[breakthru]

breakthru submission to the Royal Commission into Violence, Abuse, Neglect and Exploitation of People with Disability

To help improve the experiences of people with disability in employment.

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Introductory letter

I want to commend the Australian Government for initiating this Royal Commission to create positive change for people with disability. breakthru is an experienced disability service provider and significant stakeholder within the disability services sector. We are an Australian purpose-driven organisation whose core vision is to advance 'Seamless Inclusion' for the people we support. breakthru delivers extensive services throughout Queensland, New South Wales and Victoria for people with disability who experience unemployment, homelessness and mental ill-health or who require skill-based training.

Australia's record of employing people with disability is poor. Australia is ranked 21st out of 29 when compared with other Organisation for Economic Co-operation and Development (OECD) nations. Additionally, around 45% of people with disability in Australia live near or below the poverty line. These statistics indicate a deep and systemic national failure to achieve positive long-term outcomes for people with disability. Clearly, the need for broad positive change is needed.

We are pleased to contribute to the discussion on improving laws, policies, structures and practices to ensure a more inclusive society. This investigation arrives at a critical juncture in the disability industry in Australia. The rollout of the National Disability Insurance Scheme (NDIS) has catalysed broad reform in the provision of employment services and support for people with disability. The enquiry also coincides with the development of a new National Disability Strategy, which aims to drive improvements for Australians with disability over the next decade. These broad policy agendas provide an opportunity for Australia to adopt a uniform approach to the national issues of helping people with disability access employment and Australian businesses.

In preparing our response, breakthru sought the views of numerous stakeholders. These included breakthru's employment services customers and employers, employees, and subject matter experts. The following submission outlines the key findings of this feedback and provides recommendations on improving the approach to employment support in Australia. These recommendations help to reduce the consequences and escalation of unemployment amongst people with disability.

Authorising Signature:

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September 2020

Executive Summary

This report is a response to the call for submissions from the Australian Government's Royal Commission into Violence, Abuse, Neglect and Exploitation of People with Disability. In this submission breakthru provides insights into the challenges faced by people with disability in employment and proposes solutions to achieve improved outcomes.

This report demonstrates that people with disability encounter numerous barriers to inclusion within Australian society. These barriers hinder their employment participation, leading to significant repercussions for individuals and Australia's economy and international reputation. Dismantling these barriers presents Australia with an opportunity to empower people with disability and enhance their dignity, sense of purpose and social connectedness. These opportunities can be realised by providing people with disability more meaningful employment that offers fair and equitable remuneration. This helps to reduce risks associated with violence, abuse, neglect and exploitation; allowing Australia to champion the rights of people with disability and create a more socially and economically prosperous society.

This report is thematically divided into five sections:

- **1. Literature review.** The literature review provides insights into the disability context and includes:
  - The model used to understand disability, providing clarity on the challenges facing people with disability.
  - An outline of the key issues confronting people with disability to gain employment within Australia. The topics covered in this analysis include:
    - » The general poor outcomes currently affecting people with disability in Australia.
    - » The social exclusion and discrimination people with disability currently face within the workplace.
    - » The difficulties that the Australian Government's mutual obligation requirements presents for people with disability who are searching for employment.
    - » An analysis of the complications that the NDIS produces for people with disability seeking employment.
    - » An examination of the University of Technology's (UTS) *Entrepreneurs with Disability Report* that was developed in collaboration with breakthru. The report illustrates the motivations for why people with disability create businesses and provides insights into how their choice and control can be nurtured.
  - The social, economic and reputational consequences for Australia in continuing to perform poorly in helping people with disability attain employment.

- **2. Best practices.** An overview of Australian and international best practices to assist people with disability secure employment. These practices help to remove or reduce barriers and mainstream disability within the community's mindset to achieve superior outcomes for people with disability.

- **3. breakthru social model.** An outline of breakthru's four-phase social model of support and how this model leads to positive employment outcomes for people with disability. breakthru's use of the social model ensures our approach is person-centric and focusses on increasing the natural rights of the people we support.

- **4. breakthru's success.** Case studies of breakthru's success in achieving positive outcomes for employment services customers, employers and employees. In its support, breakthru assists people to achieve the best possible social and emotional results and meet personal employment goals; empowering them to lead their best life.

- **5. Recommendations.** Recommendations to the commission on changes that will aid people with disability to overcome barriers to securing employment and help to nurture improved social and economic outcomes in Australia.

breakthru overview

breakthru is a premier diversity recruiter within Australia and has over 26 years of expertise supporting people with disability gain employment. People access our services through state and federal funding and fee-for-service. Our key employment services include Disability Employment Services (DES), Finding and Keeping a Job (FAKJ) and School Leaver Employment Support (SLES), the latter two funded through the NDIS.

breakthru helps people with disability find employment. We achieve this goal by collaborating with the customer and other key stakeholders, such as their families, friends, employers and additional service providers. This helps to ensure the customer's necessary supports are received and their efforts maximised.

breakthru has a strong history of achieving or exceeding targets and program outcomes. This has resulted in great jobseeker, employer and employee success stories and continued program funding. breakthru supports its customers to achieve the best possible social and emotional outcomes and meet personal employment goals; helping them to lead their best life.

Section One – literature review

Models of disability

A contemporary understanding of disability demands that we re-examine historical and current environments and how they have created and sustained the marginalisation of people with disability. There are two key models that define society's understanding of disability. This is firstly highlighted by the medical model of disability. The medical model positions disability as an impairment experienced by the individual.[1] By linking the disability exclusively with the impairment of the individual, this model lowers expectations of people with disability.[2]

In contrast, the more contemporary social model of disability demonstrates that disability is socially constructed. Disability occurs when our physical, social and organisational environments erect barriers that exclude or marginalise people living with impairments.[3] The social model seeks to transform society to accommodate people living with disabilities.[4] Equality can be achieved by dismantling the negative view of disability and changing society's perspective to better understand the strengths and benefits that people with disability offer employers and the community.[5]

According to the United Nations (UN), this framework is now the internationally recognised position of viewing and addressing disability.[6] The social model improves understanding into the social and cultural systems, policies and forces that limit people with disability's independence, choice and control. This allows for an attitude shift that promotes structural change to undo barriers to inclusion and prioritises the supports people with disability need. Accordingly, people with disability are empowered to improve their employment participation and excel within life.

