

National Disability Employment Strategy

**Spinal Cord Injuries Australia
Policy and Advocacy Team Submission**

May 2021

Disability Employment Policy
Department of Social Services
Via email to dep@dss.gov.au

Introduction

Spinal Cord Injuries Australia (**SCIA**) welcomes the opportunity to offer a submission to the Department of Social Services' (**DSS**) consultation on the proposed National Disability Employment Strategy (**NDES**). SCIA is committed to ensuring that the NDES advances the employment opportunities, financial security and personal independence of all people with disability in Australia. This submission reflects SCIA's vision for an Australian society that creates pathways and provides supports for all people with disability to find long-term, meaningful employment.

About Spinal Cord Injuries Australia

SCIA is a for-purpose organisation working for people living with spinal cord injury (SCI) and other physical disabilities. SCIA was founded by people with SCI over fifty years ago; people with disability make up over 25% of our staff, and the majority of our Board live with SCI. SCIA is a national, member-based organisation that serves 2,500 members made up of people living with disability, their family, carers, researchers, and other professionals in the sector.

SCIA's Social Enterprise aims to drive positive social change by creating meaningful employment opportunities for people living with physical disability. Our Social Enterprise delivers a range of commercial contracts, giving people with disability the opportunity to gain valuable work experience, in temporary, part-time or full-time employment. Past projects have covered a range of skill areas, including telephone market research, data entry, transcription services, call centre support work and document digitisation, and clients have included Government departments and private corporations.

SCIA's Policy and Advocacy Team provides individual and systemic advocacy, and supports self-advocacy. Our team aims to ensure that people living with SCI and other disabilities do not face barriers in exercising their independence and realising their human rights. Our team strives to achieve inclusivity and change for people with disability, their family members and carers.

This submission draws upon feedback from SCIA members on barriers to employment, which was a feature of a wider engagement project conducted by SCIA's Policy and Advocacy Team in 2020. It is also informed by insight from SCIA's Employment Services Team, who assist people with disability to find a job that they enjoy and develop their careers.

Executive summary and recommendations

People with disability have long encountered numerous barriers to securing long-term meaningful positions in inclusive workplaces. While numerous initiatives have been taken to improve outcomes, there has never truly been a coordinated strategy to ensure that jobseekers and employees with disability feel supported, both practically and psychosocially, throughout their employment journey. Now is the time to turn talk into reality and invest in the right supports to ensure that people with disability do not face discrimination in striving to achieve their individual career goals.

SCIA welcomes the development of the National Disability Employment Strategy (NDES) and hopes that with a robust outcomes framework, transparent reporting and outcomes measurement systems in place, it can contribute to achieving equitable inclusion in the workplace.

This submission details some of the specific issues that the NDES should further consider and other initiatives that could be implemented to achieve the Strategy's vision. In light of this, SCIA makes the following recommendations:

Recommendation 1:

The second priority area should be expanded to include people with acquired disabilities.

Recommendation 2:

A definition of 'meaningful work opportunities' should be included in the NDES.

Recommendation 3:

DSS should focus its investment and supports on establishing a positive feedback loop between building the candidate, building opportunities and building employers. All supports should be person-centred and holistically focus on the whole employment journey.

Recommendation 4:

DSS should develop an outcomes framework for the NDES and develop an information sharing strategy and regular public reporting schedule.

Recommendation 5:

The right to complain about discriminatory behaviour, abuse, neglect and exploitation should be directly included in the NDES's Improving Systems and Services priority area.

1. Facing barriers

The Consultation Paper¹ captured many of the issues that prevent people with disability from securing long-term meaningful employment and reflects many of the experiences reported by SCIA members. Some of the major issues SCIA has been concerned with relate to: poor job matching processes; attitudinal barriers and taboo surrounding disability employment; unjust onus on jobseeker with disability to develop opportunities for themselves; intersection between ageism and ableism; lack of a person-centred approach and a lack of investment in the right supports to allow people with disability to secure, meaningful long-term placements that match their skills and aspirations.

However, there are some issues that were not specifically discussed in the paper and need to be outlined to ensure that the complexities of all peoples' experiences are factored into the development of the NDES. The concerns discussed below primarily relate to feedback we heard from SCIA members in late 2020, most of whom had acquired disabilities.

