

**Physical Disability Australia Ltd**  
**P O Box 38**  
**Willawarrin NSW**  
**Australia 2440.**  
**Phone: 02 6567 1500**  
**Fax: 02 6567 1500**  
**Email: [pda@pda.org.au](mailto:pda@pda.org.au)**  
**Website: [www.pda.org.au](http://www.pda.org.au)**



Disability Employment Services Review  
Department of Education, Employment and  
Workplace Relations  
12M12  
GPO Box 9880  
CANBERRA CITY ACT 2601

Dear Sir or Madam

Thank you for the opportunity to submit our comments to the Disability Employment Services Review consultation.

Our organisation, Physical Disability Australia Ltd, is a national peak disability organisation representing people with physical disability across Australia. We represent the views and interests of the largest disability sector in Australia (estimated to be over 3 million people) and we are funded by the Australian Government through the Department of Families and Housing, Community Services and Indigenous Affairs (FaCSIA).

PDA was founded by a small group of people with physical disability over 14 years ago, and we are unique in that all of our board and staff are people with physical disability.

People with physical disability are often assumed to be included in society, when in fact this is not the case, especially in employment. Many people experience discrimination each day, with lack of access to premises, inadequate public transport services that are accessible, discriminating employers and a general lack of information about the potential and capacity of people with physical disability in the workforce.

Many people with physical disability have the ability to work, but need appropriate support and resources to do so. In submitting these comments we sincerely hope that our views will be taken into consideration in the final outcomes for Disability Employment Services.

Yours sincerely

A handwritten signature in cursive script that reads "Sue Egan".

Sue Egan. B. Comm.W., M. Dis.St.,  
Executive Officer.

## Physical Disability Australia Ltd

### Response to questions in the consultation paper for

### Disability Employment Services

#### DISCUSSION POINT 1:

IT based funding level assessment tool.

**a) What characteristics most influence a job seeker's DPI and DMI funding levels?**

People with disability are as diverse as those who do not have a disability, therefore their characteristics and needs will vary from person to person. It is for this reason that we emphasise that each person must be assessed on their individual need and also their support requirements.

We do not subscribe to 'one size fits all' as this has shown in the past to be unsuccessful. In the same way that no two people without disability are alike, no two people with disability are alike and their DPI and DMI should be assessed accordingly with individualised funding levels ascribed according to these needs.

Recommendation:

Physical Disability Australia recommends improved assistance to the most disadvantaged job seekers and no more placing people in the 'too hard basket' as has been a practise of the past.

Those with more complex needs should be referred to specialist services designed for this purpose such as the former More Intensive Flexible Service (MIFS) which was a successful pilot programme under the former Labor Government in Brisbane and scrapped without publicly stated reasons by the Howard Government. The following information was taken from a Centrelink Annual Report on the Internet and gives some idea of the scope of MIFS:

*More Intensive and Flexible Services Pilot*

*"The More Intensive and Flexible Services Pilot (MIFS) was established in July 1996, by the then Department of Social Security. Administration was transferred to Centrelink in July 1998. The pilot provided secondary rehabilitation (including physiotherapy, occupational therapy, speech therapy and counselling) and pre-vocational training (including budgeting, travel, training, grooming, and self esteem) to customers in receipt of the Disability Support Pension.*

*The pilot was completed on 30 June 2000. Approximately 2100 customers participated and many customers have been assisted in improving their work ability. The information gathered from the pilot will be used by FaCS to inform the Welfare Reform agenda."*<sup>a</sup>

This programme was specifically for those with more complex needs and placed the responsibility to ensure these need were met through the team employed at MIFS. Such programmes were innovative in assisting people with disability to enter the workforce. In the Brotherhood of St Lawrence document, the following comments on the MIFS Pilot also support the success of the programme:

<sup>a</sup> [www.centrelink.gov.au/internet/internet.nsf/filestores/annrep9900/\\$file/AR2000.rtf](http://www.centrelink.gov.au/internet/internet.nsf/filestores/annrep9900/$file/AR2000.rtf)

*[The] More Intensive and Flexible Services (MIFS) pilot. From mid 1996 to mid 2000, MIFS provided assistance to people with multiple and severe barriers to employment who were receiving the DSP*

