

NATIONAL COUNCIL ON



**DISABILITY**  
Incorporated in the ACT

# **Implementing a system of employment assistance that is coherent with research and demonstration of positive employment outcomes for jobseekers with intellectual disability**

## **Introduction**

The National Council on Intellectual Disability (NCID) would like to thank the Minister for Employment Participation, the Hon Brendan O'Connor MP, for providing NCID with a formal invitation to provide input into the Employment Services Review.

NCID is the national association representing people with intellectual disability and their families in Australia. It was established over 30 years ago by parents and friends to make the Australian community one in which people with intellectual disability are involved and accepted as equal participating members.

## ***What Works for jobseekers with intellectual disability***

The review should be guided by research evidence. We therefore provide a brief review of the research evidence of *what works* for jobseekers with intellectual disability.

It is via this research evidence<sup>1</sup> that we frame our critique of the current employment service system and how the government's social inclusion policy might be implemented.

We have chosen 12 principles of good practice which emerge from the international research. These are not exhaustive but central to positive employment outcomes for people with intellectual disability labels.

### ***1. Pathways from School to Work***

Research has demonstrated the importance of engaging school age youth with disability in community-based work experience opportunities prior to their transition from school. The positive benefits of early work experiences while students are still in school on future employment outcomes have been well documented.<sup>2</sup>

### ***2. The Choice to Work and Support from Family***

We know that the voluntary decisions of school leavers to want to work (i.e. motivation) together with the support of family are key factors to successful employment outcomes.

Predictions of employment capacity or success based on pre-tests of skills or capacity assessments are notoriously unreliable in predicting skill gains or employment success.<sup>3</sup>

### **3. *Presumption of Employability***

Research supports the position that people with significant intellectual disability can learn productive work skills, be trained and supported on the job, and work in inclusive work settings alongside workers without disability.<sup>4</sup>

### **4. *Access to quality open employment assistance***

The successful employment of people with intellectual disability requires our commitment to providing this choice by ensuring access to competent specialist training and support.

### **5. *Quality on-the-job training***

*Place and train* models of employment assistance are significantly superior in outcomes compared to *preparation* or *readiness* models based on moving jobseekers through a *continuum* from segregated to inclusive settings.<sup>5</sup>

### **6. *Professional competent staff***

A key factor of employment success is competent employment staff, trained in techniques of job skills training and positive behaviour intervention.<sup>6</sup>

### **7. *Positive partnerships with employers***

Successful employment assistance involves partnerships with business and industry. Quality employment assistance provides on-site training to ensure industry standard quality work is performed by the employee and on-going support remains available to employee and employer while the worker remains employed.

### **8. *Access to the supported wage system***

The Supported Wage System (SWS) is a core component of the industrial relations framework in Australia<sup>7</sup>. This system permits workers with intellectual disability - unable to work at Award or industry productivity rates - to work in inclusive employment settings at sub-award pay rates linked to authentic training and a fair wage assessment.

### **9. *Long term ongoing support***

Long-term ongoing support to both the employee with intellectual disability and the employer is a core element of successful employment assistance to this client group. Clients with intellectual disability are at high risk for losing employment opportunities without ongoing support.<sup>8</sup>

### **10. *A focus on evidence***

Effective employment service systems, administrators, and vocational professionals rely on outcome data to determine program effectiveness, decision-making, future development, and compare performance.

Outcomes in employment assistance relate to job placement, meaningful work, wages, hours, retention, and employee and employer satisfaction. When this data is made available, administrators, professionals and clients can make informed decisions as to quality performance.

**11. Professional and Service Development**

An effective service sector is sustained by growth in knowledge and practice. This is sustained by the sharing of knowledge from sector leaders to others in the sector.<sup>9</sup>

**12. Leadership - “Will”**

A successful system wide program or even a single agency depends on the commitment of its leaders. Evidence and skill alone is not enough. A system of employment assistance for those who are most vulnerable requires leadership. Political leadership remains a significant factor.

**Critique of the Current Employment Assistance System**

How does the current system of employment assistance *stack up* against the research evidence?

**The work participation rate of workers with intellectual disability has stagnated.**

We have reached a crisis in the unemployment of people with intellectual disability. The number of new people with intellectual disability getting jobs in open employment has stagnated.<sup>10</sup>

There are over 6,000 people with intellectual disability employed in the open labour market. Most school leavers, however, face lifelong unemployment. Many are in day programs.<sup>11</sup> Very few, if any, move from these day programs into open employment.

