



14 February 2008

The Hon. Brendan O'Connor, MP  
Minister for Employment Participation  
Parliament House  
CANBERRA ACT 2600

To the Honourable Minister

In response to your request for suggestions on how the current range of employment services can be improved, we appreciate the opportunity to offer feedback.

We would like to cordially extend an invitation for you to meet us in person at our Woolloongabba office, and talk to any number of our clients and employers about what works and doesn't work for them. We also welcome the opportunity to discuss any of the points raised in this submission with yourself or a Ministerial delegate.

Employment Options is a part of the Spinal Injuries Association, the peak body for people with spinal cord injuries in Queensland. Employment Options was established in 1994, and is one of only two specialist Disability Employment Network services in Australia that deals exclusively with people with a physical disability. In this time, we have accrued a wealth of experience and skills in working with this unique and diverse client group. We offer Capped and Uncapped DEN services to our Brisbane-based clientele.

Being such a unique specialist service is not without its issues. We feel that we are often the "canary in the mine" when changes to policy are made, that affect our client group more than others. However, we are also in a position to offer specific feedback on how well the current suite of services meets the needs of people with physical disability.

Following is a list of key issues for service providers and people with physical disabilities, which are fully addressed below:

- The Job Capacity Assessment process
- Underfunding of workers and jobseekers with physical disabilities
- System barriers to effectively supporting Job in Jeopardy workers

formerly The Paraplegic & Quadriplegic Association of Queensland

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**BRISBANE**

Tel 07 3391 2044 109 Logan Rd, Woolloongabba Q 4102  
Fax 07 3391 2088 PO Box 5651, West End Qld 4101  
Email [enquiries@spinal.com.au](mailto:enquiries@spinal.com.au)

**TOWNSVILLE**

Tel 07 4755 1755 488 Ross River Rd, Townsville Q 4814  
Fax 07 4723 8677 PO Box 618, Aitkenvale BC Qld 4814  
Email [nqenquiries@spinal.com.au](mailto:nqenquiries@spinal.com.au)

- Access to appropriate, valued training opportunities
- Links between DEN and further / tertiary training opportunities
- Reducing red tape and administrative burden, particularly for small services

## **1. The Job Capacity Assessment (JCA) process**

- New client registrations for Employment Options have effectively declined almost 800%, for clients who self-referred to our service prior to the introduction of the JCA.
- This is having a catastrophic effect on service viability. The people who need our service the most (the people with the highest support needs) are the very people who are being scared away, and not participating in employment – despite being extremely motivated to do so.
- We believe this reduction is attributable to the link between benefit reviews (especially DSP) and volunteering to work, the significant increase in time and red tape required to process direct registration jobseekers, and the overall ineffectiveness of the JCA system.

### **Proposed solutions:**

- A total review of the JCA process. This should include the removal of the disincentive to work caused unintentionally by linking referrals for employment assistance to benefit reviews, particularly for voluntary jobseekers and Disability Support Pension (DSP) recipients.
- Reduce red tape and administrative burden by having a referral “shortcut” to DEN services on EA3000 for DSP recipients, similar to that for Job in Jeopardy or Special School Leavers. This would also significantly reduce waiting time and red tape for jobseekers.
- A similar process could be applied to self-referring jobseekers who do not receive any Centrelink benefit, with the onus placed back onto service providers to provide evidence that the person is best served by DEN.
- If it is not clear which service suits them best, self-referring jobseekers could be referred to an optional JCA assessment, to ensure they receive the most appropriate stream of assistance.
- Jobseekers who are referred through Centrelink could still attend a JCA assessment, to ensure a referral is made to the most appropriate employment assistance provider.

