

## ISSUE BRIEF

### Employment services and outcomes for CALD people with disability

January 2016

#### Summary

This issue brief outlines the employment participation and outcomes for people from CALD backgrounds with disability, status of the current employment services system for these job seekers, and suggested actions and reforms. It draws on FECCA's consultations and research, as well as outcomes of a forum organised by FECCA with participation of the FECCA Disability Advisory Committee, and representatives from the Department of Social Services, the Department of Employment, the Australian Public Service Commission, and private disability employment sector.

#### About FECCA

The Federation of Ethnic Communities' Councils of Australia (FECCA) is the peak, national body representing Australians from culturally and linguistically diverse (CALD) backgrounds. We work to promote fairness and responsiveness to our constituency in the delivery and design of government policies and programs. At the heart of FECCA's work is promoting multiculturalism, embodied in equitable policies and non-discriminatory practices for all Australians, regardless of their cultural, linguistic, ethnic, racial or religious backgrounds. Towards this end, FECCA strives to ensure that the needs and aspirations of various cohorts of Australia's culturally and linguistically diverse population are heard by policy and decisions makers, as well as the broader public. FECCA continues to work with organisations that advocate for people with disability from CALD backgrounds, including the National Ethnic Disability Alliance (NEDA).

## Background

People with disability from CALD backgrounds face a multitude of barriers when entering the workforce. Lack of culturally competent employment service provision, inability to access or limited knowledge about language services, cultural stigma and negative attitudes of the employers towards people with disability from CALD backgrounds are some of the main barriers. In addition, CALD people with disability are often placed by employment service providers in jobs that do not match their educational qualifications or career interests. FECCA has highlighted the numerous intersecting disadvantages and discrimination faced by this cohort.<sup>1</sup>

Diverse assessment tools are used to identify the most suitable employment services program for the job seeker, taking into account the needs and circumstances of each individual. The assessments are based on the Job Seeker Classification Instrument (JSCI), a questionnaire that allocates points to identify the job seeker's relative level of disadvantage in the labour market and the likely difficulty in obtaining employment. Under the JSCI, there are 18 factors that are identified as impediments to enter the workforce, and one of these factors is disability/medical condition.<sup>2</sup> Based on the outcome of the JSCI, job seekers are classified into different streams and each stream receives a different level of support.

The JSCI is administered by Centrelink (Department of Human Services) when a job seeker registers or re-registers to access government-funded employment services. Where a job seeker's individual circumstances have significantly changed or they disclose new or additional information that affects their most recent assessment, a JSCI Change of Circumstances Reassessment will be conducted.

The questionnaire was amended as a result of a review of the JSCI undertaken in 2008 and 2009. While changes to the JSCI are an internal departmental process, external consultations are often involved.<sup>3</sup>

However, in addition to the JSCI, Centrelink may refer individuals for Employment Services Assessment (ESAt) or Job Capacity Assessment (JCA) for further assessments. The ESAt will assess a person's medical condition or other barriers to work, reduced work capacity and the like. The JCA is used to determine the impact of medical conditions and disability on the individual's ability to work, including a determination with regard to eligibility for Disability Support Pension (DSP).

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<sup>1</sup> See further, FECCA submission to the National Disability Employment Framework, July 2015, <http://fecca.org.au/wp-content/uploads/2015/07/Submission-for-the-National-Disability-Employment-Framework1.pdf> , joint FECCA-NEDA submission to the Australian Human Rights Commission *Willing to Work* inquiry, December 2015, <http://fecca.org.au/wp-content/uploads/2015/12/FECCA-NEDA-willingtowork.pdf> .

<sup>2</sup> See further: <https://employment.gov.au/components-and-results-job-seeker-classification-instrument#factors> (accessed on 27 September 2015).

<sup>3</sup> Department of Employment communication to FECCA, 17 November 2015.

Streaming for support models is based on the JSCI assessment. FECCA has learnt that many from CALD communities do not provide sufficient information at the appropriate time to receive the benefits of this assessment.