1.1. Lack of the right supports along the journey

The employment journey involves many stages and the supports available to people with disability are often time-limited, inaccessible and uncoordinated rather than person-centred. We have heard that disability employment services seem focussed on collecting government payments rather than achieving the right outcomes for the employee and factoring in job satisfaction. Without the right supports early in the journey, it can be easy for people to accept a placement that does not match their goals or provide long-term security simply to avoid a demoralising job search.

There is currently insufficient access to vocational counsellors or resources to effectively assist people with disability discover job opportunities, training and educational programs or pathways to long-term employment. People with disability living in rural and remote communities face increased difficulty due to the scarcity of in-person supports.

The focus on getting people into any job, rather than the right job, reflects the fundamental flaws that exist in the current job matching process in government disability employment support services. Further, measuring the success of investment in disability employment services should not be based solely on the number of placements, but also consider whether a candidate's sense of confidence, progress toward personal career goals and skills have improved along the employment journey.

Without sustained, person-centred support throughout the employment journey, even proactive jobseekers can become demoralised, as illustrated below by two SCIA members:

"I just cannot crack it...I don't think there's anywhere that has an understanding...I've got a degree, I've just done an updated TAFE course, I'm happy to take on anything else you want me to do and I can do it now while I'm sitting here, waiting here for something to come along. But give me some direction on what I need to do to get in."

"It's really distressing that people that can't advocate for themselves and really genuinely want to get out there and work...I'd still be out of job if I wasn't working for someone I knew...See you take the scraps. But, I'm happy! When I was doing nothing, I was going mental, sitting at home, not leaving the house, so you're happy to do anything...But even then, it's difficult, it's difficult for everyone I imagine."

¹ Department of Social Services, *National Disability Employment Strategy: Consultation Paper*, April 2021.

1.2. Lack of psychosocial supports

Many people have described feeling an overwhelming sense of uncertainty adjusting to life after acquiring a disability. As one SCIA member with spinal cord injury described, they felt like **“a real big deer in the headlights”**. This uncertainty can affect a person’s confidence in their own abilities, particularly when it comes to finding a job and the barriers they encounter in job seeking:

“You do obviously lose confidence in six years doing nothing.”

“It just wears you out just applying, applying, getting nothing back. So, saying that, people just give up.”

“[Acquiring the disability] takes everything from you, so to build the confidence up again and go, ‘I am employable. I can do this. I have got a head. I have got a brain’ – but it’s just seeing that.”

Experts have agreed that people with acquired injuries should receive psychosocial rehabilitation as soon as possible after admission “to cope and adjust to life following the injury”.² Likewise, people with acquired disabilities re-entering the workforce should receive psychosocial support to strengthen their confidence as they continue their employment journey while adjusting to a new normal. Without the confidence in your own abilities and skills, the employment journey for people with disability is even more complex. Possible informal psychosocial supports, specifically mentoring and peer support, will be later discussed in Section 3.2.

1.3. Lack of opportunities at all employment levels

People who acquire a disability during their working lives face a lengthy journey back to the workplace, and for those who are older, the intersection of ableism and ageism presents a major barrier to securing meaningful employment. SCIA’s Policy and Advocacy Team’s consultation with people with spinal and neurological conditions has repeatedly illustrated the frustration people have had when they have been unable to return to their former workplace and they are forced to realign their career goals. This is particularly the case for people who previously worked in positions at mid or senior levels of management before acquiring their disability:

“I’ve found the ones that are identified as for people with disabilities in the government are generally at the lower ranks. In other words, people with disabilities, whether they’ve been acquired or congenital, they must be satisfied with just getting the crumbs that they are offered...No one must be experienced. No one must have qualifications. No one must be knowledgeable so be happy with the crumbs.”

“One of my friends said to me, ‘You know, you’re aiming too low, at receptionist jobs and entry level jobs’. And I’m like, ‘Well I can’t go much higher, I’ve got to get in somehow’. I don’t know what to do, I really don’t.”

These experiences are supported by findings from the Australian Human Rights Commission³ and reflect the need to ensure that people with disability have access to targeted opportunities at all levels of employment across industries.

