# DES Reform submission

February 2022

## **Acknowledgments**

Inclusion Australia acknowledges the traditional owners of the land on which this publication was produced. We acknowledge the deep spiritual connection to this land of Aboriginal and Torres Strait Islander peoples. We extend our respects to community members and Elders past and present.

Inclusion Australia recognises the efforts of self-advocates who have courageously told their stories and worked tirelessly over the years for equality and human rights for all.

Inclusion Australia prepared this submission. To write this submission, we listened to the voices and concerns of people with intellectual disability and their families and supporters, and we thank them for sharing their lived experiences.

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# Introduction

Inclusion Australia wants big changes to the current Disability Employment Services (DES) because they are failing people with an intellectual disability and their families. Currently, only 3.1% of those using DES are people with an intellectual disability.[[1]](#endnote-2)

Policy settings need to have an employment first focus that is evidence-based, making it easy for people with an intellectual disability to find, keep and thrive in a job that lifts them out of poverty.

We want the DES system to be redesigned so it works for people with an intellectual disability and their families, designed around the evidence of what we need to access open and self-employment.

### Our rights

The Convention on the Rights of Persons with Disabilities, which Australia has signed, says in Article 27 that people with disability have the right “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.”[[2]](#endnote-3)

The 2019 review of Australia’s work to realise the rights of people with disability raised concerns about the employment rates, and the ‘ongoing practice of segregated employment through Australian Disability Enterprises (ADEs) with sub-minimum wage payment”. The UN Committee recommended reform to DES, as well “a comprehensive review of ADEs to adhere to Article 27 of the Convention and provide services to transition of persons with disabilities from sheltered employment into open inclusive and accessible forms of employment, ensuring equal remuneration for work for equal value.”[[3]](#endnote-4)

### Shut out of work

Most people with an intellectual disability do not have access to paid work in open and self-employment. This means that most people with an intellectual disability live in poverty, with no opportunity to have the same lives as non-disabled people, and other people with disability.

There is a clear economic case for investing in a better system for people with an intellectual disability. In its current form, DES isn’t delivering for the people that need support the most and face the biggest barriers to work. We need a smarter, better, evidence-based system that will support people with an intellectual disability to be fully included in the community.

Deloitte modelling found that “closing the gap between labour market participation rates and unemployment rates for people with and without disabilities by one-third would result in a cumulative $43 billion increase in Australia’s GDP over the next decade in real dollar terms. The modelling also suggests that GDP will be around 0.85% higher over the longer term, which is equivalent to an increase in GDP in 2011 of $12 billion.”[[4]](#endnote-5)

We need a big change to how the disability employment system does their work so that more people with an intellectual disability can get and keep a job.

### Many different systems

A person with intellectual disability looking for work needs to navigate multiple related, complex, and largely inaccessible, systems: DES, the National Disability Insurance Scheme (NDIS), the Disability Support Pension (DSP) and Centrelink – as well as the education system for young people looking to transition from school to employment. These systems need to be simplified and aligned to encourage and support people with an intellectual disability to find meaningful employment.

Inclusion Australia has made detailed submissions this year, including the expertise and experiences of people with an intellectual disability and their families, about employment, income support and the NDIS.[[5]](#endnote-6) Many of the recommendations we made in those submissions also apply to this review of the DES program, particularly about the need for government systems to work much better for people with an intellectual disability.

Disability Employment Services (DES), the NDIS funded School Leavers Employment Support (SLES) and Australian Disability Enterprises (ADEs) are not delivering good results for people with an intellectual disability. Thresholds to access necessary supports in some services are too high and there is an assumption that people with an intellectual disability start with no skills or capacity to work in open or self-employment. This is simply not the case. More time needs to be spent with individuals to understand their skills, interests and how they can contribute to commercial enterprises and other workplaces.

### Use evidence

Inclusion Australia strongly recommends the adoption of evidence-based policies and settings designed to make sure people with an intellectual disability can access open and self-employment.

The evidence is very clear about what works. People with an intellectual disability need a system that delivers:

* Personalised strengths-based assessment, including in job and community settings
* Job customisation and placement
* On the job training
* Ongoing support
* Workforce development
* Reduction of system complexity

Our recommendations are based on evidence from Australia and overseas, as well as the direct expertise and experience of people with an intellectual disability and their families.

## Our Voice Committee

Our Voice is the subcommittee to Inclusion Australia’s Board with 100% membership of people with an intellectual disability. Our Voice experts believe strongly that more people with an intellectual disability should have the opportunity to work in regular jobs, and earn money they can use in their lives.

Statement by Our Voice: “People with disabilities have the right to work in the open job market like anyone else and get the training and support they need; this means no more sheltered employment.”

## Our vision for a good employment support system that works for people with an intellectual disability and their families

A DES system that gets people with an intellectual disability into open and self-employment, and sustains that work, looks very different to the current system.

People with an intellectual disability and their families find it easy to get information about and to access open and self-employment.

The **Centre of Excellence** provides evidence-based research, expertise and best practice material about employment for people with intellectual disability to a network of **specialist DES providers in each state and territory**. In addition, they facilitate a high-level taskforce to harmonise settings across government.

The specialist DES providers can be accessed from anywhere in the state or territory, and implement the **evidence-based practice** in everything they do.

Mainstream DES providers get training from the specialist DES and work in their communities to invest the time and expertise so people with an intellectual disability can access open and self-employment.

The **NDIS and DES work together**, alongside other government agencies, such as Centrelink, to ensure that people with an intellectual disability do not have barriers to finding and keeping work.

DES staff are well trained and funding settings ensure they have the time they need to support people with an intellectual disability.

# Background

Disability Employment Services have undergone a number of reforms, with the most recent being finalised in 2018. During the last review, Inclusion Australia, alongside Disabled Peoples Organisations Australia and the Australian Network on Disability[[6]](#endnote-7), raised very significant concerns about the direction of the reforms. We were concerned that there was an average funding cut of

* 30.5% for people with an intellectual disability, and,
* 21% for people with learning disability and autism.

This cut was on top of an estimated 23% loss in funding value since 2010 due to the lack of indexation of DES funding. In addition, we warned that many participants with higher support needs may only receive adequate employment support if providers cross subside funding support from higher funded participants with lower support needs, which is what has eventuated.

Many of the recommendations that we made to that round of DES reform have been repeated in this submission.

Inclusion Australia has a long history of advocacy for open and self-employment for people with an intellectual disability, developing multiple comprehensive submissions about evidence-based practice, and we pay tribute to our former CEO Paul Cain for his passion and expertise in this area.

In 2015, Inclusion Australia recommended that a specific DES program be designed for people with an intellectual disability that could ‘seamlessly interface with NDIS to achieve open employment outcomes.’[[7]](#endnote-8)

Inclusion Australia has participated in the DES working groups throughout 2021, alongside many other people with disability, disability organisations and DES providers.

We have also completed a project, Everyone Can Work[[8]](#endnote-9), which developed and provided resources for people with an intellectual disability and their families about accessing and sustaining open and self-employment.

Inclusion Australia members also have very significant expertise and experience in evidence-based employment for people with an intellectual disability.

# The impact of COVID

COVID, and the public health measures such as lockdowns, have had a very significant impact on many people with an intellectual disability and their engagement in the workplace. For those that were working in mainstream work, they were often sent home with little to do, with many yet to return. Additional barriers have arisen, such as the impact of COVID-safety concerns on the willingness to travel to work on public transport. For young people with an intellectual disability making the transition from school to work, work experience and employment opportunities have been significantly reduced and they have missed out on many of the key milestones they expected.

Inclusion Australia believes that the risks of COVID to people with an intellectual disability are ongoing, and all employment reforms need to take this into account. There also needs to be specific NDIS and DES funding to address the skills gaps that have occurred over the last two years.

What we want

* The NDIS to develop and implement a strategy to identify school leavers with an intellectual disability impacted by COVID, and develop resources and supports to address any employment capacity gaps they may have experienced.

My other job I lost because of covid. When covid restrictions ended they didn’t want me back.

MELISSA, person with intellectual disability

I don’t have any confidence DES will help with what's needed after two years of COVID.

ANNA, family member

# Including all people with an intellectual disability

People with an intellectual disability exist at every age and stage of life. Older people with an intellectual disability may have had a lifetime of segregation, particularly in Australian Disability Enterprises, day programs and group homes.

While younger people with an intellectual disability may have NDIS supports, many still do not attend a mainstream school or participate in genuinely inclusive employment, community activities or recreation.

Multiply marginalised people with an intellectual disability often live in precarious housing, such as boarding houses, may have spent time in prison or other institutions, and may also have a cognitive, psychosocial and/or physical disability.

Aboriginal and Torres Strait Islander people with an intellectual disability experience significant disadvantage, says the First People with Disability Network[[9]](#endnote-10), which needs to be addressed in policy settings.

People with an intellectual disability from culturally and linguistically diverse, including migrant and refugee backgrounds, can face many barriers to accessing all disability services, including disability employment services.

People with an intellectual disability and their families need to be supported to have different expectations about their lives, including that they will participate in open and/or self-employment, rather than segregated employment. They should not have to accept a lifetime of exclusion and poverty.

Our policy recommendations apply to all people with an intellectual disability and their families, with specific measures to address multiply marginalised people with an intellectual disability.

# About this submission

Inclusion Australia has talked about overall changes that are needed to ensure people with an intellectual disability can access open and self-employment, and also used a life course approach to demonstrate the barriers that exist at every stage of a person with intellectual disability’s life, and to demonstrate the positive potential that DES could have to remove those barriers and facilitate the inclusion of people with an intellectual disability in employment.

We have developed some evidence-based solutions, most notably the Centre of Excellence and the specialist DES provider model, that would go a long way towards ensuring that people with an intellectual disability are included in the community via employment.

This submission also includes examples of successful projects and programs run by Inclusion Australia and our members. People with an intellectual disability and their families have a great deal of passion, expertise and experience in the area of open employment.

This submission has used a range of material from Inclusion Australia including:

* Interviews with people with an intellectual disability and their families and other experts.
* What Works workshops and the What Works reference group of people with an intellectual disability.
* *Fostering employment for people with an intellectual disability: the evidence to date* by Professor Erin Wilson and Robert Campain, August 2020, [available online](https://www.everyonecanwork.org.au/wp-content/uploads/2020/11/Fostering-employment-for-people-with-intellectual-disability-Accessible.pdf). This will be referred to as the Swinburne Research in this submission.
* Everyone Can Work website and project - <https://www.everyonecanwork.org.au/>

Inclusion Australia talked with people with an intellectual disability and their families from around Australia, and their experiences are included in this submission. They have also contributed to the recommendations.

## Acknowledgements

Inclusion Australia thanks the many people with intellectual disability and their families that contributed to this submission, including the Our Voice committee. Their names have been changed in this submission. We also thank the policy experts and academics for their contributions.

We thank Professor Erin Wilson and Robert Campain, from the Centre for Social Impact Swinburne, for their work in compiling evidence about employment for people with intellectual disability used in this submission.

We also want to acknowledge the decades of work of our previous CEO, Paul Cain, on employment, and his advocacy for the rights of people with intellectual disability.

## A note on accessibility

Engagement with people with an intellectual disability in this consultation has been difficult for several reasons, most notably the limited time frame for submissions.

While Inclusion Australia appreciates the extension until 1 February 2022, it was unreasonable to expect a submission of this scale to be completed by 4 January (the original deadline.) We urge the Department to review submission timeframes to ensure that people with an intellectual disability and their families can sustainably manage the feedback required. To improve accessibility for future consultations, we urge the Department to appropriately consider the time needed for supporting people with an intellectual disability to access consultation materials.

The time of year has also made engagement more difficult as many people are busy in the lead up to the end of the year. Our community as a whole is exhausted from a year with many intensive consultations on employment and related issues – including the Australian Disability Strategy, The National Disability Employment Strategy, the Disability Support Pension Impairment Tables Review, the Disability Support Pension Senate Inquiry, and the NDIS support for decision making framework.

Engagement has been further complicated by the Government opening several consultations at once, making each competing priorities for systemic advocacy organisations like ours.

We appreciate the consultation materials have been prepared in Easy Read. The booklet is unfortunately very long, which would make it inaccessible to many people with an intellectual disability. Inclusion Australia would like to remind the Department that Easy Read is intended to be read with support, and working through such a lengthy document together is time consuming.

# Recommendations

#### The impact of COVID

* The NDIS to develop and implement a strategy to identify school leavers with an intellectual disability impacted by COVID, and develop resources and supports to address any employment capacity gaps they may have experienced.

#### Centre of Excellence and Specialist DES providers

A Centre of Excellence is established that will provide:

* Review all Information, Linkages and Capacity Building employment programs, and publish key evidence and expertise.
* Best practice evidence-based information about employment for people with an intellectual disability.
* Design training for generalist DES providers.
* Capacity building for other agencies, such as NDIS.
* Coordinate Community of Practice.
* Resource and support specialist DES providers.
* Evidence-based guides and research about best practice school activities that support people with intellectual disability into open and self-employment.
* Evidence-based guides and research about best practice school activities that support people with intellectual disability into open and self-employment.
* Evidence-based resources for generalist DES about what how to deliver effective ongoing support for people with intellectual disability.
* Evidence-based resources for employers about accessible induction practices.

Specialist DES providers would be established in each state and territory that will:

* Be open to all people with an intellectual disability regardless of location, utilising online tools.
* Implement evidence-based practice from Centre of Excellence research.
* Implement training of generalist DES providers.
* Participate in Community of Practice.
* Provide information and resources about open and self-employment options at school, to students with intellectual disability, their families and schools.
* Link to specialist SLES providers that focus on evidence-based pathways to open and self-employment.
* People with an intellectual disability are referred to the specialist DES providers from all agencies, including Centrelink, NDIS and other employment services.

#### Self-employment

* Accessible information resources provided to people with an intellectual disability and families about evidence-based self-employment models as part of planning meetings with NDIS.
* Specialist DES providers, and the Centre of Excellence, to develop a body of evidence, real-life examples and a peer-support program for people with an intellectual disability and their families working in self-employment.
* Specialist DES providers, and the Centre of Excellence, to develop a body of evidence and real-life examples about employment circles of support for people with an intellectual disability and their families.
* Specialist DES providers and the Centre of Excellence provide resources and information to generalist DES providers about how to support people with an intellectual disability and families to develop self-employment.
* NDIA and DES to work together to streamline process and reduce complexity for people with an intellectual disability and families to explore, develop and sustain self-employment.

