
**Response to the National Disability Employment
Framework Consultation**

QDN

QUEENSLANDERS WITH DISABILITY NETWORK
NOTHING ABOUT US WITHOUT US

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About Queenslanders with Disability Network (QDN)

QDN is an organisation of, for, and with people with disability and the organisation's motto is "nothing about us without us." QDN operates a state-wide network of members who provide information, feedback and views from a consumer perspective to inform systemic policy feedback to Government and peak bodies. QDN also provides information and referral support to people with disability.

QDN has over 700 members across Queensland. All of QDN's voting members are people with disability.

Value Statement on People with Disability

QDN's work in providing feedback and input into systemic policy issues is based upon the organisation's core values and the place of people with disability in an inclusive, Australian society.

QDN believes that:

- All people with disability have a right to a place in the community and have contributions to make to community. This is as empowered, free citizens who are as valued, present, participating and welcomed as members of any dynamic and diverse society.
- The place of people with disability in the community is not just about people with disability having a house in the community. Core to this is that they are welcomed in the community as ordinary citizens where they are genuinely given opportunities to contribute and actively participate. People with disability need to be in communities where their individuality, their talents, and their lived experiences of disability are recognised and acknowledged.
- Culturally and historically, people with disability are not afforded the same value, opportunities or access to community life.
- Any inclusion in community for people with disability is conditional and vulnerable to withdrawal.
- Many people with disability in Queensland are excluded from the most basic experiences of ordinary lives.
- Current exclusionary practices are unacceptable and must be challenged.
- These issues affect not only people with disability but the whole community.
- The responsibility is shared. It lies within government (federal, state and local) and the community at large, to ensure that people with disability have a place and are resourced to belong in community.

QDN Consultation

A consultation was undertaken by QDN with its members and with key allies. QDN also collaborated with key sector organisations aligned with QDN's values, within the disability sector in Queensland, to inform the development of QDN's response. QDN also participated in the consultations held in Brisbane and Townsville facilitated by Department of Social Services.

QDN's submission also includes a series of recommendations which have grown out of the consultation feedback.

Overview

QDN welcomes the opportunity to respond to the National Disability Employment Framework.

Employment remains one of the key issues for people with disability. The current range of employment programs and policy approaches has been unsuccessful in making a significant difference to generational levels of unemployment, underemployment and a low participation in the work force.

QDN acknowledges the legislative and policy environment that has been put into place to improve employment outcomes for people with disability, however recognises that there is a significant way to go in order to create a system that is effective in finding appropriate long term employment solutions for people with disability.

In ensuring people with disability can participate economically in their communities through employment, it is essential that people also have access to affordable, accessible, and appropriate housing, health services, education, transport and specialist disability services to achieve this.

QDN endorses the approach of the National Disability Strategy and encourages the Australian Government to be guided by the broad principles outlined in area three of the Strategy when considering the future direction of disability employment.

In line with the National Disability Strategy, there are a number of areas that can be strengthened and built upon to ensure people with disability experience better outcomes in relation to skilling for work and finding appropriate employment.

Specifically Points 3.3 to 3.8 of the National Disability Strategy which state;

3.3 Encourage innovative approaches to employment of people with disability such as social enterprises, or initiatives to assist people with disability establish their own small business.

3.4 Improve employment, recruitment and retention of people with disability in all levels of public sector employment, and in funded organisations.

3.5 Develop innovative approaches to future financial planning including private provision for people with disability, their families and carers.

3.6 Develop innovative options to improve affordability and security of housing across all forms of tenure.

3.7 At the review points of the National Affordable Housing Agreement and related National Partnership agreements, parties agree to consider including strategies consistent with the Strategy, to ensure they address the housing needs of people with disability.

3.8 Consider the implications for economic security for people with disability, their families and carers arising from investigation into a national long-term care and support scheme.

QDN supports further capacity building for employers, particularly within small to medium enterprises to create workplaces that deliver long term employment opportunities for people with disability.

