

# **Submission to the Senate enquiry into the tendering off the ESS program of the Disability Employment Services Network**

## Executive summary

Ability Tasmanian Group Inc. supports the governments desire to seek quality outcomes from the Disability Employment services it funds. It has been an enthusiastic embracer of opportunities that lead to better service provision, participating in Technical and Training assistance programs funded through the innovation fund as well as having input into policy development since the organization began in 1994.

However Ability believes the government has been ill advised in seeking to apply a purchasing model that while suited to mainstream employment programs with a short engagement with the jobseeker will drive the target group away from the sector and into segregated and costly alternatives.

Ability Tasmanian will draw on its experience in the disability programs that exist in USA, proposing an alternative model that has a proven record of success.

## **Rationales for concern**

The decision to tender the contracts of such a large group of providers ignores the fundamental difference between the Employment Support Services program and all other labour markets.

That critical difference is in the length and the scope of the relationships that are fundamental to the success of the ESS program both from an employer and a client perspective.

These are far broader than just the client, the employer and the agency as one would find in a mainstream or time limited labour market program. They embrace families, advocates school systems and other state and federal programs far beyond the employment field, reflecting years of engagement.

The relationships are marked by recognition that there needs to be an active involvement in addressing wider sets of issues that impact upon work but that are beyond the workplace. The reality is that these issues emerge and/ or reoccur through the life of the service/ client engagement

Overseas experience has shown that that knowledge of the respective parties and a developmental case management approach is critical to ongoing success. This cannot be achieved through short-term arrangements where contracts may be 'swapped' from organization to organization.

The length of the relationship is significantly different to all other labour market programs run by DEEWR. In fact, this aspect of the client/ agency relationship is similar to that found in Australian Disability Enterprises.

This has always challenged DEEWR's short- term client engagement culture and has led to less than suitable policy developed by inexperienced or unskilled officers.

Individuals in the ESS program require long-term training and support. Families will only engage in the program if that can be guaranteed. It is critical that they understand that for that engagement to occur, the agency will remain committed to the individual and his or her support network for the long term.

Without that assurance families will choose more secure but more expensive options of support.

This is a similar situation for businesses, especially small business. Ability Tasmanian Group Inc. works in regional Australia. We have few employers with Human Resource divisions. To craft and customize employment of the clients in a manner that meets their needs, to be able to offer the security that training and support will be consistent, ongoing and tailored to the individual, an agency must be able to commit to a long-term relationship.

### **Retaining skilled staff**

The ESS program requires professional staff working within an organizational culture that promotes the application of that professional skill. The rapid turn over of JSA contracts with all the job dislocation that involves means professional staff have left that field to be replaced by untrained staff, ill equipped to deal with clients with complex needs or moving beyond prescriptive guidelines. Essentially they apply administrative practices.

Like other agencies Ability Tasmanian Group would not be able to attract or retain skilled professionals if it was in a three-year purchasing cycle that threatened job tenure. It is critical to understand that the skill set required offering quality training and support is significantly higher in the ESS program and so policy settings must be made to ensure it draws people with such skills to the program.

This organization has been told by ministerial advisors and senior DEEWR officers that the skills being applied within workplaces can remain with the agencies employee. These individuals would then transfer to another agency if their current employer lost a contract and carry on as if nothing had changed, implementing the same model of practice. This is a naïve and ill informed view at best, ignoring basic organizational theories that recognize that individuals work within an organizational culture and priorities, defining how they work and who with.

DEEWR is of the view that the program can be administered through the application of management procedures and guidelines that can be applied by any individual. Patently this is false and flies in the face of overseas

experience where specialized professional expertise is embedded in policy and in practice.

To highlight the incoherence such a thought process brings, Ability Tasmanian Group Inc. worked for a number of months with a DEEWR Account Manager who had no experience in the labour market, let alone Disability Employment. He previously was a Contract Manager from Telstra before joining DEEWR, ill equipped to deal with a program that was based around the Disability Services Act.

Ability and the program nationally have suffered the ceaseless rotation of individuals from other DEEWR programs who have sought to apply policy from other areas, in the belief that 'one size fits all'. As a result the program produces outcomes that are notoriously low.

### **The applicability of the star rating system in determining quality**

The government has decided to offer to tender the contracts of providers rated at 3 stars and below.

Ability Tasmania has 2 types of contract. One specializes in assisting people with an Intellectual Disability. This contract performs well above the national rate,

Indeed, one contract scored 13 and 26-week outcomes at over 200% better than the national average. However this contract still scored 3 stars

This disability type is assisted by a very small group of providers, who have worked together to build competency through a Training and Technical Assistance program funded by the Commonwealth. In fact there are only 5 specialist ID agencies in the country with the primary population being assisted by two services, one in Sydney and the other being Ability Tasmanian Group.

As a result the considered application of professional interventions and training has seen the national averages for this cohort move to be well above that of the generalist averages.

The star rating review compares the expected outcomes for a specific disability against other services performance while also considering other factors outside the agencies control such as the local unemployment rate, the level of schooling achieved by the jobseeker and so on.