#### Systems complexity

* Establish an Office for Disability to coordinate whole of government policy for people with disability
* Establish a high-level taskforce dedicated to reducing complexity for people with an intellectual disability in engaging with government.
* Add specific indicators and outcomes for people with an intellectual disability to Employment Targeted Action Plan and ADS Outcomes Framework.

#### DES General

* More individualised outcomes data about outcomes for people with an intellectual disability
* Independent Commission be established to monitor complaints and problems with DES

#### Centrelink

* People with an intellectual disability with manifest eligibility for the DSP are exempt from job search requirements.
* The earning limit is lifted to $600 per fortnight, and the taper rate changed to 40% for income over that with provision for these limits to increase with CPI etc
* Income reporting to Centrelink is done via DES providers for people with an intellectual disability, including people who are self-employed
* Productivity Commission inquiry to review the DSP and recommend ways to ensure that DSP payments meet people’s needs, and enable people to work without unfair financial penalties and unnecessary levels of administration and reporting.

#### Mutual obligations and payment suspensions

* All DES providers have no further role in suspending income support payments or enforcing mutual obligation regimes

#### Supported decision-making

* DES urgently develop a supported decision-making (SDM) framework and implement in all DES providers.
* SDM supports must be available and independent from DES providers, and ADE or day program providers.
* The Centre of Excellence and specialist DES providers to include requirements for supported decision-making expertise and to provide ongoing training and expertise about SDM for all generalist DES providers.

#### Attitudes of family and friends

* The Centre of Excellence, as well as specialist DES providers, develop specific resources and information to assist families and friends to have a stronger understanding of the capacity of people with an intellectual disability, as well as the options for open and self-employment.
* Fund Inclusion Australia to coordinate and develop peer resources, designed by families and supporters, to provide independent information and resources about open and self-employment.
* Provide funding for Inclusion Australia for the coordination of national employment peer support groups

### Life course section

#### School

* Specific school programs, in all schools, for all students with an intellectual disability to get access to significant amounts of unpaid work experience in open and self-employment.
* Information, guidance and resources about unpaid work experience and on the job training in open and self-employment for students with intellectual disability developed for all mainstream and special schools and education resource units in mainstream schools.
* Access to long term on-the-job training while still at school, starting well before the final year at school.
* Information and awareness for families about open and self-employment possibilities and the importance of work experiences and on-the-job training
* Access to DES for after-school and casual work.
* Specialist DES providers with relevant skill and expertise to provide information and resources about open and self-employment options at school, to students with intellectual disability, their families and schools.
* Centre of Excellence produces evidence-based guides and research about best practice school activities that support people with an intellectual disability into open and self-employment.
* Students with intellectual disability will not complete any work experience or on the job training or internships in ADEs or day programs or in groups larger than two people
* Work training needs to be on the job not in classrooms.
* Work experience opportunities for older people with an intellectual disability.

#### Transition from school to work

* NDIS employment goals to focus on supports for open and self-employment, ensuring more people with an intellectual disability don’t go into ADEs or day programs and instead have access to DES.
* The NDIS develops an internal assessment of the risk of a person going into segregated work or activity settings, then provide information and support for them and their family about mainstream options. If an ADE is chosen, then a vocational review/development process is completed before entering ADE and annually afterwards
* The NDIS takes an employment first approach, recommending employment supports for all people with disability from the age of 15.
* The NDIS employment statistics reports to include more detail on people with an intellectual disability and what type of employment they are doing, such as in ADEs.
* The Centre of Excellence produces independent information about NDIS employment options, including using SLES and other employment supports for open and self-employment. Information provided to people with an intellectual disability and their families about using NDIS employment supports for part time, casual and self-employment from legal working age for after-school work.
* Specialist transition from school providers, linked to Centre of Excellence and specialist DES, that focus on evidence-based pathways to open and self-employment.
* No ADE or day program provider can register to provide NDIS employment supports, including SLES, for open employment services.
* SLES and other transition to employment supports to be evidence-based and focused on open and self-employment such as on-the-job training in open employment and self-employment options.
* DSS and NDIA to jointly fund Inclusion Australia to develop specific resources about using NDIS employment supports, including SLES, to access open and self-employment.
* Transition to employment supports, including SLES and DES to be available for longer if needed.
* The DES Eligible School Leaver program works collaboratively with the NDIS to ensure employment supports including are designed to enable a polished pathway into open or self-employment.
* DES Eligible School Leaver providers may not also provide ADE or day program services.
* Independent career advice in accessible formats provided to all students with intellectual disability.

#### First job

* Everyone who wants employment support is eligible for DES services, no matter how many hours they want to work.
* All people with an intellectual disability who use the NDIS should be automatically referred to DES if they want to work.
* Job Capacity Assessments should be replaced by a strengths-based evaluation that focuses on what the person wants to do and the supports they need to do that.
* Specific DES support for older people with an intellectual disability who have either never worked in mainstream employment, have had long periods out of the workforce, or who want to transition out of ADEs.
* Independent information and resources for people with an intellectual disability and families about how to ask for, and utilise, employment supports in NDIS plans and DES for open and self-employment, created via co-design with people with an intellectual disability and families.

#### Starting at work

* Accessible information about accessing NDIS travel support for employment developed and made available in DES for all people with an intellectual disability starting work.
* Reduction of administrative complexity in accessing supports such as financial support for public transport (including taxis).
* The Centre of Excellence and specialist DES providers develop evidence-based resources for employers about accessible induction practices.
* Information for employers about how to make induction and orientation for people with an intellectual disability accessible
* Support from DES for transition into work at any age, tailored to, and developed with, the person with intellectual disability and their workplace.

#### Staying at work

* All people with an intellectual disability are eligible for ongoing support funding, without any further assessment and no matter how many hours they are working.
* All people with an intellectual disability are eligible for Work Assist, no matter how many hours they are working.
* Strengths-based evaluations are used instead of IQ tests to determine levels of support needed.
* NDIS and DES need to work together, and clarify which agency is responsible for funding which aspects of ongoing support. This then needs to be clearly and consistently communicated to DES providers and NDIS planners and LACs.
* There is an immediate co-designed review, with people with an intellectual disability, their families, organisations and specialist DES providers, of ongoing support for workers with intellectual disability.
* Ongoing support payments are fully flexible and available to all people with an intellectual disability, no matter how many hours they work
* People with an intellectual disability, and those with similar support needs, are automatically streamed into ESS.
* The Moderate Intellectual Disability Payment eligibility is increased to include people with a moderate intellectual disability who can work fewer than 15 hours per week, and at the same time, payment structures are put in place to ensure incentives remain for people to have work of more than 15 hours per week.
* The Centre of Excellence and specialist DES providers develop evidence-based resources for generalist DES about what how to deliver effective ongoing support for people with an intellectual disability.

#### Changing jobs, changing lives

* Flexibility in both DES and NDIS supports to respond quickly to changes as needed, in a person’s life, including changes at work.
* Centre of Excellence and specialist DES providers to develop and distribute resources about SDM and how to facilitate change in jobs.

# Centre of Excellence and specialist DES providers

Inclusion Australia is calling for the establishment of a **Centre of Excellence** in open and self-employment of people with an intellectual disability, and the establishment of **specialist DES organisations** in every state and territory, who understand and use evidence-based practice in the employment of people with an intellectual disability.

### Centre of Excellence

The Centre of Excellence will have a key quality control function (what does good look like) as well as capacity building role for the whole DES sector, publishing high quality research and promoting the use of evidence-based practice in employment for people with an intellectual disability.

A Centre of Excellence would bring together all of the evidence about what works to support people with an intellectual disability into open and self-employment. The Centre would then develop information in accessible formats for people with an intellectual disability and their families to use for key life stages and transitions, which can be distributed through the specialist DES providers.

The Centre will design training for generalist services to be delivered in conjunction with the specialist services in each state and territory, for example in implementing a supported decision-making framework. This would facilitate the development of a continuous improvement model of practice, and centralise and retain knowledge in a fragmented system with high turnover of staff. In addition, the Centre can assist DES providers to develop a practice improvement system.

The Centre will also work to increase the skills and experience of key staff at the NDIS, in NDIS service providers working in employment, and commission new research that will continue to strengthen and guide practices.

This model would require a shift towards a more collaborative employment services environment, than the current competitive one. However, as it is clear that the current one is failing to deliver the kinds of outcomes that people with an intellectual disability, their families and government want, we believe this is a far better alternative.

The Centre, plus the specialist DES providers, will also address capacity in areas that do not have the resources to provide evidence-based supports for people with an intellectual disability, such as regional, rural and remote areas. DES providers in those areas will be able to access specialist information and training to enable them to support people with an intellectual disability into open and self-employment.

### Specialist DES services

As part of the ongoing DES reform working groups, Inclusion Australia has supported the systems architecture draft recommendations that generalist employment services be established, that are open to all, regardless of disability, work capacity and income support type. In addition, we support establishment of specialist DES organisations that will focus on people with an intellectual disability, and will need to:

* Meet minimum lived experience workforce requirements, including of people with an intellectual disability
* Demonstrate specialist knowledge, networks and capacity
* Commit to being part of a community of practice to inform the Centre of Excellence and generalist providers about effective practice.
* Provide tools, advice and support to employment service providers.
* Provide information and advice to people with an intellectual disability and their families
* Potential to provide a secondary consult capability, especially to regional and remote providers
* Quality assure training
* Assist other government agencies, such as the NDIS, in understanding and implementing evidence-based policies.

People with an intellectual disability would be referred to the specialist disability employment services through self-referral, via the NDIS (LACs and planners), from Centrelink when they access the DSP and other income support, and from all other employment services. People currently working in ADEs could also use specialist services to plan their transition to open and self-employment.

The specialist DES providers will act as a one stop shop for people with an intellectual disability and their families who want to know about working in open and self-employment. These providers will work across multiple complex systems to make it easier for people with an intellectual disability to find and keep employment of their choosing.

These specialist services will be demand driven, and funded through DES. They will work in partnership with organisations of people with an intellectual disability and their families to distribute accessible evidence-based information to generalist DES providers, employer groups and others. They will have a minimum number of people with an intellectual disability on staff, and support generalist DES providers to also employ people with an intellectual disability.

Specialist services are available for all people with an intellectual disability in that state or territory to access regardless of location, if willing to receive online and virtual services. They will work with the Centre of Excellence to deliver training to generalist services as part of their funding agreements.

People with an intellectual disability would also be able to access the specialist services no matter the income support payment they receive or the employment stream they are in or how much work they wish to do per week.

The specialist services will be part of a Community of Practice, coordinated by the Centre of Excellence, and will have a specifically funded capacity building role for generalist DES providers in their state or territory to better support people with an intellectual disability.

They will develop strong and deep relationships with large employers in each state and territory as a pathway to employing people with an intellectual disability. They will also act as a resource based for any employer who wants to employ a person with intellectual disability, and do proactive information and capacity building of employers, including small to medium enterprises and not-for-profit organisations.

I would love to talk to DES providers and give them some tips about how to be better. DES providers would get more people with ID if they had training and understood better.

EMMA, person with an intellectual disability

DES needs to have its own specialized stream for intellectual disability, providers have more time and support to provide on the job support

GREG, person with an intellectual disability

What we want

A Centre of Excellence is established that will provide:

* Review all Information, Linkages and Capacity Building employment programs, and publish key evidence and expertise.
* Best practice evidence-based information about employment for people with an intellectual disability.
* Design training for generalist DES providers.
* Capacity building for other agencies, such as NDIS.
* Coordinate Community of Practice.
* Resource and support specialist DES providers.
* Evidence-based guides and research about best practice school activities that support people with intellectual disability into open and self-employment.
* Evidence-based guides and research about best practice school activities that support people with intellectual disability into open and self-employment.
* Evidence-based resources for generalist DES about what how to deliver effective ongoing support for people with intellectual disability.
* Evidence-based resources for employers about accessible induction practices.

Specialist DES providers would be established in each state and territory that will:

* Be open to all people with an intellectual disability regardless of location, utilising online tools.
* Implement evidence-based practice from Centre of Excellence research.
* Implement training of generalist DES providers.
* Participate in Community of Practice.
* Provide information and resources about open and self-employment options at school, to students with intellectual disability, their families and schools.
* Link to specialist SLES providers that focus on evidence-based pathways to open and self-employment.
* People with an intellectual disability are referred to the specialist DES providers from all agencies, including Centrelink, NDIS and other employment services.

# Why is open and self-employment important?

Inclusion Australia, led by the Our Voice committee of people with an intellectual disability, believes people with an intellectual disability can and do work in open and self-employment.

Open employment is any employment in mainstream employment settings, for the same wages other Australians earn.

### Barriers to work

The evidence is very clear that people with an intellectual disability can work in open and self-employment, with the right support. The barriers they face are in the systems that are meant to support them.

People with an intellectual disability often encounter low expectations about their capacity throughout their lives, and do not have access to the same kinds of options and choices as their non-disabled peers. Changing these expectations starts for people with an intellectual disability from when they are school, through entry into open and self-employment and reducing the barriers that get in their way.

Currently, the policy settings have not supported people with an intellectual disability to have many choices, including the choice of open and self-employment. In fact, the current policy settings push people with an intellectual disability towards segregated settings, such as ADEs and day programs. If people with an intellectual disability start down this path towards segregation, it is very unlikely they will ever get into open or self-employment and will remain living in poverty, and segregated from the rest of Australia, for the rest of their lives.

### Segregated employment

Employment in ADEs is a common experience for Australians with intellectual disability. People with an intellectual disability who use NDIS supports are more likely to be employed in ADEs than other people with disability who use the NDIS. More people with an intellectual disability who use NDIS supports, who are aged 25 years and over and are employed, have employment in ADEs (70%), with 15% having a job in open employment on a full wage, and a further 13% having a job in open employment on a part wage[[10]](#endnote-11). Younger people with an intellectual disability who use the NDIS (aged 15-24) are far more likely to be in open employment (on part or full wages) than employed by an ADE[[11]](#endnote-12).