*The MIFS program provided case management, psychological services, pre-vocational training and support services. Like the later PSP, it utilised the concept of social participation as an outcome, and also aimed to improve quality of life and to achieve vocational outcomes with those clients who became work-ready. Social participation was seen as part of a long-term pathway to employment by maintaining community engagement and helping clients to overcome barriers (Butterworth 2002). Unlike PSP, however, MIFS funding was based on the particular interventions required by the individual and the program was not time-limited, with some participants staying up to three years. Evaluation data suggests that the program achieved a range of 'quality of life' outcomes, increased social participation and led to increased employment and earnings (Reference Group on Welfare Reform 2000).*

**Recommendation:**

Physical Disability Australia recommends that the Australian Government investigate the development of similar programmes to compliment Disability Employment Services, but these services should not be a part of any Employment Services, rather a stand alone service for independence, monitoring and outcomes.

Teams of professional and experienced staff could be recruited to established centres to ensure the best outcomes (including day to day issues) and then referred ready for work to Employment Services for work placement.

**b) What additional issues or characteristics should the reference group consider when developing advice on the new IT based funding assessment tool?**

Physical Disability Australia believes that this is a complex issue, that of defining individual disability and the resultant impact on a person's daily life. We therefore suggest that reviews or assessments include issues within a person's day to day life to be taken into account for developing advice on the new IT based funding assessment tool as without this, placement of some people in employment is doomed to fail.

**Example 1:**

*J has Cerebral Palsy which affects all his limbs and mobility. He uses a power wheelchair for mobility and is independent in his own rental home. J has a University Degree in sociology and is well liked and active within the community. J also has a speech impairment which impacts on his ability to communicate with others (especially in a workplace) and will need specialised equipment for this purpose. However J cannot afford to buy the latest equipment to take with him when he goes for interviews or attends any job seeking activities.*

*Without the specialised equipment being taken into account and provided up front, J has little prospect of being employed, as the employers will see the disability first and not see the potential of J.*

**Example 2:**

*F has a physical disability and uses a manual wheelchair for mobility. She lives with her*

*parents and hopes to get a job so that she can buy her own home. F does not own a car or have a license so need to travel on public transport. However her local railway station is not accessible and even if it were there is no guarantee that the station near a potential employer would be accessible either.*

*F will also require modified workplace adjustments but is unsure of what she is entitled to, and therefore unable to tell any prospective employer what she can bring with her to a job.*

These two examples highlight to Physical Disability Australia, only a few of the complex issues associated with gaining employment. Without these issues being addressed first and foremost there is little chance of a successful career and many of the Employment Services to date have not been equipped or prepared to address some of these issues, therefore relegating them to the 'too hard basket.'

**Recommendation:**

Physical Disability Australia recommends that each person be assessed and supported on an individual basis and not collectively. This would enable all issues that can impact on successful employment, to be addressed before the job seeking and placement process is put into action.

**c) There will be instances when a change of circumstances could result in moving to a higher funding level in Program B. How should this be managed?**

Physical Disability Australia believes that in the instance of a change of circumstances, and the possibility of moving to a higher funding level, would indicate that the individual has a higher level of need, either in job support or job seeking.

We therefore recommend:

**Recommendation:**

Individuals who are required to move from Programme A to Programme B will require a review of their original assessment and referral. This should be done external to the organisation where the person is registered to determine an independent assessment of need.

**DISCUSSION POINT 2:**

Program support

Disability employment service providers will be given flexibility to determine the frequency of their contacts and other activities in accordance with the needs of the job seeker. However, to ensure a reasonable level of service, providers will be expected to meet regularly with job seekers and this will be reflected in the job seeker's EPP.

**a) What minimum contact requirements should be set?**

Physical Disability Australia has seen evidence of people registered with Employment Services being 'parked' in a service for considerably long periods of time with no or little contact from service providers. To prevent this happening we recommend the following:

Recommendation:

Each job seeker registered with a Disability Employment Service seeking employment should be contacted at least once monthly (or more if agreed by the job seeker) to ensure continuity and that the job seeker is still looking for work. This would also ensure that the service provider is still working to ensure the correct placement of people with disability in employment.

Physical Disability Australia believes that people on a Newstart Allowance are required to report regularly to Centrelink. Inclusion and equity principles would suggest that a similar requirement be made for Job Seekers registered with Employment Services, with both parties required to maintain and record regular contact. This contact should be recorded for both parties to ensure continuity and accountability and be part of contract reporting to Government.

