



*The Government's Response*

*to the*

*Senate Standing Committee on Community Affairs Report*

*Employment of People with Disabilities*

## GLOSSARY

ABS	Australian Bureau of Statistics
ALGA	Australian Local Government Association
ACER	Australian Council on Education and Research
ADEC	Action on Disability within Ethnic Communities
AEC	Australian Education Council
APS	Australian Public Service
AST	Administrative Service Test
ATSI	Aboriginal and Torres Strait Islander
CES	Commonwealth Employment Service
CETP	Competitive Employment, Training and Placement
CRS	Commonwealth Rehabilitation Service
CSDA	Commonwealth State Disability Agreement
DAS	Department of Administrative Services
DASU	Disability Access Support Unit
DAWS	Disabled Apprentice Wage Subsidy
DEET	Department of Employment, Education and Training
DHHCS	Department of Health, Housing and Community Services
DJA	Disability Jobseeker Advisor
DRP	Disability Reform Package
DSA	Disability Services Act
DSO	Disability Support Officer
DSP	Disability Services Program
DSP	Disability Support Pension
DSS	Department of Social Security
DTF	Disability Task Force
ECC	Ethnic Communities Council
EEO	Equal Employment Opportunity

EIP Evaluations and Investigations Program  
FAS Family Assistance Supplement  
FTA Formal Training Allowance  
GBE Government Business Enterprise  
HEEP Higher Education Equity Program  
IDAP Intellectual Disability Access Program  
IC Industry Commission  
ILT Independent Living Training  
ISJ Individually Supported Jobs  
LCNSW Labor Council of New South Wales  
LHMU Liquor, Hospitality and Miscellaneous Workers Union  
MALSSA Multicultural Advocacy and Liaison Service of South Australia  
NESB Non-English Speaking Background  
NTAU National Technical Assistance Unit  
PADP Program of Aids for Disabled People  
PHB Pensioner Health Benefit  
PSC Public Service Commission  
RARUA Rural and Remote Areas Unit  
SDA Sex Discrimination Act  
SE Supported Employment  
TOCC TAFE Operations and Co-ordination Committee  
VEETAC Vocational Education, Employment and Training  
VTHC Victorian Trades Hall Council  
WBPA Work Based Personal Assistance  
WHO World Health Organisation  
WST Wholesale Sales Tax

## OVERVIEW

### The Environment of Change

The Government welcomes the wide ranging report of the Senate Standing Committee on Employment of People with Disabilities and commends the Committee members and staff for the extensive investigation undertaken to produce this useful report. The Committee has made a thorough investigation of all the issues surrounding the employment of people with a disability by taking evidence and receiving submissions from an extensive range of organisations and individuals with an interest in or an involvement with the welfare of people with a disability. The views outlined in the report reveal a wide range of opinions amongst the various interest groups about the future development of services for people with a disability.

The Committee's investigations were undertaken at the same time as the Government was developing, as part of its Social Justice Strategy, a broad framework of policy change designed to expand the opportunities available to people with a disability and to enhance their participation in the wider community. Much of the broad thrust of the Committee's recommendations is embodied in the changes already brought about or in progress. These changes have been supported by a significant increase in funds spent on disability services. Under the Disability Services Program, for example, there has been a real increase of over 60% in Federal spending since 1983.

Much change has taken place since the introduction in 1986 of the Disability Services Act (DSA), which heralded a new era in the provision of services for people with a disability. In its report, the Committee expressed its support for the Act and the associated Principles and Objectives and reported wholehearted support for the Principles and Objectives from most quarters. The Government welcomes this endorsement of the fundamental aims of its legislation - to provide people with a disability with increased opportunities for developing their capabilities and independence and for greater participation in the wider community.

The spirit of change embodied by the DSA has been further enhanced by the Government through its Disability Reform Package (DRP), developed in the latter part of the 1980s and implemented from November 1991. This package brought about a fundamental reform of income support and related programs for people with a disability designed to address the labour market disadvantages experienced by them and to enable them to contribute to their full potential. The underlying rationale for the reforms is to provide adequate forms of assistance for those who are unable to compete in the open labour market because of their disability or illness while at the same time providing opportunities and encouragement for those who have potential for employment, either on a full or part-time basis.

These reforms have been supported by a significant increase in resources to those Departments involved in the implementation of the DRP. Within the Health, Housing and Community Services portfolio, funding for Disability Programs will be increased by \$172 million by 1993-94. This includes a total of 9,700 new places a year in employment and rehabilitation services at a cost of some \$100 million. From 1992-93, additional funding allocated to the Department of Employment, Education and Training to enable it to play its part in the implementation of the DRP amounts to some \$33 million per annum. This allocation covers additional staff resources in the Commonwealth Employment Service network as well as provision of about 9300 additional labour market program places for people with a disability.

The Australian Government has demonstrated its commitment to the welfare of people with a disability by its participation in the United Nations Working Group on Standard Rules on the Equalisation of Opportunities for Persons with Disabilities. Australia is playing a leading role in the development of these rules and has contributed \$US100,000 to facilitate the work of the group. On behalf of the Australian Delegation, the Office of Disability is consulting extensively with peak disability consumer and service provider bodies, the Australian Council of Trade Unions, the Australian Chamber of Commerce and Industry and Commonwealth and State Departments to develop Australia's comments.

Australia is already in the process of putting in place legislation designed to guarantee the rights of people with a disability and to ensure that opportunities available to the wider community are not denied to people with a disability. The Disability Discrimination Bill 1992 was introduced into the House of Representatives on 26 May 1992. After some amendments, the Bill passed through the House on 19 August 1992, and will be considered in the Senate during the current session of Parliament. The Bill is complaints-based and aims to encourage resolution through conciliation while at the same time promoting attitudinal change.

The Government is also acting to ensure that service provision for people with a disability is administered on a more rational basis. Negotiation of the Commonwealth State Disability Agreement (CSDA) has removed much of the complexity, overlap, duplication and gaps in the provision of services. Under the CSDA, the States and Territories made a commitment to pass legislation which mirrors the DSA. This ensures that all services supported by government funding at all levels will soon be in operation with principles and guidelines similar to the DSA.

The Senate Committee's report made many recommendations on a broad range of issues impacting on the employment of people with a disability and reflects a constructive approach to this complex area. It has provided a stimulus to the Government's on-going program of reform of provisions for people with a disability.

The program of reform will be carefully monitored and evaluated both in terms of the broad strategy and by careful assessment of the individual components of the strategy. This process of evaluation will be supported by a package of surveys designed to measure the effects of the DRP on people with a disability themselves, service providers, employers, unions, welfare groups and the broader community. Data will also be drawn from a Survey of Disabled and Aged Persons to be conducted by the Australian Bureau of Statistics in 1993. This will update information last collected in a similar survey in 1988 and will be a valuable tool in assessing the changing needs and experiences of people with a disability.

#### Government Activity in Response to Recommendations

The main portfolios affected by the recommendations are Health, Housing and Community Services; Employment, Education and Training; and Social Security. Other agencies affected by recommendations include the Public Service Commission, the Australian Bureau of Statistics and the Treasury. An analysis of the Committee's report has been made on the Government's behalf by officials drawn from an Interdepartmental Committee, the Disability Task Force, which has a long history of involvement in the reform of provisions for people with a disability. Its membership includes representatives from all major areas affected by the recommendations.

The key recommendations in the Committee's report relate directly to employment issues such as improved access to employment, availability of part-time employment options, employment in the Australian Public Service (APS), occupational health and safety standards and local employment options. Most of these recommendations reflect initiatives which are already part of the Government's employment strategy for people with a disability. This response gives details of the measures the Government has taken to enhance the employment prospects of people with a disability through the removal of barriers to access to education and training, most recently through the DRP. Programs are also outlined which assist people with a disability to obtain employment and which provide the services needed to support them in a job.

The employment of people with a disability in the Australian Public Service (APS), must be viewed in the context of continuing major structural changes, especially in major recruiting agencies and changes in recruitment patterns. There has been reduction in numbers of base-grade appointments, from 6305 in 1988-89, to 4597 in 1990-91 (-27%) while at the same time appointments above base grade have increased.

Wage arrangements for people with a disability will be further developed to improve their employment prospects in the open labour market. Consultations will be held with interested peak bodies on all elements of the proposed new wages system to ensure that, when implemented, it has the agreement of all parties.

With regard to recommendations on anti-discrimination legislation and equal employment opportunity activities, the response outlines a range of measures designed to decrease discrimination

and information strategies to improve understanding of the potential of people with a disability as members of the workforce. The response also gives details of existing Government strategies and new measures proposed to improve the access to services and the quality of services for groups identified as having a double disadvantage, ie. Aboriginal people and Torres Strait Islanders, people of non-English speaking background, women and those facing age discrimination.

The Committee recommended improved monitoring, accountability and evaluation of employment services provided for people with a disability. The response stresses the importance the Government places on these issues and gives details of past and future measures in this area. However, the Government does have some reservations about the level of detail the Committee suggests should be collected on individual clients. Issues of privacy and response burden for people with a disability, and the considerable demands already made on service providers to provide information to the Government, are also important considerations in this context and need to be balanced with accountability and efficiency requirements.

In response to the Committee's recommendations on statistical matters, measures already in place in the Australian Bureau of Statistics are detailed. Strategies being developed to improve statistical collections, increase standardisation and enhance liaison and information sharing between interested agencies are outlined.

Many of the Committee's recommendations in relation to income support have been overtaken by structural changes made through the DRP and others will be addressed directly or indirectly by initiatives announced in the Budget. These are outlined in the response.

Recommendations involving other levels of government, for example, on schools, TAFE issues, housing and transport will be taken up through existing and newly established inter-governmental forums.

Responses to individual recommendations are detailed in the following pages.

## RESPONSE TO RECOMMENDATIONS

### RECOMMENDATIONS

#### CHAPTER 1

##### The Committee RECOMMENDS:

1. That standard definitions and measurement of disability are used by all relevant departments and by the Australian Bureau of Statistics.
2. That all Commonwealth departments involved in the provision of services and programs for people with disabilities use the same terminology and work from the same definitions of disability.

The following paragraphs provide a response to both Recommendation 1 and Recommendation 2.

The Government recognises the need to achieve greater standardisation of the definitions, measurements and terminology associated with disability used by the Australian Bureau of Statistics (ABS) and other Commonwealth Departments.

The ABS has adopted for its surveys a definition of disability that is based on the International Classification of Impairments, Disabilities and Handicaps, published by the World Health Organisation (WHO), Geneva 1980. Departments responsible for the operation of programs for people with a disability adopt the same definition as a conceptual starting point for the development of eligibility criteria for provision of services to people with a disability.

In its application of the WHO definition of disability in household surveys, the ABS relies upon self identification of disability in response to questions asked by an ABS interviewer. The methodology for identifying disabled persons is conceptually based on the WHO definition and is determined in consultation with the major government and non-government agencies who are users of ABS statistics about disabilities, e.g. for needs based planning. The ABS methodology does not encompass medical assessments or other physical tests, which may be used by departments assessing eligibility for particular programs. Nevertheless, through a process of consultation the ABS seeks to approach as closely as possible the eligibility concepts applied by departments in program delivery, to make the resultant data as relevant as possible for needs based planning and program evaluation. The next ABS survey to obtain information about disability is the Survey of Disabled and Aged Persons to be undertaken early in 1993.



It must also be recognised that the requirements of program administration will dictate differences in the manner in which disability is described or defined. As an example, the Disability Discrimination Legislation Bill 1992 has a very broad definition of disability. This definition is used so that any person who is disadvantaged on the basis of any disability may lodge a complaint. Clearly, however, not all of those covered by the definition in that legislation will be, for example, in need of a Disability Support Pension under the Social Security Act.

Other factors such as the objectives of the particular program for which eligibility determination is required and the nature of services delivered through the program, will also impact on the operationalisation of the concept of disability within the eligibility criteria. Client data therefore depends upon the eligibility tests that apply to the individual program so that the concept of disability which is evident in client data will vary considerably in scope between programs. In some cases, arrangements exist between agencies operating different programs to facilitate referral of eligible clients for appropriate services. An example is the arrangement for joint panels involving Department of Social Security (DSS), Commonwealth Rehabilitation Service (CRS) and Commonwealth Employment Service (CES) officers to facilitate referral of Disability Support Pensioners and others to rehabilitation and training programs.

3. That the Australian Bureau of Statistics should be responsible for establishing a methodological framework for the collection of data for all departments involved in providing or funding services used by people with disabilities.

Under the Australian Bureau of Statistics Act 1975 Part ii 6. (1), the ABS has an obligation:

- (c) "...to ensure co-ordination of the operation of official bodies in the collection, compilation and dissemination of statistics and related information, with particular regard to:
  - (i) the avoidance of duplication in the collection by official bodies of information for statistical purposes;
  - (ii) the attainment of compatibility between, and the integration of, statistics compiled by official bodies;
  - (iii) the maximum possible utilisation, for statistical purposes of information, and means of collection of information, available to official bodies.
- (d) to formulate, and ensure compliance with, standards for the carrying out by official bodies of operations for statistical purposes;
- (e) to provide advice and assistance to official bodies in relation to statistics."

The ABS has in place a methodological framework for the collection of data in its surveys of persons with one or more disability and older persons. This framework was developed after extensive consultation with major Commonwealth departments, State bodies and relevant non-government organisations. The consultation process was repeated and reviewed for each survey, including the current survey being developed.

4. That all departments which provide or fund programs utilised by people with disabilities establish minimum data collection standards and ensure that information on people with disabilities is sufficiently comprehensive to demonstrate whether generic or specialist programs are more able to meet their needs.

The Government recognises that data collected on people with a disability who access support services funded under government programs needs to be more comprehensive. Mechanisms for the regular collection of information about people accessing funded services across the Commonwealth and States are currently under investigation. Discussions are under way with the Australian Institute of Health and Welfare, with a view to identifying the most appropriate mechanism for collecting and maintaining national data.

Ideally data collected on people with a disability should be able to indicate whether generic or specialist programs are the most appropriate. In practice it can be difficult to distinguish between generic and specialist service needs. The Disability Reform Package (DRP) is facilitating this process in respect of labour market assistance. Under the new DRP arrangements, applicants for a Disability Support Pension are invited to be interviewed by a panel, comprising Disability Support Officers from the Department of Social Security (DSS), Disability Jobseeker Advisors from the Department of Employment, Education and Training (DEET) and officers from the Commonwealth Rehabilitation Service (CRS), to develop an activity plan covering both generic or specialised labour market services. DEET, CRS or Disability Services Program funded services are then in a position to deliver those specific or generic services.

To collect comprehensive information on people with a disability the Disability Services Program (DSP) has conducted two censuses - in 1986 and 1991 - of people with a disability within its funded services. Neither has provided as comprehensive a dataset on people who access these services as was hoped, largely due to differences in interpretation of data and definitional inconsistencies.

