

CYDA's submission the National Disability Employment Strategy consultation

**Children and Young People with Disability Australia
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Recommendations

Recommendation to develop a new, targeted National Youth Disability Employment Strategy

- In collaboration with states and territories, the Australian Government should develop and implement a targeted National Youth Disability Employment Strategy to address the distinct environment factors and needs of young people with disability. This strategy should be co-designed with young people.

Recommendation to ensure young people are genuinely included in the National Youth Disability Employment Strategy

- The Department of Social Services must include young people in the development, implementation and evaluation of the new National Youth Disability Employment Strategy to ensure it understands and meets the cohort's experiences, strengths and needs

Recommendations to deliver consistent post school transition supports for students with disability under the new National Youth Disability Employment Strategy

- The Australian Government should commission a review of funding arrangements in all states and territories for school and post school programs for students with disability
- Together with state and territory education departments, the Australian Government should develop and implement a nationally consistent post school transition supports framework. This framework should:
 - Include the core requirements of quality post school transition support as outlined in *Post School Transition: The Experiences of Students with Disability*, including beginning conversations and support in year nine
 - Be evidence-based and outcomes orientated
 - Include 'high-expectations' information resources for families and students with disability about post school options, application processes, and funding and subsidies available
 - Be adequately resourced
 - Include resources and follow up supports and programs for young people no longer in school
 - Include a strategy and linkages between schools and outside stakeholders, such as TAFEs, universities and disability organisations
 - Include data collection mechanisms that measure uptake, implementation and outcomes of post school transition programs

Recommendations to ensure people with disability have equal job, earnings and career opportunities

- The vision of the Employment Strategy should be “An inclusive Australian society where all people have access to secure, stable and fairly paid work of their choice, with opportunities for advancement and progression.”
- The Australian Government should phase out the Supported Wage System to ensure people with disability are employed in a manner that is consistent with human rights practice and international obligations.
- The Australian Government must commit to and take action on the elimination of segregated employment to ensure its meeting its State obligations under the CRPD. This requires the development of a national, time bound strategy aimed at the transition of workers with disability from segregated employment to open, inclusive and accessible forms of employment and that ensures equal remuneration for work of equal value.

Recommendation to start strategies targeting young people’s networks’ early

- The Department of Social Services should deliver targeted information about holding high expectations of children and young people with disability in all systems that the cohort interact with from birth

Recommendation to overhaul Disability Employment Services

- The Department of Social Services should overhaul Disability Employment Services as is to ensure that young people with disability are receiving appropriate supports that will help them find and keep good jobs, and that they not being punished for being unemployed

Recommendations to help ensure the Employment Strategy meets its intent

- Develop a robust outcomes framework with clear delegation of, and accountability around, responsibilities between national, state and territory and local governments. Governments should then be required to collect data and periodically publicly report on their progress against these responsibilities and outcomes.
- The Australian and state and territory governments must sufficiently resource the strategies and actions of the Employment Strategy. This includes the Australian Government allocating sufficient resources to establishing an external oversight of the Strategy over its course.

Introduction

Children and Young People with Disability Australia (CYDA) is the national representative organisation for children and young people with disability aged 0 to 25 years. CYDA has an extensive national membership of more than 5,000 young people with disability, families and caregivers of children with disability, and advocacy and community organisations.

Our vision is that children and young people with disability are valued and living empowered lives with equality of opportunity; and our purpose is to ensure governments, communities, and families, are empowering children and young people with disability to fully exercise their rights and aspirations. We do this by:

- Driving inclusion
- Creating equitable life pathways and opportunities
- Leading change in community attitudes and aspirations
- Supporting young people to take control
- Calling out discrimination, abuse, and neglect.

CYDA welcomes the opportunity to contribute to the National Disability Employment Strategy (Employment Strategy). We are particularly heartened to read that the Employment Strategy intends to consider or target:

- Community attitudes
- Employer attitudes and capabilities
- The low expectation held by some in young people's networks
- Career and post school transitions supports
- Reform of disability employment services.

The above are all recommendations that CYDA has proposed in our [Review of senior secondary pathways into work, further education and training](#) (2019, updated in 2020), [National Disability Strategy beyond 2020](#) (2020), and [Response to the Royal Commission into Violence, Abuse, Neglect and Exploitation of People with Disability's Employment issues paper](#) (2020) submissions. These ideas are also in line with young people's perspectives on the facilitators and barriers of inclusive employment, as outlined in the [What young people with disability said: Employment](#) paper (2020).

If designed and implemented with people with disability, their families and caregivers, and Disability Representative Organisations, these priority areas and proposed actions can bring about much needed change and help produce more equitable employment outcomes.

While the consultation paper does propose some welcome initiatives, it does not understand or fully address the complexities of the unemployment, underemployment and job insecurity that young people with disability experience in the current labour market. The first section of this submission details why a generalised employment strategy not co-designed with young people, such as the Employment Strategy, will not be effective. As such, CYDA is calling for a new, targeted National Youth Disability Employment Strategy to be developed. This section also details some of the elements the new strategy should consider and include.

