People with Disabilities WA

individual & systemic advocacy

**Submission**

**New Disability Employment Services from 2018 – Discussion Paper**

People with Disabilities (WA) Inc. (PWdWA) would like to thank the Australian Government Department of Social Services for the opportunity to provide comment on the New Disability Employment Services from 2018 – Discussion paper.

PWdWA is the peak disability consumer organisation representing the rights, needs and equity of all Western Australians with disabilities via individual and systemic advocacy.

PWdWA is run BY and FOR people with disabilities and, as such, strives to be the voice for all people with disabilities in Western Australia.

**President: Greg Madson**

**Executive Director: Samantha Jenkinson**

**People with Disabilities (WA) Inc.**

Oasis Lotteries House, 1/37 Hampden Rd, Nedlands, WA 6009

Email: samantha@pwdwa.org

Tel: (08) 9485 8900

Fax: (08) 9386 1011

TTY: (08) 9386 6451

Country Callers: 1800 193 331

Website: [http://www.pwdwa.org](http://www.pwdwa.org/)

### People with disabilities WA (PWdWA)

Since 1981 PWdWA has been the peak disability consumer organisation representing the rights, needs, and equity of all Western Australians with a physical, intellectual, neurological, psychosocial, or sensory disability via individual and systemic advocacy. We provide access to information, and independent individual and systemic advocacy with a focus on those who are most vulnerable.

PWdWA is run by and for people with disabilities and aims to empower the voices of all people with disabilities in Western Australia.

**Background**

In 2015 PWdWA provided a submission on the National Disability Employment Framework- Issues Paper which was drawn on a representative sample of consumer advocacy cases expressing the types of issues and concerns that people with disability have around employment. Significant issues included the ***barriers*** people with disability face when seeking to either enter the workforce or to maintain employment once working. A second theme that emerged from people employed in the open market and or supported through a DES provider, was the desire to have ***flexible work*** arrangements such as part-time hours, or start/ finish times. A third theme that was consistently voiced by people with disabilities was the need to have access to ***adequate support*** to find employment and to keep their job once employed. As part of this submission we included a set of recommendations that people with disability consider necessary for Disability Employment Services to become more effective at delivering better outcomes for people. These recommendations are:

* **Encourage business and the public sector to lead the way by demonstrating a commitment to increasing the number of people with disabilities employed, using quotas as a mechanism for measuring improvement.**
* **Develop workplace trainers with an experience of disability to offer inclusivity training for business, government, and employment services, with training delivered by people with disabilities or people with experience of disability.**
* **Offer incentives for business to participate in disability awareness and inclusivity training, reducing barriers for the inclusion of people with disabilities in the workforce at an organisational level.**
* **Encourage business to offer person-centred work roles and flexible work options for people with disabilities in the workforce.**
* **Ensure advocacy, which plays an important role in all facets of the framework, is highly visible, resourced and accessible in the system.**

PWdWA encourages the Department of Social services to consider these recommendations in developing the new Disability Employment Services from 2018. These recommendations form an integral part of our feedback on the current discussion paper.

**Introduction**

Article 27 of the United Convention of the Rights of Persons with Disabilities (UNCRPD) states, ‘the rights of persons with disabilities to work, on an equal basis with others, including the right to the opportunity to gain a living by work freely chosen or accepted in a labour market and work environment that is open, inclusive and accessible to persons with disabilities’. The submission from PWdWA is underpinned by the UNCRPD in recognising that people with disabilities are equal and valued citizens.

In providing feedback on the discussion paper – New Disability Employment Services (DES) from 2018 we have included the responses from a focus group which explored people’s experiences on the five key areas as detailed in the submission paper:

* Increasing participant choice and control in the services they need
* Driving greater competition and contestability in DES
* Aligning incentives to support better outcomes
* Improving the gateway and assessment process for DES participants
* Assistance in the workplace.

PWdWA supports many of the proposals this discussion paper addresses and have highlighted case studies to exemplify what is currently happening. For the purpose of this submission details have been de-identified.

Julie said she had been with the same DES for a number of years. Julie explained that she didn’t think the DES had actually helped her very much to either find or keep a job. Julie said that she was the one that ended up finding a job that she was capable of doing. She didn’t feel like the employment service put new jobs in front of her, or in any way helped her to find a job. Julie said that she was the person that asked the employer to put workplace modifications in place.

PWdWA are encouraged by the changes being proposed in the discussion paper that put more accountability on DES providers, however there still needs to be a cultural shift in the perception of employing people with disability. One of the fundamental concerns for people with disability is that a whole raft of changes can be made to DES to make it more effective for people but unless there is a similar investment encouraging employers to employ people with disability their prospects will remain poor.