Issues confronting people with disability in Australia

Poor outcomes for people with disability in Australia

Disability is common with over 4.4 million people in Australia (approximately 20% of the population) reporting having a disability (35.9% of Australia's 8.9 million households include a person with disability).[7] Disappointingly, Australia is one of the poorest performers in disability support among comparable OECD jurisdictions. For instance, the employment rate for working-age (aged 15-64) people with disability in Australia has declined since the mid-1990s and during the mid-2000s. People with disability in Australia are now half (50%) as likely to be employed as people without a disability. In contrast, the average employment rate is 60% for the OECD and 70% for the top eight OECD countries – leaving Australia ranked 21st out of 29 OECD countries. Furthermore, almost one in two people with disability in Australia live in or near poverty (45%). This is more than 2.5 times the rate of poverty experienced in the general population and more than double the OECD average of 22%. The OECD average for relative poverty risk is approximately 1.6, indicating that people with disability have a poverty risk about 1.6 times higher than people without disability. Australia is the worst performer on this indicator, ranking 27th out of 27 OECD countries, with a relative poverty risk of 2.7.[8]

Indeed, Australia's performance in creating and developing positive outcomes for people with disability is worsening. This is highlighted by Australia's recent appearance before the Committee on the Rights of Persons with Disabilities in Geneva, Switzerland in September 2019. The committee received reports and submissions from the Australian Human Rights Commission, the Australian Government, and civil society organisations.[9] Numerous areas of concern for people with disability were raised by the committee. This included inappropriate housing; reduced labour force participation; unlawful or arbitrary detention on psychiatric grounds; and the diminished recognition to make supported decisions. The committee also questioned the sufficiency of Australia's legal system to protect and support people with disability, particularly women, Aboriginal and Torres Strait Islanders, people from culturally and linguistically diverse backgrounds, and with complex support needs.

The committee contended more robust monitoring, reporting, evaluation, governance and accountability requirements were needed for the National Disability Strategy.[10] This represents a commitment by the Australian Commonwealth, State and Territory governments to improve the lives of people with disability, their families and carers. The strategy, designed in collaboration with people with disability, also aims to provide leadership for a community-wide shift in attitudes that views people with disability favourably and maximises their potential to participate equally in Australian society.[11]

Workplace social exclusion and discrimination

People with disability in Australia are routinely confronted by negative social attitudes. These barriers undermine the meaningful participation that people with disability contribute to the community. The 2009 *National Disability Strategy Consultation Report* notes that 56% of its submissions identified negative social attitudes towards people with disability as a critical issue. Submissions contended that widespread misconceptions and stereotypes about people with disability inform the attitudes and behaviour of service providers, businesses, community groups, governments and individuals. People with disability and their families, friends and carers reported daily instances of being segregated, excluded, marginalised and ignored.[12]

This is illustrated by a survey conducted by the Australian Capital Territory (ACT) Disability Advisory Council and the ACT Department of Disability, Housing and Community Services. The research discovered that sizeable minorities of Canberra residents expressed negative or discriminatory views towards people with disability. For instance, 17% claimed that working with someone that had schizophrenia would make them uncomfortable and 20% viewed people with disability as less effective as people without disability in the workplace.[13] The 2009 *National Disability Strategy Consultation Report* states that employers expressed misconceptions about the cost of supporting people with disability through modifications and adaptive technology. This is despite people with disability having the ability and desire to work.[14] These misunderstandings result in fewer employers demonstrating a willingness to hire people with disability.

This stems from a lack of disability literacy within the community. The 2019 *Right to opportunity: Consultation report to help shape the next national disability strategy* affirms these discriminatory attitudes remain current. For instance, respondents stated the most common reason for minimised employment opportunities is low disability awareness among employers. This view subsequently leads to a reduced understanding of people's abilities. Low visibility of people with disability in the community means employers are unexposed to the abilities of prospective employees.[15] Evidently, negative attitudes towards people with disability in Australia are powerfully ingrained. This systemic exclusion further creates and entrenches significant barriers to employment participation for people with disability.

A cultural change within Australian society is required to facilitate reform in the disability sector. This cannot be legislated; the community needs to understand the reasons and importance of the changes.[16] Increasing awareness and education can help shift attitudes and lead to people with disability gaining greater community inclusion and employment opportunities.[17]

Mutual obligation requirements

Most DES participants receiving government income support payments will have mutual obligation requirements. These are compulsory participation requirements necessitating customers (referred to as participants by the Australian Government) to participate in activities to help secure employment.[18] This includes applying for a specific amount of jobs, attending interviews and accepting suitably paid employment.

Since the early 1990s, Australia has implemented a mutual obligation system which has gained increasing influence on social security policy.[19] In mid-2018, the Australian Government introduced new powers to penalise participants for non-compliance. This is highlighted by the 'demerit' system. For instance, service providers can issue participants demerits for missing appointments and activities without a 'reasonable excuse'.[20] This is a concern because the term is undefined in legislation and its meaning is subjective.[21] Consequently, participants deemed lacking a 'reasonable excuse' are issued a demerit and will generally have their payments suspended until re-engaging with their employment service provider. Under this regime, participants are unable to appeal the provider's decision to the Australian Government until five demerits have been accumulated. Advocates argue this affords providers unwarranted power, given that the program's government administrators have overturned demerit decisions in approximately 50% of cases.[22] Furthermore, of those receiving three demerits, 43% had an inadequate and untailored employment plan and 64% had inaccuracies in their employment plan due to provider error. The welfare compliance system therefore inadequately meets the needs of participants and is exacerbating the stress and disadvantage of vulnerable community members.[23]

These barriers are an issue for people with disability seeking employment. This is because 27% of participants in the open employment market have a disability and 15% of people with disability participants remain in employment past 26 weeks of government income support. Indeed, the 2020 Employment Services Expert Advisory Panel to the Australian Government acknowledged that many participants possess insufficient supports to find suitable employment.[24]