<i>Census</i>	<i>Access Open</i>	<i>No. Employees</i>
2003	12,668	6,537
2004	12,447	6,634
2005	12,325	6,448

In 1995 there were 4,240 workers with intellectual disability. In the 10 years of the Hawke/Keating governments from 1986 to 1996, there was an annual average increase of 424 new workers with intellectual disability. In the first six years of the Howard government from 1996 till 2003, a further 2297 jobseekers with intellectual disability found work. The average increase, however, slowed to an annual increase of 328 new workers.

From 2003 the increase of workers with intellectual disability has plateaued. **The number of workers with intellectual disability hasn’t increased since 2003, despite a growing population.**

A number of factors have contributed to this:

1. People with intellectual disability were the original target population of the Disability Services Act 1986 - with services focusing on the employment participation for this group under the new models of open employment.

2. Since the mid 1990's we have seen a gradual shift from this original target group to a range of other valid client groups
3. We have also see a shift of program emphasis to clients that are able to be quickly assisted and moved through to independence without needing ongoing support
4. As a result we have seen a decrease in the number of open employment services that specialise in assisting jobseekers with intellectual disability with high support needs either exclusively or even at a significant proportion of total clients.

### ***Recommendations***

1. We propose that the Minister direct the Secretary of the Department of Education, Employment and Workplace Relations (DEEWR) to increase the workforce participation rates of people with intellectual disability to pre-1996 annual increase rates of new workers (i.e. 424).
2. The Minister should hold DEEWR accountable for increasing the employment participation rate of people with intellectual disability as part of the department's performance and review criteria.
3. We propose that the Minister direct DEEWR to ensure that the "capped program" is exclusively for jobseekers that require ongoing employment support; jobseekers who, on their own, wouldn't be able to maintain sustainable employment<sup>12</sup>. The capped program's objectives should:
  - 3.1. Ensure the security and future development of providers, which specialise in assisting jobseekers with intellectual disability with long term ongoing support needs.
  - 3.2. Focus on developing service responses that emphasise outcomes for this client group, including Commonwealth-State solutions to increasing workforce participation rates.
  - 3.3. Administer a coherent funding and contract system that is relevant to meeting best practice and outcomes for this client group.

### **The proposed tendering of disability employment assistance service contracts should be postponed till after the Employment Services Review.**

We fear that plans to proceed with tendering employment service contracts will have a negative impact on the workforce participation rate of people with intellectual disability.

We also fear that such plans will further add to the difficulty of maintaining a specialist service sector that targets jobseekers with significant intellectual disability.

As an alternative to the proposed competitive tendering of service contracts we propose a set of contract arrangements that are linked to the policy of social inclusion and the right for all to have the opportunity to secure a job.

### ***Recommendations:***

1. Ensure the presence and availability of open employment services that specialise in assisting jobseekers with significant intellectual disability (i.e. those with high support needs). We see this model of service as a major safeguard in ensuring that this knowledge, professional practice and experience is maintained.

2. Identify gaps in the service system where such “specialist” employment assistance is not available.
  - 2.1. We have identified that Melbourne and Hobart are lacking a specialist open employment service for people with significant intellectual disability.
  - 2.2. We are aware that *Jobsupport* – an open employment service established in Sydney - is now establishing a service in Melbourne at its own expense. We recommend that the Commonwealth immediately enter into contract with *Jobsupport* to assist jobseekers with intellectual disability,
    - 2.2.1. *Jobsupport* is a 5 star service with an outstanding record of employment outcomes for people with significant intellectual disability over two decades.
  - 2.3. Contracts for service in Hobart and any other identified major population areas or regions should be the subject of a *selective tender* whereby specialist intellectual open employment providers with above average performance outcomes should be invited to tender.
3. Empower clients and family members to make informed decisions about which employment assistance provider they wish to choose. We suggest that service *report cards* indicating performance outcomes should be provided to jobseekers and their families to assist with choosing an employment service.
4. Monitor performance outcomes to maintain high standards of service practice and outcomes. Performance data should be used as the basis for capturing best practice. Data should be published and available publicly.
5. Monitor the workforce participation rate of people with intellectual disability to ensure that contract policies are having a positive impact on the very people the program is meant to benefit.
6. When service performance drops below satisfactory outcome benchmarks this should trigger the need for technical assistance. Technical assistance should be provided from within the profession (i.e. from above average performers) but funded by the Commonwealth. This offers the service sector a professional development model where skills and experience can be shared, younger workers guided by seasoned professionals, and the opportunity to build a comprehensive sector response to the needs of jobseekers with intellectual disability. We recommend that the Commonwealth replicate the successful model of technical assistance operated by the Virginia Commonwealth University.<sup>13</sup>
7. Continued poor performance over time, despite professional development, should trigger the need to look at alternative contract arrangements.

