voluntary work, and work experience.

Uniting practitioners report that many, many people with disability – especially complex mental health challenges and psychosocial disability – are not considered eligible for DES and end up in the Jobactive program, with less tailored support.

Recent changes to eligibility criteria mean that people with disability who are not currently receiving income support through Centrelink are not eligible for DES. We see this as a significant problem and counter to the purpose of the programs – meaning people who are not on income support but are actively seeking work are missing out on both financial and employment supports. As one of our practitioners asked, "where do people go after that?". We are concerned people in this situation are falling through our system gaps, and advocate for this element of the criteria to be removed.

How can a future disability employment program better align with other programs such as the New Employment Services Model and the Community Development Program?

In our view, much more needs to be done to ensure specific employment programs are well-integrated with each other into a broader employment support sector and framework. These programs should share similar overarching goals and desired outcomes – supporting people experiencing barriers to find and maintain meaningful and inclusive employment and career opportunities – but currently operate very differently and do not interact well together. Ineffective integration between these programs and other service systems, such as the National Disability Insurance Scheme (NDIS), lead to “confusion for participants and employers.”¹

Our practitioners report that many Uniting consumers in Jobactive “really should be in DES” and that we “see a similar type of client in both services.” Eligibility criteria for employment support programs should be developed and implemented consistently and inclusively, to ensure people can access the support they need.

A future disability employment program must also align more effectively with the NDIS and with income support programs, particularly the Disability Support Pension (DSP). This was consistently raised by our practitioners as a key challenge. Disability employment support also needs to be considered alongside broader national and jurisdictional disability employment strategies and targets, including *Employ My Ability – the Disability Employment Strategy* launched in December 2021.

In terms of the interaction with income support programs, Uniting firmly stands behind the #RaiseTheRate campaign,² Disabled People’s Organisations,³ and UnitingCare Australia⁴ in calling for major reforms to the income security system. This includes increasing access to the DSP, so people with disability, who often face additional costs, do not end up on the inadequate Jobseeker allowance.

The DSP “has become almost an impossibility to get” and the application process is “deflating [and] horrible,” in the words of one of our practitioners. This has a substantial impact on the people with disability we work with, and on our DES staff. Because DES case managers have a relationship with consumers, our staff are regularly required to assist with DSP applications and can become “a buffer” between consumers and the bureaucratic and impersonal process. A Uniting team leader managing more than 10 sites across Melbourne says of the DSP:

“It’s a completely negative experience, I don’t get many positive or good news Centrelink stories, that’s for sure.”

¹ Boston Consulting Group. (2020). *Mid-term Review of the Disability Employment Services (DES) Program*. For the Australian Department of Social Services. August, p.6.

² <https://raisetherate.org.au/>. This campaign is led by the Australian Council of Social Service (ACOSS).

³ See [submissions to the Senate Community Affairs References Committee’s inquiry](#) into the purpose, intent and adequacy of the Disability Support Pension from organisations including People with Disability Australia (PWDA) and the Australian Federation of Disability Organisations (AFDO).

⁴ UnitingCare Australia. (2021). [Submission to the Senate Standing Committees on Community Affairs into the Social Services Legislation Amendment \(Strengthening Income Support\) Bill 2021](#).

We note the Senate Community Affairs References Committee is due to report on its inquiry into the DSP in the first Parliamentary sitting week of February 2022 and ask the Department to seriously consider the findings of this inquiry as part of its work redesigning disability employment support.

The interaction of the current DES program and the NDIS is also complex and confusing. Some people with disability using our DES services have NDIS plans that provide funding for employment support, finding and keeping a job, and some do not.

"If someone walks through the door, there's no way of knowing if they have an NDIS plan or not, and we can't access those funds to support them."

In our view, there should be formal information-sharing between the NDIA and DES providers, to avoid duplication and ensure all relevant funding can be used to support the individual in achieving their employment goals.

Effective employment support

What employment services and supports would most help people with disability?

Employment support programs should be person-centred and allow for a degree of provider flexibility to meet people where they are and provide the supports that are relevant to their needs and circumstances. This means that the supports that one person receives may be different to the supports received by another, dependent on their circumstances and employment aspirations.