As we move to an individualised funding arrangement and a dynamic and changing market environment for people with disability under the National Disability Insurance Scheme (NDIS), it is essential that any new employment initiative are complimentary to this approach and are responsive to individuals while building the capacity of employers and people with disability to be effective employees.

All levels of Government, the community and employers of all sizes play an important role in developing a workforce that is accessible to all Australians.

Investing in skills and training to suitably skill people for the workforce and build upon existing capacity is key to ensuring people with disability are able to meaningfully participate a wide range of employment opportunities.

Through training and education, it is important that people with disability can move from unemployment or under employment to being engaged in employment that facilitates their full and active economic participation.

QDN also supports that a National Disability Employment Framework be guided by the United Nations Convention on the Rights of Persons with Disabilities (UNCRPD) Articles 19, 27 and 28.

In particular Article 27 - Work and employment which states *“States Parties recognize the right of persons with disabilities to work, on an equal basis with others; this includes 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. States Parties shall safeguard and promote the realization of the right to work, including for*

those who acquire a disability during the course of employment, by taking appropriate steps, including through legislation.”

Workforce Participation of People with Disability

Strong leadership across all parts of the community is required to drive transformational change in the employment of people with disability.

Employment outcomes for Australians with disability remain drastically below outcomes for the general population in both employment and participation rates (around 52.9 per cent compared to 82.5 per cent for people without disability in 2012) and are near the lowest level in the OECD - title. Australia has one of the lowest employment rates in the OECD and one of the consistently strongest economies, highlighting significant systemic issues to deliver improved employment outcomes.

The corporate initiatives of Westpac and IBM, along with the work of small and medium business and social enterprises can be investigated to highlight practical models of effective initiatives that develop further opportunities for people with disability.

QDN acknowledges the work of organisations such as the Australian Network on Disability in helping workplaces and employers improve their skills and accessibility for people with disability. QDN supports actions to expand these types of initiatives to scale up more broadly across Australia. This type of investment in enabling the private sector to be a major part of the solution is another example of long-term vision for better outcomes.

QDN supports Governments at federal, state and local levels, along with the business community, to take a leadership role by setting and achieving benchmarks for people with disability in the workforce. QDN strongly recommends the adoption of disability business plans by these entities, if currently not in place, and the plans to include similar employment ratio targets for people with disability of 10-13%. This would reflect the proactive planning and targets achieved by the Westpac Group in relation to the employment of people with disability, and similarly within the National Disability Insurance Agency (NDIA).

Different needs of People with Disability

QDN endorses an individualised approach to employment services which emphasises flexibility and a person centred approach. It is important for services, including Disability Employment Services (DES) and Job Search Australia (JSA) providers to have a primary focus on fully understanding the individual needs, abilities and potential limitations for an individual in a workplace.

The current Framework drives the behaviour of job seekers to apply for roles regardless of the likelihood of success in gaining the position. This systemic issue has ongoing consequences for people with disability which result in perpetuation of individual failure to

achieve employment and the impact this has on individual self-esteem and confidence, and contributes to lowering the participation rate.

The outcomes focused Framework which is driven by placement numbers as the measure of outcomes contributes to inappropriate matching of a person's skill set and abilities. In many circumstances this is counterproductive and has negative long term consequences on a person's long term job prospects and their motivation to want to continue to apply to participate in the workforce.

Assessing issues such as barriers to safe accessible transport, effective formal personal support, and building understanding of and medical conditions that may be episodic, will lead to a more appropriate recommendation for a role appropriate to an individual's abilities. Setting in place a process to more comprehensively understand an individual's abilities and limitations will set a more likely foundation for ongoing success.

Principles for Changes to Disability Employment Services

QDN supports the discussion papers identified principles around change focusing on practicality, flexibility and choice and control with a long term vision for individuals working lives.

QDN supports that additional principles around changes to Disability Employment Services be guided by the National Disability Strategy and the United Nations Convention on the Rights of Persons with Disabilities (UNCRPD).