Paul, Mark’s carer, voiced his disappointment about the way the DES have been operating. He said that he has watched his son go through a number of different employment positions and then return back to the DES to find another job. He said his son was recycled through an employment position so the employer could receive payment for his son being there for a short period of time. Paul was disappointed that the employers didn’t seem interested in keeping Mark on and offering him a position after the allotted time that his son was supported by government funds to be there.

**Recommendations**

In addition to the recommendations identified in the background information PWdWA also regard the following as important elements which will improve the effectiveness of DES for people with disability:

* **DES need to better engage with employers to promote the value of employing people with disability.**
* **Funding is needed to support community education, media campaigns and marketing of DES.**
* **There needs to be a greater emphasis from the public sector including government to employ people with disability, leading by example to promote the benefits to other professions and industry. DES should actively forge links with industry to improve employment rates across all sectors.**
* **People who sit on recruitment panels should have a greater understanding of disability, training on disability awareness should be part of process to become a panel member.**
* **People should be able to choose their DES provider wherever they live, people from rural and remote regions should not be disadvantaged.**
* **People should be able to transfer between different DES providers easily.**
* **Face to face meetings should be agreed based on the needs of the individual that the DES is providing a service for.**
* **ALL DES buildings should be fully accessible.**
* **Ensure funding is linked to the person not the provider and ensure that appropriate funds are allocated to the training needs of the person to enhance their job prospects.**
* **Establish better links to other service interfaces and in particular, NDIS and education.**
* **Ensure that all school leavers with disability are eligible for the Eligible School leavers programme and ensure that they are referred to DES.**
* **Ensure DES workers place a greater emphasis on providing on the job support in new job roles, and offer more transparency to people around what supports will be offered once a person is placed in a role.**
* **Structure DES to allow consultants adequate time to develop sustaining relationships with employers, provide customised job placements for people with disabilities, and offer practical ongoing support in job roles.**

**Increasing participant choice and control in the services they need**

The paper suggests that people will have a greater choice with their DES provider, flexibility over the way meetings are conducted, and improvements to the way job plans are created. PWdWA welcomes these changes and the need for change was highlighted by members of the focus group as they raised a number of concerns about current practice:

***Face to Face meetings***

Two people within the group had had experiences of accessing DES’s that were not accessible which is highly frustrating when being allocated to a service where they are not able to get in the door. The minimal requirement for being a DES should be that the service is accessible.

A number of people in the focus group voiced that they didn’t think that the face to face meetings were helpful. Sometimes it interrupted the day they had planned in terms of putting in a job application. One person mentioned that there needed to be flexibility in the way the service was delivered to the person, so that if they were not able to attend a face to face meeting they were not harshly penalised for not attending, also that having the option to change a face to face meeting to a phone appointment was useful.

***Job plan***

Jo said that she had pointed out everything that she had done to get a job, but her DES hadn’t taken action on any of the parts of the plan they said that they would do. Jo explained it was quite hard to get information from the DES in terms of an Action Plan that they would work on together. Jo voiced that the current way that DES’s operated lacked transparency in how the DES would actually help the person with a disability to find and keep a job.

The agreement should be a binding contract between the services provider and the participating client, with milestones established and revisited at regular intervals. The client should express personal desires and expectation and the service provider should clearly outline the services that DES can provide to achieve a satisfactory outcome. For first time employment seekers the DES should be considered to have adequate understanding of potential workplace expectations as well as understanding the capacity of the jobseeker to have the potential to fulfil such expectations.

People have the right to be fully informed about their employment options; what services are available, and information on how to make a complaint about a provider who is not delivering a good service. People should be provided with information in accessible formats including Easy English where appropriate.

**Driving greater competition and contestability in DES**

PWdWA welcomes the decision to reward DES providers who are providing a quality service and an individually focused service. It is important to recognise the innovation that smaller providers may bring so it is vital a provider panel recognises this and the level of bureaucracy is reduced.

The following case study also highlights the need to review the way people who want to follow a professional career are considered. DES providers need to focus on long term sustainable employment for those wishing to seek career enhancement, currently there appears to be limited options for career development.

Mary has multiple degrees from university. She said that for her it was important to have a specialised service that was tailored to finding her work as a university graduate however the service that she had found that seemed as though it helped university graduates to find work was outside of the designated ‘zone’ close to where she lived. She explained that she was restricted in the choice of services that were available to her, by the boundaries of the service area. Mary said that she had managed to negotiate to change DES provider, but the information gathered from one service was not transferred to the new service. So she needed to start the process with the new service all over again.

Jill said that it was difficult for her to change service provider when one wasn’t working well for her. She wasn’t informed that she could change service provider or given an option to provide feedback about the service that she was receiving.

