

The Physical Disability Council of Australia Ltd (PDCA) is the national disability peak organisation representing the views and interests of people with a physical disability across Australia. PDCA is fully operated and managed by people with a physical disability and is linked to a network of Physical Disability Councils in each state and territory in Australia.. PDCA is the only organisation of its kind in Australia and has a membership of over 2000.

In reference to the proposed Disability Services Amendment (Improved Quality Assurance) Bill 2001, PDCA supports the position of the National Caucus of Disability Consumers which is attached for your information.

PDCA believes that many people with disabilities are among the most seriously disadvantaged people in our community. We support in particular the statement from the National Caucus of Disability Consumers position:

Major areas of current non-compliance are well documented, and involve:

The placement and support of jobseekers with disability in jobs without fair and/or legal terms and conditions of employment;

- The use of workplace agreements to legitimise poor employment conditions with employees with intellectual disability, who are unable to negotiate powerfully with employers;
- The funding of services that place jobseekers with disability in non-viable enterprises; and,
- The congregation and segregation of jobseekers with disability.

We urge the Selection of Bills Committee to consider the position of the disability sector when making their recommendations and considering the issue of " ... those people, primarily with an intellectual disability, who are employed under inappropriate employment terms and conditions, in non-viable business enterprises, which result in poor wages and institutionalisation"

We endorse the work of the representatives of the National Caucus of Disability Organisations and their recommendations on this matter.

Yours sincerely

Sue Egan
Executive Officer
Physical Disability Council of Australia

Open Letter to Senators of the Australian Parliament Disability Services Amendment (Improved Quality Assurance) Bill 2001

Dear Senators

We are the representatives of people with disability, appointed by the National Caucus of Disability Consumer Organisations (Caucus), to represent over 70,000 consumers who are recipients of Commonwealth funded disability employment assistance.

We as representatives of people with disability do not support the passage of the Disability Services Amendment (Improved Quality Assurance) Bill 2001. We have not taken this decision lightly. We have worked hard to develop a QA system that will address quality. We are disturbed by the attitude of some representatives of employment services who are determined to prevent change. We are disturbed by the lack of leadership of the Government to safeguard the basic employment rights of people with disability.

We are particularly concerned that the Government, in its information to other members of Parliament, has indicated that there is broad support for the QA system. This is not true. We as representatives met with the Government in June 2001 to express our serious concern about progress of the QA system. This situation is still unresolved.

Section 5A (2) of the Bill provides authority for the Minister "to approve key performance indicators to be applied in assessing whether the standards have been observed." The draft set of 'key performance indicators' will not address the current non-compliance.

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- The use of workplace agreements to legitimise poor employment conditions with employees with intellectual disability, who are unable to negotiate powerfully with employers;
- The funding of services that place jobseekers with disability in non-viable enterprises; and,
- The congregation and segregation of jobseekers with disability.

We want a new QA system that will ensure organisations that receive Commonwealth funding meet the Principles and Objectives of the Disability Service Act 1986 (DSA). The serious non-compliance of the Act will not be addressed by this legislation.

We, as representatives, have brought before the Working Party and the Government our concerns. We have presented numerous detailed submissions and solutions. In fact we have been the only party to do so. Despite our detailed submissions, the Government is ignoring the clear voice of consumers who are supposed to benefit from any QA system.

The great achievement of the DSA is the recognition of people with disability as people. People with the same rights as other Australians. A key object and principle of the Act is the integration of

people with disability as valued members of the community. The current congregation of people with disability in non-viable businesses neither provides decent wages nor decent employment.

We know that many thousands of people with disability, predominantly people with intellectual disability, are employed under appalling employment terms and conditions. Many of these employees are congregated in non-viable business enterprises. This results in poor wages and the institutionalisation of people with disability.

It is now 15 years since the introduction of the DSA, and still many organisations have failed to change. We had hoped that this reform would provide the political will and leadership to address the tough issues. This government has shown that it will not address the tough issues and we as representatives of people with disability cannot support the Bill.

We also bring to the attention of the Senate that there are other features of the proposed QA system that have yet to be satisfied.

The inclusion of people with disability on audit teams is a key feature of the proposed QA system. Yet we cannot secure a commitment from the Government to provide resources for the training and support of people with disability who participate in audit teams.

We are yet to receive an indication that the QA system will develop a set of outcome indicators. This was a key recommendation of the Review of the Program in 1995. Without a common set of indicators and employment outcomes it will not be possible for an assessment of quality.

We are also concerned about the progress of the complaint handling system. This is a key feature of the proposed QA framework, yet we as representatives are unaware of its progress or design.

It is disappointing that a robust QA framework has been built without any real commitment for change. The government has wasted this opportunity to effect change.

Yours sincerely

Representatives of People with Disability
Members of the QA and Standards Working Party

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