This submission notes that the Employment Services Expert Advisory Panel report advises changes to the mutual obligation requirements. The report affirms the current mutual obligations inflexibility, wherein DES participants are generally required to apply for a specified amount of positions per month. The amount is determined by the service provider consultant based upon the participant's personal circumstances and capacity. Under the proposed updated model, greater flexibility is introduced into the participant's plan and points-based mutual obligations are developed with participant input. The new system is designed to give participants greater ownership of their pathway to employment, which will encourage compliance with mutual obligations. This submission maintains that the proposed policies represent a positive shift; however, the submission also states that job searching remains a core requirement of the model. breakthru believes that the primary focus of mutual obligation requirements should be inclusion and to support and build the participant's capacity. This non-punitive focus helps to secure participant buy-in and increases the likelihood of attaining more sustainable employment outcomes. Furthermore, this also leads to better community results because participants are less likely to leave and access other community services, such as the health system, which already experience service shortages and long waiting lists. These gaps result in services focussing on acute crises rather than long-term community capacity building. Consequently, this may increasingly isolate at-risk people and could result in community and health services becoming overwhelmed. This suggests that an overreliance on the punitive function of the mutual obligation framework will lead to adverse participant and community outcomes.

The Federal Government's regime of mutual obligations, despite its different iterations in welfare reform, has negatively affected the employment of people with disability in Australia. This is because the punitive nature of mutual obligations disempowers participants. The program inadequately achieves its remit of making people more self-reliant and reducing their government dependence and descent into long-term poverty. This makes mutual obligations an unreasonable social contract. To attain greater social impact, breakthru believes new strategies that are based upon the principles of inclusion and social justice are needed; helping to give participants more ownership of their employment journey. This will assist in strengthening the social contract between the national government and the community and create better outcomes for people with disability in Australia.

The National Disability Insurance Scheme (NDIS)

The NDIS was first envisaged as an essential instrument to progress much needed reform in the Australian disability services sector. The NDIS is a funding, support and governance mechanism that promotes the equal participation of people with disability within society. This scheme subsequently enhances the nation's economic and social wealth.[25]

Increasing the employment of people with disability is integral to the NDIS vision. However, despite these aspirations, the NDIS is underperforming. For instance, only 20% of NDIS working-age participants believe the NDIS has helped secure suitable employment. Furthermore, the minimal confidence in the NDIS system is also highlighted by the total annualised committed supports for employment. For example, only 5.4% and 2.1% of participants aged 15-24 and 25 years and older respectively have adopted these supports within their plans.

There is an evident disjunction between the ambitions of the NDIS to enhance employment and its application.[26] Indeed, 56% of participants with a work goal in their NDIS plans desired employment; however, remained unable to secure work.[27] This disparity is illustrated by three challenges currently confronting the NDIS:

1. The current system disenfranchises people with disability in their search for employment. This is because minor emphasis is placed upon including employment goals in participant plans. For instance, during planning conversations, participants select two goals of importance which are recorded in their plan. However, solely 31% of participants aged 15 and over have work-related goals in their active NDIS plans.[28] This negligible emphasis therefore curtails the capacity of people with disability to participate economically and socially within society.[29]

2. Insufficient assistance is provided to school students with disability. For example, only 18% of participants aged 15-24 reported having paid work between their NDIS program start-date and first review. Participants aged 15-24 are most likely school leavers that have access to the SLES program.[30] The SLES' effectiveness is limited because the program is exclusively available to students that complete Year 12. Consequently, the needed supports to prepare young people with disability for workforce participation are provided late.[31]

3. The interface between DES and the NDIS is complex. This originates partly from both systems being increasingly demarcated in operation. According to the National Disability Services, this interaction leads to an unoptimised system that inadequately supports people with disability to maximise employment opportunities.[32] The net result of this disconnect between the NDIS and DES is that people are funnelled towards segregated employment settings (in the form of Australian Disability Enterprises) and away from meaningful employment in the community.

Entrepreneurs with Disability Report

UTS recently launched its *Entrepreneurs with Disability Report*. breakthru, in partnerships with National Disability Services and Settlement Services International, supported the development of this report. This research project explores the pathways of people with disability into entrepreneurship. The insights gained through this research confirm Australia's capacity for developing evidence-based policy initiatives that increase the number and success of entrepreneurs living with a disability. People with disability have increasingly higher rates of self-employment and entrepreneurship than the general population in Australia.[33] The report identifies that people with disability are 43% more likely to be self-employed than non-disabled Australians.[34] Motivations by people with disability for establishing a business are varied. This is highlighted by both 'pull' and 'push' factors.

For instance, 'pull' factors related to the possibility of higher income, workplace flexibility regarding hours and location, and reasonable recognition of support needs. People with disability subsequently expressed desires to increase their work satisfaction and secure economic and personal independence to accommodate lifestyle needs. However, developing an enterprise was also coupled with a strong normative component. By providing a service or product, respondents hoped to produce social change which benefits people with disability and the community.

From a 'push' perspective, personal economic opportunities were identified by many participants as a rationale for starting their business. These respondents struggled to secure meaningful work due mostly to employer discrimination. Furthermore, people with disability often experienced limited recognition of their qualifications; resulting in a mismatch between their skills and available labour market opportunities and being unable to secure an occupation associated with their field of expertise.

According to the report, the regular discriminatory challenges people with disability encounter help them to succeed in entrepreneurship. This is because the encountered adversity facilitates personal character growth. Nurtured characteristics included innovation, problem-solving skills, flexibility, tenacity, sense of humour, preparedness to seek assistance, resilience, grace, creativity and risk management. Moreover, through creating a business, people with disability wished to combat being defined by their perceived 'deficits' and 'negative disability stereotypes'. The report notes that people with disability desired to be positively regarded for their inherent ability, skills and expertise and human potential. By engaging in entrepreneurship, people with disability reported having enhanced purpose, opportunities to make a positive contribution, increased self-esteem and wider community relationships when compared to the general population. Indeed, people with disability establishing businesses possesses individual and community benefits.