*“Clients sometimes don’t disclose material information at the initial stages and that works against them. Refugees do not get additional points for their background. Some refugee youth are streamed as Stream 1 and Stream 1 is not entitled to receive funding support from Centrelink. A refugee should be able to bypass Stream 1 entirely.” (Service Provider, FECCA consultation, March 2015)*

The Department of Employment encourages job seekers who require assistance during the JSCI interview to be accompanied by a support person.<sup>4</sup> The presence of a support person was also endorsed by the Australian Law Reform Commission in 2011.<sup>5</sup>

Social and cultural stigma around disability and mental health issues prevents people with disability from CALD backgrounds revealing material facts. Lack of understanding about forms of disability and mental health issues, especially those of episodic nature are other contributory factors that result in limited provision of information during these assessments. Inadequate language skills and having a family member, friend or a community member acting as the interpreter may also hinder the ability of a person with a disability to communicate freely.

## **Service provision models**

### ***jobactive***

The government’s previous employment model, Job Services Australia (JSA), came to an end on 30 June 2015 and was replaced by jobactive on 1 July 2015. The jobactive model has three streams replacing the four streams in JSA. A key objective under jobactive is to increase job outcomes for unemployed Australians. To achieve this, jobactive providers will have the flexibility to deliver services based on what each individual job seeker needs to become work ready. With less prescription, jobactive providers can develop personalised strategies and innovative approaches to meet the needs of job seekers and employers.

Eligibility for jobactive assistance will generally depend on the type of income support a job seeker is receiving. Resources are directed towards job seekers who need the most support to find and keep jobs.

Job seekers receiving income support payments with mutual obligation requirements may be eligible for the full range of assistance under jobactive, specialised to their needs. This could

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<sup>4</sup> *Ibid*

<sup>5</sup> Social Security – Determining Capacity to Work in *Family Violence and Commonwealth Laws – Improving Legal Frameworks*, Australian Law Reform Commission, Report 117, 8.33, <http://www.alrc.gov.au/publications/8-social-security%E2%80%94determining-capacity-work/job-seeker-classification-instrument> (accessed on 17 November 2015).

include help with looking for work, writing résumés, preparing for interviews, referrals to jobs and targeted vocational training that is suited to the skills that local employers need. Job seekers that require more assistance to get jobs will be case managed by their jobactive providers to build work capacity and address any personal issues preventing them from getting jobs.

As of 30 June 2015, there were 149,848 registered job seekers from CALD backgrounds,<sup>6</sup> close to 19 per cent of the total caseload of the JSA. Of this group, 38,782 people or 26 per cent were people with disability. Out of the 38,782 CALD candidates with disability, 79 per cent belonged to stream 3 and 4 (the most disadvantaged streams in the JSA model). In addition, between 1 July 2009 and 30 June 2015 JSA achieved 56,909 job placements for people with disability from CALD backgrounds.<sup>7</sup>

As at 30 September 2015, 142,989 job seekers registered to receive jobactive services were from a CALD background which is approximately 19 per cent of the total case load. Within this group, 26 per cent of the CALD participants, in other words 37,768 job seekers, are people with disability. About 86 per cent of job seekers with disability from CALD backgrounds were in Stream B or C which are more disadvantaged groups receiving a higher level of employment services assistance.

The effectiveness of the jobactive model is difficult to measure as it has only been in operation for a limited time. However, it is noteworthy that many CALD clients do not have a clear understanding about the new changes or how the new changes impact the services they receive.

*“It’s just a change of the name”* (Male participant with a disability, FECCA consultation, September 2015)

Given the important role played by these services and service providers it is vital for the government to adopt measures to ensure that people with disability from all backgrounds understand the roles of different services and providers.

The jobactive programme is available to those who are receiving government income support and have mutual obligation requirements such as Work for the Dole or looking for work in return for the payment. Those who are outside the above categorisation and have work rights may be able to volunteer for jobactive services. This differentiation can have a negative impact on certain categories of migrants, international students and individuals on temporary and bridging visas.

jobactive has an interactive website which provides information for jobseekers as well as potential employers. However, there is no reference as to obtaining language services for those who need such assistance.