Within the Health, Housing and Community Services portfolio, some progress is being made in standardisation to better assess the needs of individuals. A national uniform assessment instrument, to determine support needs of people using services funded by the DSP, is being developed and trialled and will be ready for national implementation by March 1993. This instrument will provide for consistent methods of assessment and measurement of level of support needs of people with a disability. It will also assist as a gatekeeping tool for DSP services and will be

co-ordinated with assessments undertaken in the context of the DRP.

A needs-based planning statistical model for the DSP has also been developed which provides quantitative information on the demand for, and supply of, services for people with a disability. This model draws upon data available from some relevant Commonwealth Departments, but it will need refining over time.

Within the Employment, Education and Training portfolio, the Statistical Co-ordination Committee, in co-operation with the Australian Education Council (AEC) and Vocational Education, Employment and Training Advisory Council, is working on a project which is intended to bring about an increase in the uniformity and comprehensiveness of statistics on schools, TAFE, higher education and private providers of recognised education and training.

The AEC is an inter-governmental forum comprising the Commonwealth, State and Territory Education Ministers. It is used to handle policy matters which are perceived as requiring uniformity of solutions across the country and/or co-ordination of policy on service provision or resource allocation between the two levels of government.

The data, when the range of statistics is agreed upon by the relevant agencies in all States and Territories, are expected to rationalise the policy planning and implementation processes in relation to education and training, thus leading to superior client outcomes in terms of the efficiency and effectiveness of programs and enhanced equity of access to them.

To date the Commonwealth has refrained from taking a too prescriptive approach to the definition of disadvantaged groups in terms of higher education institutions. However a number of institutions have been seeking guidance from the Commonwealth on this issue, and the Department of Employment, Education and Training (DEET) has recently provided definitions on all disadvantaged categories in a bid for uniformity and standardisation. Under present arrangements the Commonwealth does not require institutions to provide information by category of disadvantage. However, since this information is useful to institutions for their own planning purposes, some have incorporated into their equity plans strategies to collect more information about members of disadvantaged groups.

5. That the Department of Health, Housing and Community Services initiate, as a matter of urgency, a comprehensive study to collect data on numbers of people with disabilities. Data collection should be standard across Commonwealth departments and State and Territory governments and should include information on type and level of disability, use of and need for services, age,

gender, location, language and cultural background.

The only feasible method of estimating total numbers of persons with disabilities by level of disability, service need, demographic characteristics etc. is through a population survey with a rigorous sample frame.

The Australian Bureau of Statistics (ABS) already has plans to conduct a comprehensive study to collect data on numbers of people with a disability. The ABS Survey of Disabled and Aged Persons will be conducted in early 1993. It will update information last collected in a similar survey in 1988. The ABS plans for the survey have been developed in close consultation and with funding from the Departments of Health, Housing and Community Services, Social Security, Employment, Education and Training, other Commonwealth and State agencies and non-Government agencies concerned with the needs of people with a disability. It will cover the information areas stated in the Recommendation.

6. That the Principles and Objectives of the DSA continue to be implemented and encouraged.

Adoption of the Principles and Objectives of the Disability Services Act (DSA) is an integral part of the Government's programs and policies and complements the continuing efforts being made to achieve equitable programs and service delivery to people with a disability, according to social justice principles.

On 2 July 1991, the Minister for Health, Housing and Community Services, Mr Brian Howe MP, wrote to relevant portfolio Ministers to remind them of the Government's intention that the Principles and Objectives of the DSA are to apply to all Commonwealth policies and programs that are of relevance to people with a disability. The Minister sought his colleagues' assistance in ensuring that the needs of people with a disability continue to be given adequate attention in the relevant programs.

The Commonwealth State Disability Agreement is based on the development and introduction, by each State and Territory, of legislation complementary to the DSA before the Agreement comes into effect in that State and Territory. This approach was taken deliberately by the Commonwealth to promote the observance of the Principles and Objectives in all disability services, whether administered by the Commonwealth or the State.

The Disability Services Program, in conjunction with State Governments and representatives from peak consumer and service provider organisations, is also developing National Standards for the quality of services provided to people with a disability. The National Standards will encourage the implementation of the Principles and Objectives by effectively stating what is required of service providers to put the Principles and Objectives into practice. These standards are expected to be gazetted in the second half of 1992.

7. That adequate funding be provided to enable increased access to services for people with disabilities.

The Disability Reform Package (DRP), which came into effect on 12 November 1991, is a co-operative arrangement which mobilises the combined resources of three departments in the areas of training, rehabilitation and labour market assistance to maximise the opportunities of people with a disability to access services which will assist them in gaining employment.

The new arrangements allow the staff of the three main departments which provide income support and services for people with a disability, these being the Departments of Health, Housing and Community Services (DHHCS), Social Security (DSS) and Employment Education and Training (DEET), to co-ordinate the assessment, referral and delivery of services to clients of the three departments.

To support the DRP there has been a significant increase in the resources available within the participating departments:

- . 4000 supported and competitive employment places are being created up to 1994 under the Disability Services Program;
- . 8000 places in DEET labour market programs;
- . 8000 Commonwealth Rehabilitation Service (CRS) places each year for people on Sickness Allowance by 1992-93;
- . 1200 places provided by special CRS units for people with psychiatric disabilities.

Departments have been provided with additional staffing resources to administer the new arrangements. 120 Disability Support Officers were recruited by DSS in 1991-92 and a further 28 will be recruited in 1992-93. DEET has also allocated additional resources to provide intensive case management to DRP clients referred to the Commonwealth Employment Service (CES) for program or job search assistance. CES offices will be allocated 22 extra staff in 1992-93 increasing to 75 extra staff in 1994-95 to case manage DRP clients. Also, 20 Disability Jobseeker Advisers, scheduled to be recruited in July 1993, will start in October 1992. They will enable the CES to provide more efficient and more effective representation on the joint Disability Panels, and therefore better service to DRP clients.

In total, additional administrative costs to enable DEET to implement the DRP more effectively, and to play its role in the joint DRP evaluation, amount to \$2.4 million in 1992-93, \$2.9 million in 1993-94 and \$3.9 million annually thereafter.

In addition to the staffing measures detailed above, DEET is further supporting the DRP by increasing resources to two

targeted programs. These are Work Experience for People with Disabilities (which provides fully subsidised work experience in the private sector) and Post Placement Support for People with Disabilities (which provides support during training/job placement). The new places allocated under the programs are specifically for DRP clients referred to the Commonwealth Employment Services (CES) by the Disability Panels. The additional costs to the Government of this initiative is \$1.7 million annually.

Other funding initiatives to enable access to services include:

- . a review of funding arrangements under the Disability Services Program with a view to recommending a more effective and targeted funding approach;
- . the provision of additional funds to assist services providing support for people with a disability to meet the costs of introduction of award wages and conditions for support workers, as well as the increased costs arising from the Superannuation Guarantee Charge. The amount of supplementation provided to meet these costs will be in the same proportion as the Commonwealth funding currently provided to services; and
- . a package of measures introduced in the 1992-93 Budget to help people with a disability overcome the barriers to employment caused by the high costs of disability. These measures include an enhanced mobility allowance, extension of fringe benefits to pensioners and pharmaceutical concessions to non-pensioner mobility allowees, the subsidised provision of continence items, an increased Employment Entry Payment of \$300 for Disability Support Pensioners and a new Education Entry Payment of \$200 a year for disability support pensioners.

## Chapter 2

1. That a research project be undertaken to determine the problems of access to services experienced by people with disabilities of differing socio-economic background.
2. That the specific needs of people with disabilities of Aboriginal and Torres Strait Islander background (including those in urban and rural areas) be identified and that a strategy be established to ensure the provision of appropriate services.
3. That the specific needs of people with disabilities of non-English speaking background be identified and that a strategy be further developed to ensure the provision of appropriate services.
4. That the particular needs of people with disabilities in rural and remote areas be studied (for example, by the Rural and Remote Access Unit, DRH&CS), and that strategies be developed to overcome problems identified as limiting the provision of appropriate services.

### Overview

The recommendations in this chapter discuss the issue of people who face a disadvantage other than their disability. These issues are being addressed by the Government through its broader social justice strategy to ensure a fair society where all Australians can share equitably in the distribution of resources, especially employment opportunities. Specific current and future initiatives for people with a disability from rural and remote areas, from a non-English speaking background and of Aboriginal and Torres Strait Islander descent are detailed below.

### Identification of Needs

The question of access to services experienced by people with a disability will be addressed in the ABS Survey of Disabled and Aged Persons in early 1993. The implementation of this survey will fulfil the objectives of this recommendation by providing data which may assist the Government to assess the specific needs of people with a disability from rural and remote areas, and from non-English speaking backgrounds (NESB).

Similar issues are being addressed in the ABS Survey of Australian Families which was conducted over the period March to May 1992. Results from that survey will be available during 1993. Further information on the needs of ATSI people may also become available as part of the ABS survey of Aboriginal and Torres Strait Islander People in 1994. The survey is intended to cover the social and economic conditions experienced by ATSI people in early 1994. Consultation with agencies about the nature of data items to include in the survey has begun. The ABS will explore ways in which disability can be identified in such a survey.

The needs of people with a disability in rural and remote areas will be further explored at a workshop to be convened by the Rural and Remote Areas Unit (RARAU) in the Department of Health, Housing and Community Services (DHHCS) for staff who have a specific role in developing disability programs for ATSI people, in remote and rural Australia. Situated in Darwin, the Unit has been established to work with the community to develop services which meet the needs of those in rural and remote areas.

The joint evaluation of the Disability Reform Package to be undertaken by the three participating Departments will have particular regard to the effectiveness of the reforms in meeting the needs of disadvantaged people with a disability identified in the Recommendations. The full evaluation is scheduled to be completed in 1994-95.

### Strategies

As well as continuing to identify the needs of people with a double disadvantage, most government programs have already developed strategies to ensure that disadvantaged groups access services appropriate to their needs. Particular strategies are set out below.

- . Access and equity targets were established in 1991-1992 in new services funded under the Disability Services Program (DSP). The aim of the targeting is to progressively increase participation rates of disadvantaged groups in services to at least the equivalent level of their representation in the general population. The development of a comprehensive needs based planning process will see access and equity targets subsumed into broader planning consideration.
- . The Commonwealth Rehabilitation Service (CRS) also has in place targets for service provision for ATSI and NESB clients and those disadvantaged by a rural or remote residency. Progress against these targets is monitored regularly.
- . One of the terms of reference of a Department of Social Security (DSS) consultancy (funded under the DRP Budget initiative) to examine ways of improving access to compensation, rehabilitation and workforce re-entry, was to review the coverage of, and access that women and disadvantaged groups (such as Aboriginal people, Torres Strait Islanders, people from non-English speaking backgrounds and workers from rural and remote areas) have to accident, workers and transport compensation schemes.

The consultancy found that considerable difficulties exist with regard to access by Aboriginal people, as well as others in rural and remote areas of Northern Territory, to benefits to which they may be entitled under compensation schemes and to rehabilitation treatment. Both remoteness and lack of knowledge in people are factors which have exacerbated these disadvantages.



The findings of the consultancy will be taken into account by the Disability Task Force (DTF) in its consideration of ways of improving access to compensation, rehabilitation and workforce re-entry.

- . As part of the four year Assessments and Admissions Project announced in the 1990-91 Budget, a number of pilot projects have been funded by DHHCS to trial independent and localised methods of individual needs assessment in urban, rural and remote areas around Australia. One project in the Northern Territory is developing a method of assessing the needs of six communities of Aboriginal people in areas surrounding Darwin. All projects are encouraging the development of flexible, innovative and community-based approaches to meeting the needs of people with a disability.
- . In 1990, the North Australia Development Unit of DSS undertook a study of invalid pension and child disability allowance payments to identify factors and issues which were unique to recipients living in rural and remote areas. This resulted in changes in assessment procedures for those payments, for example, relaxing the requirement that a medical report be provided by a treating doctor if to obtain such a report will lead to unnecessary delays in qualifying for a disability support pension. These changes were introduced in November 1991.
- . The Ethnic Communities Council (ECC) of South Australia is working with a Disability Services Program funded advocacy agency, Multicultural Advocacy and Liaison Service of South Australia (MALSSA) to determine reasons for the declining use of services by NESB people. The work is designed in such a way that its methodology can be replicated in other States; but it is anticipated that issues of national relevance will emerge from the ECC/MALSSA investigation.
- . A pilot project is being conducted in Victoria by the Commonwealth/State funded agency Action on Disability within Ethnic Communities Inc. (ADEC). The pilot is designed to assist service providers in developing more culturally appropriate services that will enhance access by NESB people. In Victoria, the approach is being piloted with three State Government funded agencies: the proposal is that DHHCS replicate this activity in other States, in DSP funded services of various sizes and types.
- . In DSS, a project is being trialled to improve access of NESB clients to, and outcomes from, rehabilitation services including access to Mobility Allowance. A pilot project is also proposed to improve access of NESB clients to workers' compensation.
- . A telephone caseworker approach for vision impaired NESB clients of DSS is being considered.

## Dissemination of Information

The Government also has a number of strategies in place to ensure that people with a disability from non-English speaking and Aboriginal and Torres Strait Islander backgrounds receive information on the services that are available. These include:

- . The development and implementation of information strategies for NESB and ATSI clients about the Disability Reform Package provisions for people with a disability announced in the 1990-91 Budget. Specific procedures for assisting NESB and ATSI clients (particularly those in remote areas) during the implementation phase of DRP have also been developed and put in place.
- . The implementation of a strategy to provide multilingual information on DSS fringe benefits to clients facing language barriers.
- . The development of a marketing strategy in the Disability Services Program directed to non-English speaking groups to inform them of services which are available under the DSP for people with a disability, and to increase awareness of issues relating to disability. This includes a facts sheet translated into eight community languages which will inform people of the accommodation, employment and community participation services funded by the Program. Together with SBS television, the Program has also developed an episode of the "English at Work" series to raise with non-English speaking communities an awareness of issues of deinstitutionalisation, community living arrangements and open employment opportunities for people with a disability.
- . The Migrant Liaison Officer program in DSS, which targets information to ethnic communities, provides grass roots advice and assessment of the impact on migrants of social security provisions and service delivery mechanisms and informs the Department of the needs of migrant communities.
- . The Multilingual Telephone Service which gives advice about social security to clients in their preferred languages on a toll free 008 number.
- . Language services in DSS incorporating bilingual staff, permanent, sessional and on-call interpreters and translating services.

5. That departments providing or funding services used by people with disabilities be aware of the more subtle discrimination against people with disabilities based on age, on the belief that people with disabilities are dependent and/or childlike, and on gender, and ensure that service providers do not maintain these forms of discrimination.