A disability therefore provides people with atypical experiences. This illustrates the importance of the lived experience of people with disability and the need to value their insights. Through allowing people with disability greater representation and opportunities to articulate their reality, policies can be formulated which better address and overcome their identified barriers. This is key to helping people with disability excel in their chosen employment.[35]

The participation of people with disability within the community is enhanced by providing greater choice and control. However, the capability of exercising choice and control is multifaceted and is influenced by a person with disability's age, socio-economic status and decision-making capacity. Effective choice and control are reliant upon overcoming policy, program and environmental barriers. Through promoting positive change in these areas, people with disability become the central decision-makers in their lives and can select the best mechanisms for attaining their needs and goals. People with disability in Australia are therefore able to participate more freely in the labour market and gain sustainable and meaningful employment that benefits the economy.[36]

Consequence of continuing poor outcomes for people with disability for Australia

Continued poor performance in enhancing disability employment will worsen outcomes for both people with disability and Australia. For instance, according to a 2010 OECD report, many workers with disability leave the labour market permanently or struggle to remain employed with a reduced work capacity leading to long-term unemployment. Economic and labour market changes are subsequently an obstacle for people with disability.[37] The OECD report describes this as a common social and economic tragedy.[38] Moreover, the report notes that downturns tend to impact the disadvantaged more than the general population. A government's disability beneficiary caseload increases over time and remains high post-recovery. This is especially key given the current COVID-19 crisis; highlighting the need for urgent disability reform.[39]

Australia's poor performance in helping people with disability secure employment presents international consequences for Australia. This is because, according to key thinkers, national governments are bound by common norms, rules and laws.[40] The adverse impact of inadequately implementing these laws will tarnish Australia given that its international position is increasingly dependent upon maintaining a positive and strong reputation.[41]

This is represented by Australia being a foundation signatory to the UN Convention on the Rights of Persons with Disabilities (CRPD).[42] The CRPD is the first binding international human rights instrument to explicitly address disability. Its purpose is to protect and ensure people with disability experience equal enjoyment of human rights and fundamental freedoms and to promote respect for their inherent dignity. The CRPD subsequently outlaws discrimination in all areas of life, including employment, education, health services, transportation and access to justice.[43] Australia ratified the CRPD in 2008 and its Optional Protocol in 2009. By ratifying the CRPD, Australia accepted the obligation to recognise that people with disability enjoy matching legal capacity. The CRPD also compelled Australia to adopt measures that provide people with disability with access to the required support to exercise their legal capacity and provide safeguards to prevent abuse.[44]

Ratification provides value to Australia's disability and human rights advocacy sectors as the legal provisions for people with disability are increased. Ratifying the CRPD both binds Australia to global human rights processes and signals to international stakeholders a commitment to evolve national law to enhance people with disability inclusion. For instance, under the CRPD, the Australian Government allows the UN to periodically review its progress in meeting its obligations to people with disability.[45]

Continued poor performance in improving outcomes for people with disability places Australia in a precarious position. Australia's international reputation may be tainted because, from the perspective of the international community, its credibility in helping people with disability secure employment will be undermined. According to a PwC report, this will worsen Australia's economic performance and global competitiveness.[46]

Section Two – best practice

Best practices are well-documented initiatives that lead to superior outcomes.[47] In the disability services sector, these practices help redefine the negative connotations associated with barriers and assist employers to better recognise the strengths and benefits of people with disability. This helps to mainstream disability within the community's mindset. Mainstreaming services for people with disability recognises that they are equal society members that require active engagement in the development process of economic, social and cultural programs. This is also understood as the most cost-effective and efficient way to facilitate both stronger social inclusion and employment participation for people with disability.[48] In this model, businesses are active participants in developing and implementing inclusive workplace initiatives – rather than merely passive recipients of government subsidies. This trend is highlighted by best practices from the Australian and international contexts.

Australian best practices

The Australian Human Rights Commission, in its 2016 report, identified the following as best practices for employers to adopt to improve disability employment:

Johnson & Johnson

Johnson & Johnson has nurtured disability employment within its organisation through several initiatives. This is firstly highlighted by **flexible work arrangements**. The arrangements include job-sharing, working from home and altered work hours. To help ensure the implementation of Johnson & Johnson's disability employment strategy, there are **formal policies** on equal opportunity employment. Johnson & Johnson has voluntary employee **resource groups** where employees can share experiences, network, provide and receive support, and engage in career development and cultural awareness activities. Furthermore, Johnson & Johnson has inbuilt **mentoring programs** and an **Office of Diversity and Inclusion**. Johnson & Johnson has also established a dynamic **online website** designed to educate employees and build the competencies and skills required to understand and value employees with disability.[49]

The New South Wales Business Chamber

The New South Wales Business Chamber appointed a **Disability Inclusion Promotion Officer**. The officer's role involves providing guidance to businesses on how they can create workplaces that promote inclusion and remove barriers that may otherwise prevent people with disability from participating and contributing to their workplaces. An officer can help businesses to discover meaningful employment opportunities; determine eligibility to receive funding for employing people with disability; assist the development of diversity training programs; identify and remove barriers to inclusion for people with disability; and provide accessible information and services to people with disability.[50] This submission notes that an organisation introducing a Disability Inclusion Promotion Officer can help to facilitate and grow people with disability representation across its business.

Crown Resorts

Crown Resorts has introduced a **Disability Employment Program** named CROWNability. The program's goals are to create employment opportunities for people with disability and achieve sustainable outcomes, and be a disability confident organisation. To realise this objective, the program has several key and interlinking phases. For instance, the pre-employment and recruitment phases are where people with disability's interests and abilities are matched with appropriate and meaningful roles. Post-placement support is also provided to help the individuals seamlessly transition into their positions. Through this program, Crown Resorts hopes to achieve a target of employing three people with disability per month. Crown Resorts has identified that the benefits from these initiatives support their corporate social responsibility and branding endeavours.[51]

International best practices

The European Association of Service Providers for Persons with Disabilities, in a 2013 booklet, identified the following best practices to implement and enhance disability employment:

Institut für Sozialdienste

Institut für Sozialdienste in Austria is an organisation that strengthens people with disability in their personal responsibility and autonomy. Through its **SPAGAT program**, people with disability with high support needs (such as severe intellectual disabilities and Autism Spectrum Disorder) are supported to integrate into meaningful, freely chosen and paid employment in the open labour market. The processes' central elements are person-centred planning; support groups; the creation of customised jobs; and the use of mentors in every company. Companies remunerate the work based on the collective wage agreement. The difference in productivity and the mentor's costs are subsidised by the provincial government.[52]