**School leavers with intellectual disability want to work but cannot access specialist services.**

The fact that services providers have had to turn away clients or have them wait is a symptom of a broken service system in need of repair. For young people and their families, it is a personal crisis.

We should recall that the government’s social inclusion policy is about ensuring that everyone has the opportunity to secure a job. We thus need a service system whereby all jobseekers that choose to work can receive assistance.

For many school leavers, from last year and this year, the restriction on the number of capped places means that they will not have the opportunity to secure a job and instead have to make do with state “unemployment” day programs. Day programs are administered by State governments and are typically more expensive and rarely lead to employment.

***Recommendations:***

1. To make the program coherent with the social inclusion policy - we must either:
  - a. Remove the cap and allow all school leavers with intellectual disability to choose to work and access a specialist employment service, or,
  - b. Create a budgetary forecast that responds to current demand and projected demand.
2. As a short-term solution to the current crisis of jobseekers excluded from an opportunity to secure a job, we recommend the May Federal Budget appropriate an immediate increase of 10% in the capped capacity to address the needs of those who are waiting for employment assistance.
  - a. This expenditure should be exclusive to those who require long-term ongoing support.

**The access and eligibility pathway via Centrelink is complicated and therefore inefficient**

School leavers with intellectual disability, and jobseekers with intellectual disability currently accessing state adult services, should be automatically eligible to access specialist open employment service - if they so choose.

The process must “set up” people for success. Many of our members tell us that they “give up” because the system is just “too hard”. The access and eligibility system should not be a drain on people’s motivation to work.

***Recommendations:***

1. All people with intellectual disability who have attended special schools or units, or who have negotiated adjustments in inclusive schools, should automatically be eligible to access specialist open employment service.
2. If the Commonwealth is going to maintain a “capped” program - only those jobseekers that require ongoing long-term support should be permitted to access capped places.<sup>14</sup>

**School leavers and families are hesitant to volunteer to work due to this triggering a review of their disability support pension.**

Choosing work for people with intellectual disability and their families is a daunting and unclear prospect. Families worry about the impact this decision will have on their pension eligibility, and eligibility to other programs and services.

The government’s social inclusion and skills policies must place a higher premium and priority on getting people into the workforce rather than shifting and labelling people in between income support payments and degrees of mutual obligation.

The research and experience of the last 22 years since the enactment of the DSA 1986 is that people with intellectual disability and their families are more likely to choose and/or try employment when this decision does not impact pension eligibility.

We should allow jobseekers to choose work without concern for pension eligibility.

Instead we should consider the impact of workforce participation programs in terms of (i) the increase in workforce participation, (2) the increase in earned income (2) and the decrease in reliance on the pension as the only source of income.

***Recommendations:***

1. Remove the pension review trigger if an unemployed person on the pension chooses to work
2. Key objectives for individuals with intellectual disability in receipt of the pension - are to increase workforce participation, increase earned income, and decrease pension income as a percentage of total income.
3. We should design and encourage employment providers, employers, and workers to achieve the highest level of skill and wage outcome as possible.
4. We should let the pension income and assets tests take care of the impact of earned income on the pension.

**Evidence based outcomes must drive the development of professional practice, funding contracts, and service development**

The performance outcome data system currently used by DEEWR is good but needs to be better. It needs to be able to produce products of information that inform Ministers, research analysts, jobseekers and their families, and the general public on program performance.

The current “health check” data system should be able to determine and monitor explicit performance outcome goals for the employment program including; job placement, job retention, weekly wage rates and hours of work, and trends in the workforce participation rates of jobseekers with intellectual disability.

This data needs to be made public and transparent.