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<sup>6</sup> The statistics relate to job seekers born in non-English speaking countries (i.e. not the United Kingdom, the United States of America, Canada, Ireland, New Zealand, South Africa and Australia.)

<sup>7</sup> Statistics provided to FECCA by the Australian Government Department of Employment on 23 September 2015.

## **JobAccess**

JobAccess is an Australian Government initiative to support the employment of people with disability. It provides vital services to employers such as information and assistance with regard to workplace modifications or adjustments and ongoing support to job seekers to find and retain jobs. Additionally, JobAccess plays a key role in delivering the Employment Assistance Fund (EAF). This fund provides financial assistance to employers for work related equipment, access related modifications and other adjustments to facilitate an employee with a disability.

Similar to other online information portals, the information about JobAccess is limited to English and there are no translated materials available online. The JobAccess website does not provide clear indications as to how translation or interpretation services can be accessed. Moreover, information provision about this initiative is mainly through these online platforms which limits the access of CALD people with disability who are not computer literate or do not have access to a computer and the internet. Consultations undertaken by the Disability Employment Taskforce of the Department of Social Services also highlighted the need for further promotion of JobAccess.<sup>8</sup> Underutilisation of these resources can be addressed through targeted education campaigns focusing on employers as well as job seekers.

## **Disability Employment Services**

Disability Employment Services (DES) is attached to the Department of Social Services and operates parallel to the services provided by the Department of Employment to assist people with disability. The Department of Social Services offers two employment services to assist people with disability, namely;

- Australian Disability Enterprises (ADEs),<sup>9</sup> which provide job placements for participants under close supervision; and
- Disability Employment Services (DES),<sup>10</sup> which specialise in helping participants with injury, disability or a health condition to find and retain employment in the open labour market.

DES provides two main services:

- Disability Management Service (DMS-DES) which provides rehabilitation and support for participants with an injury that are not expected to need long-term support; and

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<sup>8</sup> *National Disability Employment Framework – Consultation Report*, Department of Social Services, September 2015, p. 5.

<sup>9</sup> See further: <https://www.dss.gov.au/our-responsibilities/disability-and-carers/program-services/for-service-providers/australian-disability-enterprises> (accessed on 27 September 2015).

<sup>10</sup> See further <https://www.dss.gov.au/our-responsibilities/disability-and-carers/programmes-services/disability-employment-services> (accessed on 27 September 2015).

- Employment Support Services (ESS-DES) which provide ongoing support for as long as required by the participant with a permanent disability or for those who need long-term assistance to retain employment.

Eligibility to receive supports under DES is determined following the JSCI and other necessary assessments. DES services are provided for individuals whose primary barrier to employment is the disability or the medical condition. If remoteness of the location, language and numeracy proficiency and other factors are more prominent barriers than the disability or medical condition, the individual will receive support under the jobactive service model.

There are currently 135 DES providers operating in 2,320 sites within Australia, assisting 173,461 DES participants. Approximately 19 per cent or 32,915 DES participants are from a CALD background. Of the 135 DES providers, two providers deliver specialist CALD employment services in 5 sites (3 in New South Wales, 1 in Queensland and 1 in South Australia).<sup>11</sup> All DES providers must be certified against the National Standards for Disability Services<sup>12</sup> and are required to maintain this certification in order to receive DES funding.

The Department conducts post-placement check of DES participants approximately after three months following the exit of DES services to monitor their current status. In the 2014 calendar year, general disability employment success rate was 31.5 per cent, while the CALD employment rate was 25.5 per cent. A total of 29.3 per cent of the DES participants were not in the labour force; of this 29.3 per cent, 35.2 per cent were participants were from CALD backgrounds.<sup>13</sup>

## **Policy Framework**

### ***Disability Employment Framework***

The Department of Social Services established a Taskforce in 2015 to review the DES services to design a new Disability Employment Framework that is choice-driven, employer-focused and co-designed with people with disability, employers and service providers.<sup>14</sup> The principles of change include individual funding based on needs and employment goals, market-based service provision, long-term career planning and capacity building and increased open employment options. Several suggestions were made in order to assist people with transitioning to open employment including 'more support for specialist

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<sup>11</sup> Disability Employment Services- DES Monthly Data: <http://lmip.gov.au/default.aspx?LMIP/DisabilityEmploymentServicesData/MonthlyData> (accessed on 27 September 2015).