- b) The new model includes the option of extending the 18 month program for an additional six months for job seekers who are close to achieving an employment outcome. *Should an independent assessment be made for access to the additional six months?***

Physical Disability Australia believes that if a successful placement cannot be found within the 18 month time frame, then there are issues that need to be addressed and the individual should not have been referred to an employment service in the first instance. We therefore recommend:

Recommendation:

- 1) People with disability should not be referred to Employment Services unless they are job ready or training issues have first been determined.
- 2) People with disability who after 18 months are not successful in employment placement should be referred back to Centrelink for further independent assessment with recommendations from the Employment Service and reasons why the individual has not been successful. This referral would then trigger a review to determine how best to proceed with the future employment options of the individual. At NO TIME should the onus be placed on the individual to 'fix the problem.'

- c) *If not, independently assessed, what evidence should be required to support the decision to extend a program for the additional six months?***

There are many reasons why a person may not be placed after 18 months with one service, and to determine the reasons for this requires a further assessment away from the service itself.

Recommendation:

Physical Disability Australia believes that a person with a disability who, after 18 months with one Employment Service has not been placed in employment or other activity, requires an independent assessment with input from the individual and the Employment Service.

We believe that to get to an 18 month target date and have no success whether in a position of employment or other appropriate activity registers a failure on the Service Provider and the Assessment process rather than the person with the disability and therefore needs a completely new assessment to take into account the previous 18 month record.

### **DISCUSSION POINT 3:**

#### Flexible ongoing support

The proposed 'fee for service' Flexible Ongoing Support element will enable providers of disability employment services to offer more flexible support in the workplace, particularly for those likely to need occasional support.

#### **a) *What level of support should trigger an assessment for more regular longer term ongoing support?***

##### Recommendation:

Physical Disability Australia recommends that the following be triggers for assessment for more ongoing support:

1. Job in jeopardy
2. Person is not performing as they used to
3. Person is unhappy in their job and there is a risk of leaving the position.
4. Illness or other personal circumstance changes which could result in job in jeopardy.
5. Limited support in the workplace

### **DISCUSSION POINT 4:**

#### Assessments

One weakness of any assessment is the propensity of people to demonstrate their strengths rather than their support needs.

#### **a) *How could this new independent assessment prevent individuals losing access to the support they need because they were assessed 'on a good day'?***

Physical Disability Australia is pleased to see that the Australian Government recognises that people with disabilities require more than an up front visit to assess their potential for employment.

We believe there are many factors that can influence success in a job. These can include but are not limited to:

- Fluctuating or episodic conditions
- Weakening of strength or ability
- Not being employed previously and therefore unreal expectations of capacity
- Tiredness experienced as a result of commencing employment
- Illness
- Change of equipment or need for better equipment (wheelchairs etc)
- Changes to medications
- Overinflated expectations of all concerned
- Lack of continuous accessible public transport
- change in life circumstances (accommodation)
- Others

**b) What weightings should apply to the discussion with providers and evidence of support provided?**

Physical Disability Australia believes that the weightings should be placed on the providers as they have undertaken by agreement to support a person into employment and this is with Government monies. If this has failed for whatever reason they effectively have broken their contract with both the individual and the Government and must be made responsible rather than just turning away from a difficult situation. We therefore recommend:

**Recommendation:**

In the instance of a person not succeeding, this should be referred to independent assessors to determine the problem/s. This must include full co-operation of the person with the disability and be confidential in nature.

The Service Provider should be given a full report at the completion and if there is an issue that involves the Service, this should be placed on record, for future evaluation of performance and to align with Quality Assurance and other contractual requirements.

**c) What skills, experience and qualifications should be required of the new workplace assessors?**

**Recommendation:**

Physical Disability Australia recommends that any assessors have the following:

1. Personal experience of disability
2. Education/Qualifications/Experience in line with assessment methods
3. Full knowledge of the Disability Discrimination Act (1992) and the Disability Services Act (1986) and Human Rights
4. Experience in employment services or similar
5. Committed to the principles of employment of people with disability

**DISCUSSION POINT 5:**

Employer incentives

*What rules should apply to individual job seekers claiming funds for workplace modifications or assistive technology?*

**Recommendation:**

Physical Disability Australia recommends that the following rules apply:

1. Must be assessed by a skilled Professional trained in equipment and technology provision for people with disability
2. Equipment or modifications must be specifically to enhance performance on the job and not for the benefit of the employer.
3. Must be able to take the equipment or technology from job to job
4. Must be the property of the individual and not the Employment Service or the Employer
5. Must be provided in best interests of the individual.