There is evidence that early placement of young people with an intellectual disability into segregated day programs and sheltered employment options reduces their later economic participation[[12]](#endnote-13). There is strong evidence that once in segregated employment settings, such as ADEs, few transition out into open employment. In 2014, less than 1% of those employed in an ADE transitioned to employment in the mainstream labour market[[13]](#endnote-14) [[14]](#endnote-15). Similarly, the National Disability Services suggests that less than 5% of people with disability transition to open employment from day services or supported employment settings in Australia[[15]](#endnote-16).

If you’ve got a disability, you shouldn't be put in a sheltered workshop if you can work at a real job. If some people with a disability have to [work in an ADE] they should be paid real wages.

MELISSA, person with an intellectual disability

I used to work for [an ADE] and the pay was $2.50 an hour.

JARED, person with an intellectual disability

I used to work at [name of ADE] and people look down at you. It’s terrible. I left there and now I work at [local op shop] and the people are happy... I get better pay than before and they treat you like an adult, not a little kid... People don’t yell there... I love my job. We laugh and giggle and tell jokes but when it’s time to work we have to be professional and serious.

*George worked at ADE for 34 years, 8am – 4pm Monday to Friday*

I eventually had to leave the ADE due to sexual harassment from another person with disability working there.

At the ADE they would yell at you.

When you finish the work they make up silly jobs for you to do. Like they make you sort out different parts and when you finish they mix them up again and make you do it all over again.

I done it all and then they went away and mix them all up again.

GEORGE, person with an intellectual disability

Some studies have demonstrated that there are few structured skill development opportunities within sheltered and segregated employment settings and that time spent working in such settings does not promote later employment in open employment[[16]](#endnote-17). Similar issues have been found with day services or community access programs[[17]](#endnote-18).

The 20,000 people with an intellectual disability currently working in ADEs need a pathway and a timeline to transition to open and self-employment. Pathways for all people with disability, particularly for people with intellectual disability, to segregated employment and services in ADEs and day programs should be phased out as soon as possible, in line with Australia’s obligations under the Convention on the Rights of Persons with Disabilities.

There are recommendations that all employment services be brought into a single program, where all people with disability, no matter their income support, capability or capacity can receive support to find employment. Inclusion Australia wants to ensure that this does not increase the pool of people with an intellectual disability who enter ADEs to include people on JobSeeker and other payments.

When my daughter is not working, her life becomes just being with support workers, going to movies (divorced from real life – e.g. community engagement, motivation to get up in the morning). Very tough when L doesn’t have a job.

BRONWYN, family member

If you don’t have a job you’ll go stir crazy. You also won’t have money to buy things… for Christmas or birthdays or for yourself. Last year I bought a house and wouldn’t have been able to do that without a job.

ALLIE, person with an intellectual disability

To me ‘real job’ means not in a disability workshop [ADE]. I think it’s a point to have a real job because it’s with people without a disability. I think it’s good because if you’re in a workshop they focus on your disability but in a real job with people without disabilities they don’t focus on that. Want a real job so we can feel like real people.

MELISSA, person with an intellectual disability

My sister got me my job. Have been there for 7 years. They got me champagne for my 60th birthday and sang happy birthday to me, it was lovely. That’s what real people at real jobs do. At [the ADE] they never did anything like that. It’s important to do things like that... feeling like you belong.

GEORGE, person with an intellectual disability

Having a real job makes me feel like I am doing something meaningful and making a positive difference.

MARK, person with an intellectual disability

## Self-employment

Inclusion Australia uses self-employment to refer to a wide variety of employment options for people with an intellectual disability including being a sole trader, operating a business, micro-enterprises, employment circles of support and more.

Generally, self-employment refers to any employment outside an employer/employee relationship, and will include ongoing supports.

The evidence that self-employment works for people with an intellectual disability and their families is strong, but current DES and NDIS settings don’t work well enough to support this model. Inclusion Australia believes there needs to be far more investment in developing self-employment options for people with an intellectual disability at each life course stage.

The benefits of self-employment for people with disability have been described as:

* including types of work not found in existing job opportunities
* offering a high degree of control and self-reliance which is attractive to some people
* offering a way to control how much personal income is drawn from a business and therefore manage the impact on government benefits and income support
* enabling the accumulation of assets (in a way not possible via income support)
* enabling control over the workplace and job tasks so that they match the needs of the individual
* offering capacity to schedule work around own needs
* potentially overcoming barriers to employment such as lack of transportation, workplace discrimination etc.[[18]](#endnote-19)

Both kinds of employment supports, DES and NDIS, provide little information or pathways to explore self-employment for people with an intellectual disability and their families. In addition, there is no support to access mainstream community connections which can be essential to successful self-employment.

There have been a number of micro-enterprise and self-employment projects funded via the Information, Linkages and Capacity Building funding. Now, what is needed is ongoing, clear pathways to develop and maintain self-employment for people with an intellectual disability.

#### Circles of support

Work-focused circles of support for people with an intellectual disability and also known as Job Development Circles or Employment Circles of Support, and are “small groups of individuals who agree to meet periodically with an individual with disabilities and help her/him secure that necessary for a decent quality of life”[[19]](#endnote-20).

Job development circles have been used in the US as a way to generate work opportunities by drawing on the social capital of people around the person with intellectual disability.[[20]](#endnote-21) The person with intellectual disability generates a list of people they know who work outside the home for money. This list is used as the basis for seeking support to make contacts into workplaces or for recruiting individuals to support certain tasks (such as supporting transport to work) to aid the jobseeker.[[21]](#endnote-22)

In the UK there are example of circles of support being used in the workplace to support workers with intellectual disability. One guide to this suggests that circles of support in the workplace can assist with:

* Getting to know people
* Learning new skills
* Learning how to act
* Getting advice or problem-solving
* Keeping track of work tasks.[[22]](#endnote-23)

In Australia, employment circles of support (ECOS) have been used for people with an intellectual disability or autism in one project in Victoria.

ECOS uses circles of support with the focus of assisting the person into paid employment. The person chooses the path they would like to take and their circle members. The circle meets regularly to discuss how they can assist the person to get a job, develop their skills and nurture their abilities.[[23]](#endnote-24)

In this model, the Employment circle of support is comprised of:

* the person with disability
* family members, friends and ‘outside’ supports (such as a teacher or coach)
* a mentor (that is “someone who makes a commitment to support the person to be job ready” including spending unpaid time in the workplace to support the person with disability learn their role)
* an employer (“who offers long term work experience with an aim of offering a paid job”), and
* a paid facilitator[[24]](#endnote-25).

The circle meets regularly (6-8 weekly) and discusses the employment goals of the individual and strategies to achieve these. The focus person (person with a disability) is encouraged to chair the meetings.

#### Microenterprises

Microenterprises are a form of creating self-employment and are sometimes called small business enterprises (SBE) or micro-businesses. One definition is of businesses which employ 10 or fewer employees including the micro-entrepreneur, often rely on a very small amount of start-up costs[[25]](#endnote-26) and may or may not make enough money to support an individual.[[26]](#endnote-27) A recent Australian study described microenterprises as:

a very small business that is simple to start, with minimal capital needed. They can have a vital purpose in improving people’s quality of life and may give PwD a role in their local community providing a service or goods. They are highly individual - able to happen at a scale, stamina and schedule that suits an individual[[27]](#endnote-28).

Microenterprises are emerging as an employment option for people with an intellectual disability, including those who have high support needs. They are:

highly individualised, person-centred, and are built around the skills, strengths, and interests of the focal person. SBEs draw on a range of funding sources and paid and unpaid supports are instrumental in their development and continuation.[[28]](#endnote-29)

Microenterprises involving people with an intellectual disability have some common ingredients including:

* individualisation, that is, “connected to genuine interests and talents of each individual”[[29]](#endnote-30), and “designed around [the person]… his likes, strengths, and support needs…[and] underpinned by a clear vision for his life”.[[30]](#endnote-31) As described “the microenterprise should be wholly built around the person who is the ‘boss’, with outcomes that suit that person”[[31]](#endnote-32)
* generating some form of income for the individual or business
* the business is genuine: “offering a real service that is reliable and fulfils a specific need for the clients”, even if with high levels of support from others[[32]](#endnote-33)
* strong leadership
* strength-based approaches
* an emphasis on social inclusion
* some degree of control by the person with intellectual disability and/or their supporters. Some examples document the role of support workers in actively working to support this[[33]](#endnote-34)
* often supported by individual funding arrangements, such as the NDIS
* have a range of supports in place, “formal [i.e. disability and business supports] and informal [i.e. family and friends] … [which are] flexible and creative in the way they function”[[34]](#endnote-35)

The Community Living Project was funded through the NDIS to deliver a project about micro-enterprises[[35]](#endnote-36). They used a consultant to work with each person with disability for up to six months, to understand their interests and capacities, how many hours they wanted to work and what they wanted to do. The person used their NDIS supports to have a personal assistant for their business, and they also had a circle of support from community members.

A wide variety of micro-enterprises have been established, however it’s not clear what the long-term viability of the support used for them will be with the project funding ends.[[36]](#endnote-37)

The Valued Lives project provides a list of current microenterprises[[37]](#endnote-38) and resources for people with an intellectual disability and their families.

However, there needs to be permanent and secure resources about self-employment, funded as core business of the NDIS and DES, to ensure that this knowledge is widely known and remembered.

DES and NDIS can do more to support self-employment for people with an intellectual disability and their families.

What do we want?

* Accessible information resources provided to people with an intellectual disability and families about evidence-based self-employment models as part of planning meetings with NDIS.
* Specialist DES providers, and the Centre of Excellence, to develop a body of evidence, real-life examples and a peer-support program for people with an intellectual disability and their families working in self-employment.
* Specialist DES providers, and the Centre of Excellence, to develop a body of evidence and real-life examples about employment circles of support for people with an intellectual disability and their families.
* Specialist DES providers and the Centre of Excellence provide resources and information to generalist DES providers about how to support people with an intellectual disability and families to develop self-employment.
* NDIA and DES to work together to streamline process and reduce complexity for people with an intellectual disability and families to explore, develop and sustain self-employment.

Parents like us, we now have three jobs: our regular jobs, running the microenterprises and managing the NDIS flow on effects of that… plus other NDIS admin and caring responsibilities.

PAULINE and ANNA, family members

I had a hospitality job for 13 years. They would make me train new staff and give me responsibilities of a Team Leader but they wouldn’t give me the team leader position. I had done a relevant TAFE course, but they wouldn’t give me the job.

So, I left the job and started my own business (a coffee cart).

Having my microenterprise has changed my life. It’s better to have my own business, run my own business, be my own boss, hire who I want to hire, sack who I want to sack, go on holidays when I want to go on holidays, start when I want to start, finish when I want to... I love it. It’s what I’ve always wanted since I left school.

BRANDON, person with an intellectual disability

I want to start my own cooking business a long time in the future. My job coordinator [DES] said he’d be like my manager and helped my come up with my business name. He gave me the idea for now to do cooking samples for people.

A lot of things have been happening with my family recently (caring for mum with dementia) but he supports me with all that. He will also talk to my dad and family friends with my permission.

MELISSA, person with an intellectual disability

# Systems complexity and cooperation

People with an intellectual disability and their families have to navigate multiple systems when accessing supports for open and self-employment. These include:

* Disability Employment Services (DES)
* Centrelink and the Disability Support Pension (DSP)
* National Disability Insurance Scheme employment supports
* The education system
* Housing
* Health and Medicare

In addition, there are multiple frameworks or reviews in place, or being developed. They include:

* National Disability Employment Strategy – Employ My Ability
* Australia’s Disability Strategy including Outcomes Framework and Employment Targeted Action Plan
* Disability Support Pension Impairment Tables
* NDIS Supported Decision Making Framework
* NDIS Participant Employment Strategy
* DES working groups

### Strategies must include people with an intellectual disability

The new Employ My Ability strategy does not reflect the experiences of people with an intellectual disability and their families. The Employment Targeted Action Plan[[38]](#endnote-39), from Australia’s Disability Strategy, also does not address the employment needs of people with an intellectual disability, apart from listing some localised existing projects. There needs to be far more detailed work, including outcomes and targets, to address the barriers for people with an intellectual disability.

The actions listed for the Australian Government in the Employment Targeted Action Plan that need to be amended include the following:

* Objective 1.3 – include specific information for employers about people with an intellectual disability
* Objective 1.5 – include people with an intellectual disability in the RecruitAble pilot program
* Objective 1.6 – see New Employment Services Model and Digital Employment Services Platform section for detailed discussion
* Objective 1.7 – including specific targets for employing people with an intellectual disability in the Australian Public Services
* Objective 1.8 – include people with an intellectual disability in employment pilots
* Objective 1.9 – change indicators to disaggregate employment in open and closed settings, and include indicator of increased participation in open employment, and decreased participation in closed employment, for people with an intellectual disability.
* Objective 2.2 – include disaggregated data in survey for people with an intellectual disability
* Objective 2.3 – including people with an intellectual disability

In the Outcomes Framework for the ADS[[39]](#endnote-40), it is essential that accurate data is recorded and reported for people with an intellectual disability. This includes disaggregated data about the outcomes for people with an intellectual disability for each indicator, including about open and closed employment.

### Coordinate and connect systems

As part of this current review of DES, it is essential that work is done to coordinate and connect these different systems, frameworks and reviews, to ensure that they work together, and provide a seamless interface for people with an intellectual disability and their families to access support.

In addition, these systems and frameworks often do not interface well and sometimes directly conflict.

Inclusion Australia has real concerns about the impact of these multiple process on being able to get reform that works for people with an intellectual disability and their families. Navigating these systems is a large barrier to accessing support for employment. Government needs to take on the burden of navigation and ensure that this isn’t pushed onto people with an intellectual disability and their families.

The Swinburne Research notes that this complexity is a barrier to people with an intellectual disability and their families. There is consistent reference in the research from multiple countries, and in Australia, to the problem of the complexity of the employment and education systems[[40]](#endnote-41). This creates difficulties for people with disability, their families and also for service providers in navigating this complex landscape, for which there is “currently no guide”[[41]](#endnote-42). International research has highlighted concerns, echoed by Australian research[[42]](#endnote-43), in regard to:

the difficulty students and their parents face navigating services across different programs during the transition to adult life, limited coordination across agencies, and a lack of information about the full range of service options available to young adults with disabilities[[43]](#endnote-44).