The second section of this submission includes what CYDA identifies as fundamental inclusions in designing and delivering the Employment Strategy and its priorities. It also details areas that were absent from the consultation paper and must be included – namely creating employment opportunities that are in line the Convention on the Rights of Persons with Disabilities.

The Australian Government must develop and implement a new National Youth Disability Employment Strategy

Recommendation

- In collaboration with states and territories, the Australian Government should develop and implement a targeted National Youth Disability Employment Strategy to address the distinct environment factors and needs of young people with disability. This strategy should be co-designed with young people.

While the priority areas in the Employment Strategy consultation paper does pose some very welcome strategies to target barriers jobseekers and employees with disability experience, it insufficiently addresses the complexity of unemployment, underemployment and job insecurity of young people with disability. Young jobseekers with disability are not only entering an employment system that is prejudicial to persons with disability – but the cohort also face increased disadvantage in the labour market as a young person.

Because of the barriers young people with disability experience in gaining secure employment, the group are forced to live on income support payments at a disproportionate rate. Nearly half of young people with disability aged 15 to 24 years (49 per cent) rely on income support payments as their main source of income compared to 14 per cent of those without disability.¹ The social sector² has long advocated for an increase in income support payments, with current payments being so inadequate that many people who rely on them live below the poverty line.³

The following section details some of the experiences of young people with disability in the labour market and their contributing factors. With these experiences being distinct or amplified for young people with disability, a generalised employment strategy for people with disability will not be effective. As such, CYDA urges the Department of Social Services to collaborate with the Department of Skills, Education and Training and relevant state and territory departments to develop a new, targeted National Youth Disability Employment Strategy.

The strategy should also include targeted approaches for young people within the disability community that risk experiencing increased marginalisation in the workforce, such as young Aboriginal and Torres Strait Islander peoples, gender diverse young people and different disability groups.

Lastly, the new strategy must be co-designed with young people to ensure its appropriateness and effectiveness.

¹ AIHW. (2019). People with disability in Australia: In brief. Available at [People with disability in Australia 2019: in brief \(Full publication;21Aug2019Edition\)\(AIHW\)](#)

² Raise the Rate. (2020). *Raise the Rate: Campaign supporters*. Available at <https://raisetherate.org.au/campaign-supporters/>

³ ACOSS. (2019). *Surviving, not living: the (in)adequacy of Newstart and related payments*. Available at <https://www.acoss.org.au/wp-content/uploads/2019/11/SurvivingNotLiving.pdf>

Include young people in the development, implementation and evaluation of the new National Youth Disability Employment Strategy

Recommendation

- The Department of Social Services must include young people in the development, implementation and evaluation of the new National Youth Disability Employment Strategy to ensure it understands and meets the cohort's experiences, strengths and needs

In late 2020, CYDA convened the inaugural National Youth Disability Summit (Summit), a five-day conference designed by and for young people with disability. Over 250 young people attended. As part of the Summit, four consultation workshops were held with the purpose to understand young people's perspectives on varying topics: one being employment.

At the Summit, young participants resoundingly shared the belief that to create genuine systemic change to make employment pathways more inclusive, young people must be involved in defining the problems and solutions. As advocated by one young participant, *"our needs get met the best when we're the ones that get to define what they are."*

In supporting young people to find and keep a job, Summit participants shared the importance of positive workplace cultures and understanding employers. For instance, the group commented on how they value employers being assertive in asking about and supporting young people's needs. This includes proactively asking about accessibility-related supports, encouraging authentic discussion around disability, and fostering a culture of acceptance around gender diversity. As expressed by one participant, when employers are proactive, *"it feels so much more welcoming and that you're not the big elephant in the room"*.

"Employers that are not just patient but wanting to make sure they have what they need so you can do your job in a healthy way. As opposed to you having to fight for it every step of the way, it's them reaching their hand out first, I guess, and saying, 'What do we need for you to make this work?' ... as opposed to being scared of what might happen if you speak up."

- Young participant at the National Youth Disability Summit 2020

Participants also shared practices they appreciated that help alleviate the feeling of power imbalances between employers and young people, such as including young people on interview panels or providing interview questions before the interview.

These nuances of what young people want and need can only be known and understood by talking to young people. When the cohort are not included, governments risk investing in approaches that will not be effective and miss opportunities to provide targeted supports when and where most necessary.

"Young people in particular ... are not part of the conversation about what should be in those supports or plans or policies [that affect young people]. ... People very much think, 'I know all about young people so I can put this policy together without talking to them', but when you do that, there are so many stories, narratives, bits of information that you miss because you are not talking to the affected person."

- Young speaker at the National Youth Disability Summit 2020

While CYDA emphasises the importance of including young people in policy and program development, we also stress the importance of resourcing these efforts appropriately so that young people can safely engage on an ongoing basis in the design, implementation and evaluation of strategies across the span of a National Youth Disability Employment Strategy.