The Government is very aware of the more subtle discrimination against people with a disability based on factors such as age and gender. This sort of bias has become apparent in the preliminary findings of the Roy Morgan Evaluation of Section 10 employment services which found that employment services place two men for every woman, and that 50% of these people placed are under 25 years of age. Gender bias is also apparent in traditional employment services where a significant majority of clients are male. The issue of equitable access to services for women will be addressed as part of the Disability Reform Package (DRP) evaluation.

The Government is working to eliminate more subtle discrimination against people with a disability in other ways. The foundation of this work rests on the Principles and Objectives of the Disability Services Act (DSA) which are specifically directed towards affording all people with a disability in Commonwealth funded services full human rights. They are particularly directed towards promoting people's rights to control their lives and integrate with their peers, and to services which recognise and respect their dignity, privacy, age, and individual needs.

Through a process of wide community consultation, a working party comprising representatives of peak disability groups, the Commonwealth, and State Governments, is in the process of finalising National Disability Service Standards which will make explicit the responsibility of service providers in meeting the Principles and Objectives contained in the Disability Services Act.

The National Standards address the issues of gender discrimination and the provision of age-inappropriate services through a combination of Standards, but in particular Standards on 'Valued Status', 'Individual Needs', 'Service Management', 'Decision Making and Choice' and 'Participation and Integration'.

Through the Disability Services Program marketing strategies, awareness of the rights and abilities of people with a disability is being promoted in order to facilitate attitudinal change. Service providers are a target group of the strategy. Other target groups are people with a disability, their families and carers, and the general community.

More broadly, Disability Discrimination Legislation will make it unlawful in certain circumstances to discriminate on the grounds of disability. The definition of disability includes a disability that is "imputed" to a person. It is expected the legislation will perform an important educative role and further social awareness and change. A national public education and awareness campaign will probably accompany the implementation of this legislation in order to raise the level of understanding of people with a disability about their rights.

### Chapter 3

1. That Commonwealth anti-discrimination legislation incorporates affirmative action principles, whereby Commonwealth departments and statutory authorities apply affirmative action principles in the employment of people with disabilities.

The Disability Discrimination Bill 1992 has as one of its objectives the elimination, as far as possible, of discrimination against persons on the grounds of disability in a number of areas including work. The Bill does not, however, contain provisions requiring Commonwealth Government authorities to apply affirmative action measures.

The Public Service Act 1922 and the Equal Employment Opportunity (Commonwealth Authorities) Act 1987 do contain provisions which require the public sector to develop programs designed to eliminate discriminatory practices against women and those in designated groups. Designated groups include people with a disability. The Intellectual Disability Access Program is one example of a Commonwealth program which provides employment opportunities for people with a disability in the Australian Public Service.

The only specific Commonwealth legislative initiative relating to affirmative action is the Affirmative Action (Equal Opportunity for Women) Act 1986. That legislation is presently being reviewed and there are differing views as to its effectiveness. The Government will consider that review and will give the Disability Discrimination Bill an opportunity to operate before it decides on further legislative initiatives in this area.

2. That Commonwealth anti-discrimination legislation provides strong penalties for both open and systemic discrimination, including penalties for harassment in the workplace.

The Disability Discrimination Bill is consistent with other anti-discrimination legislation, both State and Federal, in providing a complaints based mechanism for dealing with discrimination which is rendered unlawful. The legislation deals with both direct and indirect discrimination. Indirect discrimination would include at least some forms of systemic discrimination. The Bill also provides for a complaint to be lodged in relation to harassment in the workplace on the basis of a person's disability.

Given the history of lack of prosecution in relation to matters where criminal sanctions are imposed in this area, the option of penal provisions is not considered appropriate. For example, in relation to the Sex Discrimination Act 1984 where criminal penalties only are provided in relation to victimisation of a person who takes action under the SDA, no prosecutions have been launched to date. The complaints based mechanism also allows for the possible settlement of disputes by conciliation and experience has shown that this mechanism results in a very high number of complaints being resolved without the need for formal proceedings.

3. That Commonwealth anti-discrimination legislation highlights the responsibilities of Commonwealth departments to take all steps possible to ensure improved access of people with disabilities to employment and related services.

If the legislation is passed by the Parliament, the Commonwealth, in its internal implementation strategy, will disseminate information on the elimination of discrimination against people with a disability to all departments and agencies. The Commonwealth does in fact already provide a significant amount of information to staff on the principles of Equal Employment Opportunity in the workplace.

The Government would await the evaluation of the operation of the legislation and its impact on Commonwealth Government agencies before considering any further legislative initiatives in this area. The Disability Discrimination Bill 1992 does already contain a possible means of implementing the recommendation by allowing the Government to set, by regulation, minimum standards, in relation to certain areas. Those areas include employment and the administration of Commonwealth laws and programs. It would be possible to make provision in those standards for Commonwealth agencies to undertake certain actions to improve access of people with a disability to employment and employment related services. It is not likely that such standards would be actively considered until an extensive consultation campaign, including with the States and Territories, had been undertaken.

4. That a number of information programs for employers be developed by relevant departments, emphasising the different skills, abilities and potential of workers with disabilities. Such programs should be developed for different employment markets and should include information on assistance available to employers, the possible training needs of employees, and the importance of access to promotion and other benefits.

The Government has already addressed this recommendation through the Disability Reform Package (DRP) communication strategy. Under this strategy employers are a primary target group for direct information on income security changes and support arrangements concerning people with a disability. As part of the employer campaign, a direct marketing campaign of over \$0.75 million is proposed. Alongside this initiative, marketing of the employment potential of people with a disability to peak employer organisations has commenced. Information kits are in the development stage. As part of the overall DRP marketing, 20 network facilitators have been employed to reach the various target groups, including employers, at the local level across Australia.

Other target groups of the DRP communication strategy are: consumers of services, parents and carers, unions, departmental staff, welfare groups, service providers and the general community.

The Disability Services Program is also addressing the need for information programs for employers and the need for attitudinal change by raising the level of awareness of employers, unions and co-workers about the capacities, and largely untapped potential, of people with a disability through its Union/Employer Disability Awareness Pilot Projects.

Specifically, the Disability Awareness Pilot Projects utilise the networks of a number of unions and a national peak employer body to provide information to unions and employers about disability and raise the awareness of the rights and capabilities of people with a disability in the workplace. In addition, the projects will seek to inform people with a disability about their rights in the workplace.

The pilot projects are sponsored by three union bodies: the Liquor, Hospitality and Miscellaneous Workers Union (LHMU), the Labor Council of NSW (LCNSW) and the Victorian Trades Hall Council (VTHC); and the national peak employer body, the Australian Chamber of Commerce and Industry. The projects will run for two years.

Information is also provided to employers on the SkillShare Program which is being disseminated in two ways. A booklet, SkillShare Facts and Directions, has been produced which is specifically targeted towards employers. This booklet explains the training and services provided by SkillShare and draws attention to the services provided to people with a disability.

5. That further community information and education programs about people with disabilities be developed. These programs should be directed to all members of the community, including primary and secondary schools, where they should be co-ordinated with integration programs. Emphasis should be placed on the need that people with disabilities have for access to all aspects of community life, including employment. Such programs should indicate the ways in which obvious and more indirect discrimination can occur, particularly in employment and in access to employment.

The Disability Services Program is committed to a number of strategies to improve the knowledge and understanding of the community in relation to the rights and needs of people with a disability.

For 1992-93, major activities will include:

- . the production of a video package aimed at secondary schools to promote the opportunities of young people with a disability in gaining jobs or access to further education;
- . the Prime Minister's Employer of the Year awards to raise awareness of the capabilities of people in open employment;

- . increased marketing support to Competitive Employment, Training and Placement agencies to expand their networks with employers and to promote the services they offer to employers;
- . the promotion of a national tour by an expert in the area of disabilities aimed at raising awareness, creating media interest and stimulating debate;
- . continuing media relations activity to promote government initiatives and maintain a high level of interest and awareness; and
- . an increase in marketing activities targeting people with a disability from non-English speaking backgrounds including the translation of printed material into community languages.

6. That information and education programs about people with disabilities be developed by the Public Service Commission to improve the knowledge of departmental staff about the needs of people with disabilities, and how departmental services can assist people with disabilities.

The Public Service Commission (PSC) has responsibility for Australian Public Service (APS) employment policies, approves and monitors Departments' Equal Employment Opportunity (EEO) Programs and develops information and education programs about the employment of people with a disability in the APS. The PSC has developed an education and information strategy, **Focus on Ability**, to promote awareness of employment issues among managers and supervisors, including information on the principle of reasonable adjustment and its application to the employment of people with a disability in the APS. In addition, the PSC produces **Equal Times**, the Equal Employment Opportunity (EEO) newsletter of the Australian Public Service containing EEO initiatives, statistical information and significant developments in EEO policy.

However, responsibility for client service programs rests with individual departments/agencies.

Departments and Agencies have put considerable effort and resources into the development of quality training programs which focus on improving services to all client groups, including people with a disability. For example, the departments of Social Security, Health, Housing and Community Services, and Employment, Education and Training have placed emphasis on this aspect in their staff training and development activities. (For further details of staff training see Recommendation 9.)

7. That Commonwealth departments establish liaison officer positions in programs such as the Disability Services Program, and ensure that such officers are sensitive to the needs of people with disabilities, thoroughly conversant with all aspects of the program and able to provide accurate information on policy and practices. Where possible, new liaison officers should be fully trained before the previous position holder leaves or moves to another job.

The Government agrees that officers working in programs which offer services for people with a disability should be sensitive to the needs of their clients, and have a comprehensive knowledge of those areas of the program in which they work. The Government believes, however, that it is more appropriate for all staff to receive adequate training to enable them to perform competently in their job, rather than one person being the repository of all program policy and practice. (See Recommendation 9 of this Chapter for further details of staff training.)

The appropriate role of program staff has been an issue of some contention and confusion in the past, particularly in relation to the Disability Services Program. Some services have had unrealistic expectations of the advice program staff are able to provide, expecting information on issues such as business management which are outside the expertise that can reasonably be expected of project staff.

This recommendation appears to be directed in part to the Department of Health, Housing and Community Services. It is the Government's view that all mainstream departments have an obligation to take on board disability matters as they relate to the activities and responsibilities of that agency. In some of these programs it may be appropriate to have more specialised officer positions dealing with disability issues, and this does occur. There are, for example, public contact staff and Disability Support Officers in the Department of Social Security, and Disability Jobseeker Advisers in the Department of Employment, Education and Training who receive extensive training in disability awareness to enable them to deal sensitively with the issues and needs of people with a disability.

Departments/Agencies will be encouraged to adopt and/or further extend specialised liaison officer positions, consistent with the responsibilities of mainstream departments in this respect.

**8. Commonwealth departments maintain the principle of service to the community by building up sections and programs of committed staff who remain in their positions for at least two years.**

Commonwealth Departments have demonstrated through their practices and training strategies, a commitment to the principle of service to the community. However it is not possible, within the context of a merit based career service, to restrict staff movement or deny access to career opportunities offered in the Australian Public Service. Departments/Agencies have adopted a variety of strategies to ensure requisite skills and knowledge exist within client service program areas. Education and information programs will further encourage these developments.

**9. That Commonwealth departments provide adequate and ongoing training to such staff.**

The Government acknowledges that it is very important for departmental staff to have a clear knowledge of the program they work in, and to be sensitive to the issues of disability.



In regard to this, Commonwealth departments already have in place extensive training and development programs for staff in client service program areas.

For example, the Department of Health, Housing and Community Services (DHHCS) has recently developed a comprehensive training package that aims to provide a working knowledge for new project officers and a refresher course for those who have been in programs for some time. This package builds upon a more generic project officer development program which already exists in the department and is used widely by project officers from a range of programs.

The Department of Social Security (DSS) has committed itself to an intensive and ongoing training program for Disability Support Officers (DSOs). A formal training program was developed which includes course-based training, field placements and training recall. Community groups were consulted during the development of the program. The training covers the areas of DSS procedures and policy, disability awareness and disability panel operations.

This formal training is complemented by ongoing training for DSOs. Regular recalls provide the forum for disability groups from the community to interact with DSOs. New DSOs will receive the same level of training.

For further details of staff training in the Department of the Employment, Education and Training see also Chapter 4, Recommendation 4.

10. That the Commonwealth public sector be eligible for a special category of the Prime Minister's Employer of the Year awards.

This recommendation was implemented in the 1992 Awards.

11. That there be sufficient flexibility in the allocation of staffing resources for Commonwealth departments to have positions available for people on the Intellectual Disability Access Program, and for people with disabilities who are eligible for higher level positions.

Departments/Agencies through their Equal Employment Opportunity (EEO) programs address the issues of the employment of people with a disability and in many cases set their own targets for the employment of people with a disability. In addition, education and information strategies have been developed by the Public Service Commission (PSC) to encourage increased awareness of employment and career development issues for people with a disability. Future action includes:

- . Extending the current material that the PSC has available on the employment of people with a disability.
- . Reissuing revised Intellectual Disability Access Program (IDAP) Guidelines and information package in 1992 which will give new emphasis to IDAP and encourage agencies to make IDAP appointments. This is part of the broader strategy to improve education and information strategies.

- . The Department of Health, Housing and Community Services (DHCHS) and the PSC undertaking a pilot project to be conducted by the Association for Competitive Employment (Ode) Inc. which will investigate recruitment and training practices and the barriers to increased employment within the Australian Public Service (APS) for people with a disability. The pilot will examine ways to overcome these barriers and will address issues of job-redesign and career options for people with intellectual disabilities.

The results of the study will form the basis for further strategies to improve the employment of people with a disability in the APS and address career development.

Under devolved staffing arrangements, departments manage their own staffing resources and have the flexibility to allocate positions within available resources and priorities. However, problems facing the APS in increasing the level of employment of people with a disability especially those with an intellectual disability, include:

- . continuing and significant structural change, particularly in major recruitment agencies, which historically have employed substantial numbers of people with a disability; and
- . pressures on agencies to accommodate increased numbers of women and members of designated EEO groups including people with a disability, within a shrinking base-grade recruitment base.

12. That sufficient resources be provided to departments employing people with disabilities to provide training, job rotation and other measures which can enable access to promotion on merit.

The Government endorses this recommendation subject to other priorities and the limits of existing resources. However, where additional funding is not available, agencies must individually arrange priorities to meet objectives.

As indicated in the 1990-91 Report on the Human Resource Development Survey in the APS, the Australian Public Service shows a high level of investment in the development of people. The Service-wide Human Resource Development (HRD) expenditure for the period was \$283 million indicating a rise from 4.91% in 1989-90 to 5.78% of the gross salary bill in 1990-91 and representing a service wide expenditure of \$1854 per person. Funding for the Middle Management Development Program resulted in an increase in training which when taken into account, represents an average expenditure of \$1903 per person. Responses to the question relating to activities specifically tailored to Equal Employment Opportunity (EEO) groups were provided by 75 of the 78 agencies surveyed. The results are set out below.