### High-level taskforce

We are calling for a high-level taskforce,closely tied to the Centre of Excellence and an Office for Disability (see below), co-designed with people with an intellectual disability and their families, to focus and prioritise reducing this complexity and harmonising these multiple frameworks and programs. Government and services should be managing this complexity, not people with an intellectual disability and families.

The taskforce will look for a single point of contact for people with an intellectual disability that will interface across multiple systems. This could be in Services Australia, the NDIS (and Local Area Coordinators), or something new.

Evidence will be sought from across Australia and overseas, such as Services NSW, about other programs that have reduced systems complexity, particularly for people with an intellectual disability and their families.

The taskforce will provide advice and recommendations to Australia’s Disability Strategy, and the Employment Action Plan, to address the barriers to employment for people with an intellectual disability.

This taskforce will work with an Office for Disability which would research, advise, implement and oversee all aspects of government, policy and programs related to people with disability, including employment and income support.

Establishment of the Office would show the community that people with disability have rights, are important and that the government is working to create positive change. The Office should work on ways to promote and support engagement and opportunity for people with intellectual and other disability. This would include making sure that government and other programs, such as the NDIS, health and education, work together to bring about the positive changes and the supports that people with disability need in all aspects of life. The work of the Office for Disability must be rights-based and developed, managed and governed in true co-design with disabled people, including people with an intellectual disability.

Importantly, the Office for Disability would be a vital part of government’s approach to ensuring people with disability can play their part in contributing to society and the economy at this difficult time, instead of being seen as a burden and a drain on the nation coffers.

What we want

* Establish an Office for Disability to coordinate whole of government policy for people with disability
* Establish a high-level taskforce dedicated to reducing complexity for people with an intellectual disability in engaging with government.
* Add specific indicators and outcomes for people with an intellectual disability to Employment Targeted Action Plan and ADS Outcomes Framework.

# Disability Employment Services

The current DES system needs substantial change to work for people with an intellectual disability and their families. In this submission, we have identified specific changes needed at each stage in the lives of people with an intellectual disability, and also identify some overarching changes for all DES providers.

## DES workforce development and retention

DES providers need to have more expertise or experience to address the employment needs of people with an intellectual disability and their families. There is a lack of training or understanding of evidence-based practice for people with an intellectual disability to assist in getting people into open and self-employment.

Neither of the two agencies or services deliver evidence-based supports that would get more people with an intellectual disability into open and self-employment. The Boston Consulting Group (BCG) mid-term review of DES found that “Participants and employers provided negative feedback on several aspects of service quality, including that providers lack specialist skills and professionalism.”[[44]](#endnote-45)

In addition, many DES staff do not have the relevant expertise and training to understand the evidence-based best practice for working with people with an intellectual disability. There is a high turnover of DES staff, making it very difficult to do the relationship building work in the community that is essential for job placement of people with an intellectual disability.

DES providers should also undertake mandatory disability awareness and inclusion training, with specialist DES providers achieving an advanced level of competency in the needs of people with an intellectual disability.

The Disability Royal Commission received responses to their employment issues paper that said “most DES providers do not require their consultants to have disability-specific qualifications. Some responses spoke about DES providers having high caseloads, being under-resourced and having high staff turnover rates.”[[45]](#endnote-46)

A review of evidence about best practice for employment for people with an intellectual disability found that “staff training programs on the key components of the open employment model and the provision of ongoing technical assistance to providers resulted in significantly improved placement rates, higher wages, and more hours worked per week for clients. Staff providing employment services should be fluent in the overall process for implementing the multiple stages of OE, along with knowledge of instructional training techniques that are supported by empirical research, such as individualized assessment and training strategies based on learning theory principles.”[[46]](#endnote-47)

All disability support providers need to have a minimum requirement to employ people with disability, including people with an intellectual disability. The lived expertise of people with disability is essential in reforming a system that currently isn’t working. People with disability, including people with an intellectual disability have the expertise to identify barriers to work and the skills to problem solve them with other people with disability.

Inclusion Australia believes that the Centre of Excellence and the specialist DES providers play a vital role in filling the skills gaps in the DES workforce, and provide information and training about the evidence base for people with an intellectual disability.

Staff working in DES need to have a minimum level of qualifications, as well as access to ongoing professional development in evidence-based practice, from specialist DES providers.

Inclusion Australia also believes there needs to be a lifting of wages to reflect the development of these skills and to retain skilled and knowledgeable staff. It takes time to build relationships with people with an intellectual disability, and also with the local employers in order to successful do job customisation and ongoing support.

## Marketisation and privatisation, lack of collaboration and sharing of good practice

The Boston Consulting Group mid-term review of DES found that “market competition has increased, yet market mechanisms have not driven observable improvements in outcomes for participants. Market dynamics are complicated by providers’ dual role: supporting participant employment outcomes and overseeing participant compliance with mutual obligations.”[[47]](#endnote-48)

There is a disconnect between what the evidence says about what works for people with an intellectual disability and what the requirements of a competitive market are. This means that the current system cannot deliver evidence-based practice that relies on cooperation, sharing of knowledge and working collaboratively.

The evidence shows that the competitive, for-profit system of disability employment does not work for people with an intellectual disability and their families. We believe that the system we have outlined, with the Centre of Excellence and specialist DES providers, that relies on cooperation and sharing information, will be significantly more effective at getting more people with an intellectual disability into open or self-employment.

## Accountability, outcomes and choice

An improvement in the transparency and accountability of all aspects of the current employment programs is essential. Increasing transparency about the way DES operate would assist people with an intellectual disability select a service with specific expertise to support their employment search. Currently, there is no mechanism to determine whether a DES has experience with finding work for people with an intellectual disability, or how much success the DES has had in securing long-term, open employment at award wages. Transparency in this process would include reporting on outcomes individual DES providers have achieved, such as, the number of jobs at award wages for people, the length of time people kept their jobs, the type of disability and the industries the DES specialises in and how they go about or manage the matching process.

The 2018 DES reform process was aimed at giving jobseekers more choice by making information transparent and easy to access. This has not been the case with the BCG review finding that “stakeholders believe DES program processes, information, and incentive structures are not transparent. Providers and participants express confusion around features of program design, from star ratings to risk-adjusted funding tool updates.”[[48]](#endnote-49)

As part of the next DES reform, it’s essential that outcomes data is regularly published for each service, that includes individualised data about how long people with an intellectual disability are staying at in employment, their average wage, and what supports they are being offered.

Inclusion Australia also recommends that an independent commission be established to monitor complaints and problems in the system.

There needs to be measurement of the employment of people with an intellectual disability, and reporting on statistics in the outcomes of Australia’s Disability Strategy and the Employment Targeted Action plan, such as including people with an intellectual disability in disaggregated data as part of the new national Post-School Destinations Survey (PSDS).

What we want

* More individualised outcomes data about outcomes for people with an intellectual disability
* Independent Commission be established to monitor complaints and problems with DES

## New Employment Services Model and Digital Employment Services Platform - Digital changes to DES

Alongside this reform to DES is the planned implementation of the New Employment Services Model, which will require everyone currently using JobActive services to transition to a primarily digital environment from 1 July 2022.

The transition will require people to self-assess in the digital interface details about their situation and the support they may need. Some communications products are being developed but there is no indication about what resources there will be for people with an intellectual disability in this process.

Inclusion Australia is concerned about the implications of this change on people with an intellectual disability, including people who may not identify as persons with an intellectual disability, but have similar support needs, currently using JobActive services, and any future implementation with DES. There needs to be robust and transparent evaluation of the program, including the specific impact on people with an intellectual disability.

### 

### Digital access barriers

In addition, people with an intellectual disability face significant barriers to accessing services in a digital and online environment. These include:

* Lack of accessible information and formats. This is more than the availability of Easy Read resources and includes the ease of navigation to find information and resources
* Lack of up-to-date equipment and devices
* Lack of training on how to use devices and navigate online services
* Lack of affordable internet connectivity
* Accessibility barriers with devices
* Relying on ageing carers who face their own set of barriers to digital and online environments

Good Things Foundation says that there has been no improvement in digital inclusion since 2014, with people with disability significantly disadvantaged[[49]](#endnote-50). Their report said that “recent research has found that people with disability are more likely to be lower users of digital media, use social media less, and have lower levels of interest in emerging technologies than people without a disability in Australia.”[[50]](#endnote-51) Research from the NSW Council of Social Services found that “A quarter of respondents with a disability have no data allowance on their mobile phones and 27% of people relying on government payments have no data allowance.”[[51]](#endnote-52)

There needs to be urgent clarification of how these changes will impact on people with an intellectual disability, and what the exemptions from a digital-first process will be, and the referral pathway to face-to-face services. There also needs to be some significant capacity building measures, such as increasing digital literacy and support, as well as safeguards against being breached if people with an intellectual disability do not have support to engage as required.

### New Employment Services Model

The move to NESM has significant implications for the capacity of the DES system to reorient around the needs of people with an intellectual disability, as laid out in this submission. Evidence-based practice shows that ongoing tailored support, individualised job customisation and the development of a skilled workforce are some of the components of what makes for successful employment outcomes for people with an intellectual disability. It is very unclear how these elements will be implemented under NESM.

For people with an intellectual disability coming into the mainstream digital employment service, it is unclear how they will be referred to DES, or if they will be required to go through 12 months of the digital system. This is an issue of particular concern for people who do not identify as persons with an intellectual disability, but who have similar support needs.

People with an intellectual disability will have to engage with the digital system in order to be referred to DES providers, and may not know how to do that, or that they even can. Income support payments are based on the capacity to comply with the digital system, such as to design a job plan in a limited time period. If people with an intellectual disability face barriers to meeting these requirements, their income support payments may be threatened, putting housing and other essential services at risk.

A points system, the Points Based Activation System (PBAS), works by awarding points for different activities, such as for working full time for a fortnight, or doing 20 job applications in a particular time period. These activities are likely to be out of reach for people with an intellectual disability. If the person does not reach a number of points, payments will be suspended.[[52]](#endnote-53)

It is unclear what supports there will be for people with an intellectual disability, and others with similar support needs, to navigate and comply with the digital service, or to understand their obligations.

The detailed blueprint, outlined in this submission and based on robust evidence, to ensure people with an intellectual disability can access and remain in open and self-employment is significantly threatened by these reforms. Inclusion Australia wants to ensure that people with an intellectual disability have easier access to DES, and we have strong concerns that these proposals will instead make access to DES much more difficult.

[DES provider] got me a job at KFC but it was doing all the dirty work and I hated it there. The DES didn’t say anything or help me do what I wanted to do.

JARED, person with an intellectual disability

System not easy to understand from my point of view (how to connect with a provider, entitlements and rights, how to change providers, why they do what they do)

People with intellectual disability are getting pushed out of the way over people who they can get jobs quicker.

GREG, person with an intellectual disability

DES should follow the discover process. This is about finding someone’s interests, skills and passions first and customised the job.

DES were not helpful. When I lived in Brisbane, I was with a DES but they never found me a job or gave much support.

DES should spend more time with people. Listen to the person and find out what are their skills and strengths. Train workplaces to understand how to support people with intellectual disability

BRIAN, person with an intellectual disability

DES provider helped me get my job at McDonalds but then they lost my file, they wouldn’t answer my calls and support fell through. I went to another DES but they did not help either. I found a job by myself and asked the DES to help me apply but they said I should be doing it by myself, didn’t support me.

EMMA, person with an intellectual disability

What I would change about DES would be to make sure every person with a disability has a chance of working in open employment and having protections in place not only to get the job but to KEEP it. All we want is to be treated the same as everyone else and be respected and not judged. Employers should be more tolerant and patient with people with disabilities.

MARK, person with an intellectual disability

DES recommended we move her into an ADE. I was just shocked. We decided to try another DES. We already had the employer. The DES made such an appalling mess of it that it took a year to get her started.

System was really bad, so bureaucratic. They had a rigid idea of how it would go, when L could come in, took so long.

BRONWYN, family member

Only know what to choose and how to access DES because of my job – no one else has ever mentioned it to our family.

ANNA, family member

# Centrelink and income support

While not the focus of this consultation, Centrelink, JobSeeker and the Disability Support Pension (DSP) payments are closely tied to DES and employment for people with disability, and impact directly on the pathways to employment. People with an intellectual disability are disadvantaged, diverted to segregated employment, and deterred from working by reductions in payments and the fear of losing the DSP if they work. Reporting requirements are difficult and inaccessible for people with an intellectual disability.

When people on income support are earning wages that are not consistent, they must report fortnightly to Centrelink, and they also receive letters. People with an intellectual disability find the reporting processes very difficult.

### Polished pathway

The polished pathway, referred to earlier, includes reducing the complexity of navigating different systems, such as Centrelink, for a person with an intellectual disability who works in a segregated setting. People with an intellectual disability who meet the manifest eligibility requirements for the DSP are only offered work in an ADE, and do not receive information or support to self-refer to DES.

The ongoing reporting requirements for earned income are waived for people with an intellectual disability who work at an ADE, and their low wages are often justified in terms of ongoing eligibility for the DSP.

Centrelink’s onerous rules and processes discourage people on JobSeeker and the DSP from working, and keep them from earning a wage that would improve their standard of living. As the labour market becomes increasingly casualised, focussed on gig employment, and with the effects of the pandemic on employment and the economy likely to be with us for years, sporadic work is becoming much more prevalent. This is even more so for disabled people, including people with an intellectual disability. So, it is important that reporting obligations are fairer, more accessible, easier and encourage rather than discourage people to work.

### Lifelong disability

Government needs to acknowledge the lifelong nature of intellectual disability and re-design the DSP, and other systems, so they work in ways that reduce the need for unnecessary reviews and new supporting evidence of disability. In addition, they need to ensure that people with an intellectual disability, including people without a formal diagnosis of intellectual disability but with similar support needs, in receipt of JobSeeker can gain eligibility to the DSP.

