



# The Commonwealth Review of the Disability Employment Network and Vocational Rehabilitation Services

*Dear Minister*

- ***Please help me get and keep a job.** Most specialist intellectual Disability Employment Network (DEN) services are full. Please give out extra places. More places mean more young Australians with intellectual disability could work.*
- ***I need the right service.** Specialist intellectual DEN services work well for people with intellectual disability like me.*
- ***I need the right training.** Training on the job works best for people with intellectual disability like me*
- ***I need long-term support from people I trust and who know me.** Regular re-tendering of services makes me uncertain that the support I need will be there in the long run, and nervous about keeping my job. Quality and continuity are both important.*
- ***Let's get more people with intellectual disability into work by identifying "what works".** Many more Australians with intellectual disability can work and want to work. An independent review like the 1995 Baume Report could find ways to dramatically increase employment.*

October 1, 2008

The National Council on Intellectual Disability (NCID) was established over 30 years ago by parents and friends in an endeavour to improve the quality of life of people with intellectual disability and to fill the need for national unity and information.

The Council is the recognised national peak body with the single focus on intellectual disability, i.e., our actions and priorities centre on issues that affect the lives of people with intellectual disability and their families. Our mission is to work to make the Australian community one in which people with intellectual disability are involved and accepted as equal participating members.

NCID has over 5,000 members representing all 8 States and Territories. In addition to having people with intellectual disability on its Board, NCID receives policy advice from Our Voice. Our Voice is a committee the membership of which is exclusively people with intellectual disability representing all States and Territories.

**National Council on Intellectual Disability**  
**PO Box 771 Mawson ACT 2607**  
[ncid@ncid.org.au](mailto:ncid@ncid.org.au)  
**61 (02) 6296 4400**  
[www.ncid.org.au](http://www.ncid.org.au)

**Rob Allen, President**

**Mark Pattison, Executive Director**

## Introduction

The National Council on Intellectual Disability (NCID) welcomes the opportunity to comment on the discussion paper to the review of the Disability Employment Network (DEN). We have this year provided other submissions regarding the open employment participation of people with intellectual disability and we welcome the opportunity to provide further input into the design of the Commonwealth program of disability employment assistance.

As a society, we set out for the first time in 1986, to build an open employment program of assistance to people with intellectual disability. While much has been achieved in the past 22 years, we now find ourselves confronted with a program that has somewhat lost its original direction.

A generation ago we were focused on providing open employment opportunities for people with intellectual disability after it was demonstrated to the world that we had for many generations unnecessarily institutionalised and segregated this group from the community.

The fact that this group of people have vocational capacity and that we have the technology to successfully transact inclusive employment, led us to believe that open employment would become the normative practice and outcome.

We have indeed come some way towards this goal thanks to the commitment of a small group of Australians who continue to demonstrate open employment outcomes for people with intellectual disability. Within this group of professionals lies the knowledge of *what works* and NCID seeks this counsel regularly to inform its policy advice to the Commonwealth.

We must recall that the Disability Services Act did not set out to provide employment assistance for all people with disability. Its focus was on people who were most disadvantaged from participating in the open labour market and who required ongoing support to achieve employment. Whilst the OECD report illustrates that we are not doing well for all people with disability as compared to other nations, we should take heart that we have some of the best specialist open employment services for jobseekers with intellectual disability in the world. What we need to do now is build upon this.

Unfortunately, the vast majority of people with intellectual disability are unemployed. Only 10% of this population is currently working in open employment. And the rate at which people with intellectual disability are moving into open employment has stagnated. Conversely, the rate at which people with intellectual disability moving into state funded *unemployment* programs and Commonwealth funded segregated employment, however, is steadily increasing.

We are currently in the middle of a crisis. We are failing to provide a simple open employment pathway for jobseekers with intellectual disability from school to work. We are failing to provide a simple assessment and eligibility process. We are failing to direct this group of jobseekers to the *right* service. We are failing to build the capacity of specialist intellectual disability open employment services, and we are failing to ensure that these skills are passed to the next generation of human service professionals.

We currently act as if we do not expect people with intellectual disability to work. We act as if those who practice successful employment assistance for this group of people are not worthy of our attention and respect as professionals.

Families are reporting to NCID that they are unable to access specialist open employment assistance as places are limited. We are also witnessing a loss of specialist open employment service to jobseekers with intellectual disability in some major population areas (i.e. Melbourne, Hobart).

We are now at risk of losing the skills developed over the last two decades unless there is; (i) an appreciation of *what works* for people with intellectual disability; and (ii) a commitment to deliver this service *on the ground* to families and their sons and daughters who choose to work.