Percentage of HRD Activities Specifically Tailored to Meet EEO Groups Needs

	Agencies-number (%)
up to 10	31 (41.4%)
up to 25	14 (18.7%)
up to 50	10 (13.3%)
up to 75	10 (13.3%)
more than 75	10 (13.3%)

13. That a specific target of employment of people with severe disabilities be set for each Commonwealth department as a part of its EEO Program. The Secretary of each department should be required to report on the operation of this program at least annually, in the department's annual report. A report covering all departments is to be provided annually to Parliament by the Public Service Commission. (PSC).

There was some confusion in the report in the use of the terms quota and target. This response uses the following definitions:

- . Quotas specify a percentage of employees who will be appointed from a particular group on grounds relating to their membership of that group.
- . Targets are numbers of appointees set by individual departments as objectives which will ideally be met over a period of time, through merit selection process, within the framework of their EEO programs.

The issue of setting targets has been examined by the Disability Task Force Working Party on the Employment of People with Disabilities in the APS, which considered that quotas would be counter-productive. Rather, the Working Party recommended that agencies identify and report against individual targets for the employment of people with a disability. This is occurring in many cases with Agencies setting their own targets and content in their EEO Programs.

The Working Party is to consider further the feasibility of a service-wide target for the employment of people with a disability.

Presently, agencies and departments set targets in their Equal Employment Opportunity (EEO) Programs which are approved by the Public Service Commissioner. Agencies also provide annual implementation reports on their Programs. The Public Service Commission's Annual Report also includes an overview report on EEO performance across the APS. In addition, agencies report on the implementation of their EEO Programs in their annual report to Parliament.

14. That all departments be explicitly accountable for the funding received to pay for work adjustment costs or equipment for people with disabilities. A statement on the use of these funds is to be included in department's EEO reports and in the PSC report to Parliament referred to above.

There are no longer specific allocations to departments for work adjustment costs or equipment for people with a disability. In 1987 the funding was devolved to Departments who were then

required to allocate funds for work adjustments and/or equipment for people with a disability.

The Public Service Commission will write to Departments requesting that they identify funds spent on work placement adjustment and equipment costs and include these separately in their Annual Reports and EEO reports.

15. That the Australian Public Service (APS) develop (under the Department of Administrative Services if required) an equipment-lease system (such as that available to employers participating in labour-market programs) in order to provide the more expensive required equipment/aids for people with disabilities wishing to undertake employment in the APS. Where possible, such a scheme should be extended to State and Territory government departments.

The Government sees merit in the proposal for an equipment lease system, run by the Department of Administrative Services (DAS), as a way of encouraging the employment and career mobility of people with a disability in the Australian Public Service. However, the introduction of such a scheme needs to be considered within the context of other competing funding priorities and previous experience with the Technical Equipment Disabled Commonwealth Employees' Program. If DAS were to be become involved, the Australian Office for Better Buying could be involved to determine the best method of setting up the system.

16. That the Public Service Commission, in conjunction with departments, develop strategies to ensure that people with disabilities, other than severe, are able to gain access to permanent employment in the Australian Public Service.

There is a commitment to develop strategies that will enable people with a disability, including those with severe disabilities, to gain permanent employment in the Australian Public Service (APS).

#### Special Testing Arrangements

The Public Service Commission has produced Guidelines on the testing of applicants with a disability. Publications promoting the Administrative Service Test (AST) encourage people with a disability to make their disability known to the Selective Placement Officer from the Department of Employment, Education and Training (DEET). The testing arrangements can then be modified so the applicant is not disadvantaged ie. having regular breaks, shortening the test, making large print tests available and extending the period of time to complete the test. In addition, the role of DEET Selective Placement Officers is being examined with a view to extending their effectiveness in the placement process.

#### Reasonable Adjustment Principle

The PSC has developed a handbook which outlines the Principle of Reasonable Adjustment and its implications for employment of people with a disability in the APS. Under the principle of Reasonable Adjustment departments should, whenever it is necessary, possible and reasonable, take into account a person's disability and make appropriate adjustments to the work environment to lessen the impact of the disability.

Reasonable adjustment can include modification to employment policy, practice, working arrangements and the working environment. Reasonable adjustment can also mean the provision of equipment to reduce or eliminate the effects of a disability.

### Intellectual Disability Access Program

The Intellectual Disability Access Program (IDAP) is an approved program under sub-section 33 (4) (6) of the Public Service Act. Its purpose is to encourage the appointment of people with an intellectual disability to the APS without competition from non-IDAP applicants. It also provides for external agencies to give on-the-job training and support in the workplace.

IDAP has been reviewed to make it more effective. A marketing/information strategy which is being developed to increase awareness of the Program will be available by the end of 1992.

The PSC has developed an education and information strategy, **Focus on Ability**, to promote awareness of employment issues among managers and supervisors. There is also a continuing commitment to extend and update existing education and information material on the employment of people with a disability.

#### Other actions:

- . The PSC is conducting a review of the Administrative Service Test and Additional Selection Criteria. One of the emphases in this examination is the impact of the Additional Selection Criteria on the recruitment of people with a disability. This project is expected to be completed by December 1992.
- . The Department of Health, Housing and Community Services (DHHCS) and the PSC will oversee a pilot project with the Association for Competitive Employment (Qld) Inc. to identify specific job design options in the APS for people with a disability. The results of this project will help develop strategies for access to permanent employment. (See also Recommendation 11.)
- . Discussions are continuing between the PSC and the Department of Industrial Relations (DIR) on the supportive wages system and the measures required to ensure its compatibility with the principle of open competition on merit in the APS.

17. That the Commonwealth public sector be required to provide more employment places for people with disabilities, including people with severe disabilities. Strategy plans are to be developed by each department, authority etc to demonstrate how such employment policies will be implemented.

Under Section 33 of the Public Service Act, entry to the Australian Public Service is to be based on merit and is to be without patronage. Equal Employment Opportunity (EEO) in the APS has its basis in the merit principle which requires that people seeking appointment, promotion and transfer to jobs in the APS must be assessed in fair and open competition, taking into account abilities, skills and personal qualities and without discrimination, patronage or favouritism.

There are a number of arrangements to assist people with a disability to gain entry to the APS in place including modification of the Administrative Service Test, the Intellectual Disability Access Program, and the implementation of the Principle of Reasonable Adjustment. (Refer to Recommendation 11, Chapter 3 for factors influencing recruitment levels.)

In addition, EEO programs and strategies will continue to be developed by departments for the employment of people with a disability. Departments and agencies are encouraged to set their own targets in their EEO Programs for the employment of people with a disability and to report against their EEO program objectives in their Annual report and in Implementation Reports to the PSC.

In addition to the Australian Public Service, the Commonwealth public sector also includes government business enterprises (GBEs) and statutory authorities. Under the existing industrial relations arrangements, GBEs and statutory authorities are being encouraged to raise the profile of human resource policies and strategies in their corporate plans and develop appropriate strategies.

As part of this process, GBEs will be required in the future to provide the Minister for Industrial Relations with an opportunity to comment on that element of the corporate plan concerning human resource and industrial relations issues.

Statutory authorities and GBEs are also covered by the Equal Employment Opportunity (Commonwealth Authorities) Act 1987, which defines discrimination as, inter alia, discrimination by which a person with a physical or intellectual disability is, because of the disability, treated less favourably than a person without the disability.

Commonwealth authorities covered by the Act are required to develop equal employment opportunity (EEO) programs for women, Aboriginal people, Torres Strait Islanders, migrants whose first language is not English and their children and people with a disability. The actual content of an EEO program is a matter for the authority to determine, in consultation with trade unions, and employees, particularly employees who are members of the target groups.

## Chapter 4

### Overview

People with a disability have traditionally been disadvantaged in terms of access to education, training and the labour market. This has, in turn, led to their inferior social, professional and, ultimately, economic status relative to the non-disabled population. The Disability Reform Package and the Disability Discrimination Legislation should be seen as important steps in redressing these disadvantages. Both measures are designed to provide the institutional and legal foundations for an enduring change in attitudes towards people with a disability as members of the community and thus facilitate access to the full range of government programs, as well as securing their position as legitimate and valuable members of the labour force.

1. That adequate human and financial resources be allocated to all mainstream schools to ensure provision of services required for true integration.
2. That both special and mainstream schools ensure that people with disabilities receive an education which is appropriate to their needs.
3. That all children with disabilities have access to required remedial teaching during school hours in order to ensure that appropriate education is available, and to ensure that students do not leave school without their education and other needs being identified and adequate steps being taken to meet these needs.
4. That schools be adequately resourced to provide such assistance as is required by people with disabilities to obtain an education which will allow them to participate in society (including employment) as much as possible. Such access includes, but is not limited to, physical access, appropriate courses, aides and interpreters, equipment.
5. That effective monitoring and evaluation processes be established to ensure that education services are meeting the needs of individuals.
6. That funding priority be given to transition and work-experience programs by States and Territories.
7. That all State and Territory Education Departments and private school associations, ensure that there is no 'gap' for young people with disabilities between school and work (or other activities such as study at a TAFE). Work experience, and contact with other environment away from the school, must begin while the student is still attending secondary school. This is a high priority recommendation. These young people must not be allowed to 'disappear' from school and never make support services records.

8. That transition programs, similar to that operating at Daws Road Centre in South Australia, be implemented in all States to ensure continuity from school to work (or to other activities as appropriate). All schools operating innovative transition programs should be asked to provide information to all State and Territory Governments, and to relevant private school organisations, on the service they offer.

9. That all young people with disabilities be actively involved in counselling on career opportunities at least 12 months before they reach the minimum school leaving age. That their parents be involved in the consultative process. That those who will benefit from an early move from the school be encouraged to accept placement in a school-to-work program, and that this program begin (on a part-time basis) at least six months before the planned move from school is due to occur. That the physical location of such programs be off school grounds to maximise the opportunity for smooth movement into the community.

The following paragraphs provide a combined response to Recommendations 1-9.

In general, primary and secondary education is essentially the responsibility of State and Territory Governments. Although the Commonwealth does provide supplementary assistance (approximately \$65 million in 1992) under the Special Education Program and the Students with Disabilities element of General Recurrent Grants program (approximately \$5 million in 1992), the provision of resources to assist in the integration of children with a disability, as well as the provision and evaluation of education services, is essentially a matter for education authorities in the States and Territories. Thus Recommendations 1-9 in this Chapter will be referred to the Australian Education Council for consideration.

The issues addressed by the recommendations relating to transition and work experience are also more appropriately dealt with by State and Territory education authorities, which have direct responsibility for the provision of such services, and technical and further education as provided for example, through TAFE. All State and Territory Education Departments operate some form of school to work transition arrangements for young people with a disability leaving special schools and special education units.

New South Wales, for example, has an extensive program providing structured work experience and a vocationally targeted curriculum for students in their final two years of education. Co-operation and exchange of information between the NSW Education Department and Commonwealth Departments has contributed to the targeting of additional employment placement services development in regional areas of high need.

The Post School Options program in Western Australia is a joint initiative between the State Government and the Disability Services Program which identifies on an individual basis the needs of young school leavers and matches them with appropriate support services, both vocational and community access services.



The Disability Services Program (DSP) and the Department of Employment, Education and Training (DEET) are working to develop further initiatives in the areas of school to work transition, including options for school leavers with high support needs through individual research and development projects and through the Disability Task Force.

The Commonwealth is also involved in a number of other initiatives which have some bearing on the transition issues raised. The first is a sample study of the provision of education services for students with a disability on an Australia wide basis. This is being undertaken by the Australian Education Council as part of its work on the National Report on Schooling for 1992. Concurrently, DEET is arranging for an evaluation of the effectiveness of the Special Education Program in terms of its stated objectives.

The second initiative involves the Schools Council of National Board of Education, Employment and Training reporting to the Minister in the second half of 1992 on the establishment of a Commonwealth broadbanded equity program to replace the structure of existing targeted programs (such as the Special Education Program) which have, in some instances, been operating for close to twenty years. It is not unreasonable to expect that the outcome of the Schools Council's deliberations could result in an even greater focus being placed on the States' direct responsibilities to respond to recommendations involving school based education, such as those mentioned in the report.

10. That the Commonwealth Government fund a short-term research project on transition programs. The results of this research are to be made available to as wide an audience as possible to demonstrate the achievements of established programs and help identify areas of particular problems.

The Government, through the Employment, Education and Training portfolio, will commission a research project on transition arrangements which will outline the range of transition services available to students with a disability, the achievements of established programs, instances of best practice and help identify areas of particular problems.

11. That adequate resources be provided to TAFE and other tertiary level education institutions to increase access to courses of people with disabilities. Such access should include physical access, interpreters and aides, and courses which meet the specific needs of people with disabilities.

As previously stated, under present arrangements the provision of technical and further education is primarily a State responsibility. Commonwealth funding for TAFE currently supplements the States' and Territories' efforts, providing only 8% of recurrent funding. Thus the Commonwealth has a limited ability to affect the course provision in TAFE with regard to people with a disability.

However, the Commonwealth provides some two thirds of the total capital funding for TAFE. In the main, this is used to construct new buildings. Such buildings are designed to meet appropriate, State specific standards for access by students with a disability and staff. These standards are relatively uniform across the States; therefore there are no significant differentials in terms of physical access to most TAFE facilities for people with a disability. The process of providing disabled access to the stock of existing buildings, many of which were built decades ago and do not meet appropriate standards, is a gradual one. However, where Commonwealth funds are used to upgrade existing building stock, access of people with a disability is taken into account in the design.

Commonwealth grants for TAFE are subject to the Resource Agreements which, inter alia, seek to increase the participation of people with a disability in TAFE. Such Resource Agreements have, in the past, been negotiated annually, and currently ask the States to consider the training implications for the Disability Reform Package and to develop pathways to mainstream courses and co-ordinated support services for students with a disability. A report on these initiatives will be provided to the Commonwealth by the States in February 1993.

Arising from this, the TAFE Operations and Co-ordination Committee (TOCC) of the Vocational Education, Employment and Training Advisory Council (VEETAC) has approved the development of a draft national action plan and implementation strategy for consideration by VEETAC which will assist in raising the profile of people with a disability in the TAFE sector nationally. The group will also look at setting up a Management Information System to collect data on participation rates, costs of support, and students outcomes to feed into the policy agenda.