The Youth Transition Program (YTP)

The Youth Transition Program (YTP) in the United States focusses on high school students with disabilities. YTP begins during high school and continues into the early transition years post-school. The YTP model is also flexible and can be adapted to meet the needs of different localities. YTP has two distinct, interconnected goals. The first goal is to improve post-school transition outcomes for people with disability by preparing the students for paid competitive employment or career related post-secondary education or training. The second goal is to increase capacity and create systemic change in schools and other agencies serving people with disability in transitioning from school to work. Students participating in the YTP receive:

- individualised planning, focussed on post-school goals and self-determination and help coordinating school plans with relevant community agencies;
- instruction in academic, vocational, independent living, and personal social skills and help completing high school;
- career development services including goal setting, career exploration, job search skills, and self-advocacy;
- competitive employment including connections with local employers and assessments, placement, and training whilst employed;
- services, such as individualised mentoring and support or referrals for additional specific interventions; and,
- follow-up support for one year after leaving the program to assist in maintaining positive outcomes in employment or post-secondary settings.[53]

ADEM

ADEM in Luxemburg is a national government contact centre for employment seekers and employers. The centre is staffed exclusively by employees with either a disability or a reduced work capacity. Furthermore, the employees come from different professional backgrounds and generally possess low educational profiles. This service provides people with special needs, or who have lost their occupation due to disability, with an opportunity to regain employment.[54]

Best practice summary

These aforementioned diversity and inclusion models represent realistic and evidence-based solutions for nurturing disability employment. Through implementing these programs, organisations have achieved positive results to counter the systemic employment discrimination that confront people with disability and helped enhance their workforce participation. breakthru encourages employers, recruiters, managers and staff to adopt these ideas. Furthermore, breakthru hopes that this will also create conversations around designing other best practice initiatives to nurture more inclusive workplaces for people with disability.

Section Three – breakthru social model

breakthru's expertise in achieving positive employment outcomes for people with disability is illustrated by its social model of support. The breakthru social model is person-centred and focusses on increasing the natural rights of the people who participate in our employment programs. The model aims to cultivate better outcomes for people with disability by ensuring they become the key driving force in their employment journey. breakthru's model has four phases:

Phase one – Engagement, Assessment and Planning

breakthru begins by developing a comprehensive and person-centred plan that helps achieve customer's employment goals. The plan's duration is dependent upon the customer's needs and choices and has a flexible timeframe. Staff work intimately with customers to foster open and forthright communication and build rapport. This helps the customer to honestly self-identify their progress in their journey towards employment. A holistic assessment of the customer's current circumstances – such as housing, medical, employment history – is conducted to understand their unique situation. This enables breakthru to create a plan to help the customer address their barriers and gain employment.

Our interaction with customers is future focussed, solutions oriented and nurtures their aspirations. This process also builds upon the customer's natural talents and interests. An important element of breakthru's employment service is its goal orientation. breakthru empowers its customers to act independently and explore various employment avenues. After gaining an understanding into the customer's industry of choice, breakthru will consider if formal training is required or if this training can be provided whilst in employment.

Throughout the planning phase, breakthru ensures the customer's supports are both fluid and sustainable. breakthru helps the customer to access the supports indefinitely and as needed. For example, breakthru will assist the customer to research and link with healthcare providers in their local community. These providers can then support the customer physically or psychologically throughout their lives, extending beyond breakthru's formal assistance. This gives the customer ownership of their healthcare plan and helps to deliver more long-term, sustainable employment outcomes by establishing a stable physical and psychological foundation.

Lastly, breakthru clearly explains any mutual obligation requirements each customer possesses. These requirements are interwoven into the plan in a positive, constructive way by reframing the requirements as aspirations. Customers are supported to exceed their mutual obligation requirements and achieve their goals in the process.

Phase two – Pre-employment Supports

breakthru tailors its supports for each customer to address their unique barriers and circumstances and build capacity to nurture strengths and talents. Vocational and non-vocational capacity building are progressed concurrently to build resilience and achieve sustainable outcomes. For instance, vocational capacity building can involve developing the standard résumé, interview preparation and workplace conflict resolution. The use of work experience programs, such as realistic job previews, are also key mechanisms for helping to build the customer's confidence in real-world settings. Furthermore, breakthru likewise helps the customer by segmenting their challenges into manageable tasks. These measures ensure that the customer is empowered to confidently address any employment challenges. This represents an iterative improvement strategy that builds the customer's independence and capacity to resolve issues and achieve their goals. When the customer is sufficiently prepared, breakthru's employment service program introduces customers to employers and workplaces. These measures therefore assist the customer's development by progressing their job-readiness by encouraging the customer to continue their journey to employment.

Phase three – Job Creation and Employer Engagement

breakthru proactively engages with its repeat or new employers to market the customer's skills and abilities to create jobs. breakthru gains a thorough understanding of the business to ensure the right customer and employer are connected. During these conversations, breakthru collaborates with the employer to explore any organisational gaps or inefficiencies. This allows breakthru to develop job duties and functions for customers to positively contribute to the business. These employment opportunities are tailored to the skillset and capability of the customer. For instance, breakthru may liaise with an employer that is initially looking for a staff member to work in an office environment for 30 hours a week. breakthru would deconstruct the duties and skills the employer expects from the employee. This will enable breakthru to develop a solution that may involve two customers both undertaking the work in a share arrangement. If the employer is pleased to explore this arrangement, appropriate customers will be identified to work part-time and their individual skillsets will be discussed with the employer. This process reframes the conversation onto the customer's talents and highlights how their contributions will benefit the workplace while also meeting the needs of the customers.

breakthru also helps to educate businesses on the benefits of employing people with disability and devise ways of pioneering disability employment strategies. This may involve linking the employer to funding to introduce necessary workplace adjustments and providing disability education to their employees. These activities help reduce employer misperceptions around the difficulties or financial cost of recruiting people with disability. These solutions lessen the complexity of the employment process and assist in alleviating any stress experienced by the customer. Moreover, this helps to create outcomes that are fit-for-purpose for both the business and the customer and are completed prior to commencement; providing the customer with a seamless transition into employment.