PWdWA recognise the importance of ensuring there is a clear pathway for people who may have commenced employment in an Australian Disability Enterprise (ADE) can move easily to the provision of a DES. It is important to understand the original intent of ADEs was to provide training to help people with disability into the employment market. PWDWA recommends that the links between ADEs and DES be explored and developed.

**Aligning incentives to support better outcomes**

PWdWA welcomes the proposal of a risk adjusted outcome fees and longer term outcome based payments. It is important that incentives are incorporated to ensure that providers cannot prioritise service outcomes to those people who are easier to place. Changing the focus to find job roles that are longer than the 26 weeks will be of benefit. It has been proposed to award a payment following a 52-week period of employment. However, there must be flexibility within that 52-week period for people if they are not happy with a particular job so that they could leave before the end date, people should not be locked into a job for the full 52 weeks if it’s not working.

A number of people voiced that the funding allocated to the service provider for training needed to be held in safekeeping for the person to use on training. The funding need to be tagged to the person, rather than be allocated by the DES at their discretion. There needs to be greater choice and control by the person with disability to do training that they think will help their career and long term prospects of finding and keeping a job.

Most people in the group wanted to find long term work that was meaningful to them, not to be placed in a job role for short periods of time.

**Improving the gateway and assessment process for DES participants**

PWdWA recognises that there are substantial flaws in the current gateway and assessment process for people with disability. It is of great concern to PWdWA that many people do not receive enough information about how a DES can be accessed, and that it is not clear at all when people contact Centrelink that they are able to access a DES.

James said that the transfer of information from Centrelink to the DES was unwieldy and inefficient. He was forced to book an appointment to see his neurologist because Centrelink was not willing to provide a copy of a report to his DES provider. This meant that James needed to book an appointment with his neurologist in order to obtain a copy of a report for his DES, which was at his own cost, and the waiting time to get into see his neurologist was quite long. Overall delaying the time taken for him to access the DES service. James said it was also not clear who could write a specialist report for him to access services.

There is often an unacceptable wait period for the assessment process with many assessments being completed as a ‘tick box exercise’ with very general recommendations that do not consider individual capabilities and support requirements. Many people cite that they have very little ownership of the process and that they are not matched with an appropriate provider. Involving people in the assessment process will ensure that they are empowered to engage in their employment options and know what to expect from DES providers and potential employers.

PWdWA is concerned that the links between the NDIS and DES have not been established. PWdWA strongly urges this to be explored in much greater detail. NDIS allows people with disability greater choice and control over the services they receive by formulating their NDIS plans. Referral to and support for employment options including DES need to be factored in and the relevant systems aligned.

**Assistance in the workplace.**

PWdWA is encouraged that the discussion paper acknowledges the need to review ongoing support ensuring that attached funding is linked to the needs of the individual as opposed to set limits. PWdWA recommend as part of this process a number of elements require improvement these include:

* DES need to prioritise and promote the provision of ongoing support for employees with disability
* DES need to be better at communicating with potential employers about how to implement workplace modifications to suit a person to work within an organisation.
* DES need to provide workplace training for workplaces to become more accessible and inclusive.
* DES need to provide a range of employment options including self-employment. People expressed an interest in being connected with small business enterprise networks, and to have access to mainstream services to learn more about setting up and running their own business.

People within the group said that they would like information on how to set up their own businesses, and how to learn business skills. People said that they would like to know how to access information and learning like the Niche scheme in terms of setting up a small business, if the Niche scheme was flexible enough to accommodate the different requirements of people with disabilities.

PWdWA supports the proposal to re-brand the job in jeopardy scheme and would recommend the resources become available under ongoing support. PWdWA also recognises the need to review the scheme as numbers of people in receipt of support are declining. Targeted marketing to employers need to occur and information to employees about what support is available. Part of the role for a DES provider in this instance would be to negotiate with the employer and be willing to advocate on behalf of the person with a disability. It is also important that DES connects the person with disability to advocacy services if required.

PWDWA supportsthe proposal to trial employer – nominated initiatives, however the design and implementation of such arrangements should be co-designed with people with disability.

**Conclusion**

The right to accessible employment is a basic human right and often protects people from inequalities such as inadequate healthcare and poor housing or homelessness. It is vital therefore that people with disability have equal access to sustainable employment and choice of employment. PWdWA is encouraged that reforms have been recommended for Disability Employment Services and welcome the continued engagement with Department of Social Services. PWdWA welcomes the opportunity co-design and shape services that are underpinned by legislation for the rights of people with disability; that exercise this right for a diverse range of disability; and work with all sectors of industry and consumers to achieve this.