Government must look specifically at how these systems need to work in today’s changing labour market. People with disability, especially intellectual disability, generally don’t work in long-term, permanent jobs with secure incomes and career pathways. Increased casualisation of the workforce and the growing gig economy means there will be more people with occasional employment and income. The current DSP (and other income support) systems are not designed or resourced to deal with these, especially on a large scale.

Inclusion Australia suggests the Australian Government ask the Productivity Commission to review the DSP and recommend ways to ensure that DSP payments meet people’s needs, and enable people to work without unfair financial penalties and unnecessary levels of administration and reporting.

This broader perspective is critically important in this time of COVID-19, and into the future. The pandemic is disrupting and reshaping the labour market. Already, we have seen jobs for people with an intellectual disability, such as administrative support, disappearing as offices close and more people work from home. As well as the existing one in five Australians with disability, studies show that a percentage of people who survive COVID-19 have significant risk of experiencing physical, neurological and psychological effects for many years.

The UN Secretary General has described the pandemic as “a defining moment for modern society” and calls on countries to build “inclusive and sustainable economies that are more resilient in facing pandemics, climate change, and the many other global challenges”[[53]](#endnote-54).

Intellectual disability is a permanent lifelong condition. People with an intellectual disability are usually diagnosed in early childhood. Many people with an intellectual disability are considered to have ‘manifest eligibility’ for the DSP – automatically eligible without having to meet other disability requirements for the DSP, as long as they meet the other general requirements. Yet government systems, including the DSP, require people with an intellectual disability to provide current evidence of their disability from a health practitioner in order to be eligible. This creates great emotional and financial strain on people with an intellectual disability and their families and carers. It also creates an unnecessary administrative and cost burden on the health system and on Centrelink itself.

Government needs to acknowledge the lifelong nature of intellectual disability and re-design Centrelink systems, including the DSP, so they work in ways that reduce the need for unnecessary reviews that require proof of disability.

People with an intellectual disability with manifest eligibility for the DSP must continue to be exempt from job search requirements, but at the same time, offered the opportunity to explore employment without risking their eligibility to the DSP.

### Support employment

Policies and regulations for the DSP need to encourage and support people with an intellectual disability to try employment. Many people with an intellectual disability do not want to risk their eligibility for the DSP by starting employment if they don’t know if that work is right for them. This creates a big disincentive for employment.

Another disincentive for people with an intellectual disability and their families are reporting requirements for any employment income, from both open and self-employment. This administrative barrier needs to be reduced, with DES playing a role in assisting with reporting income easily and correctly.

There is also a financial penalty for people with an intellectual disability living on the DSP, with a threshold on what they can earn before losing part of their pension ($178 per fortnight) and cuts to the pension at a rate of 50c in the dollar for income above that, as well as tax paid on any income they earn. These leads to a very significant effective tax rate of up to 68c in the dollar.

This needs to change so people with an intellectual disability can keep more of what they earn and start to be lifted out of poverty.

Inclusion Australia believes DES has a role in supporting people with an intellectual disability to comply with Centrelink reporting requirements for any earnings from wages. This is not the same as mutual obligation or payment suspension activities.

What we want

* People with an intellectual disability with manifest eligibility for the DSP are exempt from job search requirements.
* The earning limit is lifted to $600 per fortnight, and the taper rate changed to 40% for income over that with provision for these limits to increase with CPI etc
* Income reporting to Centrelink is done via DES providers for people with an intellectual disability, including people who are self-employed
* Productivity Commission inquiry to review the DSP and recommend ways to ensure that DSP payments meet people’s needs, and enable people to work without unfair financial penalties and unnecessary levels of administration and reporting.

## Mutual obligations and payment suspensions

Inclusion Australia does not believe that DES providers should have any role in suspending income support payments or enforcing mutual obligation regimes for people with an intellectual disability.

The numerous barriers for people with an intellectual disability in navigating the Centrelink, DES and NDIS systems creates multiple opportunities for them to not be compliant with system obligations. As part of our overall recommendations about reducing complexity, mutual obligation requirements should be ceased.

There is no evidence that mutual obligation or payment suspension provide any incentive for people with an intellectual disability to engage with employment providers. The exact opposite is the case. One study that compared people with similar characteristics found that mutual obligation requirements meant they were likely to take longer to find work, and if they did, it as likely to be a lower quality job.[[54]](#endnote-55)

Payment suspensions, for people already living below the poverty line, are harmful and will do nothing to assist them to access work. They may put their housing at risk, as well as make it much harder to engage with DES providers.

Currently, people with disability are disproportionately affected by payment suspensions, while also having no improvement to their employment outcomes[[55]](#endnote-56). There is no data disaggregation for people with an intellectual disability.

The BCG review of DES found that the “Department should assess options for the DES provider role in mutual obligations oversight to be minimised, and replaced with oversight by either Services Australia or a third-party provider” because of the problems with mutual obligation.[[56]](#endnote-57)

What we want

* All DES providers have no further role in suspending income support payments or enforcing mutual obligation regimes

# Supported decision making

There needs to be inbuilt supported decision making (SDM) support and frameworks for people with an intellectual disability to have support to make decisions about the kinds of employment they want to do, and how they will do that work. These need to be in every DES provider and in NDIS employment support, to ensure that people with an intellectual disability have a say in where they get their supports, as well as what work they want to do.

Please refer to our submission to the NDIS supported decision making framework[[57]](#endnote-58).

What we want

* DES urgently develop a supported decision-making (SDM) framework and implement in all DES providers.
* SDM supports must be available and independent from DES providers, and ADE or day program providers.
* The Centre of Excellence and specialist DES providers to include requirements for supported decision-making expertise and to provide ongoing training and expertise about SDM for all generalist DES providers.

# Attitudes and influence of family and friends

Families and other supporters play an important role in supporting people with an intellectual disability with their choices about employment. But where do families and supporters get independent information, expertise? Who can they call up to ask questions, and get answers, about navigating the system?

Family and friends have a significant influence on people with an intellectual disability going into open and self-employment. Building up the expectations of a person with intellectual disability’s social network is an important component of employment success.

The following factors are important:

* High expectations of those around the young person with intellectual disability.
* Role models.
* Increasing social networks and using them to connect to the world.

At each part of the lives of people with an intellectual disability, family, friends and supports play a pivotal role in diverting them from the polished pathway into segregated employment. They are a crucial factor in whether a person with intellectual disability will enter open or self-employment. But they need more information about what is possible and access to peer expertise.

To sustain both open and self-employment, support from family, friends and supporters is essential and is needed long term. But currently, very little resourcing exists that focuses on this sustainability of informal supports. We believe that the Centre of Excellence and specialist DES providers can play a crucial role in developing and supporting these resources and support.

### What works?

A large body of research demonstrates that family expectations and support are predictors of employment for people with an intellectual disability[[58]](#endnote-59). In three international studies:

family expectations of the student with I/DD [intellectual and developmental disability] securing competitive employment upon completion of high school were significantly associated with post-secondary competitive employment[[59]](#endnote-60).

Just as the network of people around a young person with disability can narrow and close off options by holding low expectations, the expectations that families, educators and others hold can have a direct impact on the employment outcomes of young people with an intellectual disability.[[60]](#endnote-61) Families can also act to foster higher expectations, broaden horizons and connect into employment and other opportunities.

Family members offer career-related advice, help the student find jobs, shape aspirations, and can offer practical and moral support to maintain employment.[[61]](#endnote-62)

Social capital (that is the personal and professional networks) of those in the life of a person with disability seeking employment, is a critical component of success in fostering employment. In an Australian study of people with an intellectual disability, participants frequently reported that they found their current employment:

via a personal connection through family and friends. In supported employment in ADEs, people generally spoke about their family or friends finding the job for them or recommending it to them. In open employment people were more likely to comment on family or friends passing on an advertisement; making a potential connection with an employer, which they then followed up themselves; or helping them to write job applications … Other people who helped in the search for work included teachers, career advisors, and people working in the management of ADEs[[62]](#endnote-63).

Supports to employment, such as customised employment, rely heavily on the social capital around the job seeker with disability. In the customised employment approach, the social capital of family and friends, along with that of paid supporters, is critical. In one US study:

One example of social capital described was a mother who networked where she had been employed to create an opportunity for her son to have a work experience in the business. Another example of social capital was networking with a computer technician who [was willing to visit the individual with disability at home and] provided feedback on the job seeker’s skills for taking apart computers[[63]](#endnote-64).

Parents and professionals also influence the emerging identities of young people via the support they provide and attitudes they hold of who the young adults are and who they have the possibility to be. In this regard, parents and professionals, including teachers, can strongly influence the experience of a meaningful and valued working life and future dreams of involvement in interesting education and work[[64]](#endnote-65).

What we want?

* The Centre of Excellence, as well as specialist DES providers, develop specific resources and information to assist families and friends to have a stronger understanding of the capacity of people with an intellectual disability, as well as the options for open and self-employment.
* Fund Inclusion Australia to coordinate and develop peer resources, designed by families and supporters, to provide independent information and resources about open and self-employment.
* Provide funding for Inclusion Australia for the coordination of national employment peer support groups

# Everyone Can Work

Graphical user interface, website

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In 2020, we launched the [Everyone Can Work](https://www.everyonecanwork.org.au/) website to help people with an intellectual disability and their families make informed employment decisions at key life stages.

## Background

People with an intellectual disability seeking employment currently need to navigate many complex, and often inaccessible, systems including:

* the National Disability Insurance Scheme (NDIS)
* the Disability Support Pension (DSP)
* Disability Employment Services (DES)
* the education system.

We wanted to make the information about these systems easier to understand so that people with an intellectual disability could find the employment supports they need.

In 2019, we ran the Employment First project to build the Everyone Can Work website and provide accessible information about pathways and supports for open employment.

**What we did**

* Ran a workshop with key disability employment stakeholders, job seekers with intellectual disability and their families to understand the barriers and strategies for people with an intellectual disability to get into open employment
* Worked with researchers at Swinburne University to review the evidence about the most effective employment strategies and supports for people with an intellectual disability
* Reviewed the employment supports available through the NDIS, DSP and DES systems
* Worked with families and people with an intellectual disability to make the plain English, Easy Read and video information
* Worked with accessible website designer experts, to build a website that makes it easier for people with an intellectual disability and their families to find the information they need.

## Find out more

To access Everyone Can Work, go to [www.everyonecanwork.org.au](https://www.everyonecanwork.org.au/).

# Life course

There is a polished pathway for people with an intellectual disability towards segregated settings such as day programs and ADEs (Australian Disability Enterprises).

There are many factors that can push people with an intellectual disability onto this polished pathway at many different stages of their lives. This section of the submission will talk about where those barriers are in a person with intellectual disability’s life, and what the evidence says about how to remove them.

People with an intellectual disability face significantly fewer barriers to segregated employment, such as ADEs, including not having to report to Centrelink and specific NDIS supports that are not available if they choose open or self-employment.

Policy settings need to change so there is a polished pathway into open employment for people with an intellectual disability with the barriers removed.

The life stages covered in this part of the submission are:

* School
* Transition from school to work
* First job – getting in the door, finding a job
* Starting at work
* Staying at work, ongoing support
* Changing jobs, changing lives

Each of the recommendations are in addition to the recommendations in the first half of the submission.

### The polished pathway into segregated settings, such as ADEs and day programs

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# School

Goal:

People with an intellectual disability at school have the same opportunities for work experience, on-the-job training and after school jobs in open employment as their non-disabled peers, and can explore self-employment options and ideas.

School is where all students start to learn about and experience work, including having access to career advice, on the job training, work experience and casual employment. Students with intellectual disability often miss out on all of these experiences.

The treatment of people with an intellectual disability and expectations about their future employability are, if not set, then certainly strongly influenced during school. Currently most children with intellectual disability attend separate schools. Even when children with intellectual disability attend mainstream schools, their education support classrooms are often separate from the rest of campus. They are isolated from their peers from an early age and this isolation increases throughout secondary school, and is worst in Years 11 and 12.

While at school, students with intellectual disability should be able to access flexible and sufficient work experience, as part of the school curriculum. Work experience with the right support is an excellent way for a person with intellectual disability to develop job readiness and the skills necessary to succeed. Early work experience opportunities would enable them to try a variety of work sites, industries, and roles to see what they like and don’t like and build necessary skills and confidence along the way. This approach also educates employers about the types of support a person with intellectual disability might need, and how the workplace could be adapted to support future employment.

Students with intellectual disability also need support to access paid work, such as after-school jobs, in the same way their non-disabled peers can. This kind of part-time and casual work provides essential early opportunities to develop work readiness skills.

We believe that DES has more of a role to play in supporting people with an intellectual disability and their families from the time they are at school, particularly in assisting with finding work experience, and access on the job training.

DES also needs to support people with an intellectual disability and their families to explore self-employment options, including micro-enterprises, in all school environments. The Department of Social Services (DSS) could also provide specific information, guidance and resources for mainstream schools, special schools and education support units in mainstream schools, about ensuring that students with intellectual disability get equal access to work experience and on the job training.

Work experience in open employment, on the job training and after-school jobs all offer opportunities to develop real work skills at work, and in getting to work, such as using public transport.

## What works?

There is evidence that discussions and preparation for work needs to begin at school, as early as primary school, for people with an intellectual disability.

There is limited evidence and data about the employment outcomes of people with an intellectual disability comparing whether they attend a mainstream or a special school. But what there is shows that more people with an intellectual disability enter mainstream work if they have attended mainstream school.

The Swinburne research looked at a large-scale study in the UK, conducted in 2002, which found that being in mainstream education:

* increased aspirations for higher status employment
* increased aspiration to a higher-level course and increased certainty about choice of post-secondary course[[65]](#endnote-66).

An Australian study looking at what happened to students with intellectual disability leaving secondary school in QLD found that 53% of students at mainstream schools were in paid employment (18% were in ADEs), compared to 44% (8% in ADEs) of students exiting special education units, and 15% (14% in ADEs) of students from special schools[[66]](#endnote-67).

Completing Year 12 is a good predictor of future employment for people with an intellectual disability. The Swinburne research found that:

Low education achievement is associated with lower work participation and unemployment, a high risk of long-term socioeconomic marginalisation, and mental and physical health issues. For those with disability, school-non-completers are also far more likely to receive a disability pension or depend on various public benefits early in life[[67]](#endnote-68). Those with intellectual disability have particularly high rates of unemployment when compared with other disability groups[[68]](#endnote-69) [[69]](#endnote-70).