***Recommendations***

**1. National Level Data Products:** We need the following national information to track the outcomes of the employment services program. These data should be made publicly available each year. We need to know:

- How many workers with intellectual disability employed on a given annual “snapshot” day?
- How many new workers with intellectual disability gained work in the last 12 months.
- What are the outcomes for these workers - that is, data broken down according to primary and secondary disability groupings?
- What are the range, mean, mode and median of the weekly wage?
- What are the range, mean, mode and median of weekly hours of work?

- How many workers are employed under the Supported Wage System? What are the range, mean, mode, and median of weekly wages and hours of this group?
- What is the job retention of workers employed in the preceding 12 months, 1 year ago, 2 years ago, 5 years ago, 10 years ago, 15 years ago, 20 years ago?
- What types of jobs and industries are these workers employed in?
- What were the outcomes for workers with intellectual disability against each funding level against each of the above outcome areas (i.e. hours, wages, retention)?
- What are the outcomes for workers with intellectual disability in urban regions? What are the outcomes for workers with intellectual disability in regional and rural regions?
- What are the outcomes for workers with intellectual disability in each state and territory?

## **2. Service Level Data Products.**

DEEWR is already providing “health check” data directly to services containing performance outcome information. This is a step in the right direction and we want to encourage this. The most glaring problem with this data is that it is not broken down according to disability grouping. It is thus difficult to interpret performance for clients with intellectual disability in services that target a range of disability groupings.

We believe there is a need to improve the quality of data representing workers with intellectual disability who are in the maintenance phase.

- The 10% performance weighting for moving clients through to independence does not reflect the characteristic of long term ongoing support that workers with intellectual disability require to maintain employment. This item encourages the selection of clients that fit a “flow through” model of assistance and so is detrimental to jobseekers with intellectual disability.
- The 60% performance weighting for retention needs to measure the number of clients actually still in work rather than in receipt of maintenance funding. This will provide a real indication of retention rather than a reflection of payments.
- We also question whether a retention measure at 6 months is long enough.
- We are also concerned about the maintenance performance data measured against wages. The system is designed to reward services that maintain workers at equal or more wages over time. Yet this may inadvertently penalise services that regularly achieve comparatively high weekly wages, which may decrease, but still be significantly superior in actual amount.

## **3. Client/Parent Data Products**

Clients and families should be able to choose an appropriate employment service via information about the purview and performance of providers in their local community. We see this as an important piece of information when clients are deciding whether to choose employment as many clients and families are unfamiliar with what to expect and the range of service quality that exists.

We envisage that providing transparent service performance data to families and clients will have a significant improvement in employment service performance. Clients are likely to make informed decisions and gravitate towards better performing services which should (i) increase the quality and rate of workforce participation, and

(2) provide an impetus for improvement from services to attract clients via quality performance outcomes. This in turn will assist the Commonwealth and taxpayers in getting value for budget expenditure and returns via earned income, taxes, and reductions in welfare costs.<sup>15</sup>

### **Commonwealth State co-operative arrangements are an opportunity to increase workforce participation of people with intellectual disability**

A critical life transition is when young people with intellectual disability are in the later years of secondary school or upon finishing compulsory school. It is at this juncture that we see the need to develop collaborative arrangements across Commonwealth and State jurisdictions.

There is an opportunity to look at “pooled” funding approaches that promote opportunities for all school leavers to choose work and secure a job. Yet we also see the need for school leavers to move between State and Commonwealth programs without fear of losing service eligibility or income support status.

For students with intellectual disability it is critical that they can begin to develop vocational employment opportunities in their final years of schooling and begin to develop authentic work skills and experiences.

We see an urgent need to review these state processes and programs as to their research validity and performance in achieving employment outcomes for secondary students in Year 10 to 12 and when leaving school.

The NSW *Transition to Work* program and the South Australian *School to Work* program are promising developments. NCID consider that these State transition programs offer the Commonwealth an opportunity to begin discussions with State governments on how a co-operative system could operate to provide a co-ordinated employment service response to school leavers with intellectual disability.

### **Conclusion**

In response to the *Employment Services Review* we have set out short-term solutions that will have an immediate impact on the employment participation rate of people with intellectual disability. We particularly urge the Commonwealth to respond to the needs of those school leavers who have been denied an opportunity to secure a job from 2006.