Higher education institutions are also encouraged to develop strategies to increase access by people with a disability. The Government believes that institutions, with their local knowledge, are best placed to develop and implement programs to meet the needs of the six identified disadvantaged groups, including people with a disability. In *A Fair Chance for All*, the Government announced its expectation that institutions will develop institutional equity plans which take account of national objectives and targets for the disadvantaged groups, and which also take account of the characteristics of the institutions' student populations and catchment areas and the institutions' existing areas of strength in equity provision.

The development of an equity plan now forms an integral part of an institution's educational profile. This profile in turn forms the basis of the funding agreement between the institution and the Commonwealth and so the Commonwealth expects institutions to take equity into account in the internal allocation of Commonwealth operating grants. In addition, the Commonwealth provides seeding funding specifically for new equity initiatives through the Higher Education Equity Program (HEEP). \$3.9 million has been allocated for HEEP each year of the 1992-94 triennium.

HEEP grants are allocated to institutions on the basis of assessment of their equity plans and their performance against the targets set in those plans.

It should be noted that specific consideration has also been given to the additional costs involved in meeting the needs of students with disabilities. In 1991, \$850,000 was earmarked from HEEP funds to groups of institutions in each of four States for co-operative activities to encourage participation by these students and to meet their special needs. In 1992, an additional \$576,000 has been allocated to continue support for these activities and to extend them to the other States and Territories.

Higher education buildings and facilities must also comply with the building design standards imposed by State/Territory governments which ensure access for people with a disability.

To further improve access to higher education by people with a disability, the Department of Employment, Education and Training has commissioned a study of the additional costs of education and training for people with a disability. The study aims to examine the costs which students with disabilities in TAFE and higher education face, existing sources of support, and the level of unmet demand for additional assistance.

12. That staff at tertiary institutions, including TAFE colleges, receive training in the problems of access experienced by people with disabilities and in the ways in which such problems can be overcome.

The Department of Employment, Education and Training has provided funding for a National TAFE Disability Advisers' Group to develop a national approach to professional development for TAFE staff. This funding has been provided through the National TAFE Staff Development Committee. The project is working towards equipping teachers with the skills which are necessary to integrate people with a disability into mainstream courses.

Staff development at higher education institutions is an institutional responsibility which generally does not involve the Commonwealth. Institutions are, however, at liberty to use block operating grants provided by the Commonwealth for this purpose.

As a result of negotiations for the implementation of the Structural Efficiency Principle, the Commonwealth has made available funding of about \$5.0 million a year for 1990-1995 through the staff development fund. The Fund is managed entirely within the higher education sector and is administered by a committee with representatives of employers and staff. This is a matter for higher education institutions themselves.

13. That all tertiary education institutions provide annual reports on access issues for people with disabilities and on the manner in which these have been addressed by the institution.

Information on access to higher education institutions and special measures is provided to the Department of Employment Education and Training through institutional equity plans as outlined above. Monitoring of institutional equity activities is conducted through the annual higher education profiles process.

As part of the submission of profiles information, institutions are requested to supply data on the level of participation by members of the various disadvantaged groups. Information on people with a disability by category of disability is not requested. Institutions are also requested to provide information on progress towards equity objectives and on the development of equity strategies. The equity plans for 1991-93 Triennium have been published and it is planned to publish future plans as they become available.

14. That the special needs of people with disabilities of Aboriginal and Torres Strait Islander (ATSI) background, and of people with disabilities from non-English speaking background (NESB), are identified to enable increased access to appropriate education.

As previously stated, the Commonwealth's responsibilities for education relate primarily to the higher education area.

Aboriginal people, Torres Strait Islanders and people from non-English speaking backgrounds are targeted as disadvantaged with respect to higher education. At present there is no specific requirement by the Commonwealth on institutions to deal with issues of multiple disadvantage. Reporting by institutions of multiple disadvantage has been a low priority to date. The issue will be considered as part of the evaluation of the Higher Education Equity Program.

15. That the Commonwealth fund a short-term research project to develop a strategy for increasing access to tertiary education (including TAFEs) for people with disabilities of Aboriginal and Torres Strait Islander background and for people with disabilities of non-English speaking background.

The Department of Employment, Education and Training (DEET) will consider a research study into barriers to tertiary education faced by people with a disability of Aboriginal and Torres Strait Islander and non-English speaking background.

An initial step in researching this issue would be to consider whether access to higher education is best studied together with access to TAFE (and other post-secondary education) or separately. These sectors have developed separate entry procedures.

In the process of reform of the system of delivery of occupational education and training currently underway, intersectorial links and access issues are being given increasing attention.

Funds for research on issues related to higher education are available from DEET's Evaluations and Investigations Program (EIP). EIP provides funding for policy oriented studies in areas of national importance in higher education. It aims to obtain and disseminate information which will assist in future decision making by the Commonwealth, State authorities and institutions.

Each year DEET invites higher education institutions and non-profit organisations with an interest in higher education (eg. Australian Council on Education and Research - ACER) and with the legal capacity to enter into contractual arrangements to submit applications for grants under the Program. Projects selected for funding are known as 'institutional projects'. A number of projects have been funded to date; they have focused on issues such as the access of disadvantaged youth to tertiary education or credit transfer arrangements. These provisions are currently under review.

## Chapter 5

1. That funding be provided to ensure that care services and stimulating programs are provided to meet the needs of people with profound disabilities. Such programs could include physiotherapy, music, colour and light programs.

Under the Commonwealth State Disability Agreement (CSDA), the Commonwealth is responsible for the administration of all employment services for people with a disability while State Governments are responsible for the administration of accommodation and other support services for people with a disability, including independent living training services.

Where employment is not an appropriate option given the particular needs of a person with a disability, the provision of alternative day programs are thus the responsibility of State and Territory Governments.

Through the joint planning and consultation processes under the CSDA, Commonwealth and State and Territory Governments will work to ensure that consumers can move between independent living training services (ILT) and employment services as their support needs change. However, beyond this, the administration of ILT services is a State Government responsibility.

2. That programs be established that combine work, study, recreation and other meaningful activities - depending on the needs of each individual. These programs are to be readily accessible by people with disabilities and these 'full life' programs must ensure that people receive an acceptable income at least equivalent to the pension.

People with a disability may require a range of programs to enable them to reach their maximum potential, enjoy a rich quality of life and compensate for the restriction of opportunities for development and learning which are often the consequence of having a disability. While co-ordination and support to access such programs is important, programs should not be delivered in such a way as to allow control by a single organisation over a significant part of an individual's life. Objective 8 of the Disability Services Act was designed to provide safeguards for people with a disability in this respect.

The Government's Disability Reform Package aims to provide opportunities for people with a disability to participate in employment, education and training activities and to participate in the life and work of the community, while at the same time, ensuring adequate and secure income support for those who have a severe disability and have limited job prospects.

3. That part-time employment options be developed for people with disabilities unable to work full-time.

The Government agrees that part-time work is an important employment option for some people with a disability.

A recent report by the Roy Morgan Research Centre entitled, **Evaluation of Disability Employment Services**, prepared for the Department of Health, Housing and Community Services, examines the role and effectiveness of new models of employment services in delivering employment outcomes for people with a disability which meet the objectives of the Disability Services Act. It finds that in those models, 24% of the services surveyed already provided employment on a part-time basis.

It should be noted that, although full-time employment is the most desirable goal where this is appropriate to the needs of the individual concerned, there is no Government policy restricting options for part-time employment and it is in fact encouraged where it is in the best interests of the person concerned.

The income security initiatives under the Disability Reform Package allow payment of pension to continue where a person with the minimum requisite level of disability is able only to work part-time. The invalid pension criterion of being permanently incapacitated for work to the extent of 85% was replaced by the requirement that a person have an impairment level of 20% and be unable to work full-time at full award wages for the foreseeable future. The objective is to encourage people with a disability to participate in the labour market to whatever extent they are able.

An encouraging development in recent years is the increasing availability of part-time work options, which will no doubt see a corresponding increase in the availability of such options to people with a disability.

The development of revised wage setting arrangements will also increase the range of opportunities for employment of people with more severe levels of disability. Part-time work can be expected to be an appropriate option for many people accessing these arrangements.

In relation to Australian Public Service (APS) opportunities, part-time employment is available in the APS for both staff and management initiated reasons. The arrangements applying to permanent part-time employment are set down in industrial awards which in most cases place restrictions on the number of people departments can employ on this basis. In keeping with the current APS arrangements, the majority of permanent part-time arrangements in the Department of Health, Housing and Community Services have been instigated by individuals occupying the positions on a full-time basis.

**4. That CES officers be adequately trained so that they are completely conversant with all policy requirements and, in particular, that they are fully up-to-date with all changes to policy.**

CES staff have undergone training in regard to all Disability Reform Package initiatives. All changes in policy and programs are channelled to network staff by way of direct oral or written advice in the first instance. The CES manual, which is the major consolidated source of policy guidelines on all programs delivered by the Network, is updated periodically.

Another major source of information on policy and programs is the special Employment Advisers Guide. It has a separate volume - **Assisting Clients with Disabilities** - which contains advice on the most effective ways of providing assistance to people with a disability.

DEET's internal media keep staff informed. There are two Network newsletters circulated around CES offices on a regular basis: a new bulletin - **The Outletter** which has replaced **DRP update**; and the **Network Management Bulletin**. These specifically cover **DRP** issues. In addition, **DEET TV** (a monthly news video) and **DEET News** (the monthly magazine) also frequently include **DRP** and disability issues.

Specialist staff, **Disability Jobseeker Advisors (DJAs)** and **Disability Officers** have been recruited and extensively trained to assist with the reintegration of people with a disability into the workforce. **DJAs** are trained centrally and then organise training and staff in their areas.

5. That Australian Public Service staff who are responsible for assisting people with disabilities be strongly encouraged to commit themselves to remaining in their position for at least 12 months.

As discussed in Recommendation 8, Chapter 3, while it is desirable that staff commit themselves to remaining in their positions for a reasonable period of time, within a merit-based career service it is neither possible nor desirable to restrict staff movement or deny access to career opportunities in the Australian Public Service.

6. That additional funding should be allocated to increase the provision of tutorial assistance for people with disabilities in labour market training programs.

**SkillShare** projects are able to apply for outreach module funding, as part of the **SkillShare Program**. Outreach module funding may be used by projects to provide services which more appropriately reflect the needs of people with a disability, and may be used with tutorial assistance. The module is a form of additional funding to the course provider which can be used to deliver a course in a manner which best satisfies the special needs of a client or a group of clients. For example, the additional resource enables the provider to employ an additional instructor (ie. to provide for more individual treatment of students with disabilities) or to deliver courses outside the normal business hours (ie. if there is a demand stemming from a significant proportion of single parent families unable to arrange for child care during the day) if this is what is judged necessary to best meet the needs of students, particularly those especially disadvantaged.

The individual course providers apply for additional funding by way of submission outlining the special needs which they will address and the features of programs planned to meet them.



In approved Department of Employment, Education and Training labour market and training programs, eligible clients also receive the Formal Training Allowance (FTA) which includes a Disability Supplement. The categories of expenditure which qualify for funding under this provision are:

- . lease of special equipment by the course provider;
- . hire of specialist service (eg. additional tutoring, interpreter services for hearing impaired, etc.); and
- . transport.

The maximum value of provision is \$5000 per client per course.

**7. That funding be increased to ensure additional access to apprenticeships under DAWS for people with disabilities. Such funding should include a component for tutorial and other required assistance.**

Funding for the Disabled Apprentice Wage Subsidy (DAWS) was increased for the 1991-92 financial year. Tutorial assistance is available to all DAWS approved apprentices experiencing difficulty with the basic trade component of their course. From 12 November 1991, tutorial assistance was extended to approved participants with a disability at accredited pre-apprenticeship courses, in order to facilitate their access to apprenticeships.

**8. That funding be provided by DEET/DHH&CS to fully evaluate the effectiveness and appropriateness of Job Search Assistance programs for people with disabilities, especially for people with intellectual disabilities. Particular attention is to be given to the time periods that support is available for in these programs, and to ascertain whether a specialised service is needed for people with disabilities.**

This recommendation is being addressed in the joint evaluation strategy for the Disability Reform Package (DRP), covering the period 1991-92 to 1993-94, and Newstart evaluation. The evaluation which is being undertaken over the next three years will look at, among other things, the effectiveness and appropriateness of Department of Employment, Education and Training (DEET) programs for people with a disability and the new arrangements introduced under the DRP.

DEET has an on-going monitoring strategy that analyses program performance for all people with a disability including those being assisted under the DRP. Post Program Monitoring for all DEET programs is undertaken on a quarterly basis.

DEET is currently participating in a joint Post Implementation Review of all procedures and programs implemented to date under DRP initiatives.

**9. That further study on SkillShare access problems, and strategies to overcome these, be carried out as a part of the Disability Reform Package. The study should clearly define type and level of disability (in accordance with Recommendations in Chapter 1 of this report) and consider a range of access issues,**

including physical, support services required (eg. interpreters, technology requirements), and content and length of courses.

While the Disability Reform Package has not focused specifically on accessibility for the SkillShare Program, the Disability Access Support Units (DASUs) established as part of SkillShare have made this a priority. DASU staff undertake access audits of SkillShare project premises to determine their physical accessibility. To support this initiative, the Department of Employment Education and Training (DEET) has provided funds, based on needs identified at the local level, for SkillShare projects to refurbish their premises or relocate to more suitable premises. \$7.845 million was provided for this purpose in May 1992, and while only a proportion of these funds were expended for the purpose of providing physical access to people with a disability, this has proved a step in the right direction. Further it has been decided that \$9.9 million in 1992-93 and \$4.9 million in 1993-94 will be made available for assistance with refurbishment and relocation for SkillShare projects. Improvement of physical access for people with a disability will be one of the criteria for receiving this funding. DASUs will assist in identifying needs in this process.

The success of SkillShare is that it has a local not a national delivery framework. As part of this, the focus of the SkillShare Program's approach to services to people with a disability is to address the individual needs of a potential Skillshare participant. A national study of access issues which covers provision of support services, technology requirements and content and length of courses is not the most cost effective method of assisting people with a disability to access SkillShare. The DASUs were set up to assist SkillShare projects to determine the access and assistance requirements of their individual participants. DASU staff provide assistance to SkillShare project staff to modify course content and structure to suit the needs of each participant with a disability they assist.

The DASUs also provide assistance in determining an individual's need for support services such as interpreters, and modified technology to enable access to a SkillShare project. Further, funds are provided under the Disability Supplement, which was established as part of the Disability Reform Package, to assist Skillshare projects with the cost of hiring such additional equipment and services. It should be noted that Disability Supplement is also available to people with a disability participating in other DEET labour market programs.

10. That, where essential, work experience periods of up to two months be allowed under SkillShare, and that any work experience over this period be suitably recompensed.

