

Submission to the Department of Social Services

Next Steps: Supported Employment Discussion Paper (March 2025)

Submission by Disability Rights Connect

About Disability Rights Connect

Disability Rights Connect is an independent consultancy specialising in realising disability rights through inclusive law and policy reform. We work across government, research, legal and advocacy sectors to design and implement reforms that advance the rights of people with disability in line with the United Nations Convention on the Rights of Persons with Disabilities (CRPD).

We have extensive expertise in inclusive education, supported decision-making, restrictive practices, and disability employment policy. Our work is grounded in co-design, participatory research, and legal and policy rigour. We have contributed to national and international law reform efforts, including through collaborations with advocacy organisations, researchers, people with disability and families.

This submission draws on lived experience, evidence from previous inquiries and reports and insights from our reform work to respond to the *Next Steps in Supported Employment* discussion paper. We welcome the Government's commitment to progressing inclusive, equitable employment opportunities for all people with disability, including those with more complex or higher support needs.

1. Ideal Future State

Disability Rights Connect envisions a future in which all people with disability — including those with high and complex support needs — can access **meaningful, fairly paid employment** in a range of inclusive settings that uphold their rights and dignity.

To achieve this, we support a transformation of the current system toward:

- A **genuinely choice-driven continuum** of inclusive employment options, where no person is steered into segregated settings, and where individuals can access the supports and information they need to make informed decisions about their working life.
- **Inclusive social enterprises and social firm models** that embed the strengths of current ADEs into **mixed, mainstream/general teams**, with real

job roles, award wages, and opportunities for skill development — not parallel systems of employment.

- A system that guarantees **access to career development, training, and progression**, so that people with disability are not limited to static or entry-level roles. This includes clear transition pathways between education, employment supports, and open employment.
- An ecosystem underpinned by **universal design, supported decision-making, and inclusive workplace cultures**, rather than adjustments made only at the margins.
- Public policy and funding levers that **incentivise inclusion, quality outcomes, and worker agency**, not just participation in any form of employment.

This future state aligns with the *Next Steps in Supported Employment* discussion paper's Guiding Principles — particularly those relating to **informed choice, equal remuneration, career progression, and freedom from discrimination** — and reflects Australia's obligations under CRPD Articles 27 (Work and Employment), 24 (Education), and 19 (Living independently and being included in the community).

It requires moving beyond mere modernisation of legacy systems toward a **bold shift in expectations, investment, and accountability**. People with disability must be seen — and supported — as valued workers, leaders, and contributors in every part of Australia's economy.

Realising this future is not only about delivering fairer employment systems — it also about enabling **active citizenship**. Inclusive employment must be recognised as an important pathway to dignity, agency, and participation — but not the only one. People with disability, including those who **choose not to work or are not in paid employment**, have the right to contribute to society, access community life, and be recognised as full citizens on equal basis with others.

Reform must therefore avoid binary or conditional models that tie inclusion or worth to employment status. Instead, a rights-based approach ensures that all people with disability — whether in open employment, supported roles, or other valued life pathways — have access to supports, recognition, and opportunities to participate in social, economic, cultural and civic life on an equal basis with others.

2. Additional Actions to Increase Inclusive Employment

We recommend the following practical and scalable actions:

- **Hub-and-spoke employment hubs** where ADE employees are supported part-time in mainstream workplaces, as a model to transition to open employment long-term.

- **Employer incentives:** e.g., tax offsets or subsidy top-ups for companies offering roles to workers with high support needs.
- **Enhanced job-carving** partnerships with ADEs to co-design sustainable roles in both public and private sectors.
- **Paid internship pathways** for current ADE workers to undertake supported placements in open employment. These internships should be:
 - Voluntary and co-designed with the participant
 - Funded through a flexible mix of NDIS employment supports and employer contribution
 - Tied to structured learning, mentoring, and the opportunity for role progression or transition
- Expand **disability employment advocacy**, such as peer-mentoring networks, supported career planning, and individual advocacy services embedded in employment supports.

This combination of transitional pathways, financial incentives, and individualised supports will help address both supply- and demand-side barriers to inclusive employment, particularly for people with higher or more complex support needs.