A new National Youth Disability Employment Strategy should deliver consistent post school transition supports for students with disability

Recommendations

- The Australian Government should commission a review of funding arrangements in all states and territories for school and post school programs for students with disability.
- Together with state and territory education departments, the Australian Government should develop and implement a nationally consistent post school transition support framework. This framework should:
 - Include the core requirements of quality post school transition support as outlined in *Post School Transition: The Experiences of Students with Disability*, including beginning conversations and support in year nine
 - Be evidence-based and outcomes orientated
 - Include ‘high-expectations’ information resources for families and students with disability about post school options, application processes, and funding and subsidies available
 - Be adequately resourced
 - Include resources and follow up supports and programs for young people no longer in school
 - Include a strategy and linkages between schools and outside stakeholders, such as TAFEs, universities and disability organisations
 - Include data collection mechanisms that measure uptake, implementation and outcomes of post school transition programs

As part of the National Youth Disability Employment Strategy, governments must improve career support for young people when they are at school. In 2015, CYDA published *Post School Transition: The Experiences of Students with Disability*. The report was developed by consulting with young people, family members and carers and other key stakeholders, and reviewing research and legislation. The report also includes recommendations for improving outcomes and options for post school transition of students with disability.

The report found that career supports, information, programs and resources are fragmented across states/territories, schools and education sectors, regions and service providers. In light of these findings, the report called for national legislation to ensure students with disability can access quality post school transition support that includes the following core requirements:

- Transition planning beginning starting in year 9
- Planning to be person-centred

- High expectations to be embedded throughout the process
- Work experience opportunities and the facilitation of part time work incorporating connections with local businesses and employers
- Foundational skills
- Career development planning

The report also identified supports and follow up for young people once they had left school was also needed.

While the full onus should not be on family members and caregivers to extensively research post school options on behalf of their child, they do play an important support role in many instances and it is essential that they are included in career-planning conversations and have access to their own targeted resources.

Lastly, in 2019 CYDA mapped out the current school programs to support pathways after school in our submission to the Education Council's review of senior secondary pathways into work, further education and training. We found that existing programs were 'process-oriented' rather than 'outcome-oriented.' Along with a significant lack of data in this area, this makes it very difficult to measure and evaluate program appropriateness and effectiveness. Improved data collection around program uptake, implementation and outcomes is strongly recommended.

Job insecurity and low quality jobs

Like their peers without disability, young people with disability are more likely to be hired in roles that commonly offer fewer hours, precarious and seasonal employment, and reduced economic security. For instance, nearly one quarter of young employees with disability are sales workers.⁴ This includes occupations such as general sales assistants and check out operators. Of all occupation groups, sales workers have the lowest average hourly total cash earnings (\$28.50) and the second lowest weekly hours (25.6 hours).⁵

The occupation group which offers the lowest average weekly total hours paid is community and personal service workers⁶ – the third most common occupation for young people with disability.⁷ This work is often characterised by irregular hours and increased precarity.

Young people with disability are more likely to be over-educated for their roles – where their education level is above the norm for employees in the same occupation.⁸ Because of the changing nature of the labour market and increased competition, young people with disability are more likely to take jobs that do not fully use their skills. Research indicates that young people who take these

⁴ Nahum, D., & Stanford, J. (2020). *2020 Year-End Labour Market Review: Insecure Work and the Covid-19 Pandemic*. Available at [apo-nid310244.pdf](#)

⁵ Australian Bureau of Statistics. (2019). *Employee Earnings and Hours, Australia*. Available at [Employee Earnings and Hours, Australia, May 2018 | Australian Bureau of Statistics \(abs.gov.au\)](#)

⁶ *ibid.*

⁷ AIHW. (2020). *People with disability*. Available at <https://www.aihw.gov.au/reports/disability/people-with-disability-in-australia/contents/education-and-skills/educational-attainment#Highest%20level%20of%20education>

⁸ Jones, M., Mavromaras, K., Sloane, P., & Wei, Z. (2014). Disability, job mismatch, earnings and job satisfaction in Australia. *Cambridge Journal of Economics*, 38(5), 1221-1246.

'low quality' jobs have higher chances of longer-term unemployment and reduced future wage growth.⁹

A National Youth Disability Employment Strategy must be created to ensure that young people have secure job opportunities that matches their skillsets.

The existing and ongoing impact of COVID-19 and the economic downturn

The Employment Strategy – a ten-year strategy – fails to acknowledge or factor in the impact of COVID-19 has had on current and future employment opportunities for young people with disability. Young jobseekers are more likely to bear the brunt of economic downturn, with employers more reluctant to hire or retain younger workers due to their limited experience and lower skills during periods of cyclical weakness.¹⁰ This is evident in the COVID-19 economic crisis, with young workers being disproportionately impacted.¹¹ According to the Productivity Commission¹², people who experience negative shocks in the labour market go on to have 'scarring' effects on their longer-term employment and earnings prospects.