We have also set out long term solutions to build an effective Commonwealth response to the desire of jobseekers with intellectual disability to be socially included and part of the fabric of our society as workers. The solutions we propose will work but require a commitment from the Commonwealth to support those practices that have demonstrated outcomes.

NCID would be happy to discuss these matters further.

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<sup>1</sup> The research comes from a cumulative published research of over 50 years; and 32 years of international and Australian research and demonstration of open employment practices for people with intellectual disability.

<sup>2</sup> Wehman, P., Inge, K.J., Revell Jr., W.G., & Brooke, V.A. (2007). *Real Work for Real Pay. Inclusive Employment for People with Disabilities*. Baltimore: Paul H. Brookes. Johnson, D. R. (2004). Supported Employment Trends: Implications for Transition-Age Youth. *Research & Practice for Persons with Severe Disabilities* 29, 4, 243–247

<sup>3</sup> Inge, K. J. Targett, P.S. & Armstrong, A.J. Person Centred Planning: Facilitating Inclusive Employment. In Wehman, P., Inge, K.J., Revell Jr., W.G., & Brooke, V.A. (2007). *Real Work for Real Pay. Inclusive Employment for People with Disabilities*. Baltimore: Paul H. Brookes.

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<sup>4</sup> Cain, P. (2005). The Knowledge of Assisting People with Intellectual Disability to Participate in Employment. *Interaction*, 18, 3, 8-23. *Research & Practice for Persons with Severe Disabilities*, 2006, 31, 2.

Wehman, P., Inge, K. J., Revell, W. G., Brooke, V. A., (2007). *Real Work for Real Pay. Inclusive Employment For People With Disabilities*. Paul H. Brookes: Sydney.

<sup>5</sup> Bellamy, T., Rhodes, L. Bourbeau, P., Mank, D. (1982). *Mental Retardation Services in Sheltered Workshops and Day Activity Programs: Consumer Outcomes and Policy Alternatives*. In F.R. Rusch (Ed.). *Competitive employment issues and strategies* (pp. 257-272). Baltimore: Brookes.

<sup>6</sup> Targett, P.S. Staff Selection, Training, and Development for Community Rehabilitation Programs. In Wehman, P., Inge, K. J., Revell, W. G., Brooke, V. A., (2007). *Real Work for Real Pay. Inclusive Employment For People With Disabilities*. Paul H. Brookes: Sydney.

<sup>7</sup> Approved by the Full Bench of the Australian Industrial Relations Commission (AIRC) in 1994

<sup>8</sup> Wehman, P. & Revell, Jr., W.G. (2007). Interagency Partnerships: Their Critical Role in Enhancing Services. In Wehman, P., Inge, K. J., Revell, W. G., Brooke, V. A., (2007). *Real Work for Real Pay. Inclusive Employment For People With Disabilities*. Paul H. Brookes: Sydney.

<sup>9</sup> Targett, P.S. Staff Selection, Training, and Development for Community Rehabilitation Programs. In Wehman, P., Inge, K. J., Revell, W. G., Brooke, V. A., (2007). *Real Work for Real Pay. Inclusive Employment For People With Disabilities*. Paul H. Brookes: Sydney.

<sup>10</sup> Source: Australian Government Disability Services Census. Commonwealth Department of Family, Community Services and Indigenous Affairs. Australian Government.

<sup>11</sup> Source: Disability support services 2004–05. National data on services provided under the Commonwealth State/Territory Disability Agreement. (August 2006). Australian Institute of Health and Welfare: Canberra

<sup>12</sup> Clients who have been assessed as having a current or future capacity of 30 hours or more should be streamed to the uncapped program.

<sup>13</sup> We have identified a model of technical assistance from the US that provides an example of service and professional development that could be replicated in Australia. The Rehabilitation Research and Training Center (RRTC) of the Virginia Commonwealth University provides 3 products:

1. Identification of good employment assistance practices based on research evidence.
2. Evaluation of services and identification of practices that can be improved.

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3. Linking services with other services identified as best practice exemplars of particular practices

4. Staff training based on research based practices

<sup>14</sup> Clients who have been assessed as having a current or future capacity of 30 hours or more should be streamed to the uncapped program.

<sup>15</sup> Econtech (2005). An analysis of alternative methods of government funding of employment services for people with disabilities. *AccessOnline*, 7, 1