3. Elements of a Roadmap or Plan for Reform

A meaningful Roadmap should include:

- **Clear timelines** and objectives (e.g., % transitions to open employment by X year).
- Robust **data and accountability**, with publicly reported metrics on transitions, inclusion, pay, and satisfaction.
- A national **employment equity strategy**, targeting public sector leadership and workforce diversity.
- Robust co-design with **organisations of people with disability (DPOs)** at every reform stage.
- Establish **consistent employment readiness benchmarks**, with funding linked to meaningful outcomes.
- Sustainable **wage transition supports**, combining phased subsidies with market-fair remuneration.

4. Raising Subminimum Wages While Avoiding Job Losses

We strongly support the Disability Royal Commission's recommendation to phase out subminimum wages, and recognise the need for practical, well-funded strategies to ensure job retention and genuine progression.

We acknowledge that simply raising wages without structural reform could risk job losses or service disruption. To successfully phase out subminimum wages and promote lasting inclusion, practical, time-limited mechanisms are needed to stabilise employment, support provider transition, and ensure that workers with disability are paid fairly for meaningful contributions. The following targeted approaches are designed to avoid unintended harm while driving long-term system change.

New approaches

Establish a “Full Wage Transition Fund”

Create a national, time-limited fund that provides wage top-ups to bring current supported workers’ pay to **at least 50% of the national minimum wage**, regardless of their assessed productivity level.

- This would operate as a **temporary subsidy** (e.g. 3–5 years) to stabilise employment while new inclusive employment models are developed.
- The fund could be gradually tapered as providers shift to sustainable blended-income models (e.g. social enterprise, inclusive procurement).
- Payments would be conditional on participation in skills development or career planning and could be tiered based on level of support needs.

This approach avoids immediate disruption, prevents job loss, and builds an equitable wage floor while incentivising provider innovation.

Pilot value-based contracting between government and providers

Shift some government payments to **outcome-based contracts** that reward providers for:

- Supporting successful transitions to open employment at award wages
- Demonstrating inclusion, skill growth, and worker satisfaction
- Maintaining ongoing inclusive placements over time (not just short-term churn)

This “value-for-outcome” approach would align with broader public sector commissioning reforms and encourage investment in quality, not just volume.

Introduce productivity-matching wage assessments

Reform existing wage assessment tools (e.g. Supported Wage System) to:

- Shift away from purely task-based productivity metrics
- Introduce broader indicators such as **capability development**, role value to the team, and use of assistive technology
- Support **role redesign and job carving** so that people with disability are paid for their contribution to a meaningful, tailored role rather than compared to a generic benchmark

This would better reflect the contributions of workers with high support needs and encourage employers to invest in inclusive design rather than rely on assessments that undervalue potential.

5. Role of Specialist Workplaces in the Future

We have significant hesitations in respect of any continued role of specialist workplaces. Significant safeguards would need to be in place to **prevent segregation** and uphold the rights of people with disability under the **CRPD**, particularly Article 27.

To align with a human rights-based approach, the following conditions are essential:

- **Voluntary and informed choice:** Participation in any specialist settings must never be the default. Individuals must have access to independent support, career advice, and real alternatives before choosing these options.
- **Genuine inclusion:** any “specialist” workplaces must operate as **inclusive social firms**, with integrated teams of people with and without disability, not disability-only environments. These settings should prioritise interaction, contribution, and respect across all staff.
- **Pathways, not endpoints:** All specialist workplaces should offer **supported progression to open employment**, including mentoring, upskilling, and job transition planning. These should be embedded in service design and tracked through accountability mechanisms.
- **Risk mitigation:** To avoid institutional or isolating dynamics, settings must:
 - Avoid large congregated employment models
 - Embed connection with the broader community and industry
 - Use governance mechanisms that centre worker voices, including peer representation and lived experience advisory
- **Transparency and monitoring:** Providers must report on inclusion, outcomes, and workforce diversity. Any public funding should be conditional on continuous improvement and clear inclusion and transition employment benchmarks.

Specialist workplaces **must evolve** from legacy models of segregated employment toward **rights-aligned, inclusive and transitional models**.

6. Transferring Benefits of Supported Settings to Open Employment

We acknowledge that supported employment settings often provide structured support, individualised assistance and tailored workplace adaptations. These features must not be lost as we transition to inclusive, open employment. However,

the *models of segregation* that have historically delivered these supports must not be replicated in new forms.