<sup>12</sup> National Standards for Disability Services: [https://www.dss.gov.au/sites/default/files/documents/06\\_2015/nsds\\_full\\_version.pdf](https://www.dss.gov.au/sites/default/files/documents/06_2015/nsds_full_version.pdf) (accessed on 27 September 2015).

<sup>13</sup> Disability Employment Services- DES Monthly Data: <http://lmip.gov.au/default.aspx?LMIP/DisabilityEmploymentServicesData/MonthlyData> (accessed on 27 September 2015).

<sup>14</sup> *National Disability Employment Framework – Consultation Report*, Department of Social Services, September 2015, p. 2.

assistance for some cohorts such as *CALD people with disability* [emphasis added] and people with mental illnesses'.<sup>15</sup>

### Scope for further action

Although a considerable amount of mechanisms and incentives are in place to assist employment of people with disability, the numbers of organisations or employers who are willing to employ these individuals are limited. Thus, a shift in the mind-set of all the relevant stakeholders is vital to increase employment opportunities. The current service model encourages disability employment service providers by allocating certain incentives based on employment outcomes. A provider can secure a greater amount of revenue through the bonus work placement payment mechanism. This inadvertently results in creating an environment where service providers are inclined to dedicate more resources and energy to place individuals with disability who are more likely to be employed as opposed to others who possess more complex needs. However, such differentiation of clients will have a negative impact on the 'star rating'<sup>16</sup> of the employment service provider in the long run and will also be detected during the business reallocation evaluation conducted by the department every 18 months.

The effectiveness and understanding as to the use of 'wage subsidy' is an area that the Government could look into in order to improve and increase employment of CALD people with disability. Although larger corporations often do not apply for the wage subsidy, a substantial proportion of the small enterprises or businesses use the subsidy when recruiting people with disability. However, misconceptions about the administration of wage subsidy including the belief that the wage subsidy is only applicable towards reducing the wages limit the application of the government provided subsidy. Thus it is imperative to educate the employers that the wage subsidy can be utilised for other purposes such as workplace arrangements and education.<sup>17</sup>

Flexible working arrangements are vital for people with disability who have varying degrees of working capacities. Job sharing is a method in which employment opportunities for people with disability can be increased. Although this option has been promoted for a long period of time, there are certain risks of job service providers manipulating these arrangements. According to the National Disability Employment Framework Consultation Report, 'the department received feedback that certain providers churn many participants through the one job to achieve additional payments and additional performance credits'.<sup>18</sup>

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<sup>15</sup> *Ibid* p.10.

<sup>16</sup> For more information about the Disability Employment Services Star Rating please visit <https://www.employment.gov.au/disability-employment-services-star-ratings> and [https://docs.employment.gov.au/system/files/doc/other/disability\\_employment\\_services\\_star\\_ratings\\_methodology\\_advice.pdf](https://docs.employment.gov.au/system/files/doc/other/disability_employment_services_star_ratings_methodology_advice.pdf) (accessed on 27 September 2015).

<sup>17</sup> See further: [https://docs.employment.gov.au/system/files/doc/other/wage\\_subsidy\\_scheme.pdf](https://docs.employment.gov.au/system/files/doc/other/wage_subsidy_scheme.pdf) (accessed on 27 September 2015).

<sup>18</sup> *National Disability Employment Framework – Consultation Report*, Department of Social Services, September 2015, p. 6.

Understanding the varied levels of disability, social stigma and cultural needs is vital for disability employment service providers. Encouraging disability employment service providers to recruit individuals with lived experiences of disability within their own organisation will create more opportunities and on the other hand will increase the effectiveness of service delivery.

Focusing on job shaping to match the educational and professional qualifications and the preferred career of a person with a disability, long term career planning, increasing more culturally sensitive service providers, minimising red-tape, increase flexible working conditions including options such as working from home and job sharing and identifying role models and developing case studies to be distributed to prospective employers are other practical solutions to increase employment of CALD people with disability.