Two key elements were identified by our practitioners as being essential:

- Some degree of discretionary funding so that materials and supplies needed for a consumer to begin a job can be purchased in a timely way
- The capacity to deliver ongoing support over time.

Access to discretionary funding to cover the costs of materials or supplies required for employment is seen by our staff as vital for delivering effective services. This is currently available for other employment programs, such as Jobactive and ParentsNext, but not DES. While the outcome payments are larger in DES, we believe the funding arrangements should be updated to include the capacity to promptly purchase job essentials.

One of our practitioners provides the example of work boots – for someone in Jobactive, the provider could promptly “purchase a quality pair of work boots for \$200 – but in DES you need to scrimp and save for \$75.” This means DES consumers do not have the opportunity to access the same essential materials prior to starting a job, especially if this needs to be done quickly.

The capacity for people with disability to access ongoing support is also essential. In our experience, a strong and ongoing relationship between the consumer and their case manager is a key driver of successful outcomes.

This can support an individual to maintain their employment in the longer term, where this might otherwise be difficult, and can also support their career progression. For example, our practitioners report significant complexity for people accessing DES support who are underemployed. Providers can assist people who are underemployed, but we cannot if they are in Work Assist. For example, a person working for an employer needs assistance as they have their hours reduced to 10 hours per week due to issues with their disability work. We are assisting the client to maintain their employment, but they need to work 20 hours per week. We can only assist them to manage the employment with their current employer, we cannot move them to another employer and maintain the outcome funding we receive in the first 6 months.

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

There are considerable challenges with the current interactions between DES and the post-school education system. Consumers are only able to access funding for education if they have below a minimum level of prior education – but for many people, earlier study may no longer be relevant to their career goals, or the acquisition or progression of their disability may mean they need to change careers.

The system is complex and can limit consumers' study opportunities. Participants can re-train, but providers are not eligible for any outcome funding in this instance where they have claimed an outcome in a previous education period (see below statement). For example: A Funding 1 level DSP Participant completed a childcare certificate 2 years ago and Uniting claimed an outcome. This participant re-enters DES and generates \$757 of revenue per 3 months. If a Participant wants to complete a course and that course costs the Participant \$500 that they can't afford, Uniting would have to use part of the \$757 in revenue to pay for it and receive no outcome funding. In those 3 months we would service the client 6 times, for \$200.

We believe there should be greater inclusion of education and community participation goals and outcomes in DES and greater opportunity to support consumers to achieve these goals. Similarly, there are opportunities within the current NDIS reform plans and processes to better align with DES and to better support employment and community participation goals and outcomes.

How can people receiving disability employment services also be supported to address other barriers to employment (e.g. health service or housing assistance)?

There must be much greater integration of employment supports with other support services for people experiencing disadvantage and seeking work – this is true for people with disability and DES as well as people without disability.

Most people accessing Uniting DES are experiencing multiple challenges and vulnerabilities. There are well-identified challenges and gaps in other social service systems (especially housing and mental health services) which mean people cannot access the supports they need in a timely way, and they often end up in DES as a last resort. Comments from our practitioners include:

"By the time they come to us they're in dire need of support"

People are at "at breaking point"

"By the time they come to use they're probably broken down a little bit because they've been battling the system on their own."

We believe a future employment support program must be integrated into the broader community service system so that DES case managers can support consumers to access any other services they need. This could be through establishing formal referral and support pathways with other relevant providers, or within large providers that offer multiple services like Uniting. Formal referral pathways could work reciprocally so that people with disability accessing other services who require employment supports are referred directly to DES, with a 'no wrong door' approach across the system.

The future program must explicitly recognise that access to appropriate mental health services, safe and secure housing, and other supports are crucial for setting people up for sustainable employment success. Its performance framework needs to support the complexities and time taken to address the barriers consumers face to employment. Currently many job seekers are poorly assessed by Services Australia which means their funding level isn't representative of the barriers. The current

performance model calculates time taken from referral to placement – for many this takes over 12 months yet if their funding level is low [1-2] providers are penalised for this time.