1.4. Lack of leadership from government

The launch of the Australian Public Service (APS) Disability Employment Strategy 2020-2025⁴ is a welcome development and SCIA looks forward to public reporting on its implementation and progress towards its 7% target. However, we would like to reiterate that the government should lead by

² Agency for Clinical Innovation, ‘Evidence and utilisation of spinal cord injury services in NSW’, NSW State Spinal Cord Injury Service, August 2020, p. 4.

³ See Australian Human Rights Commission, *Willing to Work: National Inquiry into Employment Discrimination Against Older Australians and Australians with Disability*, 2016, chp. 4.

⁴ Australian Government, *Australian Public Service Disability Employment Strategy 2020-2025*, 2020.

example and the focus should be on successful implementation of the APS Strategy and achieving meaningful outcomes.

Some SCIA members have reported scepticism about disability employment in the APS. Many have called for the reintroduction of firm quotas for people with disability and were disparaging about diluting quotas through expanding targeted positions to carers or family members of a person with disability. While it unknown exactly how different agencies currently substantiate self-reported disability status in their HR systems, it is important to note that transparency is key to improving disability representation across the APS.

Beyond focussing on representation figures, government agencies should focus on adopting assertive inclusive hiring policies and coordinating with disability employment advisors and other strategies to achieve the outcomes outlined in the APS Strategy. Additionally, a positive feedback loop that allows people to feel comfortable in disclosing their disability status in the hiring process should be encouraged in non-targeted positions.

1.5. Lack of supports for self-employment and entrepreneurship

Under United Nations' Convention on the Rights of Persons with Disabilities (**CRPD**), States parties are bound "to promote opportunities for self-employment, entrepreneurship, the development of cooperatives and starting one's own business".⁵ This area is presently not covered by the NDES, but it must be included considering that the proportion of people with disability that are self-employed (13%) is higher than the self-employed population of people without disability (10%).⁶

Entrepreneurship is another pathway open to people with disability to achieve their career aspirations and gain personal financial security, but there needs to be greater awareness of the viability of this pathway.⁷ However, entrepreneurs with mobility impairments currently face "a series of interlocking structural barriers to the accessibility to facilities, transport and the business environment generally, including a lack of access to business networking, and networking with other entrepreneurs with disability".⁸

The NDES should acknowledge the need to support people with disability who seek to become entrepreneurs or self-employed and the specific barriers facing this cohort.

2. The NDES – vision and priority areas

The vision and priority areas in the proposed NDES are generally appropriate and succinctly reflects the basis of the CRPD.

However, the vision and priority areas are presently missing an aspect of the employment journey that affects *all* jobseekers and employees with disability. The second priority area, building employment skills, experience and confidence of young people with disability, should be expanded to include people with acquired disabilities. Many of the issues young people with disability face in

⁵ United Nations, *Convention on the Rights of Persons with Disabilities*, art. 27(f).

⁶ Australian Bureau of Statistics, *Disability and Labour Force Participation*, 2012, <http://www.abs.gov.au/ausstats/abs@.nsf/mf/4433.0.55.006>.

⁷ Maritz, A. and R. Laferriere, 'Entrepreneurship and self-employment for people with disabilities' *Australian Journal of Career Development*, 2016, vol. 25(1), p. 51.

⁸ Darcy, S., Collins, J. and M. Stronach, 'Australia's Disability Entrepreneurial Ecosystem: Experiences of People with Disability with microenterprises, self-employment and entrepreneurship', University of Technology Sydney, 2020, p. 2.

entering the workforce are similarly felt by people with acquired disabilities who have had gaps in employment due to periods of rehabilitation. For some people, re-entering the workforce requires training in new skills or setting new career development goals. Though, most significantly it requires psychosocial supports to build confidence in navigating processes that may be more uncertain in light of the barriers all people with disability face in the employment journey.

Additionally, the use of the term ‘meaningful work opportunities’ should be precisely defined somewhere in the NDES. This definition should encapsulate the need for opportunities to include long-term financially secure positions and positions that match a jobseekers’ skills and aspirations. Without a definition, it is easy for this vision to lack substance in implementation and setting of outcomes.

Recommendation 1: The second priority area should be expanded to include people with acquired disabilities.