A Queensland Government report (Next Step Team, 2018) showed that 371 students in special schools in Queensland completed Year 12 in 2017. Around three quarters of students provided data about their post-school destinations:

* 31% attended day services
* 22% were studying in post-secondary education
* 19% were not in the labour force or education and training
* 11% were in unpaid or volunteer work
* 7% were looking for work
* 6% were in supported employment
* 3% were in open employment
* 1% had an apprenticeship or traineeship.

This range of outcomes is similar to an earlier report from the Victorian Government[[70]](#endnote-71). Victorian graduates of special schools, including those completing Year 12 or equivalent or VCAL, in 2014 reported outcomes of:

* 59% attending a day service
* 29% studying post-secondary education, mostly in a TAFE institution
* 15% employed, with 61% of these in an Australian Disability Enterprises (ADEs)

### Work experience and after-school paid work

The Swinburne Research found that people with disability often miss out on early opportunities to gain paid work or unpaid work experience, for example, when they are at school[[71]](#endnote-72) and many people with an intellectual disability have had little or no work experience by the time they finish school[[72]](#endnote-73). One Queensland study of students with intellectual disability found that nearly one third of students had not received unpaid work experience whilst in school[[73]](#endnote-74).

[Note, this section discusses both paid after-school casual work and unpaid work experience. When both are discussed, work experiences will be used.]

Lack of access to after-school work or work experience for people with an intellectual disability is particularly critical. Given that many people with an intellectual disability learn well while ‘doing’ or in situ[[74]](#endnote-75), lack of access to work experiences means they lack opportunities to learn skills relevant to work, and to build their knowledge of workplaces and of their own interests[[75]](#endnote-76).

Work experiences are a major way that individuals, including people with an intellectual disability, learn about the world of work and build relevant skills and confidence. Internationally, unpaid work experience while in secondary school, or post-secondary education, has consistently been found to be a predictor of post-secondary employment for students with disability[[76]](#endnote-77). Australian research also shows that:

‘young people with disability benefit from frequent and continuous exposure to real work environments throughout the secondary school years and beyond.[[77]](#endnote-78)

Work experiences in general, and especially during school years, are a strong predictor of later employment for people with an intellectual disability[[78]](#endnote-79). A number of studies found that paid work, while attending secondary school, more than doubles post-secondary open employment outcomes for people with intellectual disabilities[[79]](#endnote-80).

Evidence from overseas and Australia indicates that connecting a young person with the world of work before they leave school greatly improves their chances of securing ongoing employment. Most people with an intellectual disability who are currently employed, had their first job before turning 21, indicating that early intervention and school to work support are key[[80]](#endnote-81).

… the most consistent predictors of post school employment success has [sic] been community-based work experiences while young people are still in high school, particularly paid jobs - where students are integrated into authentic workplaces alongside co-workers without disabilities[[81]](#endnote-82).

Having a paid working experience, such as a after-school job, prior to exiting high school is the number one predictor for youth with intellectual disabilities pursuing CIE [competitive integrated employment] after graduation[[82]](#endnote-83).

One American study found that work experiences, as a major predictor of post school employment, also applied to young people with mild intellectual disability who were students in special education settings. These students “were 5.704 times as likely to ever engage in employment after school if they engaged in paid-employment experiences while in school”[[83]](#endnote-84).

Work experiences have many benefits for people with an intellectual disability. It:

1. Supports the learning of people with an intellectual disability about what they can do and builds confidence.
2. Enables families and other supporters (such as teachers and job coaches) to see what is possible for the person.
3. Is a good way to gather information about a person that can be used to build their Vocational Profile.
4. Is a safe way for potential employers to be introduced to a person with an intellectual disability[[84]](#endnote-85).

Work experiences are also valuable for older people with an intellectual disability, even after they have left school. One Australian study of people with an intellectual disability found that unpaid work experience was the most common preparatory activity that led to employment for the older adults they interviewed. Unpaid work experience was found to provide connections and experience that resulted in future work, frequently with the same employer who had offered work experience[[85]](#endnote-86). The research included multiple case studies of mature aged people with an intellectual disability and the outcomes of their unpaid work experience, for example:

I started work experience here and then I started working here (25-year year-old man, regional, working in a social enterprise plant nursery).

That’s when I came here for work experience. After that I got the job (34-year-old woman, regional, working in a social enterprise plant nursery)[[86]](#endnote-87).

In a study of students with intellectual disability attending post-secondary education in the US (in universities and colleges), students identified that paid on-the-job training was “one of the most important aspects of vocational training that allows them to be much better prepared for attaining successful post-graduation employment”[[87]](#endnote-88).

What we want?

* Specific school programs, in all schools, for all students with an intellectual disability to get access to significant amounts of unpaid work experience in open and self-employment.
* Information, guidance and resources about unpaid work experience and on the job training in open and self-employment for students with intellectual disability developed for all mainstream and special schools and education resource units in mainstream schools.
* Access to long term on-the-job training while still at school, starting well before the final year at school.
* Information and awareness for families about open and self-employment possibilities and the importance of work experiences and on-the-job training
* Access to DES for after-school and casual work.
* Specialist DES providers with relevant skill and expertise to provide information and resources about open and self-employment options at school, to students with intellectual disability, their families and schools.
* Centre of Excellence produces evidence-based guides and research about best practice school activities that support people with an intellectual disability into open and self-employment.
* Students with intellectual disability will not complete any work experience or on the job training or internships in ADEs or day programs or in groups larger than two people
* Work training needs to be on the job not in classrooms.
* Work experience opportunities for older people with an intellectual disability.

My school didn’t help me get ready for a job. They were going to put me in a day program and said I didn’t have the ability to get a job. They treated me like a baby and I didn’t get to do work experience.

EMMA, person with an intellectual disability

At end of school, the supported education centre took families around a “career option tour” where they got on a bus and toured ADEs and everyone left traumatized or locked into the pathway. Came home crying, not a positive experience.

BRONWYN, family member

School did not prepare me for life after school. It certainly didn’t teach me how to get a job and keep it.

MARK, person with an intellectual disability

I always wanted to work with wood, do woodworking.

I wanted to go to [school] because they had it all there. They have a woodworking program for people with disabilities too.

Was in an out-of-home care system and changed areas so had to go to a different high school where they didn’t have that program.

Went to lots of different schools. Second primary school was mostly mainstream but then went into special school and education support at high school and that was downhill.

JARED, person with an intellectual disability

# Transition from school to work

Goal:

People with an intellectual disability and their families have support, information, opportunities and choices that can lead to open or self-employment during the transition from school to work.

The transition from school to work (ages 15-24) is a pivotal time for people with an intellectual disability to have the support to make the successful move into open and self-employment. Decisions that young people with an intellectual disability and their families make during this time can have ramifications for the rest of their lives, particularly if they want to choose other options than ADEs and day programs.

If people with an intellectual disability and their families want an alternative to ADEs and day programs, there are very few options, and often none at all. And even where there are other options, the information can be very hard to find (e.g. how to self-refer into DES). There is also little to no information about open and self-employment for people with an intellectual disability.

Work readiness programs need to begin well before the final year of school. The evidence, outlined below, clearly shows that between seven and twelve years is needed to ensure that people with an intellectual disability and their families have the support to engage with open employment.

A range of opportunities need to be available for young people with an intellectual disability, alongside their non-disabled peers. These include structured and supported work experiences in mainstream employment settings, on-the-job training and internships.

People with an intellectual disability often don’t have the same opportunities to explore their interests and preferences for a career, and also miss out on professional development opportunities at work.

Career advice and information should be part of employment supports throughout school, including in all special schools.

### Finishing school

Many people with an intellectual disability face a gap in supports and services between finishing school, and beginning any employment, education or support program in the new year. This ‘October Cliff’ can leave young people with an intellectual disability out of a routine, and with little support. Employment supports need to address this gap and be available seamlessly as the young person with intellectual disability leaves school.

### NDIS School Leavers Employment Supports

The NDIS School Leavers Employment Supports (SLES) does not work effectively to provide real choice to young people with an intellectual disability and their families, and often leads them to ADEs and day programs instead of to DES and open or self-employment.

This has to change. Inclusion Australia wants all on-ramps to this polished pathway to segregation blocked off, and this includes using NDIS or DES employment supports to go into ADEs or day programs. NDIS employment supports, including SLES, need to focus on open and self-employment. This will build the market of disability employment supports outside segregated settings, which currently is thin, at best.

Evidence, outlined below, shows the importance for people with an intellectual disability and families in having longer term work readiness programs. These need to begin from Year 7 and not left to the final years of schooling.

NDIS market settings need to offer people with an intellectual disability a genuine choice. Inclusion Australia’s consultation has found that SLES is most commonly offered as a two-year program that in practice leads to client ‘capture’ into the ADE or day program run by the same provider. This leaves people with an intellectual disability and their families with very few options if they do not want to go to a segregated work or recreation setting. This is not aligned with NDIS goals of choice and control. Active market stewardship in this area is required from the National Disability Insurance Agency (NDIA) in order to develop the market in open and self-employment options.

There is no independent information about where to find SLES support for open or self-employment. There is also little transparency about the conflicts of interest that many current SLES providers have, with ADE and day program providers being registered to provide SLES supports, and then ‘support’ that young people to use those same ADEs and day programs.

This lack of independent information also extends to knowing what to ask for in an NDIS plan. Employment supports, in addition to SLES, need to be offered in all NDIS plans for people aged15 and over, and discussed at planning meetings.

SLES provides little information about or opportunity to develop self-employment, including with long term support for people with an intellectual disability and families. There needs to be market intervention by the NDIA to support the development of independent information, as well as evidence-based programs about self-employment.

The importance of DES and NDIS working together cannot be overstated. Both agencies need to have an **employment first** focus, and jointly work to ensure that people with an intellectual disability and their families can access open and self-employment.

NDIA also needs to use evidence to decide what kinds of supports are to be funded via SLES and other employment supports. Evidence strongly shows that people with an intellectual disability find on-the-job (place and train) learning much more accessible and effective than classroom-based work training. All NDIS employment supports need to also be available to support part time and casual after school jobs, often for as little as two hours a week, while people with an intellectual disability are at school. These should be in open or self-employment, and is how non-disabled students build their work readiness. The same pathways need to be open to people with an intellectual disability. Information about employment supports for these kinds of work need to be provided to people with an intellectual disability and their families as soon as they start high school.

NDIS employment supports also need to be available for longer than two years, with people with an intellectual disability having supports to transition for as long as they need.

In addition, this kind of medium-term structured support needs to be available to older people with an intellectual disability who have never been in employment, have experienced a long break out of employment or wish to transition from an ADE.

To open up the choices available to people with an intellectual disability and their families through the NDIS, ADE and day program providers must not be permitted to register to provide this type of support. Instead, DES or other stand-alone specialist providers should be overseeing transition to employment programs, using evidence to develop strong linkages with local employers and working with people with an intellectual disability and their families to create pathways into open and self-employment.

### Workplace learning

Work-based learning is a combination of two proven strategies for increasing employment of people with disability: Work experience and vocational training. This type of learning is much more relevant and useful to people with an intellectual disability than classroom-based learning. Unfortunately, many SLES programs use group-based classroom learning in their transition to work programs.

The Swinburne Research finds that work-based learning has been shown to work for people with an intellectual disability who learn well in situ[[88]](#endnote-89), given that, for people with an intellectual disability:

transfer of training from one setting (e.g., classroom) to another setting (e.g., workplace) is a particular impediment because of difficulties in generalisation of skills[[89]](#endnote-90)

Various researchers have argued that work-based learning, or ‘place then train’, is preferable to, and more successful than, the ‘train then place’ model, which is based on the idea that job seekers have to slowly acquire skills through a sequence of preparatory then vocational courses and prove their work ‘readiness’[[90]](#endnote-91) The work-based training model (or place then train) is particularly useful for people with autism and an intellectual disability where generic skills development is not easily transferred from the classroom and into the workplace. Many young people with an intellectual disability can struggle with classroom-based vocational training, and learn better through practical, hands-on experience. With this in mind, resources can be better utilised by training the person in the specific role, for a specific employer and on-the-job; rather than spending years ‘waiting’ for someone to becoming ‘work ready’[[91]](#endnote-92).

In addition, there is little evidence that classroom based pre-vocational training and vocational education alone will lead to high quality outcomes for people with an intellectual disability.[[92]](#endnote-93)

### Transition from school

People with an intellectual disability typically experience poor quality, or a lack of, transition planning in moving from school into post school options which frequently results in uptake of segregated options such as day programs and Australian Disability Enterprises (ADEs) (or sheltered workshops in international contexts)[[93]](#endnote-94).

Research in overseas settings suggests that despite ‘Employment first’ policies in some countries, such as the US, transition plans can lack a focus on employment. Research indicates that individualised transition plans for students with an intellectual disability focus more on functional skills for independence and building social relationships than on gaining employment or pursuing post-secondary education[[94]](#endnote-95).

The common experience of transition, especially in Australia, is one of a short-term process accompanied by narrowly focused transition supports, frequently targeting transitioning into adult support services, with little consideration of the individual needs and aspirations of the person[[95]](#endnote-96).

Research also shows that different systems need to work together. The principles for successful school to work transition[[96]](#endnote-97) highlight the importance of inter-agency collaboration as an underpinning to programs supporting transition to work or post-school education.

Interagency Collaboration practices ... facilitate involvement of community businesses, organisations, and agencies in transition education including interagency agreements that articulate roles, responsibilities, communications, and other strategies to foster collaboration and enhance curriculum and program development[[97]](#endnote-98).

What we want?