The goal is to transfer the *benefits*, not the *barriers*. Supports should be embedded within open employment settings in ways that promote inclusion, autonomy and career development.

To achieve this:

- **Mainstream, disability-inclusive and rights-based job coaches** should be embedded directly within businesses—not just attached to ADEs or disability-specific programs—building on and expanding JobAccess models.
- **Shadow shift initiatives** could support mutual learning, with experienced supported workers mentoring or training new mainstream colleagues in inclusive roles.
- **Cross-sector training programs**, drawing on best-practice modules developed in supported settings, should be adapted and delivered through the Centre for Inclusive Employment to upskill both workers and employers.
- **Employer toolkits** co-designed with people with disability should provide practical, accessible guidance on workplace adaptations, available supports, funding mechanisms, and inclusive leadership practices.

These strategies can help ensure that inclusion in open employment is meaningful, well-supported and sustainable—without rebranding old segregation under a new name.

7. Strengthening School-to-Work Transitions

We strongly recommend that supported employment reform be accompanied by **investment in coordinated, inclusive school-to-work pathways**—particularly for students with complex or high support needs.

Currently, many young people with disability leave school—especially from segregated or special settings—without access to meaningful employment pathways. This results in long-term reliance on segregated work, day programs or inactivity. Reform must ensure that all students with disability can transition from school into further education, open employment or active citizenship, consistent with the goals of inclusive education policy.

To achieve this, we propose:

- **Nationally consistent school-to-work transition supports**, embedded within secondary education and aligned with open employment outcomes. These should include:
 - Transition planning from Year 9, co-designed with students and their families, focused on aspirations, strengths and post-school goals

- Career coaching, personalised employment planning and exposure to a broad range of future options (not limited to disability-specific services)
- Early access to NDIS-funded employment supports and meaningful work experience in inclusive settings
- Strong collaboration between schools, families, DES/ADE providers, further education providers and inclusive employers
- **Investment in supported internships and traineeships**, connected to open employment (not segregated work), with structured mentoring and clear progression pathways
- **Realignment of NDIS School Leaver Employment Supports (SLES)** to drive inclusive employment outcomes, not funnel young people into segregated settings
- **Stronger integration between inclusive education and employment systems**, to prevent low expectations or inadequate support from steering students into disability-only options

These coordinated reforms are critical to preventing long-term segregation and building an **inclusive employment pipeline** from adolescence to adulthood.

Conclusion & Key Recommendations

Disability Rights Connect welcomes and supports the Government's commitment to transforming supported employment to reflect genuine choice, inclusion and fairness for all people with disability — including those with high and complex support needs.

To ensure that this reform agenda delivers on its promise and upholds Australia's obligations under the UN Convention on the Rights of Persons with Disabilities (CRPD), it must move beyond surface-level adjustments to legacy systems. Instead, reform must be bold, coordinated and rights-based — designed to eliminate segregation, promote equitable access to open employment, and support meaningful contributions across diverse life pathways.

We recommend the following priorities:

1. **Broader system mapping** that includes state-led inclusive employment trials, JobAccess-based coaching models, and supported internship pilots.
2. **A clear, staged roadmap for reform**, with measurable targets for transitions to open employment, public reporting, and full partnership with DPOs (in line with CRPD General Comment No. 7).
3. **A well-funded Full Wage Transition Fund** and complementary mechanisms to safely and progressively phase out subminimum wages.

4. **Strong safeguards for any specialist employment models**, ensuring they are inclusive, voluntary, transparently governed, and fully embedded within mainstream employment systems — not rebranded segregation.
5. **Investment in coordinated school-to-work transitions**, including personalised planning, inclusive work experience, and alignment across education, NDIS and employment supports.
6. **Workforce transformation**, including the expansion of job-coaching, job-carving, peer mentoring, and cross-sector training partnerships.
7. **Adoption of value-based commissioning and outcome-linked funding**, to reward providers who deliver quality, inclusive outcomes — not just activity or retention.

This reform process must centre co-design with people with disability and deliver coordinated, accountable change. Realising inclusive employment is not only about improving systems — it is about affirming the right of every person with disability to contribute, to belong, and to be recognised as a full participant in economic and community life.

Disability Rights Connect welcomes the opportunity to engage further, provide case studies, or contribute to co-design processes and workshops that advance these outcomes.

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