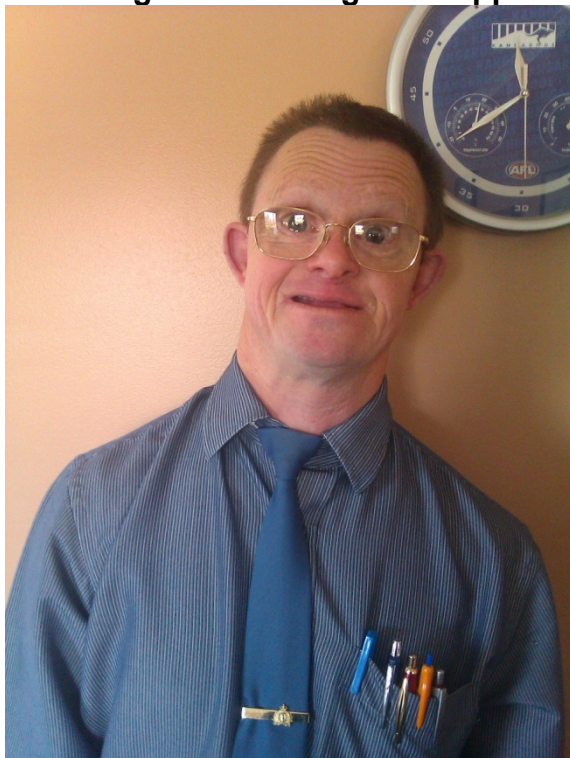
When this is applied to such a small group it creates perversions in the data. This is perhaps exemplified by the LMR averages. Ability Tasmania Group Inc. is the overwhelming provider of services to people with an Intellectual Disability in Tasmania. However the stars calculation has it as an average provider in Tasmania. Yet it can only ever be average as it is primarily being compared to its own performance. This is replicated to a slightly lesser degree at a national level, where the comparators are quite small

In affect Ability and other providers that assist people with an Intellectual Disability are being penalized by the Commonwealth's decision to tender out services that operate at 3 stars and below through our decision to work collaboratively to increase the outcomes for this group.

The stars do not tell the general public the true story.

They don't tell the public that Ability gained 26-week outcomes at 36.5 % in its North West Intellectual Disability contract at the first of July, 241% better than the national average for generalist programs.

### **Who are the clients we assist and who would lose their jobs without knowledgeable training and support**



**James Richelme**

Other DES employment agencies have turned James way as a client because he is deemed to have 'too high support needs'.

James spent many years in a state funded segregated Day program. He has worked previous with two employers and has just begun employment with his third, an organic chicken processor near his town. He works 15 hours a week and we are now negotiating with the employer to increase this. James currently needs intensive support as he learns his new role. This is provided through a job Trainer and overseen by an Employment Consultant skilled at Systematic Training and Customized Employment. We are building a fading regime into his program as he increases his skills.

Experience has shown us that we will need to return to re- train James as his duties change or as issues outside work impact upon his employment for his

working life. In this matter James is no different to many of the people we serve. This requires close linkages with his residential service to follow up on strategies developed by Ability to increase and maintain his independence.

The relationship with James, his employer and his support network is thorough Ability Tasmania Group Inc. If we were unable to continue to assist James through a loss of a contract we know he would lose his job, not be picked up by another employment agency and return to a segregated and costly day support program.



**Shane Bonner**

Shane has left school in the last two years. He was a ward of the state and has a significant intellectual disability. He has limited capacity to self regulate his behavior and can be disruptive in-group environments. He also has enthusiasm and a great work ethic that if directed through systematic training is beginning to lead to a very productive worker.

Shane works for 12 hours a week at a local hardware store. He receives support for an Ability staff member for 6 of these 12 hours, faded back from full one on one support when he started. This one on one support will need to continue for some time, albeit at less hours each week. At this point in time the employer would only consider Shane's ongoing employment if Ability remained in the workplace providing training. They do not wish to work with anyone else regarding Shane and have made that quite clear. Quite simply if Shane was not to receive the level and type of support he was currently receiving he would be terminated. His life would be uncertain and he would probably be vulnerable to becoming homeless and at significant risk of disengaging from his community.

We liaise extensively with his foster family who still remain in his life, with work being the central focus around which other activities are built.

Like the minister we are looking at the long term in building excellence in service provision (in this case for Shane). Unlike the Minister, we recognize that any short-term hiccup will have long-term consequences. It will mean Shane's capacity to reach his long term goal of an independent and fully productive employee and member of his community will simply not occur if there barriers to the support he needs to achieve that created by a change of provider.



**Ben Gower**

Ben has worked at his local hardware store for 2 years. He has Fragile X, which is manifested in extreme agitation to changed routines, rigid thinking, difficulty in understanding others view points, significant cognitive impairments and self centered behavior.

Destined for a day support after he left school, his mum worked tirelessly to develop a relationship with an Employment service to build a working lifestyle. She chose Ability because we have developed support arrangements that are designed around people with high and complex support needs.