While we do not currently have data to understand the impact of the COVID-19 economic crisis on young people with disability, it is widely acknowledged that the cohort faces increased systemic and structural disadvantage in the labour market compared to young people without disability.¹³

So far what we do know is that the three occupation groups employing the highest numbers of young people with disability – sales workers, labourers and community and personal services – are also the three hardest hit occupation groups during COVID-19 in terms of jobs losses.¹⁴ While some occupations have bounced back after the initial economic shock of COVID-19, as at November 2020, these three groups – which are already characterised as having lower earnings and greater precarity – employment levels were still suffering 4 to 8 per cent below pre-pandemic levels.¹⁵

Despite COVID-19 exposing the vulnerable and inequitable characteristics of employment for young and low-earning workers, the rate of insecure employment continues to surge. Researchers at the Centre for Future Work¹⁶ analysed the changes in the labour market between May 2020 and November 2020, and found that since May 2020:

- 60 per cent of all waged jobs created were casual jobs (the biggest and fastest expansion in casual employment in Australia's history)
- Part-time work accounted for almost three-quarters of all new jobs

⁹ de Fontenay, C., Lampe, B., Nugent, J. and Jomini, P. (2020). *Climbing the jobs ladder slower: Young people in a weak labour market*. Available at <https://www.pc.gov.au/research/supporting/jobs-ladder/jobs-ladder.pdf>

¹⁰ Dhillon, Z., & Cassidy, N. (2018). *Labour market outcomes for younger people*. Available at <https://www.rba.gov.au/publications/bulletin/2018/jun/labour-market-outcomes-for-youngerpeople.html>

¹¹ Youth Affairs Council Victoria. (2020). *A COVID-19 recovery plan for young people*. Available at <https://www.yacvic.org.au/advocacy/covid-19-recovery/#TOC-1>

¹² de Fontenay, C., Lampe, B., Nugent, J. and Jomini, P. (2020). *Climbing the jobs ladder slower: Young people in a weak labour market*. Available at <https://www.pc.gov.au/research/supporting/jobs-ladder/jobs-ladder.pdf>

¹³ Yu, P. (2010). *Disability and disadvantage: a study of a cohort of Australian youth*. Australian Journal of Labour Economics, 13(3), 265–286; Orygen Youth Health Research Centre. (2014). *Tell them they're dreaming: Work, education and young people with mental illness in Australia*. Available at <https://www.orygen.org.au/Policy>; Social Ventures Australia. (2016). *Fundamental principles for youth employment*. Available at <https://www.socialventures.com.au/assets/Fundamental-principles-for-youth-employment-report-FINAL.pdf>

¹⁴ Nahum, D., & Stanford, J. (2020). *2020 Year-End Labour Market Review: Insecure Work and the Covid-19 Pandemic*. Available at apo-nid310244.pdf

¹⁵ *ibid.*

¹⁶ *ibid.*

- Very insecure positions, including own-account contractors and ‘gigs’, accounted for all of the rebound in self-employment.

The researchers concluded that the growing rate of insecure employment without stable hours, incomes and leave entitlements will ensure that future fluctuations and shocks will continue to impose severe and unequal consequences.

A new National Youth Disability Employment Strategy must factor the impact of economic downturns on young people’s job and career opportunities and adapt appropriately in periods of fluctuation.

There is no national coordinated approach to employment programs and supports for young people with disability

While CYDA does welcome the Employment Strategy’s acknowledgement of some of the pitfalls of disability employment services, young people with disability are also engaging with other employment programs and services. For instance, many young people with disability are engaged with jobactive, a program which was found by a Senate Inquiry to not address the barriers to employment for jobseekers with disability or young people.¹⁷ A portion¹⁸ find themselves in Transition to Work – a youth-specific employment program that tries to address both supply and demand sides of employment – though access to the program is heavily restricted by a range of eligibility criteria.

Others can find themselves in innovative, youth and disability specific programs, such as under Jobs Victoria Employment Network or Skilling Queenslanders for Work, but access to state-based programs generally require the young person to not be receiving unemployment income support.

For the portion of young people who are eligible for NDIS funding, the youth-specific School Leaver Employment Supports (SLES) is an option. SLES is a support designed to help young people with disability prepare, look for and gain employment as they transition from school to employment. However, due to the funding and outsourcing nature of the program, there is no clear evaluation data to determine if the support is effective or if there is consistency across providers. Despite this lack of data, NDIA figures¹⁹ show that the rate of young participants in paid work only increased by three percentage points (from 15 percent to 18 per cent) approximately a year after entry into the Scheme. This seems to suggest there is limited effectiveness of the SLES program to date and indicates that specific evaluation work is greatly needed to explore this further.