* NDIS employment goals to focus on supports for open and self-employment, ensuring more people with an intellectual disability don’t go into ADEs or day programs and instead have access to DES.
* The NDIS develops an internal assessment of the risk of a person going into segregated work or activity settings, then provide information and support for them and their family about mainstream options. If an ADE is chosen, then a vocational review/development process is completed before entering ADE and annually afterwards
* The NDIS takes an employment first approach, recommending employment supports for all people with disability from the age of 15.
* The NDIS employment statistics reports to include more detail on people with an intellectual disability and what type of employment they are doing, such as in ADEs.
* The Centre of Excellence produces independent information about NDIS employment options, including using SLES and other employment supports for open and self-employment. Information provided to people with an intellectual disability and their families about using NDIS employment supports for part time, casual and self-employment from legal working age for after-school work.
* Specialist transition from school providers, linked to Centre of Excellence and specialist DES, that focus on evidence-based pathways to open and self-employment.
* No ADE or day program provider can register to provide NDIS employment supports, including SLES, for open employment services.
* SLES and other transition to employment supports to be evidence-based and focused on open and self-employment such as on-the-job training in open employment and self-employment options.
* DSS and NDIA to jointly fund Inclusion Australia to develop specific resources about using NDIS employment supports, including SLES, to access open and self-employment.
* Transition to employment supports, including SLES and DES to be available for longer if needed.
* The DES Eligible School Leaver program works collaboratively with the NDIS to ensure employment supports including are designed to enable a polished pathway into open or self-employment.
* DES Eligible School Leaver providers may not also provide ADE or day program services.
* Independent career advice in accessible formats provided to all students with intellectual disability.

# More than a job project

Graphical user interface, text, application

Description automatically generatedInclusion Australia member, NSW Council on Intellectual Disability (NSW CID) has developed the More Than Just a Job project. The project helps to strengthen capacity to employ and support people with an intellectual disability in meaningful work. They are working with medium to large-size employers.

The project features three free training programs.

The training is for business, for people with an intellectual disability and for disability service provider staff.

The project features solutions such as effective communication within the workplace, how to make reasonable adjustments within the workplace and how to develop accessible recruitment processes.

CID has also made a film featuring people with an intellectual disability talking about the attitudes and barriers they face when looking for a job, and heard from employers about their positive experiences in hiring people with an intellectual disability.

**More about the project:** https://cid.org.au/event/more-than-just-a-job/

**Watch the project film here:** https://cid.org.au/our-stories/more-than-just-a-job-film/

# First job – getting in the door, finding a job

Goal: People with an intellectual disability use DES and NDIS supports to find their first job in open or self-employment with the right supports.

For many people with an intellectual disability, getting in the door with their first job isn’t easy if they want that job to be in open or self-employment. There are several barriers that made this harder, in addition to the barriers outlined earlier in this submission, including:

* Future work capacity assessment
* Eligibility for DES – entry and ongoing support
* Eligibility for Work Assist
* NDIS employment supports leading to ADEs or day programs

## Assessments

People with an intellectual disability face a range of assessments all through their working lives – there is assessment to access the NDIS, assessment to measure their work capacity, assessment for ongoing support, and many more. At each stage, these assessments can be a barrier to continuing with open and self-employment, and their purpose is unclear.

People with an intellectual disability communicate in many different ways. Many people can only be understood by people who know them well. Real communication with people with an intellectual disability takes time, understanding and expertise. The Centrelink impairment table assessment process, for example (and other Centrelink assessments such as Job Capacity Assessments), don’t take into account people who don’t use speech to communicate (or people from different cultural backgrounds), and there is no opportunity to spend time to get to know the person.

People may also be anxious or fearful of the assessments and of ‘failing’ them. Assessors also don’t understand that acquiescence[[98]](#endnote-99) is common; that is, many people with an intellectual disability will tend to go along with what is asked or suggested, or say what they think the person wants to hear.

Job capacity testing, before a person with an intellectual disability has been in the workplace and received any training, is likely to give an inaccurate result and exclude them from open and self-employment assistance. The research shows that reversing these steps, on the job training and placement, then testing, results in higher rates of open employment.[[99]](#endnote-100)

Assessments do not measure the impact of trauma, which many people with an intellectual disability experience, due to the nature of the segregated environments they often live, work and play in from an early age. Measuring IQ alone will not pick up much of the intersectional nature of the barriers people will experience, such as if the person has other disability, including psychosocial disability, whether they have lived in an institution including a group home, and if they are from an Aboriginal and Torres Strait Islander, or culturally and linguistically diverse background.

Assessments should be replaced by a strengths-based evaluation that focuses on what the person wants to do and the supports they need to do that.

## Job customisation or carving

Job customisation, also known as job carving, is an important part of finding and keeping a job for people with an intellectual disability. This approach has been designed specifically to work with people with a significant intellectual disability, and there is considerable evidence about how to do this successfully.

Job customisation requires a partnership between a person with an intellectual disability and their families, an employment support provider and an employer, to work through the specific tasks an employer has and design a job for a person with intellectual disability. The Swinburne Research found that this customisation can include:

* Job carving: Crafting a job out of some elements or tasks of a job description, but not all.
* Job negotiation: Combining tasks from multiple job descriptions within a business into a new job description.
* Job creation: A new job description is created from unmet business needs identified during discussions with the employer (usually led by an employment specialist).
* Job sharing: Two or more people sharing the same job.
* Self-employment: Creation and operation of a self-owned business (or microenterprise) with or without the help of paid or unpaid support.

This process of job customisation requires both specialist skills of the employment provider and a commitment to long-term relationship building with people with an intellectual disability and their families, as well as employers. There are few settings within the current employment support systems to support this specialist and long-term work.

The evidence says that there are several steps in the customised employment process. They include a discovery process, finding and negotiating with an employer and then customising supports. There is good evidence that this is a successful approach.

## Barriers that exist to accessing DES

Currently, if a person with intellectual disability is assessed, through a Job Capacity Assessment, as being able to work less than eight hours per week, they are not automatically eligible for DES supports. The only pathway in is a complicated and unsupported self-referral process, for which there is little accessible information.

Many people with an intellectual disability will successfully work under eight hours a week in open or self-employment, including across multiple employers, yet that is not recognised in the current DES rules. Many others will need to build the capacity to work a higher number of hours more gradually.

When people with an intellectual disability come into DES, they are assessed for their ‘future work capacity’ by Centrelink. If they are deemed able to work less than eight hours a week, they are currently only offered work in an ADE.

Inclusion Australia strongly believes the threshold for access to DES should be abolished. The current minimum of 8 hours work per week required for support from DES does not recognise that some people with an intellectual disability can only work a few hours per week initially while capacity is built.

Organisations that carve out jobs specifically for people with an intellectual disability may also have fluctuating needs for that employee (for example, 3 hours one week and 11 hours the next). The system needs to be flexible enough to accommodate this level of variation.

While Inclusion Australia would not support a position that people with an intellectual disability be routinely employed for fewer than 8 hours per week, DES needs to be responsive to both employees who can only work less than 8 hours and to employers that are supporting the employment of people with an intellectual disability.

Other DES barriers are explored in the sections below.

## Barriers with NDIS employment supports

There are several employment related support categories across Core and Capacity Building, available for people with an intellectual disability and their families to use in their plans. However, information about how to use these supports including what to ask for in plans, and several other changes are needed to ensure that people are supported into open or self-employment. Currently these supports are overwhelmingly used by people with an intellectual disability to work in supported or closed employment in ADEs.

* **Specialised Supported Employment** – this is currently only used to support people with an intellectual disability in ADEs, but has potential to work with DES to support people in open and self-employment. The 2021-2022 price guide says “These supports have typically been available in an Australian Disability Enterprise. They can also be used in a range of employment settings including private, government or not for profit organisations; a social enterprise or similar environment; self-employment or a micro-business; or a family run business.”
* **Employment Related Assessment and Counselling** – available for assessment or counselling to obtain employment.
* **Workplace assistance** – this can be used to transition out of ADEs, or into DES

NDIS employment supports, while not the subject of this submission, need to work in harmony with DES to ensure that people with an intellectual disability can access open or self-employment. There needs to be access to independent information about using these supports for people with an intellectual disability and their families, as well as for planners and Local Area Coordinators. Specialist DES providers, the Centre of Excellence and organisations of people with an intellectual disability and their families, such as Inclusion Australia, can develop and distribute these materials.

I had an NDIS plan starting in 2016 for 2 years. Once I got my job, they said I didn’t need that support any more and took my funding away.

EMMA, person with an intellectual disability

NDIS support coordination being cut from my plan. I live independently and drive, and I have a good job so they said I am all sorted. I AM ONLY AS GOOD AS THE SUPPORT I GET.

GREG, person with an intellectual disability

### Supports for older people with an intellectual disability

Older people with an intellectual disability have often faced long periods of time out of open or self-employment, with many never experiencing work at all. There needs to be specific, long-term support offered for older people with an intellectual disability that takes particular note of the complexity of the barriers they face, with a particular emphasis the experience of long-term institutionalisation.

Inclusion Australia believes there needs to be a structured, evidence-based level of support to transition older people with an intellectual disability into open or self-employment. This could be a specific NDIS support, working with specialist DES providers, and focus on the trauma informed, strengths-based practice that will support people into employment outside of ADEs.

This type of support could also be improved for people who wish to transition from working in ADEs.

### What works?

There are a number of approaches to job placement for people with an intellectual disability. The Swinburne Research identified:

* Individual placement and support
* Customised employment, including job carving, negotiation, creation, sharing and self-employment

### Evidence for job customisation

Customised employment is typically a detailed process to build an understanding of the individual with disability and to build an appropriately matched job with an employer. Overall, the customised employment process is initially resource intensive. One US study found that the mean duration from commencement of the customised employment process (at step 1 Discovery) to job placement was 128 days (range = 11 to 374 days)[[100]](#endnote-101), a time parameter broadly confirmed by other studies in the US context.

A review of evidence[[101]](#endnote-102) identifies a range of projects that have used customised employment for significant numbers of people with an intellectual disability to obtain (or create) employment in the open labour market, including through self-employment. Different projects have achieved between a 45-71% employment rate in open employment with high levels of job retention after 1 year[[102]](#endnote-103). A study of young people with autism and an intellectual disability in the US found that customised employment was similarly successful with this group. Importantly, researchers noted that of the jobs gained, the large majority required significant customisation to create job descriptions, reassign tasks and provide modifications[[103]](#endnote-104). Research in the US has verified that customised employment has also been shown to:

* increase quality of life outcomes
* deliver wage increases[[104]](#endnote-105).

The individualised and customised approach has been noted to “have been successfully implemented with many ...youth and adults who had been labelled ‘too disabled to work’”[[105]](#endnote-106).

What we want?

* Everyone who wants employment support is eligible for DES services, no matter how many hours they want to work.
* All people with an intellectual disability who use the NDIS should be automatically referred to DES if they want to work.
* Job Capacity Assessments should be replaced by a strengths-based evaluation that focuses on what the person wants to do and the supports they need to do that.
* Specific DES support for older people with an intellectual disability who have either never worked in mainstream employment, have had long periods out of the workforce, or who want to transition out of ADEs.
* Independent information and resources for people with an intellectual disability and families about how to ask for, and utilise, employment supports in NDIS plans and DES for open and self-employment, created via co-design with people with an intellectual disability and families.

# Starting at work

Goal: People with an intellectual disability and their families will use structured support to ensure a successful transition to employment.

People with an intellectual disability need a variety of supports when starting a new job. These typically include:

* Getting to work
* Accessible induction and orientation
* Co-workers
* Support for families

Part of starting a new job is working out the best ways to get there and home again, which might mean learning how to catch public transport, learn a new public transport route, catching a taxi, or ride sharing.

When DES providers find a job for people with an intellectual disability, they need to ensure they are linked with support to travel to and from that job. This may include:

* Capacity building to learn a new travel route via public transport
* Support to travel via public transport and to manage administrative barriers to access travel support (for public transport, including taxis.)
* The appropriate level of transport funding if public transport isn’t accessible.

Access to support for transport to work, as well as the complexity of accessing that support across multiple levels of government, is a significant barrier to and facilitator of workforce participation. It cannot be accepted as a barrier to starting a new job.

Induction and orientation processes need to be accessible for people with an intellectual disability in open and self-employment, including work, health and safety information, and workplace rules and expectations. People with an intellectual disability need to have enough time, as well as on the job examples and training as part of their induction and orientation.

DES has a role in ensuring that induction and orientation is done in an accessible way, including to support employers in improving the accessibility of their induction and orientation processes and to support people with an intellectual disability in being familiar with the material.

Inclusion Australia’s member VALID found that being familiar with the workplace and with work colleagues was important in feeling comfortable in a new job.[[106]](#endnote-107) VALID found that:

“One of the things that was made clear through interviews with managers, was that many employees with disability had no or limited experience working and may feel nervous or unsure when starting a new job. In addition to the usual information that is provided during orientation, people needed clear information about what the orientation process would involve, and detailed information about expectations in the workplace.”

A study of people with an intellectual disability in three Australian hotels found that ‘Buddy Systems’ are an effective technique to provide initial support to workers with disabilities.’[[107]](#endnote-108) Support from colleagues and flexible work were also discussed, as well as the need for ongoing support from their manager, as important for learning about the job and feeling included.

Support for starting open employment should not be limited to younger people. Many older people with an intellectual disability are entering employment, or leaving ADEs to enter open employment, for the first time. This cohort is not eligible for SLES funding and often not considered for other transition to employment supports due to age.

What we want?

* Accessible information about accessing NDIS travel support for employment developed and made available in DES for all people with an intellectual disability starting work.
* Reduction of administrative complexity in accessing supports such as financial support for public transport (including taxis).
* The Centre of Excellence and specialist DES providers develop evidence-based resources for employers about accessible induction practices.
* Information for employers about how to make induction and orientation for people with an intellectual disability accessible
* Support from DES for transition into work at any age, tailored to, and developed with, the person with intellectual disability and their workplace.

# The VALID Employment Project

**Graphical user interface, application

Description automatically generated**Inclusion Australia member, VALID, did a project about employing people with an intellectual disability.

Employing people with an intellectual disability is a good idea and can make work better for everyone. VALID worked with people with an intellectual disability and employers on how to support people well at work.

During the project, everyone had to start working from home because of COVID-19.

It was a great opportunity to learn new skills and try new ways of working together.

It meant that some things had to be done differently and people with an intellectual disability could ask other people for help.

VALID interviewed twenty people with an intellectual disability who work or have worked in open employment and twelve managers that employ people with an intellectual disability.