These measures aid in ensuring that the cycle of unemployment is halted, and the person can become an increasingly valued member of the community. breakthru's processes help deliver positive outcomes for customers by subsidising wages to encourage employers to retain customers. This is especially important during the current economic downturn caused by COVID-19. Indeed, using its own finances where required, breakthru provides the necessary and tailored on-the-job supports to empower the customer throughout their employment journey. This assists in creating sustainable work opportunities and financial stability in customers.

Phase four – Post-Placement and Ongoing Support

Support during the first year of employment is key to developing and cementing effective workplace behaviours. This is because many customers will have limited, recent exposure to a work environment. To achieve positive outcomes, breakthru proactively helps customers to sustain their occupation. Supports are tailored to meet customer and employer needs and expectations are adapted to address unique challenges arising to impact the customer. This may involve breakthru having regular face-to-face workplace mentoring sessions with the customer or, meeting fortnightly with the employer and customer to facilitate their ongoing communication. The supports are generally aimed at nurturing the customer's confidence and equipping them to problem-solve, navigate issues and resolve challenges independently. Customers are therefore given ownership of their assistance, which generates greater buy-in. Through having stronger customer support in their employment process, employers gain an eager and talented employee that satisfies key business needs. This creates scope for the development of iterative employment opportunities within the organisation. Accordingly, the customer's employability is enhanced, which leads to more sustainable outcomes.

Section Four – breakthru successes

breakthru has experienced numerous successes in helping its customers, employers and employees to achieve positive outcomes. This success stems from our commitment to collaborate closely with key stakeholders to ensure the customer's necessary supports are received and their efforts maximised. Through this collaboration, breakthru assists customers to achieve the best possible social and emotional outcomes and meet personal employment goals; empowering them to lead their best life.

breakthru customer successes

breakthru site-meetings

breakthru's CEO regularly visits breakthru sites to engage with customers and gain insights into the effectiveness of the provided supports. The emerging key themes included positive feedback that breakthru delivers high-quality supports and that staff strongly relate to customers by making technical information more accessible and understandable. breakthru staff were also identified as excellent listeners, committed, service-orientated, non-judgemental and receptive to feedback. Furthermore, breakthru demonstrates its commitment through actions. Feedback also praised breakthru's person-centred approach wherein customers maintained that this method helped to achieve their employment goals and provided the necessary supports throughout their entire employment journey. breakthru's expertise is demonstrated by the customer affirmations below:

- "Staff are helpful and understanding."
- "Staff are happy, friendly, kind."
- "Everything is just fun."
- "breakthru are steps ahead of the others."
- "My previous experience with other agencies [is] poor and I decided to return to breakthru where I knew I would be treated well."
- "[The] job [breakthru provided] has been amazing for both my mental and physical health, and I finally feel like I can start moving forward with my life."

breakthru customer testimonies

- "I can't believe how lucky I have been to work for this employer and feel like I have hit the jackpot. Having this job has changed me and improved my mental health, I am waiting for my luck to run out. I am was [sic] very grateful for this assistance [the breakthru Employment Development Consultant (EDC)] has provided and how much [they have] supported me."

- "I have been liaising with [the breakthru EDC] who has been really helpful with putting pop up reminders on my phone and assisting with time management. [The breakthru Employment Consultant (EC)] has also been great and gone to the library to borrow a book for me on time management. This has assisted my personal development [sic] I am currently working on time management and efficiency."

- breakthru EDC summary: the customer talked about their role at the University of Sydney and what was involved. The customer gave extremely positive feedback on the support the breakthru EDC has been providing, and they are grateful that they can contact them when they are feeling overwhelmed. The customer was advised his manager will be retiring and this makes them nervous; however, it really helps knowing he has the breakthru EDC as a support mechanism.

Disability Employment Services (DES), customer story

breakthru has expertise in providing long-term assistance to people with disability through its DES program. Liborio's story of his time with breakthru demonstrates how our customer-focussed approach meaningfully impacts people's lives. Liborio's story starts with him facing numerous adversities in his life, such as the sudden deaths of his wife and children in a car accident. The shock, pain and grief of suddenly losing his family caused Liborio to feel lost and broken. He was unable to work and resigned from his previous role to focus on improving his mental health and wellbeing. After extended unemployment, Liborio realised he needed help returning to work and contacted breakthru for support. Through his perseverance, hard-work and determination, breakthru helped Liborio to achieve his employment goals.

Liborio's breakthru EC and Support Worker (SW) explored his talents and attributes and determined he possessed an incredible work ethic and a kind-hearted personality. Knowing his primary goal was to find employment, Liborio's SW first engaged an occupational therapist to help build Liborio's capacity and pre-employment skills. The SW also assisted to improve Liborio's literacy and numeracy skills to become immediately effective within his future role. These supports gave Liborio the confidence to apply for a Warehouse Assistant vacancy that his EC had discovered at Plastik Packaging. After an interview, Liborio received an employment offer and attained his first occupation in years.

Liborio was supported from his first day of employment with on-the-job training in the manufacturing and distribution of plastic. His employer was impressed by his upskilling and Liborio became a highly valued and approachable team member. Liborio's high motivation, work attitude and attention to detail resulted in success within the workplace. For instance, his employer noted that due to the influence of Liborio's efforts, the deliveries and the machines were operated punctually and efficiently.

However, despite his fantastic performance and work ethic, Liborio was presented by more obstacles to overcome from COVID-19. Due to the increasing restrictions and the resulting closure of industries, Liborio's employer reluctantly explored decreasing the hours of the warehouse employees to help the business survive. His EC knew that Liborio's mental health would consequently suffer. To rectify this situation, Liborio's EC negotiated both an emergency wage supplement and extended on-the-job supports. These changes have helped Liborio to continue his hard-work and ensured his employer maintained the factory's efficiency. Through breakthru's proactivity and influence, sustainable outcomes benefitting both the employee and employer have been realised.

NDIS – School Leaver Employment Support (SLES), customer story

breakthru's SLES program has experienced great success in supporting young people leaving school to secure jobs. Tom's story represents this success. He has a vibrant personality and is greatly diligent in his approach to life. Tom also has cerebral palsy quadriplegia and a speech impairment. He requires daily assistance and uses a speech device to communicate.