The 1992 SkillShare Program Guidelines provide for a maximum of 10 working days work experience for SkillShare program participants. There is provision for the Department of Employment, Education and Training (DEET) Area Director to approve a longer period of work experience for a person with disability, providing that an appropriate assessment has been made and the placement is in the best interests of the client.

This is a more equitable system than allowing for an extension of work experience placements for all clients with a disability, as there could be a temptation to determine that all SkillShare participants with a disability require the full length of work experience allowable. It is not considered that all SkillShare participants with a disability require extended work experience arrangements.

The provision of suitable recompense for work experience participants raises problems. The principle of work experience in SkillShare is that a person gains experience in a particular area of employment, while not receiving wages. To pay a person for work done raises issues of the status of the employer/employee relationship, and would require considerable negotiations between employers, unions and the Department or community based organisations. While such a negotiation process is underway, it is likely that solutions will take some time to achieve. Under the Disability Reform Package, in recognition of the need for opportunities for work experience acquisition for people with a disability, a specially targeted program has been established with the aim of facilitating access to work experience for this group of clients - the Work Experience for People with a Disability Program.

11. That all people with disabilities who may require assistance to move into the workforce should be identified as requiring this assistance at least six months before leaving school and arrangements made for them to be registered and entered in training and transition programs.

See Chapter 4, Recommendation 7.

12. That future evaluation of CERP and SE service types be carried out on a regular basis, and that evaluations provide information on clients, as follows:

- . socio-economic background;
- . level of disability;
- . education;
- . use of other services;
- . level of support needs;
- . extent of family support;
- . the length of job retention (for each job if more than one);
- . possibilities for promotion;
- . permanency of employment;
- . extent and appropriateness of part time work;
- . relationship (if any) between part-time work and type of disability;
- . previous work experience;

- . outcome for clients; and
- . areas where clients believe services are not producing useful outcomes or where clients could suggest improvements.

13. That evaluation of CETP and SE services and service staff be carried out regularly. Such evaluations should include an assessment of:

- . number, qualifications and experience of staff;
- . amount and type of training of staff, whether this level of training is appropriate and whether more resources are needed for staff training; and
- . availability of assistance to the service from specialist agencies (for example, from the NTAU or an equivalent service)

14. That the findings of the regular evaluations carried out as recommended by the Committee in Recommendations 12 and 13 above be used to identify the factors which contribute toward the more successful outcomes of CETP and other services. The Department of Health, Housing and Community Services is to develop a strategy to assist people who are particularly disadvantaged for reasons additional to their disability, to obtain access to these services.

The following paragraphs provide a combined response to Recommendations 12, 13 and 14.

Program Evaluation is a very important priority for the Government, particularly where new style services are concerned. However, it should be noted that the level of detail on individual clients which the Committee recommends is not currently collected even in the biennial Census of Disability Services. There are issues of privacy and client confidentiality which need to be balanced against the Government's legitimate interest in service accountability and efficiency. Many people with a disability feel that they are constantly being analysed and evaluated in a way which is unreasonably invasive, and which separates them from the rest of the community. Service providers also express concern about over-investigation. For this reason, the Government prefers the approach of sample surveys which still allow valid conclusions to be drawn. This approach has been followed in the evaluations undertaken to date.

The evaluations mentioned in the Committee's report which were undertaken during 1991-92 have now been completed. These were Evaluation of Disability Employment Services by the Roy Morgan Research Centre Pty. Ltd. and Barriers and Opportunities in Maintaining Employment for people with a disability by Purdon Associates Pty. Ltd. A further study on the costs and benefits of an effective agency supporting people with moderate disabilities in open employment by Coopers and Lybrand has also been completed. The results of this research have identified certain factors which contribute to successful service outcomes and which point to some need to consider targeting of funds to assist people with particular disadvantages.

Some preliminary examination of the findings of these three studies have given some important indications about the operations of the programs under study. These were:

- . new style employment services were performing their function of maintaining people with a disability in open employment well and are cost effective;
- . there is a level of unmet demand and long waiting lists for these services in the community;
- . there is an under-utilisation of individual supported jobs (ISJ) and enclaves;
- . there is an artificial distinction between CETP and ISJ services;
- . marketing strategies are important in raising awareness of services and networking amongst services is important to improve their performance;
- . there is a need for improved monitoring and accountability procedures amongst services; and
- . funding is focused disproportionately on those with only a mild intellectual disability and should be increasingly targeted to those with high support needs.

A detailed analysis of the findings and recommendations of this research will be undertaken and the implications of the research for further service development, the targeting of funding and the refinement of service practice considered. The need for further evaluations and their possible scope will be investigated on completion of that analysis.

The evaluation process of the Disability Reform Package (DRP) will also provide valuable information on the effectiveness of employment services funded under the Disability Services Program, including the impact of the implementation of the Package on these services. An important component of this evaluation will also be an examination of the effectiveness of the reforms in meeting the needs of particular groups of people with a disability, for example women, people from non-English speaking backgrounds, people of Aboriginal and Torres Strait Islander descent, and people in remote areas.

With regard to the role of the National Technical Assistance Unit (NTAU) in assisting service providers to undertake transition, the NTAU is working to create regional links between employment services in New South Wales and Tasmania, to create a multiplier effect for change by highlighting best practice, linking job placement services to sheltered workshops, undertaking management development and promoting links with TAFE, the Department of Employment, Education and Training and other generic services which will improve the employment prospects of people with a disability.

It is expected that further contacts will be made with members of the DRP panels who have a responsibility for linking income support recipients who have a disability with suitable programs of assistance.

15. That resources be provided to enable workshops to be held regularly for service providers. These may involve participation of individuals from a variety of services and will be aimed at identifying successful initiatives as well as problems within individual services. Resources should be provided to ensure that materials can be produced and circulated detailing workshop findings and suggestions for developing strategies to improve services.

The Government supports the need for increased linkages among service providers to promote widespread adoption of innovative and best practices. This need was confirmed by the Evaluation of Disability Employment Services, previously mentioned, which recommended the development of regional forums and links between service providers. The Department of Health, Housing and Community Services (DHHCS) plans to work with service providers in 1992-93, to develop regional networks of service providers and government departments. DHHCS has also funded the New South Wales Department of Community Services to develop and deliver a national training package covering service management and values-based training needs. Services are also funded for specific training activities on a case-by-case basis.

Within the Employment, Education and Training portfolio, SkillShare Area Consultative Committees meet regularly, and project staff from within the DEET Area have the opportunity to discuss ideas and exchange information. Disability Access Support Units (DASUs) frequently run training workshops which are attended by staff from a number of projects, and these provide further opportunities for exchange of information on best practice, and successful initiatives, as do the regular newsletters produced by many DASUs. The National SkillShare Association (the SkillShare Employer Body) holds Sponsor days where members of project management committees can gain information on successful service provision.

16. That the Public Service Commission (PSC) undertake a study of the role of the co-worker in assisting people with disabilities enter into and maintain paid employment in the Australian Public Service.

17. That, if a co-worker service is instituted in the Australian Public Service, the Public Service Commission (PSC) provide any training required for its successful operation and that the PSC report on outcomes as part of its annual report on the employment of people with disabilities in the Australian Public Service.

The following paragraphs provide a combined response to Recommendations 16 and 17.

The Public Service Commission (PSC) and the Department of Health, Housing and Community Services will pursue research material on co-worker projects currently being undertaken in the United Kingdom, United States of America, and Australia.

The PSC will consider further, in the light of resources available, such a study for a co-worker service in the Australian Public Service and report on progress to the Disability Task Force. In this context, consideration would also need to be given to the relative merits of a centrally located scheme

conducted by the Public Service Commission and a decentralised scheme involving funding to individual agencies to provide more localised training individually designed for the workers involved.

In the meantime, the Department of Health, Housing and Community Services is developing a package for colleagues of people with a disability which will address issues such as attitudes towards disability, job redesign, reasonable adjustment, and the difference between impairment and disability.

## Chapter 6

1. That DEH&CS reintroduce random auditing of services to ensure that, in the case of Supported Employment, adequate services are being directed to people with substantial disabilities. Random auditing should also be applied to CFTP services to ensure borderline mild disability cases are not being "creamed off" to boost placement rates.

The model currently being considered by the Working Party on Performance Monitoring to check compliance with the National Standards includes the concept of random auditing of services. This concept has been applied successfully in monitoring whether minimum outcomes are being achieved and is seen as an effective use of resources and an approach which acknowledges that the majority of service providers are generally attempting to provide a good service.

2. That the Australian Public Service, State and Local Government bodies, consider the use of enclaves as part of a concerted program to increase the employment of people with disabilities.

3. That local councils in rural areas consider establishing employment options such as work crews to meet the needs of people with disabilities and the needs of the community.

4. That local governments consider the establishment and part-funding of Supported Employment services for both individual and community benefit.

The following paragraphs provide a combined response to Recommendations 2, 3 and 4.

Funding arrangements under the Disability Services Act allow the funding of enclaves, work crews or other Supported Employment services at Federal, State and Local government level. Alternatively, a service provider can be funded to supply the support needed to allow these governments to employ people with a disability.

In principle, there is no impediment under the Disability Services Act to the Commonwealth and State or local government jointly funding employment projects for people with a disability. However, the implementation of the Commonwealth State Disability Agreement makes such funding the responsibility of the Commonwealth. Any proposals of this kind would need to take into account the suitability of the work and the environment for producing acceptable outcomes for the people employed in them.

These recommendations have been brought to the attention of the Australian Local Government Association (ALGA), which is a peak body representing local councils across Australia. In their response, the ALGA indicated a willingness to co-operate further with other levels of government in promoting opportunities for the employment of people with a disability. There are already some valuable examples of innovative employment options operating in rural areas.



5. That funding be available to ensure the needs of all individuals with severe intellectual disabilities are fully assessed, and that the suitability of all options and services are taken into consideration to ensure appropriate programs are arranged. The Committee does not believe supported employment projects will always be the most appropriate services, at all times, for people with disabilities.

The Individual Needs Analysis project is investigating cost effective methods of providing assessment for people with intellectual and other disabilities. One major support project has been the West Australian State Government's Local Area Co-ordination Approach, which combines elements of brokerage, family support, community development and service co-ordination. This approach involves the individual, and their family or advocate in individualised assessment and planning to combine generic and specialist disability services in the meeting of individual needs in local communities.

The current range of possible service types funded under the DSA demonstrates that the Government has recognised that supported employment projects may not always be the most appropriate service for people with severe intellectual disabilities or high support needs. The National Disability Service Standards, currently being drafted, provide for a range of service options in addition to supported employment services. The Government acknowledges, however, that there are no easy solutions to meet the needs of people with high support needs.

6. That adequate additional funding and staffing be immediately allocated to the NTAU in order that it may assist increased numbers of sheltered workshops and to assist new employment services (CETPS and SE services) to develop sound business practices and establish required staff training.

The National Technical Assistance Unit has been funded to operate until June 1993. Its budget for 1992-93 is \$1,962,331, up from its expenditure of \$913,149 in 1991-92. An evaluation of its performance and achievements will be undertaken before consideration can be given to any further funding.

7. That the Australian Public Service as part of a concerted program to increase the employment of people with disabilities, consider developing Supported Employment options within departments, for both short and long term projects. This would provide realistic work experience and assist some people with disabilities to move into permanent employment. The use of supported employment options in the public sector should be explored by State and local governments.

Increasing the employment opportunities for people with a disability in the Australian Public Service (APS) is a goal the Government is keen to pursue. Under revisions to the Intellectual Disability Access Program (IDAP) Guidelines Competitive Employment, Training and Placement agencies (CETPs), Supported Employment services and the Commonwealth Rehabilitation Service can all now provide support for the employment of people into positions in the APS under IDAP. It should be emphasised that the aim of the IDAP Program is to place people into permanent positions and is not intended to be used as a work experience program.

The introduction of revised wage setting arrangements has the potential to create employment opportunities in both the public and private sector for people with higher support needs. The issue of temporary positions is also to be examined in the context of the introduction of a revised wages system and its application to the APS. The Public Service Commission and DEET are examining the application of such a framework to the APS.

8. That State and Territory governments ensure that legislation is developed which complements the DSA, to provide increased opportunities for access to employment in the public sector by people with disabilities at appropriate wages or salary.

Under the Commonwealth State Disability Agreement signed at the Special Premiers Conference in July 1991;

- . the Commonwealth will administer employment services for people with a disability;
- . State/Territory Governments will administer accommodation and other support services for people with a disability; and
- . funding of advocacy services and research and development will continue to be the responsibility of both levels of government.

As part of the arrangements, the States have agreed to enact legislation complementary to the Commonwealth's Disability Services Act to ensure that the social justice principles embodied in the Commonwealth Act are extended to all people with a disability covered by the legislation. Increasing opportunities for access to employment in the public sector by people with a disability is not a specific provision of either the Commonwealth legislation or the complementary legislation which has been passed by a number of States. However, the principles of social justice embodied in the legislation and social justice strategies endorsed by Government should provide the necessary impetus to increase employment opportunities in the public sector for people with a disability.

Nominations for the Prime Minister's Employer of the Year Awards of the past two years have shown evidence of considerable initiatives occurring within the State public sector, including two national winners in Category B, the West Australian Department of Land Administration in 1991 and the South Australian Department of Housing and Construction in 1992.

The introduction of National Disability Discrimination Legislation will reinforce awareness of the importance of equal employment opportunity and provide a safeguard for people with a disability against discrimination in employment.

9. That all occupational health and safety standards in all sheltered workshops be developed and maintained under the State and Territory legislation developed to complement the Disability Services Act. No exemptions should be available because of an organisation's 'charitable' status.

The Government will implement New Terms and Conditions for the provision of grants to services by the Disability Services Programs from 1 July 1993. They will reinforce all provisions of the Disability Services Act and will include the observance and maintenance of occupational health and safety as one of the sanctionable conditions of receipt of funding. Under the draft standards being developed for endorsement by Commonwealth and State Health/Welfare Ministers, there is a clear statement that services are expected to meet relevant State (and Commonwealth) legislation, such as that relating to occupational health and safety standards.

10. That effective auditing processes be a requirement for all funded services for people with disabilities and that the Department of Health, Housing and Community Services also undertake random auditing to ensure that cross subsidisation is stringently limited.

11. That all funded services, including sheltered workshops in transition, establish appropriate accountability procedures, including use of capital and other assets.

This response refers to both Recommendations 10 and 11.

It is a requirement of services currently receiving funding under the Disability Services Act that they submit annually audited income and expenditure statements and balance sheets.

A review is currently underway on funding arrangements under the Disability Services Program, and is being conducted by representatives of the Department of Health, Housing and Community Services, ACROD, the National Council on Intellectual Disability, the Disability Advisory Council of Australia and Disabled People's International. A key area of concern for the review is accountability and consideration of what auditing processes should be introduced and the areas these should cover.