## DISCUSSION POINT 6:

### Service fees

The proposed fee model streamlines service fees and will reduce administration for providers by replacing monthly service fees and the requirement to claim and acquit payments for each job seeker, with quarterly service fees paid in advance.

**a) *Are there any further improvements that can be suggested to derive and pay service fees?***

Physical Disability Australia believes fervently in individualised funding with the funding following the individual. The new model proposed does not convince us to move away from these beliefs. We therefore recommend:

Recommendation:

Physical Disability Australia recommends that the funds be allocated to each individual, and then supplied to the Service on an individual basis and not as group funding. This ensures that funds are spent directly on the individual and not used for general purposes within the organisation.

**b) *How should we balance the need to ensure a job seeker receives assistance appropriate to their needs with the provider's responsibility to manage costs across their case load?***

Recommendation:

Physical Disability Australia recommends that Government be more accountable to all stakeholders by insisting that Service Providers undertake what their contract expects them to do.

Service Providers choose to be in the business of providing Employment Services and choose to receive Government Funding, therefore we believe they should also be responsible for providing appropriate support and assistance as indicated and expected in Grant Contracts.

We also believe it is the responsibility of the Service Organisations to manage costs across their case loads and not the responsibility of Governments to assist with, or make provision for this aspect of an organisations management.

**c) *How should fees be shaped to discourage parking or under servicing harder to help job seekers?***

Recommendation:

Physical Disability Australia recommends that Performance Targets be set for individuals accepted for employment support to ensure that stakeholders get the best value for government funds and government intentions.

We therefore support the Indicative Fee Structure in Appendix 3 of the submission documents which would ensure that stakeholders are given the best value for money.

We also congratulate the Australian Government in ensuring that 'accountability and transparency' are essential components of the contracts with Employment Services in Australia.

## DISCUSSION POINT 7:

### Outcome fees

- a) *What limits, if any, should be placed on allowable breaks when calculating an employment outcome?***

#### Recommendation:

Physical Disability Australia believes that people with disability seeking employment must have realistic expectations and develop a work ethic over time, so too must Employment Services. Breaks must have valid reasons, and be taken into account especially between jobs and placements, however this should be decided with the individual and the employment service on what is considered reasonable.

Currently in DEN, the equivalent of a job placement fee is paid once a job seeker has been in employment for four weeks. In VRS, a job placement fee is paid as soon as a job seeker has been placed in employment.

- b) *At what point should a job placement fee be payable?***

#### Recommendation:

Physical Disability Australia believes that the payment system currently in operation of a job seeker in employment for 4 weeks should remain in place as the timeframe for a placement fee.

- c) *As many job seekers try more than one job before settling into employment, how many job placement fees should an individual job seeker attract?***

#### Recommendation:

Physical Disability Australia believes that it is impossible to answer this question in a realistic way because of the many issues that a person with a disability can and does face.

However, we realise that there needs to be a cut off point in order to be realistic and therefore recommend a limit of 3 placements for a placement fee.

In the event that 3 successive employment positions are unsuccessful, this should trigger a new assessment to determine the issues that are preventing successful employment and tenure.

## DISCUSSION POINT 8:

### Transition issues

- a) *Based on your experience of providing assistance to people with disability, what are the key issues that you believe will need to be addressed during the transition process?***