Support for young people with disability

"Experiences of employment, whether positive or negative, must not be understood as a point-in-time phenomenon, but rather as the culmination of life experiences that can provide risk or protective factors in the labour market.

*For example, those who enter the labour market equipped with personal resources, such as formal education, social networks, work experience and financial safety nets are more likely to succeed. Whereas those who have adverse experiences with systems in the lead up to the labour market and enter with limited protective resources are more likely to experience poorer outcomes."*⁵

What employment services and supports would most help young people?

Challenges for young people with disability in current employment services program are well documented. The national representative body for young people with disability, Children and Young People with Disability Australia (CYDA), highlights the complexity of the system, with some young people in Jobactive, some in Transition to Work, and some in DES – but with none of these programs being specifically designed to meet the employment and transition needs of young people with disability. CYDA cites research showing the current DES approach "does not appropriately accommodate for the complex, lengthier, and diverse nature of the school-to-work transition for young people with disability."⁶

Uniting provides DES and the School Leaver Employment Supports (SLES) program, which is an NDIS program supporting young people with the transition out of high school. The SLES program generally allows case managers to spend more time with people and is more flexible in its application. This allows providers to work with each individual to meet their needs and support them to get ready for employment. There is also greater opportunity to support individuals in work experience placements, to develop professional skills and become job ready. We see that there is a place for both types of programs in the broader employment service system.

Being able to offer both programs is beneficial because we can support consumers as they transition into employment and as their career develops. We are also able to maintain relationships with individuals and they are more likely to feel safe and familiar with our DES when they are co-located

⁵ CYDA. (2020). *Response to the Royal Commission into Violence, Abuse, Neglect and Exploitation of People with Disability: Employment of young people with disability*. October. Melbourne: Children and Young People with Disability Australia.

⁶ Stafford, L., Marston, G., Chamorro-Koc, M., Beatson, A., & Drennan, J. (2017). Why one size fits all approach to transition in Disability Employment Services hinders employability of young people with physical and neurological disabilities in Australia. *Journal of Industrial Relations*, 59(5), 631-651; in CYDA's submission to the Disability Royal Commission (op.cit.).

with SLES. We have some young people move between SLES and DES as they grow, which practitioners report works smoothly and effectively.

CASE STUDY

Uniting worked with a young woman, Ally [a pseudonym], in our SLES program, who did not know what she wanted to do in her career. We supported Ally to gain a work experience placement in the kitchen at a local La Porchetta, and she was subsequently offered an ongoing job. When this occurred, Ally transitioned to our DES program for initial support. Later, Ally lost her job at La Porchetta and came back into our DES program, with which she was familiar. She realised her career goals related to horticulture, and our DES team supported her to begin a traineeship at a plant nursery. Although her work experience was in a different field, the nursery was impressed with her professional skills and experience.

Support for employers

What support do employers need to attract, employ and retain people with disability?

Uniting believes this question should focus on employing and retaining people with disability – specifically, providing inclusive environments where people with disability are welcome and have access to appropriate supports. We do not observe barriers to ‘attracting’ people with disability to the workforce – rather, evidence from people with disability and Disabled People’s Organisations shows people with disability are generally ready and willing to work, but continue to face discrimination, negative assumptions, and barriers to employment.⁷

Our perspective, and the feedback we receive from employers, is that the biggest positive difference that could be made is enabling the DES program to provide more post-placement support. The funding arrangements in the current contracts do not allow sufficient support to be provided once someone has secured a job, particularly where a person has reached 26 weeks of employment. Many require significant support to reach 12 months of employment, yet funding for Ongoing Support and the requirements can negatively impact both the individual and employer.

The subsidy and incentive program for employers could also be strengthened. There needs to be more flexibility in meeting the subsidy criteria payment, particularly where the job seeker is unable to work for a period of time and then returns to the same employer. Practitioners suggest exploring the opportunity for increased employer subsidies, funding for ongoing employee training and development, and a visual branding/accreditation process where businesses can show the public they are disability-inclusive.

What are the most important things that can be done to build an employer’s confidence to employ a person with disability?