In his initial meeting with his breakthru SW, Tom mentioned that he desired to begin a business and sell activity bags. He had already discussed this goal with his family and had developed ideas into how the business could operate. Tom needed helped both starting the business and creating a Facebook business page to market his product. His SW developed a Support Action Plan with this goal driving his program. This was aided by his SW having a marketing background and providing expertise in the brainstorming exercises during the one-on-one support sessions. His SW assisted Tom and his mother throughout the entire business creation journey. For example, this involved assistance creating an Australian Business Number, inventory spreadsheet, linked company and personal Facebook pages and business product. To empower Tom to excel and overcome his speech impairment, the SW helped develop an automated communication mechanism using his mobile phone or laptop for contacting customers. Furthermore, to cultivate his marketing and social media capabilities, breakthru helped organise work experience with a local social media company called Missing Link Social Media, upstairs from the breakthru office. The company director gave Tom key insights into social media and nurtured his marketing skillset.

These experiences led to positive outcomes for Tom. Through the support provided by breakthru, Tom developed his confidence and business-related capacity, connections with the community and became an ambassador for other young people with disability. He also successfully established an online business named Busy Little Bosses, which provides products that help entertain children during medical appointments. Moreover, despite the challenges of COVID-19, Tom pivoted the business and increased his sales. The success of Tom captured the imagination of NBN News, which recently shared his story on the local New South Wales Central Coast.

NDIS – Finding and Keeping a Job (FAKJ), customer story

breakthru's successes in helping people with disability find work through the NDIS is demonstrated by its FAKJ program. Through this program, breakthru helped a customer with cerebral palsy named Eric to secure suitable employment.

breakthru supplied Eric with the necessary supports to help him achieve positive outcomes. For example, with the assistance of his breakthru Support Coordinator (SC), Eric identified and designed a plan to achieve his immediate goal of obtaining full-time work in the health sector. breakthru helped address Eric's confidence issues and build capacity by furthering enrolling him in TAFE to further his education. Eric also contacted employers and secured work experience with various local businesses.

With the help of his SC, Eric arranged an interview with the Central Coast Local Health District (CCLHD). To prepare, breakthru helped Eric organise a folder that included his résumé and outcomes he hoped to achieve post-interview.

Through his dedication, Eric secured a permanent part-time role within CCLHD. Eric's SC ensured that Eric received the needed supports to excel within the position. For instance, upon commencing with CCLHD, breakthru helped highlight or provide reasonable speech and mobility adjustments that assisted Eric to complete his tasks. Furthermore, his SC also offered individual support to Eric, which allowed the staff at CCLHD to receive coaching in Eric's strengths and solutions to identified barriers. This ensured that CCLHD gained a greater understanding into where Eric could contribute and how he could be supported to maintain long-term and sustainable employment.

As a testament to Eric's success, his story was recently featured on the Australian Broadcasting Corporation's documentary Employable Me. This award-winning and critically acclaimed series followed the stories of nine people with disability in their relentless pursuit to find work. Employable Me provided insights into Eric's daily experience and showcased his defining capability, wittiness and enthusiasm that make him a workplace asset.

Eric now works largely independent of breakthru, making contact when he needs occasional assistance. His current goals are to continue working hard and to achieve full-time employment. This would allow Eric to become more independent in his vocational endeavours.

breakthru employee successes

In November 2019 breakthru completed an organisation-wide staff survey. The survey revealed that breakthru continues to create a nurturing environment for both its employees and customers. breakthru believes this is important because their relationship is symbiotic. A strong and consistent workforce that connects well with customers is essential to delivering quality employment supports. By strengthening these relationships, employees empower customers to thrive and achieve their employment goals. For instance, employees affirmed:

- "Thank you for teaching me invaluable skills in working with people with disabilities and mental health issues. My confidence in communicating and building rapport has grown hugely, and my skills in resourcefulness and stakeholder management has become some of my greatest strengths as an employee."

- "I have been pleased at the support I have received from leadership, there is a sincere focus on ensuring that we don't burn out and identify the early warning signs of stress."

- "I really appreciate the flexibility I am given in my role to support young people, and the encouragement and support I am given to use my interests in my work. I have found it to be very beneficial to my work."

- "The understanding and support giving [sic] to me from my team leaders and supervisor in [fitting] around my young family and work life balance has been a dream come true in keeping me as the main provider in the family and kept the stress levels down."

- "I really love working at breakthru and I have to say it's the best job I've ever had in my career so far. I love the work we do and the team I work with. Everyone is very kind, compassionate and willing to help. We work hard and we deliver some amazing outcomes for our customers, and I couldn't see myself working anywhere else."

breakthru supported employer successes

Craig – Director, McDonald's Taree

"The work experience program offered by breakthru enables us to analyse the employees' strengths and weaknesses. More importantly it actually gives the employee the opportunity to get comfortable in a workplace knowing that they've got the support and resources around them, that if they make a mistake there is someone there to help them. The work experience program is crucial in making them feel comfortable, and when they feel comfortable their performance improvements are fast-tracked."

Kylie – Restaurant Manager, McDonald's Taree

"Some of our best employees are people that had started off needing a bit of extra support in the business, by having the work experience program we got to look at people who would not normally go through the application process with us or might not know how to. These guys are put forward to us by breakthru and it gives us the opportunity to give them a go and see if we can offer them employment."

John – Owner, Plastik Packaging

Paraphrased: applying for financial assistance was an absolute last resort, but with so much uncertainty and such a sharp fall in cash flow I needed to do something to preserve my business and protect my staff. Thankfully, breakthru were there to help me access the necessary funding schemes so Liborio could keep his hours.

Hannoun – Director, Voice of Charity radio station

Paraphrased: Vera is doing a great job managing all the programs here at Voice of Charity, and we are very proud to have her in our team. breakthru not only connected us with Vera but also helped secure special office chairs that allows Vera to work more comfortably.

Section Five – recommendations

This report has highlighted the importance of employment as a medium for inclusion in society and a key social indicator of cultural attitudes towards people with disability. Ex-Disability Discrimination Commissioner Graeme Innes AM (Member of the Order of Australia) famously stated that people with disability workers experience the 'soft bigotry of low expectations'. The greatest barrier to full-participation in employment is therefore an attitude barrier.