The varied programs also largely differ in how they understand the ‘problem’ of unemployment, and as such, provide different problem solutions. This means that some young people with disability are exposed to programs that incorporate punitive measures to ‘push’ young people into employment, irrespective of suitability or fit. Alternatively, others are included in programs that recognises the

¹⁷ Senate Education and Employment References Committee. (2019). *Jobactive: failing those it is intended to serve*. Available at https://parlinfo.aph.gov.au/parlInfo/download/committees/reportsen/024217/toc_pdf/Jobactivefailingthoseitisintendedtoserve.pdf;fileType=applicationpercent2Fpdf

¹⁸ As at 30 April 2021, 10 per cent of the Transition to Work caseload were young people with disability; Labour Market Information Portal. (2020). *jobactive and Transition to Work (TtW) Data - April 2021*. Available at [As at 30 April 2021, 10 per cent of the Transition to Work caseload were young people with disability; Labour Market Information Portal. \(2020\). jobactive and Transition to Work \(TtW\) Data - April 2021. Available at https://lmp.gov.au/PortalFile.axd?FieldID=3193105&.xlsx](https://lmp.gov.au/PortalFile.axd?FieldID=3193105&.xlsx)

¹⁹ National Disability Insurance Agency. (2020). *Employment Outcomes 30 June 2018: NDIS participants, their families and carers*. Available at <https://data.ndis.gov.au/media/1562/download>

increased structural barriers young people with disability face in the labour market and are designed to 'pull' them into employment opportunities.

What is clear is that there is no coordinated approach to employment programs and supports for young people with disability across Australia. Further, there is no existing deep examination, critique or comparisons to understand what elements of each respective programs and services are effective in supporting long-term employment outcomes for young people with disability. Tinkering around the edges of existing employment programs is money wasted unless proper government investment is dedicated to understanding what works and developing a coordinated, evidence-based approach.

The changing nature of the labour market and low rates of tertiary education attainment

Education is intrinsically linked with employment. Over the last three decades, Australia has experienced a major shift in the types of industries that form the labour market, with higher skilled occupations that are categorised as usually requiring a bachelor's degree or higher accounting for 45.1 per cent of employment growth²⁰. In contrast, lower skilled occupations that generally require only Certificate I or secondary education has accounted for 9.4 per cent of employment growth.²¹

While it is encouraging to see that the enrolment rates of students with disability in higher education are steadily increasing, people with disability are still underrepresented higher education attainment. Only 17 per cent of people with disability aged 20 and over have a bachelor degree or higher, compared to 35 per cent for individuals without disability.²² Further, in Vocational Education and Training, there is a higher proportion of students with disability in courses with the lowest qualification (Certificate I) than in courses with higher qualifications (Certificate IV and Diploma and above).²³

To improve employment outcomes of young people with disability in Australia, it is essential the National Youth Disability Employment Strategy ensures that young people have the same opportunity to equip themselves with a tertiary qualification when entering the increasingly competitive workforce.

Effective employment strategies must start early

As we transition through life stages, we encounter systems that can either pose as an opportunity or risk. How we experience these transitions and systems — and whether or not there are adequate supports in place to protect us from the risks — has a cumulative effect on future employment outcomes.

From birth, people with disability experience structural disadvantage and encounter ableist systems that neglect their rights and needs. This systemic neglect not only has adverse impacts on the

²⁰ Department of Employment, Skills, Small and Family Business. (2019). *Changes in the Australian labour market: a 30-year perspective*. Available at <http://imip.gov.au/PortalFile.axd?FieldID=3190160&.pdf>

²¹ *ibid*

²² AIHW. (2020). People with disability. Available at <https://www.aihw.gov.au/reports/disability/people-with-disability-in-australia/contents/education-and-skills/educational-attainment#Highest%20level%20of%20education>

²³ Proportion of sstudents enrolled by qualification level with a disclosed disability in 2018: Certificate 1, 14 per cent; Certificate IV, 5 per cent; Diploma and above, 4 per cent. Australian Disability Clearinghouse on Education and Training. (2020). *Vocational Education and Training (VET) Statistics*. Available at [Vocational Education and Training \(VET\) Statistics - ADCEET](#)

individual in the immediate term, but will have enduring impacts on the opportunities they can access throughout the lifetime.

Those who are supported and are equipped with protective supports from infancy and early childhood are more likely to develop personal resources and experience better social outcomes throughout the lifespan. These personal resources, such as a quality education and a wide network, then increase a person's likelihood to experience positive employment outcomes.

The National Youth Disability Employment Strategy must examine and address a child or young person's experiences well before they enter the workforce, and ensure all people are provided with equitable, inclusive and appropriate opportunities to learn and develop to give them a competitive chance to find and maintain employment.