**Recommendation:**

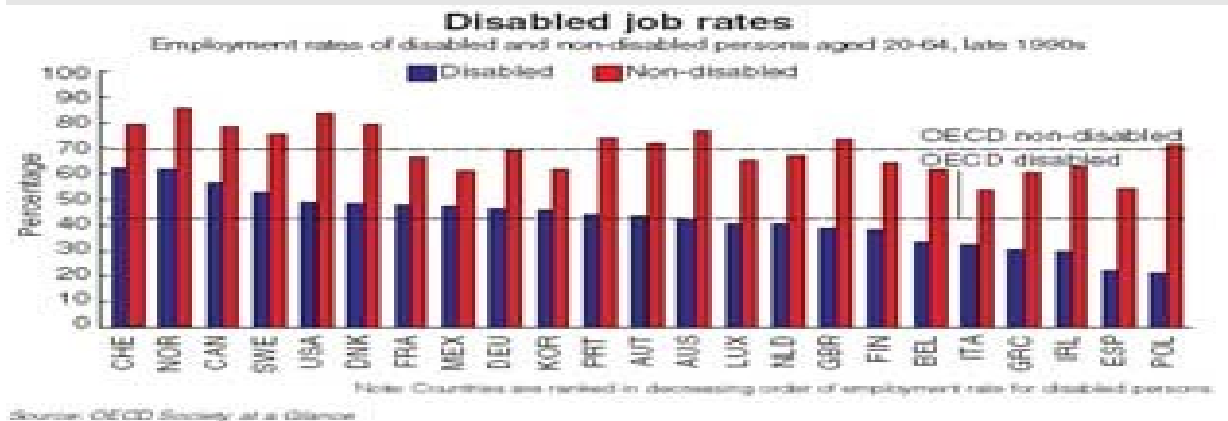
Physical Disability Australia believes that because this will be a new system, it will require a review period with ongoing monitoring during the transition phase, for all stakeholders.

This review and monitoring should be conducted by independent bodies, trained and recruited for this purpose and should not be part of the Quality Assurance process but rather include individuals with a disability (always) and experts in employment placement.

**Recommendation:**

Physical Disability Australia believes that people with disability are complex in their needs and it is these needs that must be addressed first and foremost, otherwise success in employment placement will not happen and we will remain with the poor figures that we have in employment for people with disabilities. These employment statistics will become the specific indicators of success in such programmes.

Australia does not have a good track record in the employment of people with disabilities compared with other countries. Most especially in the Australian Public Service, and whilst ever the Australian Public Service is not seen to be pro-active in their recruitment of people with disability, employers can safely hide behind the concept that Government does not 'practice what it preaches'. This claim is supported by the following table from the OECD website:



To support our argument regarding the Australian Public Service, recruitment of people with disabilities, the following table is reprinted from the APS State of Service Report 2007 - 2008 and shows considerable decline consistently since 1999 despite a strategy being launched in recent years to encourage the employment of people with disability.

Table 3.1 shows proportional representation in the APS for Indigenous Australians, people with disability and people from a non-English speaking background for the past 10 years.

Source: APSED	1999 %	2000 %	2001 %	2002 %	2003 %	2004 %	2005 %	2006 %	2007 %	2008 %
Indigenous Australians	2.7	2.5	2.6	2.6	2.5	2.5	2.3	2.2	2.2	2.1
People with disability	4.9	4.6	4.3	4.1	4.2	4.1	4.0	3.6	3.4	3.1
People from NESB1	5.6	5.6	5.6	5.6	5.5	5.5	5.7	5.9	6.0	6.0

Table 3.1: Representation of EEO groups among ongoing employees, 1999 to 2008<sup>3</sup>

- The representation of Indigenous Australians fell slightly during 2007–08, from 3,108 (2.2%) to 3,059 (2.1%).
- For employees with disability, representation declined again this year to 4,636 (3.1%) from 4,820 (3.4%) at June 2007.
- During 2007–08, the actual number of people from a non-English speaking background<sup>4</sup> grew from 8,612 to 8,804 but remained steady at 6.0% as a proportion of all ongoing employees.

Source: <http://www.apsc.gov.au/stateoftheservice/0708/three.htm>

**b) How do you believe those issues could be best addressed?**

Recommendation:

See the responses above.

**DISCUSSION POINT 9:**

Communication

**a) How do you believe the transition arrangements should best be communicated to providers, job seekers and employers?**

Recommendation:

Physical Disability Australia believes that there needs to be a concentrated campaign in Australia to assist in the employment opportunities for people with disability.