Recommendation 2: A definition of ‘meaningful work opportunities’ should be included in the NDES.

3. Actions and initiatives

To truly achieve the vision outlined in the NDES it is necessary to adopt a coordinated approach that focuses on:

1. *Building the candidate,*
2. *Building opportunities, and*
3. *Building employers.*

Research has shown that a combination of empowerment strategies and intervention supports will sustain this process.⁹ Studies have also shown that investment needs to build upon different strengths of people with disability: “innovative problem-solving skills, flexibility, tenacity, sense of humour, preparedness to seek assistance, grace under pressure, and creativity. Moreover, their determination to succeed and their willingness to take risk was itself a product of their experiences as a [person with disability]”.¹⁰

There needs to be a paradigm shift in the way government investment and supports ‘empower’ jobseekers and employees with disabilities, rather than provide singular, time-limited supports that concentrates on securing one placement. This requires a focus on providing long-term, sustainable supports that provide stability throughout the employment journey. These supports must build capacity, match people with the right job and instigate operational changes across organisations to ensure employers recognise the inherent benefits of employing people with disability.¹¹

This section will detail the elements necessary for a coordinated approach to successfully achieve the outcomes outlined in the NDES’s vision and priority areas and reflect the rights protected under Article 27 of the CRPD.

⁹ Monash University, *Employee Awareness and Empowerment Strategies: The Collaborative Partnership to Improve Work Participation*, December 2019, p. 3.

¹⁰ Darcy, S., Collins, J. and M. Stronach, ‘Australia’s Disability Entrepreneurial Ecosystem: Experiences of People with Disability with microenterprises, self-employment and entrepreneurship’, University of Technology Sydney, 2020, p. vi.

¹¹ Accenture, Disability:IN and The American Association of People with Disabilities, *Getting to Equal: The Disability Inclusion Advantage*, 2018, pp. 12-14; Deloitte Access Economics, ‘The economic benefits of increasing employment for people with disability’, Australian Network on Disability, August 2011, p. 22.

3.1. Whole of journey supports

Throughout SCIA's consultation with members, it was consistently reported that having a single point of contact that goes with a jobseeker on the journey of finding an appropriate job, flourishing in a new position and liaising with employers would be the most beneficial support:

"Someone that could be the hub for disability work, that have all the skills and acumen to place people and the employers will be looking in there."

"Have a one-on-one, so then that person or that advocate could come back to whoever and say, 'I've got this brilliant person'."

"I really feel that there should be a company or somebody that can perhaps be an advocate for people coming back to work or starting work for people with disabilities."

Evidence also supports this approach. Monash University's research has shown that placement supports, goal setting, person-centred planning, tools (include resume writing and interview skills) and ongoing support from a case manager or employment advisor or coordinator, has an evidential basis and support from employees and employers.¹²

3.2. Building the candidate

From the beginning of the employment journey, it is vital for a person with disability to feel personally and practically supported, drawing on their existing support system¹³ as well as engaging an expert employment advisor with specific expertise in the disability employment pathway.

Employment advisors or case managers should adopt a person-centred approach, focussing on empathy and understanding of the person in front of them and working with their support persons to best appreciate their situation. Advisors should consider the person's existing skills, abilities and current supports¹⁴ before brainstorming interests and career goals in a structure pre-employment planning process.¹⁵ This will provide a roadmap to map the right pathways, identify relevant education and vocational training programs, find gaps in the market to discover new opportunities and other supports to focus on.

Ideally, case managers and advisors should have lived experience of disability or be able to refer jobseekers with disability to others with lived experience who can act as mentors or provide peer support. SCIA have already relied on informal mentoring relationships to support both their employment journey as well as their overall wellbeing in their rehabilitation process, which are both so closely interlinked:

"I've got a couple of dudes that I look to for advice, they've been in the chair longer. I mean every injury, every person's injuries are all different...I think it's mentors [that] are the [key] people. Not everyone is cut

¹² Monash University, *Employee Awareness and Empowerment Strategies: The Collaborative Partnership to Improve Work Participation*, December 2019, pp. 13-14, 15-18.