Employers identify disability awareness and inclusion training as a key gap in employer support at the moment. Jobaccess offers some support, but employers often ask us what else is available. Small

⁷ See submissions and evidence provided to the Disability Royal Commission, which has held multiple hearings into the barriers to employment for people with disability: Public hearing 9 (December 2020) and Public hearing 19 (November 2021).

businesses, which make up 80-90 per cent of our employer cohort, are pressed for time and require information to be as simple, easy-to-understand, and efficient as possible.

For example, a regular webinar program could be part of a broader employer awareness program. The most important element of any awareness or support program for employers should be that it is co-designed and co-delivered by people with disability themselves.

The Australian Federation of Disability Organisations (AFDO), in collaboration with Deakin University, delivers a program in Victoria designed to build the confidence of small and medium sized businesses in employing people with disability. This type of program could be evaluated and explored for further implementation across Australia.⁸

Young people with disability who attended the 2020 National Youth Disability Summit held by CYDA developed a number of recommendations for governments and employers to build disability inclusion in employment:⁹

- Government
 - » Increase targeted, evidence-based interventions addressing the negative and misinformed attitudes of employers. The development of these strategies must include the meaningful involvement of young people with disability.
- Organisations and employers
 - » Review and amend hiring processes to ensure they are safe and inclusive. If unsure, reach out to youth representative and advocacy organisations for guidance.
 - » Offer information and suggestions around supports available for young people with disability at work. If unsure, reach out to youth representative and advocacy organisations for guidance.
 - » Proactively reach out to young employees to ask how they may be best supported. Then follow through.
 - » Leverage learnings from COVID-19 to offer roles that have working-from-home or flexible hours options.

Funding and measurement

How can funding arrangements incentivise good work outcomes?

The dual purpose of the current DES program for providers – to simultaneously provide employment support and oversee compliance with mutual obligations – leads to significant challenges for non-profit providers like Uniting. This includes challenges for staff, who are required to provide support and “become the people with the stick,” in the words of one of our practitioners, who notes that many staff report they “can’t sleep at night” due to the stress and burden of their compliance role. There are challenges for non-profit organisations themselves, in terms of our values and ethics, with our purpose and mission to support people experiencing disadvantage and vulnerability. And

⁸ The Diversity Field Officer program was evaluated by Deakin University in 2017 however the findings are not publicly available: <https://dro.deakin.edu.au/view/DU:30107655>.

⁹ CYDA. (2020). *What young people with disability said: Employment. Insights, ideas, and solutions from young people with disability: The outcomes of the inaugural National Youth Disability Summit*. Melbourne: Children and Young People with Disability Australia.

most importantly, there are challenges for consumers, who are required to fulfil strict criteria with very little flexibility or recognition of the complexity of their lives.

We support the recommendation made in the mid-term review of the DES program to “enhance provider productivity”:

- Short-to-medium term – Optimise compliance and administrative requirements to increase the share of time directly dedicated to assisting program participants
- Longer term – Explore models where mutual obligations oversight is performed by third parties or by Government, rather than by providers.

While we believe the practice of mutual obligations is punitive and detrimental to people’s wellbeing, while it persists, we agree that the recommendations above will have benefits for provider productivity and beyond, enabling higher quality support to be provided and benefiting both consumers and frontline staff in reducing role conflict and challenges. We believe there is also scope to explore some relaxation of mutual obligations requirements for people who have been referred to DES.

As discussed earlier in this submission, our experience indicates a need for discretionary funding to be available to purchase essential materials for consumers starting a new job. This is available in both Jobactive and ParentsNext but the current DES funding model, weighted towards outcome-based funding, does not allow it to be done in a timely way. We recommend this be introduced so providers can support consumers to be as job-ready and prepared as possible.

We also recommend increased flexibility within the funding and contract model to recognise the realities of people’s work lives. For example, a client returning to secure employment with a previous employer after a disruption is not considered an employment outcome under the current model. This should be changed so that the outcomes are based on the individual’s employment situation rather than the ABN of the employer. Several case studies of Uniting consumers highlight the current challenge.