## **2. Under-funding of jobseekers and workers with physical disabilities**

- Using the Disability Pre-Employment Instrument (DPI) and Disability Maintenance Instrument (DMI), our service constantly struggles to get funding levels that accurately reflect the real support needs of our clients. We cannot identify any patterns to attribute this to.
- DEEWR has acknowledged that the DPI and DMI do not correctly measure the needs of people with physical or psychiatric disabilities, however no remedies have been offered to compensate service providers for this. As far as we are aware, no review is planned to further investigate the tools and their effectiveness with our client group – however, there is one underway for people with psychiatric disability.
- Whilst funding “swings and roundabouts” may apply to generalist services, as a specialist service, we are consistently struggling to meet the needs of jobseekers with physical disabilities, as a direct result of the inadequacies of the measurement tools
- The subjective (and often ambiguous) nature of many of the questions in the DPI and DMI leave service providers open to penalty from DEEWR, if questions are mis-interpreted. Alternatively, if providers err on the side of caution and only consider a narrow version of the question, they are not likely to be funded at a level which reflects the true support required by the client.
- As a real life example, we currently support a job seeker with complete quadriplegia. This man has no voluntary movement below his neck, uses a chin-control wheelchair for mobility, and needs a mouthstick to use the computer. He has very limited transferable work skills from his pre-injury work history, issues with identifying realistic work opportunities, is still learning to cope with the emotional impact of his injury, and comes from a CALD background. He requires complete assistance with all tasks of daily living, will need significant workplace modifications and the full 10 hours of Work Based Personal Assistance to commence employment. After completing his DPI assessment, this man has been funded at DPI level 2, a total of \$5093.00 for potentially 18 months of employment assistance (\$282 per month), which is substantially less than the real cost of his support needs.

### **Proposed solutions:**

- Review the current DPI and DMI assessment tools, to more accurately reflect the needs of people with physical disabilities. People with more

needs in one area (e.g. physical assistance) do not necessarily have less support requirements.

- This process must include consultation with specialist service providers, and improve inter-rater reliability measures.

### **3. System disincentives and barriers to effectively assisting Job in Jeopardy workers**

- Our service supports higher than average numbers of Job in Jeopardy (JIJ) workers. They are just as difficult to maintain in employment as new workers – the employer is often hostile or overaccommodating, and the worker has often been hiding the impact of their disability for many months or years. Patience is often wearing thin on both sides.
- Whilst current rules facilitate quick and easy access to employment programmes for people whose employment is at risk, the milestone incentives that reward services for maintaining all other new workers in their jobs are not available for JIJ workers (4, 13 or 26 week outcome payments). This does not reward good performance.
- We recognise the potential for unscrupulous service providers to under-support clients in JIJ situations, or encourage them to leave a difficult employment situation. It can make more financial sense for the unscrupulous provider to re-start the client as a new job seeker – but this is not always the best option for the client.
- Services are required to do a DMI assessment for a JIJ worker after only four weeks of support and evidence collection. For all other workers, the DMI is based on 6 months' worth of evidence and support.
- After the JIJ worker is accepted onto a DEN programme, services do not receive any payment for supporting that person until the DMI is completed. This forces services to lodge a DMI at 4 weeks, before the true picture of support requirements and employment issues emerge. If the initial DMI is inaccurate because new issues are identified, providers must wait 3 months before a reassessment is allowable. Alternatively, providers must work with the JIJ worker until sufficient evidence is collected and the DMI can be accurately completed – potentially months of unpaid assistance, which is not financially viable.

#### **Proposed solutions:**

- Offer the same 4, 13 and 26 week employment milestone payments for JIJ workers – rewarding service providers who do assist JIJ workers to successfully retain their jobs.
- Either remove DMI reassessment time restrictions, or introduce interim payments for JIJ workers. JIJ workers could have a relaxation of the 3-month period before a DMI reassessment can be lodged, or “interim payments” could be made to financially compensate service providers for up to 6 months, whilst evidence for a JIJ worker's DMI is being collected.

#### **4. Access to appropriate, valued training opportunities.**

- Employment Options works with a high proportion of people returning to the workforce after acquiring a significant disability. Many of these clients require re-skilling, and the diversity and level of training that we can support through existing DEN funding does not always match the requirements of our clients and their employers.
- As a recent example, one of our Job in Jeopardy workers with a degenerative disability lost her professional level job in a niche industry. We assisted her to source another, more supportive employer in the same industry, but they used a different computer programme to the one she was used to, and she needed to upgrade her skills prior to commencing her new job. This cost was nearly \$2,000 for a one-day workshop. The woman's medical bills and the cost of additional supports she needs prohibited her from paying the full costs, so she requested our assistance. We negotiated to pay half the course costs (\$1,000), which even at our 50% contribution, is more than 3 months' worth of the total payments we receive to support this person at her current funding level (DMI level 1). This is not a sustainable trend, but one that is increasingly common with our particular client group.
- If high-level or expensive skills training is identified as a primary requirement in the initial meeting, clients often choose to go to the Job Network rather than stay with us (despite their disability support requirements), and hope that the Job Seeker Account can be utilised to fund their training requirements.