¹³ Darcy, S., Collins, J. and M. Stronach, 'Australia's Disability Entrepreneurial Ecosystem: Experiences of People with Disability with microenterprises, self-employment and entrepreneurship', University of Technology Sydney, 2020, p. vi.

¹⁴ Monash University, *Employee Awareness and Empowerment Strategies: The Collaborative Partnership to Improve Work Participation*, December 2019, p. 22; Petner-Arrey, J., Howell-Moneta, A. and R. Lysaght, 'Facilitating employment opportunities for adults with intellectual and development disability through parents and social network' *Disability and Rehabilitation*, 2012, p. 5.

¹⁵ D. Lavin, 'Employment Opportunities in the Community' in *Handbook on Community Living and Employment* by the Institute on Community Integration and Life Route Foundation, Minneapolis, University of Minnesota, 2019, p. 107.

out to be a mentor and not everyone should be a mentor...I think a good, strong character mentor is good, because they give you guidance on life in general, not just employment."

The focus in building the candidate should be twofold. First, there needs to be an early focus on building solid mental health foundations to build a candidate's positive thinking. SCIA's research has shown that many people with disability, especially those who have acquired traumatic injuries fail to return to the labour market post injury, often due to a lack of belief, motivation or drive to seek work. Second, the candidate should be supported to become equipped with other skills associated with the job search, such as resume writing and job interviewing approaches. Also, candidates need to build on and develop knowledge or skills specific to the industry in which their career goals align.

While there are several courses, certificates and programs available to people with disability, there needs to be a coordinated plan that ensures that these educational and vocational pathways match and contribute to building a candidate suitable for positions to which they personally aspire. Again, this requires guidance from advisors and case managers in identifying the most appropriate pathways to develop skills and knowledge.

3.3. Building opportunities

A central critique from many people when discussing the job search has been a lack of opportunities across a competitive market, that has been further complicated by the economic impact of the COVID-19 pandemic. However, even prior to the pandemic, many SCIA members had reported that they had found significant pitfalls in the job search and job-matching process when they received support through the Disability Employment Service (DES). People were offered opportunities to apply for jobs sporadically and in some cases were encouraged to apply, despite being ineligible based on the criteria in the advertisement. Again, the focus needs to be holistic – understanding a person's skills and goals from the outset and mapping out possible pathways to find and secure appropriate positions. For people with acquired disability, employment supports should be implemented early and be time sensitive and take account of the person's rehabilitation journey.¹⁶

Employer advisors and case managers should also actively discover the mission, goals and hiring needs of local employers, or employers willing to make flexible workplace arrangements.¹⁷ Fostering a 'demand-side' approach among case managers and employment advisors will ensure that new opportunities are created beyond those publicly advertised and with employers who may be inexperienced hiring employees with disability. This assertive outreach approach will also assist in ensuring that jobseekers find opportunities that align with their goals and that may be outside of disability-targeted positions.

For both people entering the workforce for the first time and those re-entering after acquiring a disability, there should be several entry points and pathways to securing a position and businesses should be actively encouraged to establish these.¹⁸ These bridging opportunities should be targeted to people with disability and built around the candidate's existing skills and career goals. They could include internships, work experience and cadetship programs and run in parallel with education and vocational training courses. This approach is coordinated and consistent allowing for on-the-job training as well as supplementary education to build opportunities following the conclusion of short-term placements. These bridging opportunities also provide an important window to develop

¹⁶ Holmlund, L., Guidetti, S. Eriksson, G. and E. Asaba, 'Return-to-work: Exploring professionals' experiences of support for persons with spinal cord injury', *Scandinavian Journal of Occupational Therapy*, 2020, p. 7.

¹⁷ Henry, A., Petkauskos, K., Stanislawzyk, J. and J. Vogt, 'Employer-recommended strategies to increase opportunities for people with disability', *Journal of Vocational Rehabilitation*, 2014, vol. 41, p. 244.

¹⁸ Business Council of Australia, 'Business and the Employment of People with Disability', October 2015, p. 28.

jobseekers' confidence and agency within the workplace. Government should invest in these bridging opportunities and seek to forge partnerships with organisations outside of the current list of DES providers and host workplaces from the National Work Experience Programme.