These documents outline strong principles to underpin equality of participation and a Framework for ensuring people with disability are given fair access to opportunities for economic participation.

QDN emphasises the importance of the need for equality in employment outcomes in line with the UNCRPD Articles 19, 27 and 28.

In particular, Article 27 - Work and employment which states *"States/ Parties recognize the right of persons with disabilities to work, on an equal basis with others; this includes 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. States/ Parties shall safeguard and promote the realization of the right to work, including for those who acquire a disability during the course of employment, by taking appropriate steps, including through legislation."*

The Framework needs to focus on the interface between individuals with disability, government funded employment and job search providers and employers to ensure this is integrated, streamlined, consistent and reliable, to enable the delivery of improved outcomes for all parties.

Services need to be adequately funded to be able to provide an effective service that removes barriers to employment of people with disability for employers. Services have a responsibility to be guided by a Framework that ensures the process of finding and maintaining employment is straight forward and accessible to people with disability.

QDN also supports the establishment of industrial protection around the wages of people with disability and the adoption of industrial conditions to safeguard an equal pay for equal work approach across all government and private sector programs.

QDN believes that a fair wage structure in line with Article 27 of the UNCRPD should be a principle of the Framework.

QDN notes that the creation of a two-tiered income support system for people with disability could have negative impact upon the way the Disability Support Pension and National Disability Employment Frameworks interact.

This system would be contrary to the goals of the NDIS and the National Disability Framework in encouraging people to think in a strengths-based model, rather than focussing on the deficits and incapacities associated with their disability.

Should a tiered working age payment be introduced, QDN supports the proposal that higher rates of the tiered working age payment include people with disability with a partial capacity to work.

National Disability Insurance Scheme

The opportunities afforded to people with disability to more appropriately allocate supports to improve employment opportunities under the NDIS are significant.

The choice and control provided by the new scheme can enable a person to be more appropriately supported to participate in a workplace. However, this should not be at the expense of current or future assistance to gain employment and should not be seen as a solution in itself.

QDN supports that the new employment Framework be designed to work closely and effectively with the resources and employees of the NDIA in order to maximise the impact of each.

For instance, the role of Local Area Coordinators by the NDIA could be leveraged to assist in educating employers about employing people with disability and exploring local opportunities to improve the economic participation of people with disability in their local communities.

Continuing to appropriately fund access and support needs for people with disability in the workplace is a vital component of any effective policy Framework seeking to improve and encourage economic participation by people with disability.

As we move to an individualised funding arrangement and a dynamic and changing market environment for people with disability under the National Disability Insurance Scheme (NDIS), it is essential that any new employment initiatives are complimentary to this approach and are responsive to individuals while building the capacity of employers and people with disability to be effective employees.

QDN notes that the NDIS is only one part of the overall approach outlined by the National Disability Strategy as vital to creating a good life for people with disability.

The implementation of policies and programs that bring about appropriate long term opportunities for economic participation are essential to realising the overall vision of the Strategy.

Personal Helpers and Mentors

QDN supports the continuation of the Personal Helpers and Mentors (PHaMs) program and encourages the Framework to take a similarly flexible and person centred approach to the employment of people with mental illness as QDN has recommended for people with disability.

Australian Disability Enterprises

QDN acknowledges that ADEs are one of a range of supported employment options for people with disability. This is particularly relevant to people with intellectual disability that, according to the Australian Bureau of Statistics, have a “higher rate of unemployment in comparison with other disability groups, regardless of severity. Those with moderate or mild intellectual disability (20%) have a higher unemployment rate than those with moderate or mild physical disability (8.8%).”

QDN acknowledges the need for reform of the current model and system to better serve people with disability within ADEs and to ensure barriers to successful outcomes and employment can be overcome.

The ability of a person to transfer from an ADE to open employment needs to be better addressed to ensure opportunities for open employment are not limited by participation in an ADE.