#### **Proposed solutions:**

- Additional funding could be allocated to assist DEN providers to cover high-cost client training, on an application basis. Applications could include a justification of the request, similar to the way workplace modifications are assessed and approved through JobAccess.
- It is anticipated that demand for this would be self-limiting, as agencies would continue to fund smaller and cheaper courses through existing programme funding to avoid additional administration. However, such an option would create an opportunity for agencies to source viable and valuable training alternatives for clients, basing the choice of training on value to the client and employer, rather than what DEN service providers can afford.

## **5. Improve the links between tertiary and/or further education students, and DEN providers.**

- There are currently no incentives for DEN clients or providers to consider further or tertiary study. In fact, these clients have to be exited from DEN services once they commence study, and must have fully completed tertiary study before they can re-commence their programme. This is a major disincentive for both clients and providers.
- People with high physical support needs find it extremely difficult to complete the practical components of their tertiary or further studies. Work Placement Coordinators at universities are usually at a loss as to what to do with students with significant physical disabilities, and they are often “last on the list” to be placed, or not placed at all.
- The Work Based Personal Assistance scheme is only available to people registered with DEN services, in paid work. Some students with high physical support needs may require assistance to use the toilet or eat a meal at work, during their practical placements. Most will either try to use their existing funding package, which is often already stretched just to provide assistance to get showered, dressed and use the toilet prior to attending class; participate in their placement at a level directed by their physical support needs rather than their career aspirations (e.g a part time or shorter duration work placement, so that toileting or assistance can be managed); or not participate in work placements at all.
- This can jeopardise the completion of their study, and can minimise their chance of showcasing their skills to potential employers prior to completion of their study – a very common way for graduates without disabilities to secure work, even before finishing their course.
- Graduates with disabilities are forced further behind in the job search stakes, as they have to complete their study before they are able to effectively market themselves to potential employers.

### **Proposed solutions:**

- Make further study more attractive to people with disabilities by increasing the current Pensioner Education Supplement. If this went further towards meet the real costs of pursuing further education such as transport, books, internet access, computer setup and student fees, people may be more likely to consider further education as a viable alternative to employment.
- Provide an incentive payment to DEN providers who exit a jobseeker because the person has taken up study. This would encourage more

service providers to consider study as a viable option for people with disabilities, strengthening the relationship between employment and training for people with disabilities, and reinforcing the value of career and skill building for people who have the capacity for further study.

- Make intermittent support payments available to services who provide essential employment-related assistance while a person is studying. For example, a DEN provider could claim payments while assisting a person to locate a wheelchair accessible host employer, so they can complete their practical placement, and therefore meet their course requirements.
- If students are being supported by a DEN provider for their employment-related requirements whilst studying, amend the guidelines for WBPA to ensure that people participating in industry placements are funded for their care needs. This would enable students with high physical support needs to participate equally and promote their skills and abilities to an employer, without being restrained because of their disability related requirements.
- Allow full time University or further education students to commence with a DEN provider up to six months before the completion of their course, so that an effective service can be delivered as soon as the person has their qualification. Employers can then be contacted pre-graduation, and graduate programs investigated while they are being offered, not months after they close. This could be easily met by adding another quick link on EA3000, similar to the existing “Special School Leaver” button.