The opportunities, however, beckon for leadership at the Commonwealth level. We have specialist services that are world class in their practice, commitment and outcomes. We have families and their sons and daughters who want to work. And we have seen the preparedness of employers to value employees with intellectual disability.

It is our view that a new Commonwealth government prepared to work through the design of a program of employment assistance for people with intellectual disability with NCID and specialist intellectual disability open employment services would produce positive outcomes for young people, families, employers, the treasury, and most importantly, the building of an inclusive community that celebrates the diversity of individual human differences.

## **The need for a relevant employment assistance program stream for jobseekers who require on-the-job training and long-term ongoing support**

We are particularly concerned about the current direction and performance of the program. So let's share some of our concerns:

- We see a trend towards jobseekers who do not have ongoing support needs.
- We see a trend towards jobseekers on income support other than the pension.
- We see a trend towards jobseekers who only require short-term assistance and can achieve independence of support.
- We see a trend away from specialist services to generic services with a detrimental impact on the participation and outcomes of people with intellectual disability
- We see a decline in the proportion of people with intellectual disability in the program over the course of the last ten years.
- We see stagnation in the number of people with intellectual disability in open employment.

The very people who inspired the open employment movement of the 1970's & 1980's – people with moderate to severe intellectual disability - are the very people who are now struggling to be a part of the program.

It is an indictment of the program to think that young school leavers with intellectual disability in Sydney and Adelaide are being told “no” to their choice to seek open employment assistance. *There are no places of assistance for you.*

It is an indictment of the program to think that teachers in Melbourne have reported that they have no expectation or prospect of open employment for their students with intellectual disability. Their futures directed towards unemployment and participation in day programs - not employment.

A separate stream for this client group would ensure that the Commonwealth had a strategic safeguard in place to prevent the marginalisation of this client group when competing for employment assistance. This would be distinct from clients who need vocational rehabilitation, are ill, or who need short-term or occasional employment assistance.

We must not misinterpret specialist service response or different streams for complexity. It is necessary to respond **relevantly** to the employment needs of jobseekers. We are not against administrative efficiencies and have some suggestions to achieve this objective, however, we must not make such efficiencies at the expense of jobseekers with intellectual disability who require specialist responses to achieve open employment.

A separate program stream for jobseekers who require **on-the-job training** and **long-term ongoing support** would allow services to continue or choose to specialise with this client group. This would allow services to confidently pursue excellence with a focus on this group of jobseekers.

We would like to see this program stream to ensure that:

1. The Commonwealth provides a contract or contracts of employment assistance to providers that have specialist skills in *what works* for people with intellectual disability – including people with moderate to severe intellectual disability. We must provide this choice and expertise in every labour market region if we are to address the gross underemployment of this client group.
2. Schools, teachers, parents and students/jobseekers with intellectual disability have the knowledge that within their locality there is a specialist open employment service that is competent and

experienced in successfully placing, training and supporting people with intellectual disability in open employment jobs.

The (or one key) objective and measure of success for this stream – would be an increase in open employment participation of people with intellectual disability. We are currently at just 10% - should we not seek to increase this open employment participation rate?

## **The need for a simple assessment and eligibility pathway to employment assistance**

One of the key research findings of the 1960s and 1970s was that we had grossly underestimated the vocational capacity of people with intellectual disability. Researchers demonstrated that tests of vocational capacity or predictions of employability were notoriously wrong and invalid. Researchers discovered that tests only masked the actual potential of people with intellectual disability to benefit from vocational instruction. As a result, old labels of “ineducable” and “untrainable” were dropped from our language.

Researchers also discovered that the old “preparation” or “readiness” model of vocational training was also notoriously wrong. Very few people with intellectual disability graduated from day programs or sheltered workshops to open employment (around 3%). Segregation, sheltered workshops and day programs were terminal placements and still are.

It was demonstrated in the late 1970s that people with intellectual disability could achieve open employment in greater numbers if training was provided on-the-job together with ongoing support in open employment (around 50%). In Australia our best services are achieving success rates of over 70%! One needs to remember that this is the same client group that traditionally, and still today, are directed to day programs and sheltered workshops (business services).

There is no valid research or assessment that justifies denying a person with intellectual disability access to open employment assistance. We can't guarantee success. But we do not have the science of predicting success or failure. What we do know is that we continue to err on the side of low expectation and deny many from trying. And thus many from succeeding.

We want to have high expectations and permit as many as possible to have the opportunity to secure a job. When we consider that our best open employment services for people with moderate to severe intellectual disability are achieving success rates of over 70%, when the average for the entire program is 33.07%<sup>1</sup>, we believe such an investment is justifiable.