Moving from intent to action: delivering an Employment Strategy that upholds human rights

Ensuring people with disability have equal job, earnings, and career opportunities

Recommendations

- The vision of the Employment Strategy should be “An inclusive Australian society where all people have access to secure, stable and fairly paid work of their choice, with opportunities for advancement and progression.”
- The Australian Government should phase out the Supported Wage System to ensure people with disability are employed in a manner that is consistent with human rights practice and international obligations.
- The Australian Government must commit to and take action on the elimination of segregated employment to ensure its meeting its State obligations under the CRPD. This requires the development of a national, time bound strategy aimed at the transition of workers with disability from segregated employment to open, inclusive and accessible forms of employment and that ensures equal remuneration for work of equal value.²⁴

At the Summit²⁵, young participants shared what finding and keeping a job means to them and how it was linked to their identity. Some young people commented on how having quality employment “*gives them purpose*” and can be “*life changing*”, allowing them to develop skills, find their passions and meet likeminded people that “*understand all parts of you*”.

Many young people also expressed how having a job is an important part of becoming an adult and “*being an equal citizen*”. Young people value being able to be independent, earn their own money, move out of home if they would like to, and not having to “*rely on an unreliable government system*”.

“[Having a job] gives me the independence to start my life. That’s huge! That’s freedom.”

- Young participant at the 2020 National Youth Disability Summit

CYDA is concerned that the vision²⁶ proposed in the Employment Strategy consultation paper does not encompass what young people want and value. Our community wants more than to just be present in a workplace, but rather to have equal opportunities to progress their careers and experience financial independence.

Currently, jobseekers and employees with disability do not have equality of opportunity or are entitled to the same minimum wage protections as other Australian employees. Under the Supported Wage System (SWS), employees with disability in open employment²⁷ can be paid a

²⁴ Disabled People’s Organisations Australia. (2020). *Segregation of people with disability is discrimination and must end*. Available at [Segregation-of-People-with-Disability_Position-Paper.pdf](https://dpoa.org.au/Segregation-of-People-with-Disability_Position-Paper.pdf) (dpoa.org.au)

²⁵ See “Include young people in the development, implementation and evaluation of the new National Youth Disability Employment Strategy” section

²⁶ “An inclusive Australian society where all people have access to meaningful work opportunities.” Department of Social Services. (2021). *National Disability Employment Strategy: consultation paper*. p. 6. Available at [national-disability-employment-strategy-consultation-paper.pdf](https://www.dss.gov.au/national-disability-employment-strategy-consultation-paper.pdf) (dss.gov.au)

²⁷ Employment not of a segregated nature

proportion of minimum wage based on their ability to work at 'full productive capacity'. So if an individual is assessed at being 70 per cent productive capacity, their employer can pay them 70 per cent pro rata of the minimum wage as per the relevant industrial award or agreement.²⁸

The SWS is also used as a wage assessment tool in the *Supported Employment Services Award 2020*, an industrial instrument used to set minimum wages and conditions of employees of Australian Disability Enterprises (ADEs). The SWS allows employers to pay employees with disability as little as \$89 per week (\$2.34 per hour for full-time employees), or 12.5 per cent of the minimum wage for those employees in ADEs covered by the *Supported Employment Services Award 2020*.²⁹

In its submission to the Disability Royal Commission, the Australian Human Rights Commission outlined concerns that the pro-rata assessment tool is discriminatory and contravenes several human rights under the International Covenant on Economic, Social and Cultural Rights and the Convention on the Rights of Persons with Disabilities (CRPD). Namely, Australia's obligations to ensure fair wages, equal remuneration for work of equal value, and that people with disability can fully and effectively participate in society.

The Australian Human Rights Commission also detailed concerns about the limited data and oversight of the SWS. This includes:

- The number of people under the system
- Their average wage
- How the SWS impacts the standard of living of people with disability
- The proportion of employees who transition from receiving a pro-rate wage to a full wage.

While data about the use of SWS in general is unclear, there is some data available to gauge the conditions of employees in ADEs, otherwise known as 'sheltered' employment. This type of employment segregates people with disability from the open labour market. CYDA hears from our community that this segregated employment is often presented to young people as the best or only option for them, particularly for those who were educated through the special school system. In 2017, the hourly rate paid to employees in sheltered workshops was \$5.61 an hour.³⁰

The type of employment and roles in ADEs generally do not offer people with disability the ability to develop transferable skills that could lead to open employment or a full wage.³¹ In 2014, less than one per cent of people with disability in ADEs moved into open employment.³²

²⁸ Australian Human Rights Commission. (2020).

²⁹ *ibid*.