Also, one of the learnings from the COVID-19 pandemic has been the possibilities for more Australian employees to work from home and utilise ICT innovatively to make alternative workplace arrangements.¹⁹ This has particular benefits for particular cohorts, including people with disability living in remote and rural areas. Additionally, as the market changes there are other opportunities to build candidates to operate in the gig economy if it aligns with their career aspirations or other emerging, innovative positions. There are more and more future opportunities to explore and DSS should endeavour to find innovative supports that could empower jobseekers and employees with disability to thrive as the market changes in coming years.

3.4. Building the employer

“From an employment perspective, for a lot of people, when...employers, when you say a person with a disability, I never identify myself at all as a person with a disability. In my resume I tried to in fact take out all the references that could be perceived as a person with a disability. But when there's a big gap of nearly two years, and that's taking up the time that I acquired my spinal injury to the time I'm ready to go back to work—that's a big gap and employers don't like that gap.”

Many people with acquired disabilities have felt particularly disadvantaged when attempting to re-enter the workforce due to attitudinal and operational barriers they encounter with former and new employers. Again, the most effective pathway to build employers' empathy and practical understanding and break the taboo surrounding disability employment is to invest in the relationship between employee and employer on the frontline.

Research has shown that employers generally lack awareness and understanding of people with disability's suitability for work, integration and inclusion policies, accessibility needs and WH&S implications.²⁰ This research has also shown that employers demand practical supports and information to 'operationalise' employing a person with disability.²¹

Employers should have access to materials that illustrate best practice examples of inclusive hiring, procurement policies and the appropriate complaint mechanisms to have in place to ensure that employees with disabilities feel secure in their workplace. These materials should be widely available and accessible to employment advisors to use as a tool if employers request further education on fostering a disability-inclusive environment in their organisation. Further, employers should be provided in plain English language the external available supports that their employee or workplace may benefit from. The research has also shown a preference for tailored advice and information when employing people with different types of disability in different types of organisations.²²

Case managers and advisors can act as the liaison between employee and employer and provide information or referrals to appropriate stakeholders to provide additional interventions along the

¹⁹ This is further supported by research: Deloitte Australia, 'It's (almost) all about me: Workplace 2030 Built for us', July 2013 p. 17. See also L. Sayce, *Getting in, staying in and getting on: Disability employment support fit for the future*, UK Department for Work and Pensions, June 2011, pp. 11-12.

²⁰ Kantar Public, 'Building Employer Demand: Research Report', Commissioned by the Australian Government Department of Social Services, October 2017, p. 22.

²¹ Ibid, p. 34.

²² Ibid, p. 35.

employment journey, including external developing employer networks.²³ They could also provide referrals to access consultants or other experts who can assist employers improve physical and communications accessibility in the workplace.

Effecting systems change and breaking the taboo of disability employment across all stakeholders is the ultimate goal to realise universal inclusion. However, this can only be achieved by establishing a positive feedback loop, whereby individual employers recognise the benefits of employing people with disability, instigate operational change to enable others with disability to join their work environment and create wider acknowledgement across industries of the inclusive policies and practices. With this in mind, while interventions such as employer forums, staff training and education campaigns will be important supports to integrate into a multifaceted strategy,²⁴ the short-term focus should be on driving understanding and learnings on the frontline with employers.

3.5. Post-placement supports

The significance of whole of journey supports has already been detailed. This is particularly evident when mapping the post-placement support program, which requires long-term investment for *at least 12 months* with regular check-ins. Case managers or employment advisors should be in constant dialogue with the employee with disability, the employer and other support persons.

SCIA has heard anecdotes from members of employers failing to make reasonable adjustments after they commenced their placement, even when they had disclosed their disability status. Employers must be made aware of current government programs that fund adjustments such as Job Access.

Check-ins should be regular and reasonable adjustments made swiftly when needed. Outcomes should be assessed semi-regularly and rely on input from the employee, employer and employment advisor. An assessment should account for measures of job satisfaction, confidence, skills and knowledge and progress toward personal career goals.

Recommendation 3: DSS should focus its investment and supports on establishing a positive feedback loop between building the candidate, building opportunities and building employers. All supports should be person-centred and holistically focus on the whole employment journey.