We consider that the label of *intellectual disability* is sufficient for a jobseeker to have manifest eligibility and access to specialist open employment assistance – if this is their choice.

We already verify a person's intellectual disability via eligibility to the disability support pension and deem that it is unlikely that they will achieve open employment without the right support. We see no other valid reason to undertake any further assessments to get access to open employment assistance.

## **The need for the *right* service**

Jobseekers with intellectual disability – *as a general rule* – need an open employment service that is competent in providing (i) on-the-job training and (ii) long term ongoing support to the employee and employer. **These two core service competencies are what characterise best practice for this client group.** Over 30 years of research and 22 years of experience confirm this fact.

The development of systematic on-the-job training was pivotal to the development of open employment opportunities for people with intellectual disability. It was found that job training in classroom based settings or in simulated work environments were significantly limited in producing outcomes. People with intellectual disability typically find it hard to generalise skills across settings. Thus applying intensive on-the-job training of job skills after job placement proved to be far more successful in creating sustainable employment for people with intellectual disability.

Long-term ongoing support to both the employee and employer maintains the quality of the employment placement. It is a major defining aspect of quality open employment programs for people with intellectual disability – without which, clients placed in work are at risk for losing employment.

It is these competencies, together with a commitment to working with this client group, that distinguishes a service as a *specialist* open employment service for people with intellectual disability.

Exemplars of this kind of service include *Jobsupport* in Sydney, *PE Adelaide* in South Australia, and *Ability Employment Group* in Northern Tasmania. These services are rated at 4.5 to 5 stars by DEEWR's performance outcome system. These services represent a demonstration of the *right service* for assisting jobseekers with intellectual disability get open employment jobs.

The program should seek to provide this quality of open employment service to all people with intellectual disability who choose to work. It is not enough to have access to a DEN service – it must be a service that has competency in assisting jobseekers with on-the-job training and long-term ongoing support to clients with intellectual disability and employers.

We see the need for the DEN program to provide specialist intellectual disability open employment services in every labour market region to ensure that jobseekers with intellectual disability have access to the *right* service. In some regions this has been achieved. In others it has not.

## **The need for every jobseeker with intellectual disability who chooses open employment to be eligible for assistance**

The Commonwealth open employment assistance program should ensure that every jobseeker with intellectual disability has the opportunity to secure a job. The Commonwealth program of disability employment assistance needs to address this in order to deliver on its promise of social inclusion - that *all Australians must be given the opportunity to secure a job*.

The current capped service contract arrangements are having a detrimental impact on hundreds of people with intellectual disability and their families. Many school leavers from 2007 are still waiting for an employment place to become available at specialist intellectual disability employment services. This means being unemployed unnecessarily, or having choices reduced to accessing day programs or segregated employment options, or accessing the *wrong* service. The current policy is one of *social exclusion* denying young people with intellectual disability the opportunity to work.

The new Commonwealth government has the opportunity through this review to ensure that all school leavers with intellectual disability who want to work, can access specialist open employment assistance. It is not acceptable for the system itself to place barriers in front of these young people by denying specialist open employment services to meet demand.

We urgently need immediate short-term solutions to respond to the needs of those school leavers who have chosen work but are prevented by the current system of the "cap" and currently sit idle. And we need to have a solution for the school leavers of 2008. We need a decision and a solution now.

Jobseekers with intellectual disability need access to a place of open employment assistance as they leave school. Getting connected to the *right* service means that the *right* service has sufficient contracted places to be able to provide the right service.

Reallocating underutilised capacity across the sector could accommodate the current waiting list. This provides an efficient solution to money already appropriated. Otherwise we need to address demand by increasing the number of funded places. *Something must give!*

## **We need a Commonwealth program of employment assistance that is based on *what works***

There is a range of quality practice, models of assistance and performance outcomes currently being contracted by the Commonwealth. These range from world class to average to poor. A significant variable in this range of quality is the professional knowledge of effective practice held within each of these professional agencies.

A Commonwealth program of employment assistance for people with intellectual disability must include a strategy for **national training and technical assistance** to assist disability employment staff with implementing evidence-based strategies in achieving inclusive employment outcomes.

From our experience, open employment services that achieve the best outcomes implement practices that have research validity, collect their own internal performance data, continually monitor research and international developments, and are transparent in sharing their data and knowledge with others.

The research field on assisting jobseekers with intellectual disability contains a rich base of knowledge spanning applied behaviour analysis, positive behaviour support, explicit instruction in teaching job skills, structures of ongoing support, building relationships with co-workers and employers, marketing, long term support and monitoring, and more.