They wanted to find out about what employers do well to support people with an intellectual disability at work.

VALID wrote a report that shares people’s experiences and things workplaces can do to support people at each stage of employment.

VALID made information for workplaces to support people across every stage of employment, including the Let's Work web series. The stages are:

* Employing people with an intellectual disability
* Recruitment – finding the right person for the job
* Orientation- getting started at work
* Supervision and feedback
* Support at work
* Workplace culture
* Skill development and next steps

### More information:

* Employment project: https://valid.org.au/resources-and-media/resources/valid-employment-project/
* Let's Work web series: https://valid.org.au/resources-and-media/online-media-and-videos/the-lets-work-web-series/

# Staying at work, ongoing support

Goal: People with an intellectual disability have the flexible, long term, individualised ongoing support they need to stay at work.

People with an intellectual disability often need ongoing support to stay in their jobs, both in open and self-employment. The current DES settings provide on-going support, but that support is limited and may not be at the level of support that people with an intellectual disability need. In addition, there is a lack of clarity between what NDIS and DES will fund.

Both our experience and evidence show that productive workers require varying amounts of support at different times depending upon several factors, especially the way change is experienced. These variations can significantly affect the level of support required at key stages of a person’s employment and cannot always be predicted.

### Flexible on-going support

Inclusion Australia has also consistently expressed concern about the impact of the current policy approach on the availability of ongoing support for workers with intellectual disability at the time they need it most. The current policy effectively strips the funding available for an individual if they have had a period of ‘low’ support requirements in the period leading up to an Ongoing Support Audit. In this case, the review may decrease the level of funding such that there is a shortfall when the situation changes, and the person needs more intensive support to keep their job.

This policy does not support the reality that, at any point in time for a group of workers with an intellectual disability there is a high probability that some of them need less support than usual, while others require more than usual. Previously providers working with multiple DES participants in receipt of ongoing support were able to shift ‘pooled’ resources according to actual need. The current requirements do not have the flexibility to provide the support people with an intellectual disability need, and instead prioritise a predictable fixed number of contacts regardless of circumstances.

DES and NDIS funding settings need to have the flexibility to respond to real-world changes in the lives of people with an intellectual disability and their families – moving out of home, getting married, changes in the workplace, changes in available support. This flexibility needs to be built into the system from the beginning, so that managing change isn’t made more difficult. Any complexity in administration must be borne by governments and those delivering services, not by people with an intellectual disability and their families.

In a job that is going well I feel respected, valued and listened to. I am treated well and feel like I am contributing to my workplace.

MARK, person with an intellectual disability

It’s not a short journey, we need more time, less constraints and more on the job support workers

GREG, person with an intellectual disability

### NDIS support

People with an intellectual disability who have NDIS plans can also use employment supports funded by the NDIS. These supports can be used for individual and group employment, but overwhelmingly are used to support work in an ADE.

These supports need to also include support for people with an intellectual disability in open and self-employment. There are variety of specific line items (group support, program of support, establishment fee) that currently only apply to ADEs. These all assume that people with an intellectual disability will not receive individualised work customisation and support, which is a further barrier to open and self-employment.

The NDIS Guidelines website says that “We may be able to fund this extra help at work if you need it because of your disability and you can’t get it from a Disability Employment Service.”[[108]](#endnote-109) But it isn’t clear where this boundary between the two systems is.

The NDIS and DES need to resolve these interface issues, and reduce the complexity for people with an intellectual disability and families. In addition, the NDIS needs to ensure that any changes to employment supports go to helping people with an intellectual disability into open or self-employment, and reduces new or further segregated settings.

### DES ongoing support

DES has two parts:

* Disability Management Service is for job seekers with disability, who need assistance to find a job and occasional support in the workplace to keep a job.
* Employment Support Service provides assistance to job seekers with permanent disability to find a job and who need regular, ongoing support in the workplace to keep a job.

The vast majority of people with an intellectual disability are in the Employment Support Service (ESS) stream of DES, with the latest data published (December 2021[[109]](#endnote-110)) showing that 96% are in ESS. People with an intellectual disability in other DES funding categories, such as Eligible School Leavers and using Moderate Intellectual Disability Payment are also mostly in ESS, as are people who get support from Work Assist.

There are, however, extremely different outcomes and star ratings of DES-ESS services, showing that there is a vastly divergent range of supports being implemented, with most not working at all for people with an intellectual disability. Being placed in the ESS stream of DES does not mean that people with an intellectual disability are going to get the support they need at work.

Currently, after 26 weeks of receiving DES, a person with intellectual disability is assessed to see if they need ongoing support. The current guidelines for an Ongoing Support Assessment mandate that this is not available to a person working less than 8 hours per week. “Participants that commence in Ongoing Support after 1 July 2018 must work on average, at least eight hours work a week to maintain entitlement to receive Ongoing Support.”[[110]](#endnote-111)

People with an intellectual disability need to work an average of eight hours per week for a year in order to access ongoing support. These threshold rules act as a barrier to accessing ongoing support as, for example, if a person with an intellectual disability, working eight hours per week, takes several weeks annual leave, they become ineligible for ongoing support, as leave isn’t counted. eight hour access threshold for access to DES is also a barrier to accessing ongoing support.

These current DES rules deny people with an intellectual disability the support they need, and also apply to the eligibility rules for Work Assist.

After the assessment is complete, the person with an intellectual disability may be moved to a different DES stream (ESS), and have to move providers, if their current DES does not deliver that stream. This is hugely disruptive for the person with intellectual disability, and potentially puts their ongoing employment at risk.

“Where the Assessor recommends Moderate or High Ongoing Support for a Disability Management Service (DMS) Participant, the Provider must move the Participant to Employment Support Service (ESS) and deliver the recommended Ongoing Support level at the next regular contact. If the Provider does not deliver ESS, they must transfer the Participant to an ESS Provider.”[[111]](#endnote-112)

There is a need for significant expertise, skill and training of staff working in DES to provide effective on-going support to people with an intellectual disability. The current DES outcomes for people with an intellectual disability clearly show the skewed levels of expertise, with very few DES providers successfully getting people into work and keeping them there.

DES funding needs to ensure that ongoing support is not time-limited, and can increase and decrease depending on what is happening in the life of a person with an intellectual disability.

### Moderate Intellectual Disability Payment

The Moderate Intellectual Disability Payment (MIDP) is currently available for DES providers for people with an intellectual disability who are assessed as having an IQ below 60, or other evidence that considers their IQ completed by a registered psychologist, and can work more than 15 hours per week.

DES providers can claim the MIDP full outcome fee if people with an intellectual disability work over 15 hours per week over 13, 26 or 52 weeks in consecutive weeks.[[112]](#endnote-113)

The MIDP was initially introduced to encourage and resource DES providers to work specifically to get people with an intellectual disability into work with longer hours each week. The initial evaluation of MIDP found that “participants recorded significantly higher outcome rates than DES participants overall, despite having higher support needs.”[[113]](#endnote-114)

Inclusion Australia supports the MIDP, but believe that more people with intellectual disability should be eligible for this payment including those who work fewer than 15 hours per week.

The MIDP is in addition to funding for ongoing support, and acknowledges that people with a moderate to severe intellectual disability will require more support at work.

In broadening access to the MIDP, Inclusion Australia wants to ensure that incentives remain to support people with a moderate intellectual disability into work of more than 15 hours per week, while not excluding those who can work fewer hours.

For people with an intellectual disability who access MIDP for fewer hours, we believe they need to be annually reviewed to see if their work capacity has increased, and they can take on more hours.

### What works?

A large evidence review found that:

“Long-term support is a critical feature of SE [supported employment which is a US term that is equivalent to open employment in Australia] that ensures successful employment outcomes are sustained over time. Research has shown that fading initial support to a continued level of ongoing support produces better outcomes for supported employees While natural supports provided by co-workers or supervisors are sometimes included in an overall support plan there is no evidence supporting it as an alternative to robust training and support from a qualified employment specialist In fact, rather than interfering with a client’s integration in a workplace, customer-centered long-term support can enhance an employee’s position by providing extended assistance as they take on additional duties, adjust to changes in protocol, and seek out advancement within the organization.”[[114]](#endnote-115)

There is a large amount of evidence for the effectiveness of providing ongoing support, as part of a four-stage model (assessment, job customisation, place and train, ongoing support), in getting a significantly higher likelihood of becoming employed compared to other employment models that don’t use these elements[[115]](#endnote-116), greater hourly earnings at or above minimum wage[[116]](#endnote-117) and greater job retention over time [[117]](#endnote-118) [[118]](#endnote-119)

One DES provider, with significantly higher employment outcomes for people with an intellectual disability, utilises ongoing support in a flexible way. A review of their service found that people with moderate intellectual disability will always need ongoing support to sustain employment, at a rate that will vary over time, depending on changes in their lives and work.[[119]](#endnote-120)

What we want

* All people with an intellectual disability are eligible for ongoing support funding, without any further assessment and no matter how many hours they are working.
* All people with an intellectual disability are eligible for Work Assist, no matter how many hours they are working.
* Strengths-based evaluations are used instead of IQ tests to determine levels of support needed.
* NDIS and DES need to work together, and clarify which agency is responsible for funding which aspects of ongoing support. This then needs to be clearly and consistently communicated to DES providers and NDIS planners and LACs.
* There is an immediate co-designed review, with people with an intellectual disability, their families, organisations and specialist DES providers, of ongoing support for workers with intellectual disability.
* Ongoing support payments are fully flexible and available to all people with an intellectual disability, no matter how many hours they work
* People with an intellectual disability, and those with similar support needs, are automatically streamed into ESS.
* The Moderate Intellectual Disability Payment eligibility is increased to include people with a moderate intellectual disability who can work fewer than 15 hours per week, and at the same time, payment structures are put in place to ensure incentives remain for people to have work of more than 15 hours per week.
* The Centre of Excellence and specialist DES providers develop evidence-based resources for generalist DES about what how to deliver effective ongoing support for people with an intellectual disability.

I’ve been through a few jobs (mostly retail) since I was in high school. When I was casual, at several jobs they cut my hours.

Been at my current job for 11 years. When I got there, I was casual but now I’m on a permanent part time contract so they can’t touch me hours.

[DES provider] supports me in my job. I did have problems at the start but now I’ve got one of the best people [job coach] and she helps me. I don’t need as much help now but when I have issues, I can talk to her whenever I need to... She calls me or meets up with me every fortnight.

A good job coach talks to you about everything in your life, different stresses that can affect your job.

Job coach talks to my manager about how I’m going.

ALLIE, person with an intellectual disability

My actual first job was at a small café run by a couple. Went to work every day and they were very good to me, especially when my grandfather died.

When the new managers came on, they had to let me go.

Then I worked at Sizzlers. I was there 3 months then they said there was no more work for me to do, can’t give you any more shifts.

BRANDON, person with an intellectual disability

My previous workplace went into liquidation so I lost my job.

The work was really good, I loved it, working nearly every day and I enjoyed it. Then one day they just called my job coach in and said ‘I’m sorry but we’re going into liquidation'.

MELISSA, person with an intellectual disability

## Changing jobs, changing lives

People with an intellectual disability may want to change jobs and explore new opportunities, just like their non-disabled peers. However, for many people with an intellectual disability, they don’t have the support (from either DES or NDIS) needed to do that.

The lives of people with an intellectual disability and their families are also likely to change, but current DES (and NDIS) support settings do not provide adequate acknowledgement of that, or support to do that. Changes in peoples’ lives can be moving house, changes to informal support, such as family, getting married or having children.

When people with an intellectual disability want to change jobs, a SDM framework should be used to explore their will and preference for the kinds of work they want to do as well as a strengths-based job exploration. A DES provider should facilitate this, particularly in cases where a person with intellectual disability isn’t happy with their current employment, using tools from the specialist DES providers and the Centre of Excellence. DES needs to work with the employment supports in a person with disability’s NDIS plan to ensure timely responses to changes in employment and in their lives.

In addition, changes in support might be needed for changes in an existing job, such as a new manager, moving of employment premises, changes in duties.

What we want?

* Flexibility in both DES and NDIS supports to respond quickly to changes as needed, in a person’s life, including changes at work.
* Centre of Excellence and specialist DES providers to develop and distribute resources about SDM and how to facilitate change in jobs.

After school I found a job in a workshop making furniture and I was doing sanding for 3 hours at a time. I liked it there. I’m not sure what happened there... change of ownership or something.

I used to love going in there. That was my passion.

JARED, person with an intellectual disability

I have wanted to work in childcare since I was 13

I love children but now I’m kind of over it because every time I go to get a job they don’t give me a job and I don’t know why. I have epilepsy but I don’t tell them that.

People without intellectual disability might have epilepsy but still be able to work in childcare.

One time at work experience I didn’t get along with the girls so maybe that’s part of the reason [why I don’t get hired]. But maybe it’s because I have a disability.

I did my Cert II and Cert III in childcare. I’m qualified and did placement for both of them.

One of my placements didn’t really work out. The people there weren’t very nice to me so I got placed somewhere else.

I didn’t have much support at my childcare work experience. I tried to sort it by myself.

That’s why I’ve kind of given up because you do the course but then you don’t get a job. It’s a waste of money and your time. I’m doing all this stuff and learning – I mean it’s good to learn – and then not even getting a job out of it. It’s a waste of time. The diploma, I’m not even going for that – which I could do – but if I’m not going to do it for a job then I’m not going to do it.

ALLIE, person with an intellectual disability

Told me I shouldn’t change jobs and they couldn’t help me change employment or do more training.

No help for me to develop, learn, retrain – I am allowed to want more, even as a man in my 50s.

[DES should give] more support beyond just work – once you have a job still have access to further training, education and career development.

GREG, person with intellectual disability

A DES provider was supposed to help me get the train from Gosford to Sydney for a new job but they never turned up TWICE. I called the DES provider about it and was scared/having a panic attack, alone in Sydney by myself. The DES worker told me she didn’t show because she was hungover that morning.

EMMA, person with an intellectual disability

When applying for jobs or going for interviews people with disabilities automatically get overlooked. Lived experience is often far more valuable than sets of skills… We should be given that chance to prove that we can do the job as well as anyone

MARK, person with intellectual disability

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