Campaigns should include, but not be restricted to:

- Inclusion in society at all levels
- Explanations of legislation that protects people with disabilities
- Communication on where to find assistance and Q and A sections on relevant websites
- Assistance that is available such as Workplace Adjustments, Supported Wages etc
- Emphasising the important role that employers play in social inclusion
- Emphasising the benefits of employing people with disabilities which has been researched and much material is now available
- Develop information brochures and distribute information that recognises that business and social benefits are intrinsically linked in our society
- Raise the expectations of people with disability, employers, the Government and the independent sector
- more...

**b) Is there anything DEEWR should do to assist providers in delivering a quality service for the remainder of this contract period?**

Recommendation:

Physical Disability Australia believes that Employment Service Providers are adequately equipped to inform government of what is needed. What needs to happen however, is government to ensure a quality service is provided, no matter the circumstances of the contract period.

For too long, Employment Services have built their empires at the expense of providing inadequate service provision for people with disability who want to work. This has resulted in the demonising of those on a Disability Support Pension as not wanting to work or lazy and dependent on Government support.

Whilst this may be true for a minority, it is certainly not our experience as a national peak organisation for the last 14 years to witness people with disability not wanting to work. Rather Government should be using examples of people with disability in successful careers who have not been dependent on Government benefits to heighten the awareness of the potential of people with disability.

## DISCUSSION POINT 10:

### Transition to the new model

- a) ***Are there any specific indicators that you believe should be considered when determining an existing job seeker's program and funding level?***

Recommendation:

People with disability who are seeking employment placement and are deemed ready to be employed, should not be set up for failure.

All training, education, transport, daily necessities surrounding employment and vocational needs should be addressed before any consideration of placement. Delaying or avoiding this essential part of work preparation will only result in failure and potential loss of self esteem for the individual with a disability.

- b) ***Can these indicators be identified in the system?***

Recommendation:

As stated previously, indicators of successful programmes can be identified by the number of successful placement of people with disability in employment including the Australian and State/Territory Public Services.

Physical Disability Australia also believes that the new model for Employment Services should also become a part of the proposed Employment Strategy currently under development.

We also believe that the new model should be reviewed and monitored, not only by Quality Assurance, but measured against the Disability Services Act, the Disability Discrimination Act and any other legislation, as well as social indicators of success and inclusion in our society.

We believe the review and monitoring process should involve primarily experts with a disability first and foremost, and professionals in the field of employment as well as government/s.

Given the complexity of the current system, some job seekers may not be in the right program and will need to be reassessed for the new programs.

**c) *What indicators should trigger a reassessment?***

Recommendation:

Where a person with a disability is seen to be succeeding in the current system, this should not be changed and allowed to progress unless:

- A job is lost or is in jeopardy
- The individual is unsuccessful in each attempt at participating or working
- Other identified issues, such as illness, absence from the programme, identified needs not being met, additional support being required and not programmed for.

**DISCUSSION POINT 11:**

Transition supported employees

**a) *What do you think is the best way to help supported employees who need to move from their existing provider to a new provider?***

Recommendation:

Physical Disability Australia believes that the most appropriate way to support employees to move to a new provider is to raise this issue at an identified meeting, and to explain and document the process that will take place in moving to another service, so that all parties have clarity in the process to take place.

We urge the government to take into consideration the location of the new service, the familiarity a person has with their existing service, and other important factors which will impinge on a successful transfer.

**b) *Apart from the requirements set out in the current contract or funding deed, are there any steps that you recommend providers should take?***

Recommendation:

Physical Disability Australia has already identified throughout this consultation response that we are supportive of the individual with a disability first and foremost, as is our responsibility as a National Disability Peak Organisation.

Service Providers have been in the business for a long time and should by now be aware of the necessary steps to ensure a smooth transition for their stakeholders. We do however note, that many Services no longer have people with disability on their boards or their management committees in some cases and have a minority of people with disability employed in their own services. Some in fact, act as if they are a 'for profit business' instead of providing a service to the community and funded by taxpayer funds.

Physical Disability Australia would like to see the return to a community service model, with the outcomes focussed on the person and a successful placement rather than profit or empire building.

The employment of people with disability in the community has the potential to make life changing differences to people's lives if successfully handled and transitioned including recognition and provision of the essential supports. This would also have extended benefits to the greater community and social inclusion in Australia and would result in a truly inclusive and productive society.

Sue Egan. B.Comm.W, M.Dis.St.  
Executive Officer  
Physical Disability Australia Ltd.