³⁰ Women with Disabilities Australia. (2020). *WWDA response to employment issues paper*. Available at <https://wwda.org.au/wp-content/uploads/2020/08/WWDA-Response-to-Employment-Issues-Paper-Final1.pdf>

³¹ Smith, P., Rhodes, P., Pavlidis, L., Alexander, J., & McVilly, K. R. (2019). Transitioning Australian Disability Enterprises to open employment community hubs using the Australian legislative framework. *Journal of Vocational Rehabilitation*, 50(3), 263–271. <https://doi.org/10.3233/JVR-191006>

³² Australian Human Rights Commission. (2016). *Willing to Work: National Inquiry into Employment Discrimination Against Older Australians and Australians with Disability*. Available at <https://humanrights.gov.au/our-work/disability-rights/publications/willing-work-national-inquiry-employment-discrimination>

Inclusion Australia has done important work to highlight the experiences of employees of ADEs in their evidence provided to the Disability Royal Commission in 2020.³³ In the submission self-advocates described their perspective on ADEs and sheltered employment, how they want more opportunities to break into open employment, and more support to move to other jobs once they gained open employment.

Regardless of how many hours they may be employed or if their employment is ongoing, if wages are below minimum wage, people with disability do not have equal rights or secure employment, and they will not be able to experience financial security. This is especially apparent when the types of roles offered under ADEs almost never lead to full time wages – this ultimately entrenches the person in less than minimum wages for their working life.

As part of the Employment Strategy, CYDA echoes the calls of the Australian Human Rights Commission for government to publicly evaluate the effectiveness of the SWS to support people with disability to obtain employment in a manner that is consistent with human right obligations.

CYDA also calls for the Employment Strategy per Australia’s obligations under the CRPD and other international human rights treaties, to commit to and take action on the elimination of segregated employment. This entails the development of a national, time bound strategy aimed at the transition of workers with disability from segregated employment to open, inclusive and accessible forms of employment and that ensures equal remuneration for work of equal value.³⁴

Start strategies targeting low expectations in young people’s networks early

Recommendation

- The Department of Social Services should deliver targeted information about holding high expectations of children and young people with disability in all systems that the cohort interact with from birth

CYDA supports the Employment Strategy investing in initiatives that challenge other’s assumptions attitudes that impact young people’s employment and career opportunities. CYDA has heard from young people have not only had people in their lives deter them from their career aspirations, but also discourage them to choose subjects or education streams (e.g., education streams that produce an ATAR) that help them progress to post school pathways that they are interested in.

As we often hear of gatekeeping practices to children with disability from infancy, we accordingly recommend the resources and strategy should be targeted at those in who are in a child’s formal and informal network from early stages of life and not just once in secondary school.

³³ Relevant sections of Inclusion Australia’s Omnibus Submission to the Disability Royal Commission are available here: [EXHIBIT 9-004.06 - EXP.0058.0001.0019 - Inclusion Australia, Omnibus Submission \(Compilation of sections relevant to Employment Issues Paper\) | Royal Commission into Violence, Abuse, Neglect and Exploitation of People with Disability](#).

³⁴ Disabled People’s Organisations Australia. (2020). *Segregation of people with disability is discrimination and must end*. Available at [Segregation-of-People-with-Disability_Position-Paper.pdf \(dpoa.org.au\)](#)

Overhaul Disability Employment Services as currently designed, contracted and delivered

Recommendation

- The Department of Social Services should overhaul Disability Employment Services as is to ensure that young people with disability are receiving appropriate supports that will help them find and keep good jobs, and that they not being punished for being unemployed

CYDA strongly supports the proposal to redesign Government disability employment programs. Fundamentally, the design, outsourced contracting and presence of the punitive Targeted Compliance Framework are not conducive to addressing the barriers young people with disability experience in the workforce or support them to find suitable and stable work.

In the current contracting model, external Disability Employment Service (DES) providers are performance monitored on their ability to minimise the average time taken for program participants to achieve employment outcomes. Achievement of participant employment outcome milestones (13-, 26- and 52-week outcomes) are also Key Performance Indicators.

In their submission³⁵ to the Disability Royal Commission, Dr Lisa Stafford et al. explained that marketised, outcomes-based employment models, such as DES, lead to 'creaming' and 'parking' practices. Creaming involves prioritising and supporting young jobseekers who are more likely to be job ready. In contrast, parking involves deprioritising young jobseekers who are less job ready and may have more severe impairments. So ultimately, service providers are disincentivised to help arguably those who are most likely to benefit from external employment assistance and support because they will less readily achieve paid outcomes for the provider.

The marketisation of DES also leads to providers pushing jobseekers into jobs that do not meet their interests or skillsets. CYDA has heard firsthand from young people in our community of this occurring and the issue was also highlighted in the Disability Royal Commission's Overview of responses to the Employment Issues paper³⁶.

As outlined in the Employment Strategy's consultation paper, the service offerings do not address key barriers to finding employment for some jobseekers, such as access to safe housing. Further, research has found that DES providers are not effectively delivering its program elements that would be beneficial in supporting jobseekers, such as acting as a broker between local employers and jobseekers.³⁷ The researchers explained that service providers' ability to do this type of work was often constrained by consultants needing to prioritise their time to meeting employment outcome contractual obligations.