One of the primary aims of the review is to ensure that organisations which receive funding for services for people with a disability should be accountable in terms of the outcomes they achieve for people with a disability. This is in addition to a concern that grant moneys are used for approved purposes. A random auditing procedure may be one means of ensuring that services maintain adequate acquittal processes and monitoring of outcomes.

The administration of grants made in respect of services for people with a disability has recently been the subject of a review by the Auditor-General, who presented a report to Parliament on 17 June 1992. The audit found that the payment of grants under the program was in order but that improvements in the administration of grants were needed. Recommendations for improvement related to:

- . the timeliness of assessment of eligibility for grants;
- . the specification of results to be achieved by grant recipients (service providers) under funding arrangements;
- . the methodology and timing of reviews of services; and
- . the accuracy and relevance of the management information system.

Action has been taken by the Department to ensure that the improvements recommended by the Auditor-General are put in train.

See also Recommendation 1, and Recommendation 17, Chapter 6.

12. That an appropriate level of funding be provided to allow enhanced services for people with disabilities in sheltered workshops, including those workshops in transition.

A review of funding arrangements under the Disability Services Program is currently addressing inequities in funding levels among people with similar support needs using similar service types, and aims to ensure that funds are directed to people most in need of assistance. One of the issues being considered is whether financial incentives should be offered to services achieving enhanced or eligibility status.

13. That terms such as 'backfill' not be used by the Department of Health, Housing and Community Services. Such words reduce the dignity of individual people.

The Government supports this recommendation. However, it should be noted that the term "backfilling" was never used as a formal description of policy in relation to entry of new clients to traditional services. Steps are being taken to ensure that the informal use of the term does not continue.

14. That the Department of Health, Housing and Community Services provide a summary of research that has been done on the ways in which work, study, recreation, and other meaningful activities can be combined in order to provide a full life program at an acceptable wage for people with severe disabilities and those whose disabilities make it difficult for them to obtain regular full time employment. If research on this subject is limited, the Committee recommends that it be undertaken by the Department either directly, or through funding of an individual or organisation.

An investigation made of recent disability research materials has revealed that there is no research material available which focuses on the specific combination of programs and activities outlined in this recommendation. It is difficult to see how such research could be structured to encompass the differing needs of particular individuals. The Activity Therapy Centre Transition Taskforce recommended that such an approach to 'packaging' of services be pursued as appropriate to the needs of individuals and it may be that service planning processes may, in future, provide some positive examples of such a combination. However, a certain amount of research material is available on individual components of the Committee's recommendation and a summary of abstracts has been prepared and forwarded to the Committee Secretariat.

15. That the Department of Health, Housing and Community Services provide a summary of research that has been done on the identification of suitable types of employment for people unable to work full-time, or whose skills will decrease rather than increase. If such research is limited, or the results are not easily applicable to Australian society, the Committee recommends that the Departments of Industrial Relations and of Employment, Education and Training, undertake such research, including the development of a strategy to assist departments and other employees to restructure existing employment options to meet these needs.

The Roy Morgan Research Centre survey of Section 10 employment services established that part-time work is already occurring at significant levels for people with a disability. (See also Recommendation 3 of Chapter 5.)

It is important that suitable work options be explored on an individual basis determined by the needs and preferences of people with a disability themselves. Matching people with jobs is one of the major support functions of specialised employment support agencies as well as the Commonwealth Rehabilitation Service (CRS) and the Commonwealth Employment Service (CES).

Research may be useful to supplement this activity by identifying areas of growth in suitable types of employment. The Disability Services Program is currently considering priorities for its 1992-93 National Research and Development Program. Although the size of this Program is limited, its major focus for 1992-93 should be on employment related issues.

The Government will be in a better position to determine the need for additional research into suitable work options on completion of the extensive program of research and review involved in Evaluation Strategy for the Disability Reform Package. It is expected that some important insights will be gained into the factors involved in achieving successful employment outcomes for people with different types of disability and varying levels of impairment.

In the broader labour market, changes are occurring which may enhance the availability of part-time and more flexible work patterns. A priority for the Government within its labour market reform policies has been award restructuring. A critical examination of a range of issues relating to working patterns and arrangements, including the incidence of part-time work, is being undertaken by the parties to industrial awards in this context.

The Australian Industrial Relations Commission has established an "Enterprise Bargaining Principle" which allows employees, unions and employers to tailor working patterns to meet the needs of both employers and employees. The industrial parties are now able to reach agreement at the workplace level to seek to vary a number of award provisions, including those relating to part-time employment. In addition, recent amendments to the Industrial Relations Act 1988 in respect of certified agreements are directed towards facilitating the development of workplace agreements.

Workplace bargaining is allowing companies and their workers to negotiate working patterns and arrangements to suit their individual needs. Employers, unions and employees now have considerable scope to meet the needs of all of the workforce, including those workers with disabilities.

16. That funding be provided to all service types to ensure staff have access to required training. Services are to ensure that funding is used appropriately, and in particular that training is undertaken to ensure that services are based on sound business principles and that staff have requisite expertise, particularly in managerial and administrative procedures and personnel development.

The Disability Services Program is currently trialling a training package that aims to provide service personnel with skills in planning, managerial and administrative procedures (see comments on Chapter 5, Recommendation 15). The draft National Disability Service Standards also require that services employ staff who are competent and appropriately skilled. While generally services are expected to provide in-service training from within grants provided by the Department, additional funding has been provided on a case-by-case basis for training purposes.

The Program has also commissioned specific consultancies to produce and deliver training materials designed to increase the effectiveness of staff in Section 10 employment services. Further departmental sponsorship of workshops and service networks to facilitate the dissemination of 'best practices' in service delivery will contribute to staff training.

17. That appropriate evaluation and monitoring processes be established for program funding and program outcomes, and that reports on the operation of all services be produced in 1992 and at regular intervals thereafter. These reports are not expected to cover each individual service, but should be sufficiently representative to provide a realistic assessment of benefits, costs and problems, and strategies for any required change.

See the response to Recommendations 10 and 11 of Chapter 6.

18. That an integrated interdepartmental approach to the development of employment options be continued, particularly where the skills and experience of different departments can provide assistance in the development of cost-effective and viable businesses.

The Government is keen to see a continuation of the co-operative and integrated approach to the development of employment programs for people with a disability. This approach has been demonstrated in the on-going policy development and implementation work of the Disability Task Force, with the work of the Wages Sub-Committee of the Task Force focusing on innovative approaches to the assessment of wages and work capacities of people with more severe disabilities. The Departments of Health, Housing and Community Services, Industrial Relations and Employment, Education and Training are building on the links created by the Task Force and continuing to work co-operatively in this area.

With regard to the improvement of business skills, one important role taken by the National Technical Assistance Unit is to provide advice and practical assistance to sheltered workshops to assist them to become more efficient, viable, cost effective business operations.

## Chapter 7

### 1. That the Government consider the payment of a Disability Allowance, based on need.

In October 1991, the Department of Social Security (DSS) completed a study of the additional costs faced by people with a disability in labour force related activities. The study was undertaken for the Disability Task Force (DTF) following the Government's intention to determine whether the additional costs faced by these people placed any disincentive on them to take up employment and whether any additional payments or concessions may be necessary for them. This investigation was followed in December by the DTF's Discussion Paper on the costs faced by people with a disability. The paper was published to provide a basis for public consultations that were held in March and April 1992.

The Government announced in the 1992-93 Budget a number of measures to help people with disability-related costs, particularly the additional costs associated with taking up labour market opportunities. DSS measures will include enhancing the effectiveness of mobility allowance by:

- increasing the payment by \$5 a week from 1 January 1993, and indexing it annually from that date;
- extending eligibility to people undertaking job search and to people working for at least eight hours a week in a voluntary capacity for a charity, welfare or community organisation;
- allowing people the option of taking 6 months payment up front on request, to assist, for example, with the purchase or modification of a new or second hand vehicle; and
- extending eligibility for Pharmaceutical Benefit Concession cards to non-pensioner mobility allowees.

Other measures include:

- an increase in the employment entry payment to \$300 for disability support pensioners; and
- an annual \$200 education entry payment for disability support pensioners.

In addition, funding will be provided through the Department of Health, Housing and Community Services to certain community disability organisations to provide subsidised continence care items to disability support pensioners and mobility allowees with severe physical disabilities.

People with a disability will also benefit from the extension of pensioner concession cards to all pensioners, as announced in the 1992-93 Budget.

Commonwealth fringe benefits include the Telephone Allowance paid quarterly to telephone subscribers, concessional hearing aids by arrangements with the National Acoustics Laboratories, and postal and Australian National Rail Concessions.



States have provided a range of concessions to Pharmaceutical Health Benefit cardholders. The Commonwealth Grants Commission will advise on any additional funding for the States as a result of this measure.

2. That eligibility for income support should not be based solely on medical impairment, and other factors such as language and education level must be taken into consideration.

This recommendation predates the significant changes introduced by the Government in the Disability Reform Package which introduced a more active system of payment and support while ensuring that people with severe disabilities who have limited employment prospects have adequate and secure income support.

Accordingly, the eligibility criteria for disability support pension are very different from those relating to earlier invalid pension. They are based on a minimum impairment level of 20 per cent or more, together with an inability to work full time for full award wages for the foreseeable future.

If a person's inability to work is due to other factors, such as a downturn in the labour market and lack of educational qualifications or skills, then the appropriate payment for that person is Jobsearch Allowance/Newstart. Those payments are structured to provide assistance to people whose work disadvantages are mainly due to factors other than disability. This focuses the specific assistance available for those on disability support pension, for example rehabilitation, to those most in need of it.

3. That relevant Departments provide appropriate information on income support, wages and taxation to people with disabilities who either have little work experience or whose main work experience has been in sheltered employment. Such information should be presented in 'plain English' and in an accessible format. Regional departmental offices should ensure that there is a nominated contact officer able to deal with queries about the income test from sheltered employees and particularly people with intellectual disabilities.

Departments involved in these activities recognise the need to provide appropriate information on programs, including information in 'plain English', as recommended by the Committee. The Department of Health, Housing and Community Services is now increasing the availability of 'plain English' versions of informative material where this is relevant to the needs of clients of the Disability Services Program.

Generally, the Department of Social Security (DSS) already provides this information in a simple English format. Information on rates, eligibility conditions and programs are regularly revised and updated by DSS staff.

In relation to material specifically for people with an intellectual disability, it is the opinion of the three departments involved in the Disability Reform Package marketing project that these people should, wherever possible, be given information on a one-to-one basis. In most cases, such information would be provided by either public contact staff or Disability Support Officers.

4. That access to counselling and advocacy services should also be available to assist people with disabilities to understand the principles of income support, and the ways in which increased income affects income support levels.

The Department of Social Security, through its social work services, provides the following services to its clients: professional counselling, advice and referrals to appropriate community services. Information and assistance is also provided through the Disability Support Officer on the disability panels, on the services available to meet a client's needs and their entitlements. Other network staff in Social Security offices are also able to provide information about income support matters.

Specific responsibility for advocacy lies primarily with the Department of Health, Housing and Community Services (DHHCS).

DHHCS, through the Disability Services Act, provides funding for a range of advocacy services for people with a disability and will retain responsibility for funding these existing advocacy services following implementation of the Commonwealth State Disability Agreement (CSDA). While provision of counselling, advocacy and advice on income support matters could be an integral part of such services, it will probably be only as an adjunct to their primary purpose.

Under the CSDA, development of new advocacy services will be a responsibility of both levels of Government. It is envisaged that issues of income support, including counselling and advice, would be addressed through existing services, rather than establishing specific services for the sole purpose of income support counselling and advice. Up to date information for this purpose would be available through the current Disability Reform Package arrangements linking departments.

5. That state housing and local authorities allow people with disabilities, whose financial circumstances have improved, to retain access to public housing.

Tenants of public housing, including disabled tenants, have security of tenure and are able to retain access to that housing notwithstanding improved income. Rents will, however, be increased as income rises, and most States have arrangements to offer higher income tenants alternatives such as shared home ownership or home ownership programs when appropriate.

6. That rental assistance be maintained for 12 months for people with disabilities who have moved into employment which increases their income beyond the usual rent assistance limit.

There is some uncertainty about this recommendation. If this recommendation is proposing that rent assistance continue to be paid to clients who cease to be eligible for pension or allowance and who are also ineligible for Family Assistance Supplement (FAS), the Government would not support such a measure. Unlike Pensioner Health Benefit (PHB) eligibility which is extended for a period of 12 months to those disability support pensioners who return to work, thereby maintaining their access to concessions and fringe benefits, rent assistance is a component of the basic income support payment rather than a concession.

There is an implication in the recommendation that there is a separate income test limit for rent assistance. This is incorrect. Rather, rent assistance eligibility extends beyond the PHB income test limits to all pensioners and beyond the pension income limits to some FAS recipients.

This recommendation is therefore based on an incorrect perception of the nature of rent assistance in the income security system.

7. That in planning housing, the relevant governments and authorities should take into account the needs of people with disabilities for appropriate design and location of housing. Relevant location factors should include access to transport and required services, and access to employment. Design factors should include one level housing, ramps etc.

The Government supports the need to ensure appropriate housing for people with a disability and the need to ensure that there is access to transport and required services. States have developed specific programs for disabled people, and have incorporated appropriate design features to meet the needs of aged and disabled people within mainstream housing.

Taking account of the needs of all special groups, including people with a disability, the development and location of appropriate housing is being considered within the parameters of the National Housing Strategy. In particular, Issues Papers 5 and 6 will address these issues.

8. That the Department of Social Security and the Department of Health, Housing and Community Services establish a research project (based on the Department of Social Security Costs of Disability study) to determine health care costs for people with disabilities. A select group of people with disabilities should be studied over a 5 year period, with reports being made at the end of each year, including at the end of the 5 year research period.

The Department of Social Security has asked the Australian Bureau of Statistics to develop a disability module which could be included in 1993-94 Household Expenditure Survey. Such a module would provide a consistent classification system to identify people with a disability and enable data which are more timely and detailed to be provided on people with a disability. It would also allow the provision of estimates of costs of disability incurred by people with a disability. Details of medical expenses and non-recurrent expenditures could be recorded for people with a disability and add greatly to knowledge about the additional costs faced by this group.

9. That departments ensure that clients and their support services, and departmental officers have a comprehensive understanding of the range of programs and services providing assistance to people with disabilities and the interaction of those with the income support system.

The Department of Social Security constantly reviews its programs and services to ensure that clients, support services and departmental officers have a thorough understanding of the range of assistance available. Technical training is regularly

provided to departmental officers on all aspects of the Department's programs to ensure they have a comprehensive understanding of the services available to people with a disability.

In addition to this, the Department regularly reviews its methods of information distribution in order to improve access to and quality of programs and services.