4. Reporting, monitoring and measurement of outcomes

Regular public reporting of measurement of outcomes and internal monitoring are fundamental aspects that will drive the long-term success of the NDES. Transparency and a willingness to engage jobseekers and employees with disabilities will ensure that gaps in the NDES can be swiftly addressed and new initiatives introduced. Measurement of success should include a range of indicators, including, but not limited to:

- Representation of employees with disability in the labour force (and if available data on intersectional factors including age, gender and identification as CALD or ATSI etc.) as well as breakdowns of representation across different industries and levels of employment;
- Job satisfaction rates among employees with disability;
- Length of employment with a single employer among employees with disability;
- Increased support for disability employment advisors who match jobseekers with employers;

²³ Australian Human Rights Commission, *Willing to Work: National Inquiry into Employment Discrimination Against Older Australians and Australians with Disability*, 2016, p. 294.

²⁴ Monash University, *Employee Awareness and Empowerment Strategies: The Collaborative Partnership to Improve Work Participation*, December 2019, p. 23.

- Adoption of inclusive hiring and procurement policies and practices by employers;
- Number of targeted work experience or internships available to people with disability;
- Enrolment in vocation-specific education courses;
- Uptake of person-centred government disability employment services for people with disability;
- Satisfaction with government disability employment support services and programs; and
- Success of the school to work pathway.

This will require a coordinated information sharing strategy that involves multiple stakeholders that should be outlined and included in the NDES. Further, reporting and monitoring of the NDES should be conducted in collaboration with requirements under the next National Disability Strategy (NDS).

At present the NDES lacks a set of measurable outcomes. An outcomes framework specific to the NDES should be developed to provide ongoing insight into its progress toward its outcomes. It should include quantitative and qualitative data and directly engage with stakeholders directly or via advisory groups. Ultimately, as one SCIA member described it, success is measured by:

“Hard figures. Hard figures at every level.”

Recommendation 4: DSS should develop an outcomes framework for the NDES and develop an information sharing strategy and regular public reporting schedule.

5. Accountability

One other aspect of the employment journey that should be discussed is the need for more effective complaints mechanisms. These mechanisms should ensure that jobseekers and employees with disability feel empowered to make complaints regarding discriminatory behaviour or of violence, abuse, neglect and exploitation from employers and colleagues.²⁵ At present, organisations’ internal complaints mechanisms are inconsistent, ineffective or unclear and legislative complaints mechanisms may be individually or systemically ineffective or costly (if it proceeds to the Federal Court).²⁶

People with disability who wish to make complaints should be supported by disability advocates to make complaints and, as already recommended in Section 3.4, employers should be encouraged to adopt a best practice internal robust complaints mechanism that refers to external complaints pathways if necessary. Rights of complaint should be included in the NDES as a necessary protection to ensure people with disability are empowered on their employment journey.

Recommendation 5: The right to complain about discriminatory behaviour, abuse, neglect and exploitation should be directly included in the NDES’s Improving Systems and Services priority area.

Conclusion

The launch of the NDES is a promising prospect for all people with disability aspiring to reach their career goals now and in the future. However, as this submission has outlined, there needs to be robust outcomes framework and coordinated, multi-faceted approach to removing barriers to people with disability securing sustainable, meaningful positions in the workforce or embarking on their own

²⁵ Discrimination is strictly prohibited under Article 27(a) of the CRPD and in Section 15 of the *Disability Discrimination Act 1992* (Cth).

²⁶ Disability Royal Commission into Violence, Abuse, Neglect and Exploitation of People with Disability, *Overview of responses to the Employment Issues paper*, March 2021, p. 12.

entrepreneurial endeavours. This requires significant and substantive investment²⁷ in the right supports that focus on the person and all stages of their employment journey.

If the Department requires further information or has any queries about the content of this submission, please do not hesitate to contact SCIA.

Kind regards,

Megan Bingham

Policy and Advocacy Officer

Spinal Cord Injuries Australia

mbingham@scia.org.au

(02) 9063 4540

²⁷ Schneider, J. A. and C. Sherlock, 'Transforming Disability Employment Agency Strategies for the 21st Century', TechnoMetrica and Chrysallis Collaborations, November 2017, p. 13.