There is a need for a process whereby knowledge, practice and information can be shared with agencies in order to improve employment assistance and outcomes for people with intellectual disability.

We have a small number of world-class professionals and services that currently possess this base of knowledge. In order to increase Australia's capacity to employ jobseekers with intellectual it is important that this knowledge is passed on to a larger number of professionals and to subsequent generations of personnel working in this field.

The Commonwealth could fund a cooperative agreement between NCID and other peak representatives, open employment services, and tertiary institutions, to design and deliver national training and technical assistance. We currently do not have this capacity or structure in Australia. We suggest that we should seek international assistance<sup>2</sup> from nations that have such capacity and expertise to train up an Australian structure and personnel to deliver training and technical assistance to open employment services and staff.

The objective would be to increase inclusive employment outcomes for individuals with intellectual disability. Training and technical assistance would offer:

1. Identification of good employment assistance practices based on research evidence.
2. Evaluation of services and identification of practices that can be improved.
3. Linking services with other services identified as best practice exemplars of particular practices
4. Staff training based on research based practices
5. Publishing and disseminating innovation practices through journals and online distribution methods
6. Conduct professional training workshops

A central theme of this work is around practices supported by the research and demonstration of positive employment outcomes.

We also see this strategy as giving the profession a sense of "ownership" over its expertise and craft. We believe this fits with a developmental model that would allow best practice to drive quality and an avenue for poor performers to tap into professional assistance to improve and respond to Commonwealth and client concerns over performance.

## **The need to inform families and jobseekers with the performance outcomes of open employment services**

The Commonwealth disability employment program should publish open employment individual service performance outcome data – *report cards*. Jobseekers and their families should have access to performance outcome data so that they may make informed decisions in choosing employment assistance.

The summary should include information on how the program performed in terms of job placement, milestone achievement, job retention, weekly wage rates and hours of work. The data should be able to be interpreted in terms of disability label and funding categories. Thus, what outcomes did service A achieve for jobseekers with intellectual disability? How does this compare with the performance of service B in the same locality?

Currently, performance data is only provided to contracted services, which is benchmarked against national and local labour market regions. These outcomes are not shared with families or clients.

Transparent service summary data (in the form a “report card”) would provide jobseekers and their families the ability to compare and contrast performance outcome results of contracted employment services in their region.

Providing transparent service performance data to families and clients will have a significant impact. Clients are likely to make informed decisions and gravitate towards better performing services which should (1) increase the quality and rate of workforce participation, and (2) provide an impetus for improvement from services to attract clients via quality performance outcomes.

## **The need for cooperative policy across Commonwealth and State levels of government to create pathways to open employment**

The Commonwealth government wrote, “*cooperative and “joined” action by all levels of government is crucial to maximizing the impact of government interventions*”.<sup>3</sup> We believe that this review offers an opportunity for the Commonwealth to lead some *joined* solutions that will increase the open 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 secondary school. It is at this juncture that we see the need to develop collaborative arrangements across commonwealth and state jurisdictions, and across education and employment portfolios.

The research evidence now points to the importance of secondary school as being a time of *early intervention* in preparation for employment. We know that paid open employment while in school directly relates to paid open employment in adulthood. We also know that typical experiences in inclusive settings at school and in non-school settings provide adaptive skills in preparation for the expectations of the *real* world of work.

There is an opportunity to look at collaborative models of employment preparation assistance across schools and specialist open employment agencies that provide a *joined up* solution for students and families seeking a smooth and effective transition to open employment. We envisage collaboration between specialist open employment agencies and secondary schools, families and students as to what skills and competencies are beneficial to achieving an open employment pathway.

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 coordinated employment service response to secondary students and school leavers with intellectual disability. These programs increase the opportunity for people with intellectual disability to consider and try open employment. Yet these programs will only succeed if these young people can move to funded places of on-the-job training and ongoing support via the Commonwealth employment assistance program.

Developing policy and funding models between both Commonwealth and State levels of government will enable specialist intellectual disability open employment services to respond to demand and the needs of families and jobseekers.

Such joined solutions will require leadership from the Commonwealth. NCID and specialist intellectual disability open employment services would be prepared to sit down with representatives of the Commonwealth and States to develop bilateral and/or pilot joined solutions so that we may begin to develop solutions that are cooperative and produce greater open employment outcomes and social inclusion for people with intellectual disability and their families.

## Appendix 1: Data on the open employment of people with intellectual disability in Australia

It is difficult for NCID to provide accurate figures on the open workforce participation rate of people with intellectual disability. The available data from the Commonwealth program is difficult to obtain or glean from current public data collections.