This information dissemination is being partly accomplished through the Disability Reform Package (DRP) communication strategy which targets staff of Commonwealth Departments involved in the delivery of programs under the DRP.

10. That the Commonwealth government fund research which determines the amount of a viable income for people with disabilities unable to work full-time at or above award wages.

Department of Social Security research on costs of disability show that costs vary substantially according to individual circumstances. It is not therefore possible to define what constitutes a "viable" income, in the broad. The results of Australian Bureau of Statistics research outlined in Recommendation 8 may improve knowledge in this area.

11. That the Commonwealth government implement a wage system to meet the income needs of people with disabilities unable to work full-time at or above award wages.

12. That the Commonwealth government direct resources towards ensuring that at least a living wage, which may be made up of part-pension and part-wage, should be the basis of pay received by people with disabilities in paid employment, even though this may not be an award wage.

This response refers to Recommendation 11 and 12.

As part of the Disability Reform Package, announced in the 1990-91 Budget, the Commonwealth Government is developing revised wage setting arrangements for people with a disability to enhance their employment opportunities in the open labour market.

The proposed revised wage setting arrangements incorporate three essential elements:

- . a wage setting element to provide for payment of a pro rata wage for workers whose skills and productive capacities are restricted because of a disability and who are unable to perform the full range of duties competently;
- . workplace support such as provision of on-the-job training, advice and workplace modification; and
- . income supplementation for participants.

The system has largely been developed and has been agreed in principle by the industrial parties, State and Territory governments and the disability community as an appropriate means of determining wage levels and providing necessary workplace support for employees and employers involved in the system. Income supplementation issues are being further considered.

In regard to the income support elements of the system, the Government recognises the need to provide an adequate level of total income while ensuring equity with other people with a disability and other low paid workers without disability and other welfare recipients.

As well, other recently announced changes within the costs of disability area will provide access to increased mobility allowance for some people within the Revised Wages System which will assist with travel costs.

**13. That the eligibility criteria for sales tax exemptions relating to cars for transporting people with disabilities should be reviewed regularly so as not to disadvantage some people with disabilities.**

In October 1989 the Government commissioned the Industry Commission (IC) to investigate the impact of tariffs and other measures subject to the control of the Australian Government on the cost and availability of aids and appliances for disabled persons. The Commission also reviewed the sales tax exemptions which apply to aids and appliances for use by people with a disability and the Government responded to that part of the IC report in the 1991-92 Budget. That response included the introduction of two amendments to the sales tax legislation with effect from 20 August 1991. The first measure puts a cap on the value of the sales tax exemption for motor vehicles and the second makes available an exemption for goods used to modify a motor vehicle to permit the transport of a passenger with a disability.

WST exemptions are not the best way of providing assistance to people with a disability as they confer benefit according to expenditure and not according to need. Those who outlay the most on taxable new motor vehicles (within the threshold price range) receive the most benefit leaving those who are unable to afford a new vehicle with no benefit. This is inconsistent with a needs based approach to assisting people with a disability. Assistance through direct outlays offers a greater scope for targeting assistance to those with greatest need.

The Government recognises that the present eligibility criteria for sales tax exemptions on motor vehicles for people with a disability is somewhat narrow. However, regular reviews would only serve to formalise the current process whereby submissions received by the Government are examined on an on-going basis and such a review process could create expectations that the provisions be widened. It is unlikely that the Government could fulfil such expectations on present budgetary constraints and, in any case, there will always be boundary problems surrounding such exemptions, ie. what class of disability should be covered.

**14. That employed people with disabilities and those people with disabilities undertaking approved training be eligible for means-tested concessions in compulsory car registration and insurance.**

**15. That relevant authorities make more reserved parking spaces available for people with disabilities. That these spaces be level and of sufficient size to cater for wheelchairs. That longer time periods be available to people with disabilities using reserved parking spaces.**

16. That public transportation systems should be made more accessible to people with disabilities, and States and Territories where this has not yet been done should consider the changes that can be made.

Recommendations 14, 15 and 16 are more directly applicable to State, Territory and local governments than to the Commonwealth Government.

However, as part of its package of measures to help people with disability-related costs, the Government will, from March 20 1993, establish a Transport Advisory Committee consisting of representatives of the Commonwealth (Departments of Transport and Communications, Social Security and Health, Housing and Community Services) State and Territory governments, disability groups and industry, which will examine ways of improving the accessibility of public transport for people with a disability.

The issues that could be considered by the Committee include:

- . development of design standards for both public and private transport;
- . reciprocity of concessions and taxi voucher schemes;
- . taxi subsidy schemes;
- . transport brokerage demonstration scheme;
- . tax concessions and import duties;
- . vehicle demonstration centres; and
- . a study of the transport needs of the frail aged.

Another role of the Committee will be to act as a liaison point for committees at State and Territory level.

17. That eligibility criteria applying to receipt of the mobility allowance should be reviewed regularly to ensure that groups of people with disabilities are not relatively disadvantaged, as was suggested by some of the evidence put to the Committee.

As stated in Recommendation 1, the Government will implement, in the context of the 1992-93 Budget, a package of assistance for people with severe disabilities, as a way of addressing the problems of cost and access to transport that they may face. Department of Social Security measures will include enhancing the effectiveness of mobility allowance by:

- . increasing the payment by \$5 a week from 1 January 1993 and indexing it annually from that date;
- . extending eligibility to people undertaking job search and to people working for at least eight hours a week in a voluntary capacity for a charity, welfare or community organisation;
- . allowing people the option of taking six months payment up front on request, to assist, for example, with the purchase or modification of a new or second hand vehicle; and

- . extending eligibility for Pharmaceutical Benefit Concession cards to non-pensioner mobility allowees.

These changes will be subject to evaluation, and the program as a whole will be subject to periodic review.

18. That the list of goods which could be exempted from sales tax should be broadened. Possible abuses of the exemption provisions could be dealt with to some extent by requiring the provision of authorising information at the point of sale. In particular, exemptions should be available in respect of those general purpose goods which are essential for people with disabilities.

A similar recommendation (though somewhat narrower in scope) was made by the Industry Commission in its Report on Aids and Appliances for people with a disability. This recommendation was not implemented on the grounds of administrative difficulties and possible abuses.

As noted in response to Recommendation 13, direct financial assistance to those who purchase such items would be preferable as Wholesale Sales Tax (WST) exemptions confer benefit in proportion to expenditure and not according to need. The provision of authorising information is not likely to prevent possible abuse of any extensions in this area as it would be difficult to prevent benefits being passed on to others through resale or buying "on commission". In addition, WST concessions are an indirect form of assistance where the cost to revenue is hidden (the cost would be the revenue forgone on sales made by many sellers and it would be costly to keep track of all such sales).

Under the WST system, tax is imposed at the last wholesale stage. Exemption claims from consumers with a disability for general purpose goods under such a measure would, however, generally be made at the retail stage.

There is presently no process for the retailer to make a direct claim for refund to the Tax Office. The paper work burden involved to claim credit often outweighs the value of the tax, and therefore some retailers refuse to provide sales tax exemptions to their customers (there is no obligation at law) or to provide a discount in lieu of an exemption. This problem would be addressed under the proposed simplified WST Bills which, if legislated in their present form, would allow retailers to claim a refund directly from the Australian Taxation Office (subject to minimum refund limit). However, the problems of poor targeting and abuse (including "on selling" would, of course, remain).

Conditional exemption provisions, which would be necessary to allow people with a disability to purchase taxable general purpose goods exempt, complicate the law and make it more difficult to police.

19. That greater taxation deductions be available for the cost of purchasing or hiring 'medical' (for example, wheelchairs, aids) and non-medical appliances (for example, computers, telephone typewriters) where these are indispensable aids to people with disabilities.

Tax deductions are not generally available for medical expenses because such costs are not formally incurred in the course of gaining income. The law denies a work-related deduction for expenses of a private nature, or expenses not incurred in the course of gaining income. Many of these expenses would also be incurred if the person was not employed because they related to the medical condition suffered by that person.

However, the Medical Expenses Rebate is available to a person whose net medical expenses (those that cannot be recouped from Medicare, a private health fund, or from other private compensation or insurance cover) in the year of income exceed \$1000. From 1991-92 the rebate will be calculated at the rate of 20 per cent of the excess of eligible expenditure over \$1000.

Eligible expenditure includes payments to doctors, chemists hospitals etc. and payments for wheelchairs, orthopaedic and surgical appliances including artificial limbs. Appliances covered by the rebate are specified in subsection 159P(4) of the Income Tax Assessment Act.

The benefits of the rebate are not received if a person is not in receipt of taxable income. Comparatively few disability support pensioners are likely to pay tax and therefore derive no advantage from the rebate. Furthermore, costs may be incurred several months before a tax benefit is received.

To allow rebate eligibility for indispensable non-medical appliances would require the extension of the coverage of the Medical Expenses Rebate. A separate class of items would need to be defined specifying the test for indispensability, any possible limits to rebate eligibility and a definition of people with a disability. It would also be difficult to adopt the alternative of lowering the rebate threshold without extending the same concession to other persons with medical expenses, such as those suffering a chronic or severe illness. Additional tax rebate relief for people with a disability would be inconsistent with the Government's policy of reducing reliance on tax concessions and providing better targeted assistance through the expenditure side of the Budget. These proposals could also conflict with the Government's objective of simplifying the tax laws.

Other programs already exist to assist people with a disability. The State and Territory governments have the Program of Aids for Disabled People (PADP) for the provision of aids to people with a disability of permanent or indefinite duration. Eligibility is usually means tested. A new Commonwealth funded Continence Aids Assistance Scheme was announced in the 1992-93 Budget, and is designed to assist people with a severe disability who meet the costs of their own bowel and bladder care items. Other benefits available include the Medicare arrangements, Mobility Allowance, Pharmaceutical Benefits Scheme and assistance for those unable to use public transport. Many exemptions from sales tax are



available either on a conditional or unconditional basis for goods used by people with a disability, including wheelchairs, videotex, and teletex systems etc (for hearing impaired persons) medical and surgical goods, and drugs and medicines. Food for guide dogs will be specifically exempt in the proposed simplified sales tax legislation.

20. That businesses producing aids for people with disabilities be refunded the tax on components used in the production of, and equipment purchased for, such items.

The rationale for this recommendation is not clear. Businesses producing aids for people with a disability, such as wheelchairs and hearing aids, would generally be classified as manufacturers for sales tax purposes. Manufacturers are generally able to obtain free from tax many of the inputs into the production of their goods, including many items of capital equipment and raw materials, under the general business exemption.

The scope of these exemptions was extended from December 1991 to cover goods used in ancillary functions eg. storage, handling and despatch, and specific activities connected to goods production eg. research and development and industrial design.

On this basis, it is expected that businesses manufacturing medical appliances would be currently eligible for sales tax exemption for a wide range of capital goods and raw materials used in the production of such items.

21. That, when personal care services are being developed and evaluated, priority should be given to ensuring that services that are being provided for those people who are employed are relevant to their special needs. This may include the availability of personal care at irregular hours.

The lack of personal care in the workplace was identified by the Ronalds' Report, National Employment Initiatives for People with Disabilities, as a major barrier to employment, particularly for people with physical or multiple disabilities. In order to examine means of overcoming this barrier, the Department of Health, Housing and Community Services has set up a Work Based Personal Assistance (WBPA) Pilot to operate in Queensland and Victoria for 12 months. The pilot commenced early in 1992 and a formal evaluation of the project will be undertaken by a consultant. The aim of the evaluation will be to assess the efficiency and effectiveness of Work Based Personal Assistance in providing employment and other opportunities for people with a disability and to determine which of the different models of work based personal care will achieve maximum outcomes for people with a disability.

The information gained from the evaluation will be important for the planning of any future development of work based personal assistance schemes. Particular care will be taken in any planning process to ensure that services can respond flexibly to the particular needs of individuals. There will also be a need to consider the co-ordination of work and home-based personal care services.

22. That employers, including the Australian Public Service, should consider the granting of more generous special leave provisions for employed people with disabilities for medical or similar appointments that cannot be met within ordinary working hours. Appropriate certification should be supplied to authenticate any special leave taken. Employers should also be educated to accept the importance of accommodating particular needs of employees with disabilities in ways such as flexible hours, as in the Australian Public Service, and assistance from co-workers.

For its own employees, the Government currently provides a range of leave options which are available to employees with disabilities and which would assist in meeting their special needs. The range of entitlements, and the flexibility and responsiveness of their application, cater for the needs of special groups of employees, including those with disabilities.

Furthermore, Equal Employment Opportunity programs within each department and agency recognise employees with disabilities as a special target group. Whilst guidelines may vary, they will generally recognise the special needs of these people, not only in terms of the physical environment, but also in terms of flexible working patterns and conditions.

Leave entitlements relevant are:

- . Accrued sick leave provisions:
  - employee's with a disability are not restricted in their access to full sick leave entitlements;
  - sick leave pay is based on the employees regular salary; and
  - sick leave currently accrues at the rate of 10 days on full pay and 10 days on half pay per year;
- . Up to three days paid special leave per year which could supplement sick leave provisions in meeting any need for medical or similar appointments should sick leave entitlements prove inadequate.
- . Leave without pay which could serve the same purpose as special leave, but may not count as service if it exceeds 22 working days per year.
- . Flexible working hours.

In the broader area of employment conditions, the Government is constrained by the Constitution from legislating directly upon wages and conditions of employment for the majority of employees. The majority of Australian workers have their wages and conditions established by the relevant Federal or State Industrial Tribunal.

23. That funding for support services for people with severe disabilities be increased annually in real terms in order gradually to increase the number of such people in employment. It will be necessary to provide such support in the public sector, for example, in order for increased employment opportunities in that area to be viable.

The Government is committed to increasing opportunities for people with higher support needs to access employment, and is working on a number of initiatives to achieve this.

One of the major innovations in this area is the development of revised wage setting arrangements for people with a disability to improve their employment opportunities in the open labour market, both private and public. (For further detail see Recommendations 11 and 12, Chapter 7.)

Another Government initiative which has the potential to assist people with more severe physical disabilities is the piloting of a Work Based Personal Assistance (WBPA) scheme. The scheme is specifically for people for whom open employment is currently not a possibility because they need a level of personal care throughout the day which is not available in the general labour market or within the support capability of services funded under the Disability Services Act. WBPA was developed in response to one of the recommendations of the Ronald's Report, *National Employment Initiatives for People with Disabilities*, to provide assistance to people with more severe disabilities in the workplace.

The Government is also providing extra assistance as announced in the 1992-93 Budget to meet the costs incurred by people with a disability, which will particularly assist people with more severe physical disabilities. (See also Recommendation 1 of this chapter.)

Further funding for support services for people with more severe disabilities would need to be considered in the context of other competing Government priorities.