³⁵ Stafford, L., Marston, G., Mitchell, S., Beatson, A., & Chamorro-Koc, B. (2020). Insights into young people with disabilities' education to work journeys. Submission to Employment Issues paper: Royal Commission into Violence, Abuse, Neglect and Exploitation of People with Disability

³⁶ Royal Commission into the Violence, Abuse, Neglect, and Exploitation of People with Disability. (2021). *Overview of responses to the Employment Issues paper*. Available at [Overview of responses to the Employment Issues paper \(royalcommission.gov.au\)](https://royalcommission.gov.au)

³⁷ Murfitt, K., Crosbie, J., Zammit, J., & Williams, G. (2018). Employer engagement in disability employment: A missing link for small to medium organizations—a review of the literature. *Journal of Vocational Rehabilitation*, 48(3), 417-431.

Responses to the Disability Royal Commission’s Employment issues paper³⁸ also contended that DES providers and consultants lacked disability specialist knowledge to effectively support jobseekers. Considering at December 2020, 14 per cent of the DES caseload was jobseekers aged 25 years and younger³⁹, CYDA also questions what training and skills consultants have in working with young people.

The inefficiency of the DES model to provide jobseekers with person-centred and appropriate supports is then overlaid by the presence of the Targeted Compliance Framework, a measure that punishes jobseekers on income support who do not meet set mutual obligations by suspending or penalising their payments. In 2018, a Senate Inquiry⁴⁰ overwhelmingly received evidence that mutual obligations are ineffective in facilitating paid work and that the Targeted Compliance Framework is a barrier to employment and is keeping people in poverty. Subsequently, the Inquiry’s final report made the recommendation “that the Government immediately abandon the Targeted Compliance Framework”.⁴¹ Despite this, early this year the Government increased mutual obligations and compliance arrangements for DES participants.⁴²

The Targeted Compliance Framework also impacts the ability of DES consultants to effectively build rapport with program participants – the heart of human services and fundamental practice in working with young people. Under the current model, the person who is tasked with supporting jobseekers to meet their employment needs and goals also acts as their punisher.

CYDA agrees Australian disability employment services need to be ‘reconsidered’. Though, we urge that the system needs an overhaul rather than small adaptations to an existing, unsuccessful model. This includes redesigning what the service offers and ensuring its elements are evidence-based. There also must be investment in developing a robust evaluation framework which monitors long term outcomes and participant experience. The contracting model and how this impacts the delivery of services should also be scrutinised and amended. Lastly, the punitive Targeted Compliance Framework should not be applied, as it adds to distress and is not proven to be linked with employment outcomes.

³⁸ Royal Commission into the Violence, Abuse, Neglect, and Exploitation of People with Disability. (2021). *Overview of responses to the Employment Issues paper*. Available at [Overview of responses to the Employment Issues paper \(royalcommission.gov.au\)](https://royalcommission.gov.au/Overview-of-responses-to-the-Employment-Issues-paper)

³⁹ Labour Market Information Portal. (2021). *DES Historical Commencements and Caseload Data (by ESA and Postcode) - 31 December 2020*. Available at <https://lmip.gov.au/PortalFile.axd?FieldID=3194831&.xlsx>

⁴⁰ Education and Employment References Committee. (2018). *Jobactive: failing those it is intended to serve*. Available at [Jobactive: failing those it is intended to serve \(aph.gov.au\)](https://aph.gov.au/Jobactive-failing-those-it-is-intended-to-serve)

⁴¹ *ibid.*, p. 198.

⁴² ACOSS. (2021). *JobSeeker Payments: Access and Requirements*. Available at [JobSeeker Payments: Access and Requirements – ACOSS](https://acoss.gov.au/JobSeeker-Payments-Access-and-Requirements)

Properly resource and monitor the Employment Strategy to ensure it is meeting its intent

Recommendations

- Develop a robust outcomes framework with clear delegation of, and accountability around, responsibilities between national, state and territory and local governments. Governments should then be required to collect data and periodically publicly report on their progress against these responsibilities and outcomes.
- The Australian and state and territory governments must sufficiently resource the strategies and actions of the Employment Strategy. This includes the Australian Government allocating sufficient resources to establishing an external oversight of the Strategy over its course.

The potential of the Employment Strategy is immense. It can provide people with disability equitable opportunities to lead the lives they would like to live, contribute to a more just society, and over its ten-year lifespan, create sustainable and positive change.

However, if not prioritised, resourced and managed effectively, the Employment Strategy risks falling flat on its intended outcomes and another decade will pass where people with disability will continue to bear the burden of a flawed and ableist employment system.

Learning from the weaknesses of the previous National Disability Strategy, there must be a coordinated approach across policy areas and jurisdictions to implement the Employment Strategy and produce tangible outcomes. This includes detailing clear accountabilities which jurisdictions and departments must also publicly report on.

The Australian and state and territory governments must also allocate sufficient funding to implement the governance and delivery of the Employment Strategy, and to ensure children and young people with disability and their representative organisations are meaningfully included in guiding and monitoring the progress of its actions and strategies.