## **6. Reducing red tape and the administrative burden**

- The administrative requirements associated with delivering DEN services have risen significantly over the last few years. Our staff estimate that administration and paperwork take up nearly 50% of their time. This is having a massive impact on the time available to do our real work – supporting clients and looking for jobs.
- The costs involved with re-tendering for services is also having a significant impact. This particularly affects smaller services as we do not have the same resources at our disposal, but are expected to submit the same level of response. We estimate that tendering for the Uncapped program cost our service more than 200 hours of hands-on time alone – not to mention the lost productivity and opportunities to clients during this time. Since the introduction of the Uncapped program in July 2006 we have had a grand total of 12 clients referred to our 3 Uncapped sites – a demoralizing return on the 200 hours required to secure the project, not to mention the staffing hours required to sustain this program since our successful tender.
- The micro-management by DEEWR increases some administrative requirements unnecessarily. For example, the requirement to have an Initial EA3000 diary appointment open every 2 working days for each site (including your capped site) means that our staff have to allocate 8 hours out of every 2 working days to initial interviews. This again may be a small issue for larger services, who may even have a dedicated staff member for intake. For a service with only 5 contact staff, this is a significant proportion of down time to manage. Whilst DEEWR's response has been "if the client doesn't turn up you have nothing to worry about", the extreme number of inappropriate referrals soaks up a significant proportion of time, for no payment at all. Our Uncapped service has received more referrals for people with schizophrenia than people with physical disability – and redirecting these people to the correct service or JCA then takes additional time and resources.
- The introduction of the Star Ratings has effectively increased competition amongst DEN providers. Whilst we are not opposed to this in principle as a driver of performance, we are opposed to using Stars as a method of allocating business, especially with such little evidence as to their efficacy and accuracy. Stars do not take into account quality indicators such as client satisfaction, or meeting individual needs – the cornerstone of our program. We have serious doubts as to whether star ratings accurately reflect the performance of specialist services, despite the assurance that "regression analysis will cure all". Our concern is that services may choose

a course of action based on what's better for their Stars, rather than what is best for their client.

- Services who assist clients that do not fit the ordinary picture are disadvantaged under the Star Ratings system. Those providers who ask for help or identify issues affecting their service are penalised and put under the microscope, instead of being offered assistance. This forces providers to view the Department as the opposition, rather than an integral part of their team – and some services prefer to hide issues until they become insurmountable, rather than asking for help. Introducing benchmarking, with support mechanisms available for services that are not meeting their targets, would enhance collaboration and cooperation with the Department and other DEN services – this is certainly not happening in the current climate.
- The vast array of vital sources of information is a mine field for providers. Currently we are required to daily monitor at least 3 different websites and portals, to keep up to date with DEEWR changes – which again soaks up a significant amount of provider's time, particularly for smaller services.

Proposed solutions:

- Reduce administrative burden wherever possible and empower services to manage their own processes – for example, allowing services to open as many EA3000 diary appointments as are required to meet the needs of their clients and referral agencies.
- Roll over DEN contracts in 2009 for all services, unless there are serious management or performance issues. Tenders could be offered for new providers wishing to enter the market only.
- Keep Star Ratings as a guide to performance, for “providers eyes only”. Introducing benchmarking, and a system for technical support would increase collaboration, resource sharing and cooperation between services, and with the Department. This would result in performance increases without sacrificing service quality and ethics, and encourage providers who are struggling to identify issues early. This would be much more positive and encouraging, rather than the current system that penalises and results in sanctioning of under-performing services.
- Centralise the information points to one location, so that information is consistent, and easy to access and monitor. Email facilities to advise providers of changes to information would enhance this system and alert providers to check a bulletin or update – allowing us to constantly stay on top of changes, whilst not adversely affecting our already stretched time resources.

**Features of the current programmes and services that work well include:**

- The Workplace Modifications Scheme, administered through JobAccess. This is a fast, responsive and flexible system that has made a significant difference to people who require adaptive equipment or modifications to premises, to do their jobs effectively. More than 80% of our clients require workplace modifications, with 46 clients successfully using the system since it commenced in 2006 – a huge proportion, given that our outlet capacity is only 121. The current JobAccess system is highly valued by jobseekers, employers, and Employment Options staff, and has made a significant difference to the employability and working lives of our clients.
- Work Based Personal Assistance (WBPA) funding – although this is only used by a relatively small number of people, we are one of the highest and most frequent users of WBPA in the country. For people who require personal assistance in the workplace, this support is indispensable, and is often the “make or break” in employment, for people with very high physical support needs. The funding is sufficient, flexible and timely, for people in paid work.
- The responsiveness of DEN services in initially assisting Job in Jeopardy workers – particularly the fact that a Job Capacity Assessment is not required. This means that services can immediately start to assist a person whose job is at risk because of their disability – another factor that is essential when working with this client group, and highly valued by jobseekers and employers who have used this programme.

Once again, we extend the offer to provide further information or case studies to support our submission.

We would welcome a visit by the Minister, or any of his delegates, to discuss any or all of these issues directly with staff and clients of Employment Options and the Spinal Injuries Association.

Yours sincerely

Tania Campbell  
Coordinator – Employment Options  
A service of the Spinal Injuries Association