It is our contention that the Commonwealth open employment assistance program needs good publicly transparent data so that we may all determine current rates of success, determine best practice, and guide us in how to roll out a national strategy of best practice for jobseekers with intellectual disability.

From our examination of the Commonwealth Disability Census Data we have determined that the numbers of people with intellectual disability have stagnated.

**Table 1: Employment Trends for People with Intellectual Disability 1995-2006**

Year	On the Books Census Day	Full Year Open Employment	Employed Primary ID Census Day	Employed Primary / Secondary ID Census Day
1996-1997	9,026	Not Collected	Unknown	Not Released
1997-1998	8,764	Not Collected	5,131	Not Released
1998-1999	8,442	Not Collected	5,342	Not Released
1999-2000	9,317	10,786	5,726	Not Released
2000-2001	9,566	11,620	6,037	Not Released
2001-2002	9,520	12,282	5,988	Not Released
2002-2003	9,741	12,668	6,077	6,537
2003-2004	Not Released	12,447	Not Released	6,634
2004-2005	Not Released	12,325	Not Released	6,448
2005-2006	Not Released	12,357	Not Released	Not Released

From our examination of the data available from the Disability Census and the Australian Institute of Health and Welfare we note that for people with intellectual disability between the ages of 15 and 64, that data for 2005-2006 indicate that 12,325 accessed open employment in the year 2005. 6,448 people with intellectual disability were working in open employment in 2005.

Using the data from AIHW we can determine that the open employment rate of all people with intellectual disability is about 10% (6,448). 90% of people with intellectual disability of working age are not in open employment (55,685).

This provides us with the size of the issue. A national strategy for the open employment of people with intellectual disability needs to be 900% more powerful if we are to realise the full potential of this underemployed group.

## **Appendix 2: Competitive tendering of disability employment assistance.**

Competitive tendering for open employment services which specialise in assisting people with intellectual disability will be counterproductive to building a system that can respond to this group of jobseekers.

Such an environment will put at risk long-term relationship and ongoing support that open employment services have established with families, clients and employers. It will also cause families, jobseekers and prospective employers already nervous about trying open employment.

The original target group of the Commonwealth open employment program was jobseekers with intellectual disability that require long term ongoing support. This program, however, has gradually shifted to the needs of a wide range of jobseekers with disability labels.

We have witnessed a gradual proportional *decrease* of jobseekers with intellectual disability in the capped program. There has also been a decrease in the number of new workers with intellectual disability getting work each year. The total number of workers with intellectual disability in the workforce hasn't increased since 2003.

Jobseekers with intellectual disability require a model of employment assistance that features *on the job training and long-term ongoing support*. Proposals to competitively tender employment assistance for jobseekers with disability will only add momentum to this shift away from jobseekers with intellectual disability and/or jobseekers that require ongoing support.

Ultimately, tendering employment service contracts will only exacerbate the negative trend on the workforce participation rate of people with intellectual disability.

### **Solutions**

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

1. Ensure the future availability of open employment services that specialise in assisting jobseekers with intellectual disability. This model of service is a major safeguard in ensuring that this knowledge and professional practice is maintained.
2. Ensure that jobseekers with intellectual disability have a quality specialist (intellectual disability) open employment service in their community or region.
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 with intellectual disability and their families to assist in choosing an employment service.
4. Performance data should be used as the basis for capturing best practice. Data should be published and available publicly.
5. Monitor the open 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 individual service performance drops below satisfactory outcome benchmarks this should trigger the need for review. Technical assistance should be provided from within the profession (i.e. from above average performers) yet funded by the Commonwealth.
  - 6.1. This offers services 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.
7. Continued poor performance over time, despite professional development, should trigger the need to look at alternative contract arrangements. We suggest selective tendering to services that have a history of sustained above average outcomes.

This set of solutions offers a framework guided by the achievement of outcomes and evidence based practices. They are solutions based on transparency which offer the community the opportunity to base

decisions from an informed position. It is also a framework based on a model of professional development – where high achievers lead by sharing practices with others who are striving to either learn or improve.

We do not want to protect poor performers who repeatedly achieve poor outcomes – quite the contrary, however - a transparent and developmental approach is by far a better approach than a competitive tendering pathway, which may further hurt a small but essential specialist sector if we are to achieve the goals of social inclusion for school leavers with intellectual disability.

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## Endnotes

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<sup>1</sup> DEEWR 29 August, 2008, 26-week milestone national average

<sup>2</sup> We would recommend the training and technical assistance provided by Dr Paul Wehman at the Virginia Commonwealth University to be the best model to learn from.

<sup>3</sup> Gillard, J & Wong, P. (2007). An Australian Social Inclusion Agenda