Additionally, the current Business Services Wage Assessment Tool needs review in line with the Australian Human Rights Commission findings. Employees have the right to receive fair wages and are entitled to the same employment protections experienced by all other

Australian workers. However, it is essential that measures put in place ensure the sustainability of ADEs whilst maintaining a person-centred approach to work planning, including the payment of 'real' wages for a day's work.

Disability Employment Services and Job Services Australia

According to current research by QDN there is currently a lack of awareness and understanding of the role and work of DES. A greater focus on delivering clear information to potential clients and employers needs to be a foundation for any improvement to the DES system.

This includes informing users of their rights as a DES client and ensuring real choice and control around providers and the supports people receive.

It is important that DES consultants provide a consistent and accurate point of contact for both clients and employers, similarly with Job Services Australia (JSA) providers. To ensure consistency and quality of service, it is important that consultants receive appropriate training within a person centred Framework to fully understand people with disability, their needs and abilities. This would facilitate consultants acting more effectively and respectfully in this role and working collaboratively with individuals and employers to develop innovative solutions to the person's employment barriers.

Greater skills and expertise are needed when matching a person with disability to a role in regard to their support needs. This would significantly improve the outcomes for DES clients and in turn the success of providers.

A current lack of flexibility in program rules and incentives limits the ability of DES and JSA providers to act in the best interests of their clients. These restrictions also limit the likelihood of long term employment outcomes in favour of 13 week and 26 week outcomes.

These services need to more comprehensively link with existing resources such as education and training options, income support and supported employment options. Developing formal and informal linkages with NDIA resources such as Local Area Co-ordinators would also provide a greater ability for DES to provide effective linkages into economic participation.

DES providers should also be supported to develop better links with business at a local level and being better informed of larger employers' relevant disability employment programs.

Central to the National Disability Employment Framework are the improvement of pathways to employment for people with disability and the successful integration of the work of DES and JSA providers to be effective.

The continuum of employment services need to be able to be flexible enough to allow individuals to shift in and out of services in a nonlinear way when they experience life changes or changes to their support needs.

This includes providing practical ways for people with disability to engage in practical job based training and employment opportunities.

The Foundation for Young Australians and The Smith Family's work Inspiration Placements provides a functioning example of an effective program that could be expanded to more broadly cover a range of roles and industries and allow people with disability the opportunity to make a successful transition from school to the workforce.

This approach will more adequately address initial issues with entry to the workforce and build more effective pathways to participation.

QDN supports a Commonwealth Government approach that invests effort and resources into upskilling and targeted job seeking, rather than one of mandatory, multiple job applications that may be ineffective and have a long-term impact on a person's confidence, and therefore their job prospects in the future.

The Interim Report places a large focus on the rates of payment as being drivers for the transition of people into the workforce. The reality for QDN members is that many people want to work. They simply can't find work that is suitable to not only their skills and qualifications, but also accommodates their specific needs, including accessible, affordable transport.

Within this systemic employment system reform, QDN reinforces the need for a flexible, responsive system that economically and socially supports people with disability to be able to realise opportunities that arise.

Support for Employers

QDN supports the use of wage subsidies to assist in the employment of people with disability and disadvantaged job seekers.

QDN also supports the continuation of the Employment Assistance Fund and the workplace modifications program. However the interface of the program needs to be improved to create a more timely response and a less time consuming and difficult to navigate process for employers wishing to access the scheme.

CONCLUSION

QDN acknowledges the positive steps that the Commonwealth has taken in reviewing the current employment Framework for people with disability. There are a broad number of legislative and policy Frameworks that have been put into place for people with disability to support social and economic participation in the community. Through the National Disability Strategy, Australian Governments at all levels have identified the importance of ensuring people with disability experience greater economic security. United Nations Convention on the Rights of Persons with Disabilities should also provide guidance in this process. To realise these goals there are significant regulatory and policy Frameworks that can be implemented to influence systemic change and ensure people with disability are able to navigate the sector and succeed in long term employment.

Queenslanders with Disability Network – 9 July 2015.