CASE STUDY

Ian [pseudonym] is a man in the western suburbs of Melbourne working with the Uniting DES team. He was supported to find and maintain a job as a school crossing supervisor, which he enjoyed and which became stable employment, so he was exited from our program as an independent worker.

Through different circumstances in Ian’s life, there was a break in employment sometime later, and he received a new referral back to our service. We supported him to regain employment in his former crossing supervisor role with the same employer. From Ian’s perspective, this was a positive and stable outcome. However, this was not considered to be an ‘employment outcome’ for us as a DES provider, because we had ‘claimed’ the same employer in the past. This means that Uniting did not receive funding to support Ian to maintain his employment over time, while we would have been able to access 13- and 26-week milestone funding if it was a new employer.

CASE STUDY

One of our clients, Alia [pseudonym], works for a recruitment agency with our support. Uniting had processed this ‘outcome,’ before Alia experienced a break in employment. We supported her to regain employment via the recruitment agency, in a different role. The nature of a recruitment agency is that roles are generally short-term, with individuals moving around over time. However, because they are all managed through the same recruitment company, with the same ABN, this ‘outcome’ can only be claimed once – even though Alia enjoys her employment, has settled in, and is experiencing stability.

Is there a market need for specialist providers (disability/industry/age cohorts) that would increase employment opportunities?

Uniting believes that specialisation in DES would bring benefits to consumers and providers. Specialist providers could ensure that the disincentives to support people with more complex needs inherent in the broader employment system would be addressed by a more specialist system that understands, develops more targeted and effective approaches and has greater chance of success.

Some specialisations are currently recognised and working well, while some are less well understood and utilised, or receive few referrals. And there are further specialisations that could be supported or introduced, or that are currently happening informally.

For example, Uniting is the only provider holding the DES 'mental health ex-offending' contract in the Calder region of Melbourne. This is a highly specialised area of work and could provide significant benefit to relevant consumers, but we do not currently receive many referrals from Services Australia. Streamlining the referral process so that it is easier for Services Australia to find and refer to relevant services would be helpful, such as is done for people with vision impairment and Vision Australia.

We have a further informal specialisation in working with people with intellectual disability, which has allowed us to build a successful employer database. Other providers likely have their own strengths and informal specialisations, which streamline administrative processes and can provide better outcomes for consumers – because we know that employers understand what is needed to provide an inclusive environment for people with disability. Opportunities to formalise these strengths and specialisations could lead to 'economies of scale' and greater efficiencies across the DES program.

How do we measure success?

As discussed throughout our submission, we strongly believe that success in the DES program is about supporting people with disability to meet their career goals and find inclusive, meaningful, and sustainable employment. However, the current contract and reporting arrangements do not necessarily support this – as illustrated through Ian and Alia's case studies on page 9.

Our practitioners also report that the relationship between client and case manager is one of the primary supports and benefits we provide, but this isn't captured in our reporting:

"The things we do for our clients that sometimes aren't captured"

"Sometimes what our clients need is not physical adjustments – [they need physical adjustments] very rarely. Instead, we're there, advocating for them, creating opportunities, helping them get through all the paperwork. You don't see this side of it in our reporting."

"We've had clients come back to us... They've been in a job for ages and [when they need DES] they'll come back to us because they trust us"

From a provider and workforce perspective, a successful DES program needs to be sustainable and manageable for our staff. The level of administrative requirements and paperwork at the moment mean this is not the case. Our practitioners describe the current challenges, with one manager saying:

"My job is to stop the staff from crying because they're drowning in paperwork"

Another team leader noted:

"You almost need an admin person sitting next to the case manager to do all the paperwork. It's gotten worse and worse and worse over the last three years."

Submission on a new Disability Employment Support Model

Uniting Vic.Tas

We recommend the Department updates the DES measurement and reporting approach, working with people with disability, employers, and researchers to understand and embed best practice around outcomes-based and empowering measurement. This approach must try to capture the less tangible, but very important, relationship elements of the DES program. Exploring the separation of employment supports from mutual obligations oversight, as discussed earlier, would also assist staff and providers in managing the administrative and measurement requirements of the program.