In this submission breakthru has explored numerous barriers – such as attitudinal, structural and systemic – that people with disability experience in accessing employment. Addressing these barriers sits within the Terms of Reference of the commission to promote a more inclusive society that supports people with disability to be independent. This will therefore empower people with disability to live their lives from violence, abuse, neglect and exploitation.

breakthru has also explored innovations in employment schemes both domestically and internationally and noted the positive effects of these best practices on employment outcomes. These best practices have included both service innovation, like the use of person-centred approaches and treatment of the welfare system; and access innovation, such as the promotion of entrepreneurship. breakthru has informed its exploration of innovative services through the prism of its own delivery of employment supports.

This submission both outlines the following key recommendations that address the barriers that people with disability face and promotes innovative best practices.

Person-centred policy

The importance of including people with disability in all elements of their employment experience is detailed in the *Entrepreneurs with Disability Report* section (P10) of this submission. This details the importance of person-centred policy and the empowerment of people with disability.

Recommendation 1

- People with disability must have strong representation in policy formulation. This will both empower people with disability to have greater control over their lives and provide greater opportunities for them to articulate their reality. These measures will produce a richer understanding of their unique needs and barriers to employment. Accordingly, this will help to develop person-centred policies that aim to heighten the independence, choice and control of employment options for people with disability. For example, their decision to pursue entrepreneurship should be an active choice rather than a compelled selection. This will lead to more sustainable employment outcomes.

Recommendation 2

- Disability employment providers should be given suitable Australian Government support to help realise people with disability's employment choices. For instance, the structure of contract guidelines can become a barrier to people exercising choice. While contracts are designed to protect the government from fraudulent practices, they can also halt innovation in service delivery and choice for participants. breakthru recommends that policymakers adopt a more balanced approach to service modelling; and consider employment outcomes and risk as having equal importance to policy development.

Social inclusion measures

The submission's Workplace social exclusion and discrimination (P7) and the breakthru social model (Pp14-15) segments highlight how social inclusion measures improve outcomes for people with disability. Promoting the value and inclusion of people with disability in employment, both through broad education campaigns and by building capacity in the employment services sector, is important in shaping positive cultural attitudes towards people with disability.

Recommendation 3

- The Australian Government should operate campaigns promoting employment of people with disability through numerous marketing channels, including social and digital media, television and print. Additionally, the Australian Government (specifically the Department of Education, Skills and Employment) should liaise with the State and Territory education departments to develop a disability awareness and inclusion national curriculum or education program beginning in primary school. Campaigns should continue for an extended period. This is important because general unemployment is expected to reach 10% in Australia due to COVID-19, making the availability of jobs scarcer for people with disability. These measures will help to mainstream disability within the mindset of the community.

Recommendation 4

- The Australian Government should create a national checklist that human resource departments of businesses complete annually, akin to the Australian Network on Disability's *Access and Inclusion Index*.[55] This will enable businesses to demonstrate their disability accessible credentials.

Recommendation 5

- The Australian Government should provide greater opportunities for people with disability to receive mentoring to receive fit-for-purpose guidance. Examples of this assistance is demonstrated by the Johnson & Johnson (P12) and Institut für Sozialdienste (P13) best practice examples.

Mutual obligation requirements

The submission's Mutual obligation requirements section (Pp8-9) has argued that an overreliance on its punitive function will lead to adverse participant and community outcomes.

Recommendation 6

- To build more sustainable outcomes for participants, mutual obligations should focus more on incentivising participation and less on compliance. The Australian Government should therefore explore providing financial or other reward incentives for participants for meeting their employment or educational outcomes. This will help to reframe the mutual obligation requirements from negative to positive and incentivise participants to take greater ownership of their employment experience.

Recommendation 7

- Accrued demerit points can be reset in the 'green' and 'warning' zones if the participant meets certain criteria. This will help participants to mentally recover from a potential difficult phase where demerits were accrued due to life challenges and assist in regaining their confidence to continue their search for employment.

Best practice

The submission's Best practice segment (Pp12-13) illuminated how certain initiatives that can help redefine the negative connotations associated with barriers and assist employers to better recognise the strengths and benefits of people with disability.

Recommendation 8

- The Australian Government should focus on implementing learnings from international and domestic best practices to improve disability employment, particularly where there is proven positive outcomes. These practices could be trialled by providers with the endorsement of the government. An initiative that could be trial funded in Australia is the ADEM best practice example (P13).

NDIS

The submission's discussion around NDIS (P9) highlighted the disjunction between the ambitions of the NDIS to enhance employment and its application. This disparity was illustrated by three challenges currently confronting the NDIS.

Recommendation 9

- More emphasis must be placed upon including employment goals in participant NDIS plans. Education for both participants and planners around the benefits of employment and a clearer pathway will support this objective.

Recommendation 10

- Assistance for school students with disability to help transition to employment after school is insufficient and delayed. Supports to prepare people for workforce participation should be provided earlier in high school, from Years 8 and 9. An example of this assistance is demonstrated by the YTP best practice (P13).

Recommendation 11

- The complexity of the DES and NDIS interface has led to an inefficient and confusing system that inadequately supports people with disability to maximise employment opportunities. This confusion around the separation of the DES and NDIS programs should be minimised through clearly articulating their different remits.

Conclusion

There are significant social, economic and international reputational consequences for Australia if its disability employment outcomes continue to worsen. These poor outcomes stem from the persistent stigmatising attitudes that continue to face people with disability within the community. The task of changing these cultural attitudes is large; however, breakthru recognises that an attitude shift has commenced. The rollout of the NDIS and an increase in positive media messaging have both positively de-stigmatised and led to greater employment opportunities for people with disability. However, more progress is needed wherein a fully inclusive Australia remains decades away. This is highlighted by the fact that segregated settings for people with disability still exist in employment and education. A measure demonstrating the inclusion of people with disability would subsequently be the delivery of their needed supports coming from mainstream services and the community. breakthru believes that implementing the above recommendations will help improve employment outcomes for people with disability and lead to a more socially and economically prosperous Australia.

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