Through intense and active discussions and negotiations with his school, his family and senior staff of the business we were able to customize a job that matched Ben's capacities and interest.



The training and support has been intense and carefully crafted from day one and will be intense for as long as Ben works. Ben's employment requires a long-term commitment from the agency, recognizing that we will need to work closely with the family and the other agencies in Ben's life, not only within the workplace but also across a range of life areas that would impact upon Ben's employment. The training and support is undertaken within a carefully constructed framework, with organizational protocols guiding our employees. To support Ben is challenging, not only for staff but also for an organization, requiring access to specialist skills.

Without doubt no other employment program would pick up Ben, as his support needs would be deemed to be too high. We know this from experience.

If Ability was not able to support Ben, he would lose his job and return to home as his mum would not want him to go to a center based day program because of the behaviors that would emerge. The stresses on the family would be considerable.



**Geoff Suter**

Geoff has been a client of Ability Employment for a number of years. In that time he's held 3 jobs, working in his local community.

Geoff attended a state run day support program for many years and it was not until his sister assumed responsibility for his affairs that he was allowed to act on his wish to leave that center and pursue his dream of finding work.

Geoff has a number of behaviors that present challenges to his employers in that he can be single focused, is often too gregarious in his relationships with

his co workers and needs to be re- focused back to task when distracted. Geoff also takes an absolutist position to his employment, giving signals that he needs to develop his career and then just refusing to attend work if these signals are not recognized. An agency must always be aware that job marketing for Geoff is never done and that a carefully constructed strategy needs to be developed that responds to Geoff's career needs. Geoff is like most of us. He wants to develop and expand his experience of work.

A close team of his residential service, his sister and his other community based activity providers surrounds our relationship with Geoff and his workplace. The liaison is continuous and will remain so for as long as we assist Geoff.

If Geoff was unable to be maintained in work it is doubtful there would be alternative support arrangements. His sister Kay has indicated that Geoff may need to leave his home on the NW coast of Tasmania and live in Hobart. This may mean she would need to leave her job as a theater nurse to provide support as she doesn't want to send Geoff back to a segregated day program.



**Anna Grist**

Anna's mum was a pioneer for many other families in the NW region of Tasmania. She fought to maintain Anna in mainstream schooling with the clear expectation that Anna would enter community based work as her sisters had done once she left school. She now works for 16 hours a week at the library of the local primary school. The relationship with Anna, her mum and the school staff is of a long term nature, rich in its understanding of Anna and her needs as well as the schools.



Anna is competent in many life areas but is also significantly at risk of being excluded from her community unless the organization that supports her has the capacity to

1. Recognize support will always be needed for Anna
2. Is able to build in a support structure that ebbs and flows, providing competent systematic instruction counseling and career development, drawing on the organizational knowledge that exists around Anna.
3. Develops a close and ongoing relationship to the family and others who Anna considers important.

### **An alternative purchasing arrangement**

As noted at the beginning of this document, Ability Tasmanian Group Inc. is committed to providing excellence in service provision and to lift the outcomes for the people it assists.

It recognizes that some agencies have not delivered the outcomes they should be and have not been held to account.

The question Ability Tasmanian Group Inc. poses is how they should be held to account.

Tendering out contracts is one option but as this paper notes it is an ineffective, highly disruptive way to achieve that goal and the impact of that disruption, something the Minister sees as only being of a short term nature, ignores the impact on the long term capacity of the program to draw individuals as note above to it, by offering security of service.

While Ability Tasmanian Group Inc. has stated a number of time that the decision to tender out such a significant proportion of the program is the result of inexperienced advice and has resulted in policy that will detract for the professed aims and it should be revised so only 1 and 2 star services have to re bid for their work, it recognizes the Minister seems wedded to this course of action.

Therefore Ability Tasmanian Group Inc. proposes a licensing arrangement that will allow agencies that meet and maintain recognized standards (such as being accredited to the Disability Service Standards) the opportunity to secure a license that will allow DIRECT REGISTRANTS ONLY to choose which service they use, moving to other organisations if they are unsatisfied with the level of service.

It is truly a market driven system

It offers organisations the opportunity to work with a group of people that are outside the Centrelink referral pathway and make a commercial decision as to whether such as option is viable. Viability would be determined in part by the ability to attract clients and to hold them. A service's capacity to find someone a job and them to train them effectively would be a driver in that process.

We propose that licensed organisations be allowed to specialize and that they be allowed to operate in any place they determine is viable.

This would allow for existing relationships to be maintained and enhanced and give potential users of services the security of knowing the relationship they build with the organization will be on their terms while delivering for government services that meet and exceed.

**Who is Ability Tasmania Group Inc.?**

The organization has been in operating since 1994, focusing on people with an intellectual disability. It holds 4 contracts with DEEWR as well as running transition programs funded by the state government.

It received a 5 star rating in the previous DEN contract, operating in the top 1 % of services in the country. Currently it ranks at 3 stars for the period ending on the 30<sup>th</sup> of June.

It operates in the North and North West of Tasmania.

Peter Symonds  
General Manager  
Ability Tasmania Group Inc.  
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